

LAKE ELSINORE & SAN JACINTO WATERSHEDS AUTHORITY BOARD OF DIRECTORS MEETING

REGULAR MEETING MINUTES
APRIL 19, 2018

BOARD OF DIRECTORS PRESENT

Robert Magee, Chair, City of Lake Elsinore
Phil Williams, Secretary/Treasurer, Elsinore Valley Municipal Water District
Vicki Warren, City of Canyon Lake
Kevin Jeffries, County of Riverside

BOARD OF DIRECTORS ABSENT

Brenda Dennstedt, Vice Chair, Santa Ana Watershed Project Authority

OTHERS PRESENT

Liselle DeGrave, DeGrave Communications
Nicole Dailey, City of Lake Elsinore

LESJWA STAFF

Mark Norton, Dawna Munson, Sara Villa

CALL TO ORDER/PLEDGE OF ALLEGIANCE

The Regular Board of Directors meeting of the Lake Elsinore & San Jacinto Watersheds Authority (LESJWA) was called to order at 4:00 p.m. by Chair Magee at the Elsinore Valley Municipal Water District, 31315 Chaney Street, Lake Elsinore, California.

ROLL CALL

Roll call was duly noted and recorded by the Clerk of the Board.

PUBLIC COMMENTS

There were no public comments.

1. CONSENT CALENDAR

A. APPROVAL OF MEETING MINUTES: DECEMBER 21, 2017

Recommendation: Approve as posted.

B. TREASURER'S REPORT: NOVEMBER/DECEMBER 2017 AND JANUARY/FEBRUARY 2018

Recommendation: Approve as posted.

C. COMMITTEE STATUS REPORT: EDUCATION AND OUTREACH COMMITTEE MEETING NOTES OF JANUARY 9, 2018 AND MARCH 26, 2018

Recommendation: Approve as posted.

D. TMDL TASK FORCE REPORT: LAKE ELSINORE & CANYON LAKE TMDL TASK FORCE MEETING NOTES OF JANUARY 17, 2018 AND FEBRUARY 14, 2018

Recommendation: Approve as posted.

MOVED, approve the Consent Calendar.

Result: **Adopted (Unanimously)**
Motion/Second: Jeffries/Warren
Ayes: Jeffries, Magee, Warren, Williams
Nays: None
Abstentions: None
Absent: Dennstedt

2. ELECTION OF OFFICERS (MEMO 826)

Mark Norton said in accordance with LESJWA's JPA, the Board is to conduct nominations of its officers every two years. Chair Magee opened the floor for nominations. Director Williams nominated SAWPA as Chair, EVMWD as Vice Chair, and Canyon Lake as Secretary/Treasurer. It was suggested that Chair Magee continue the rest of the meeting as Chair.

MOVED, approve the officers Brenda Dennstedt/SAWPA, Chair, Phil Williams/EVMWD, Vice Chair, and Vicki Warren/City of Canyon Lake, Secretary-Treasurer for the LESJWA Board of Directors for a two-year term through December 31, 2019.

Result: **Adopted (Unanimously)**
Motion/Second: Williams/Jeffries
Ayes: Jeffries, Magee, Warren, Williams
Nays: None
Abstentions: None
Absent: Dennstedt

3. FY 2018-2019 LESJWA BUDGET (MEMO 827)

Mark Norton briefly reviewed the LESJWA annual budget for FY 2018-2019. It covers the LESJWA activity for the fiscal year, and also lists the existing projects, studies, and administrative costs associated with operating the agency and implementing the TMDL projects. He referenced page 69 of the board packet and discussed the remaining reserve revenue funding carried over from past member agency contributions for much of the LESJWA administrative activities and to balance the budget. Norton noted that we are building up reserves in this JPA and that is discretionary of what we choose to use it for.

The major activities planned for FY 2018-19 include administration and implementation of the many TMDL tasks for both lakes, including continuing the alum application at Canyon Lake for the water quality improvement project, implementing watershed and lake monitoring, and revision to the LE/CL nutrient TMDL. The allocations anticipated for the year were reviewed.

Director Williams referenced page 71 of the board packet and expressed concerns on the line item containing Nevada Hydro within the Lake Elsinore & Canyon Lake TMDL Task Force Budget. He noted that EVMWD cannot approve a budget that includes Nevada Hydro due to their current litigation with Nevada Hydro. He'd like to discuss with his legal counsel in closed session. Director Williams stated that he can vote for a budget that does not reflect their contributions or offers to perform, but otherwise cannot approve the budget. He can vote for it exclusive of the Nevada Hydro contribution. EVMWD is neither supporting or denying Nevada Hydro's involvement.

MOVED, approve the FY 2018-2019 LESJWA Budget as submitted with the exception of the contributions of Nevada Hydro.

Result: **Adopted (Unanimously)**
Motion/Second: Williams/Jeffries
Ayes: Jeffries, Magee, Warren, Williams
Nays: None
Abstentions: None
Absent: Dennstedt

4. LAKE ELSINORE & CANYON LAKE NUTRIENT TMDL COMPLIANCE MONITORING PROGRAM (MEMO 828)

Mark Norton informed the Directors that the contract with AMEC Foster Wheeler Environment & Infrastructure, Inc. (AMEC) is coming to an end. The members of the Lake Elsinore & Canyon Lake TMDL Task Force Technical Advisory Committee (Committee) recommend extending the agreement for two additional years to conduct Phase 2 nutrient TMDL Compliance monitoring program. Norton noted that the Committee is very pleased with AMEC's work and have been very proactive with any needs. Their work includes compliance monitoring and pre-alum effectiveness monitoring, they help prepare quarterly and annual reports that are submitted to the Regional Board and assist with quality assurance.

Norton stated that the Lake Elsinore & Canyon Lake TMDL Task Force FY 2018-19 Budget provided a budget of \$176,112 to conduct watershed-wide nutrient monitoring. Additionally, the TMDL Task Force has approved the use of its sufficient reserves to cover the balance of the additional monitoring to support the proposed monitoring by the Lake Elsinore and Canyon Lake TMDL Task Force. All staff contract administration time for this contract will be taken from the TMDL budget and funded by the TMDL Stakeholders. Norton noted that we recognize that we must be competitive in our costs, but the TMDL task force feels that we should continue with AMEC and then go out for competitive bid in two years.

MOVED, approve and authorize a two-year Agreement and Task Order No. AMEC160-04 for an amount not to exceed \$176,110/year with AMEC Foster Wheeler Environment & Infrastructure, Inc. to oversee and implement FY 2018-2020 Phase 2 Nutrient TMDL Compliance Monitoring Program for the Lake Elsinore & Canyon Lake Nutrient TMDL Task Force.

Result: **Adopted (Unanimously)**
Motion/Second: Williams/Magee
Ayes: Jeffries, Magee, Warren, Williams
Nays: None
Abstentions: None
Absent: Dennstedt

5. 2018 LESJWA WATER SUMMIT (MEMO 829)

Mark Norton informed the Directors that the 5th Annual LESJWA Water Summits was a success. It doubled in attendance from previous years. He reviewed the panel of speakers including Hope Smythe (RWQCB), Jason Uhley (RCFC&WCD), Greg Kahlen (The Kahlen Group, representing LEAPS Project), Tim Moore (Risk Sciences), and Pat Boldt (WRCAC). Norton noted that for the first time we had sponsors and a small registration fee was collected from the attendees. Norton commended Liselle DeGrave on her outstanding job in coordinating the event. The videos of the summit speakers will be posted on the website.

Director Williams commented that he thought they did an outstanding job. Having the annual summit is

extremely important to the public to understand how and what gets done. Chair Magee noted that staff did a great job as did Liselle DeGrave and Nicole Dailey. He suggested that perhaps in the future the Summit could be held at the new Lake Elsinore Campground which would be a beautiful backdrop for the function.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 5.

6. TEMESCAL CANYON HIGH SCHOOL PRESENTATION (MEMO 830)

Mark Norton provided brief background on how recently the LESJWA Board had received multiple letters from students of Temescal Canyon High School expressing dismay about the lake conditions at both Canyon Lake and Lake Elsinore and thinking that nothing was being done to address the lake quality.

With the support of DeGrave Communications, a PowerPoint presentation about LESJWA was presented to an assembly of approximately 250-300 students. The following representatives were in attendance; LESJWA staff, Mark Norton; City of Canyon Lake Mayor; LESJWA Board Member, Vicki Warren; Nicole Dailey, City of Lake Elsinore, and Liselle DeGrave of DeGrave Communications. The presentation was well received, and a letter of appreciation was sent to LESJWA from the chemistry teacher.

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

7. LESJWA/LEAPS DISCUSSION (3/26/18 LETTER)

Mark Norton provided a brief background on the letter submitted to Federal Energy Regulatory Commission (FERC) on March 26, 2018 on behalf of LESJWA. He referenced the letter within the Board packet and said that the letter explicitly stated that neither LESJWA nor the LE/CL TMDL Task Force were endorsing or objecting to the proposed LEAPS project. However, it indicated the belief that Nevada Hydro's decision to work within the Task Force provides the best path for reaching a mutually acceptable outcome. Norton noted that when the letter was prepared, he felt it was a statement of fact and not an endorsement. Since then he learned there was concerns in regard to the letter that may be interpreted as an endorsement, which was not his intent. Norton apologized to the Board and stated that he should have had the letter reviewed by the LESJWA Board of Directors prior to submitting. It was noted that Director Dennstedt also expressed concerns in regard to the letter and wanted to make sure that LESJWA isn't being portrayed as being supportive of the project.

Chair Magee noted that there are some discussions that need to be brought up behind closed doors and suggested having a closed session to discuss with LESJWA's legal counsel. It was noted that at least two directors will not be able to attend the June 21 LESJWA Board Meeting due to the WRCOG meeting, and recommended scheduling a Special Meeting with the legal counsel and have a dialogue about the letter and our relationship to the organization. Chair Magee expressed concerns about the letter being sent out without the Board's review and approval, and felt that the LEAPS Project presenter at the LESJWA Summit couldn't completely answer questions, which didn't look very good.

Director Williams appreciated Mr. Norton's apology and he noted that he is very limited in what he can and can't say about what the project can and can't do. The letter implies that the two partners have come to some sort of agreement, and from his standpoint, they have not granted that kind of permission. He agreed that the Board should see this type of letter in the future before it's submitted to FERC or others. Williams noted if we need to send them a letter that their membership in the LE/CL TMDL Task Force is held in abeyance until all agree. It was noted that the letter and discussion should be done in closed session.

Director Jeffries noted that he believes it was a serious breach of trust with this Board. The letter puts us at odds with our constituents, and it needs to be retracted and reformatted and sent based on

Commission's input.

Director Williams departed the meeting room at 4:52 p.m.

Nicole Daily of City of Lake Elsinore said that the City is working on a Task Force of regional agencies to engage in what is coming next and what can be changed and what the options are. The meetings are held once a month. The City also has acquired a Federal Lobbyist to assist them along the way. Director Jeffries said that's an open public process which is good, but we need legal advice in closed session as well.

Chair Magee proposed a motion that we authorize a letter to retract the initial March 26, 2018 letter, notifying FERC that all members present voted in support of the retraction, and will continue our discussions in closed session and in open session as permitted. He asked LESJWA staff to set up a future Special LESJWA Board meeting and invite Nevada Hydro to the table.

MOVED, approve and authorize staff in issuing a letter to retract the initial letter dated March 26, 2018, notifying FERC that all members present voted in support of the retraction and will continue the discussion in closed session and open session as permitted.

Result:	Adopted (Unanimously)
Motion/Second:	Magee/Jeffries
Ayes:	Jeffries, Magee, Warren
Nays:	None
Abstentions:	None
Absent:	Dennstedt, Williams

8. ADMINISTRATOR'S COMMENTS

Mark Norton thanked LESJWA Board Clerk, Dawna Munson, who is retiring, for her 16 years of service to LESJWA.

9. DIRECTORS' COMMENTS

Director Warren apologized for not being able to attend the LESJWA Water Summit.


10. ADJOURNMENT

There being no further business for review, Chair Magee adjourned the meeting at 4:58 p.m.

Approved at a Regular Meeting of the Lake Elsinore & San Jacinto Watersheds Authority Board of Directors Meeting on Wednesday, June 27, 2018.


Brenda Dennstedt, Chair

Attest:


Sara Villa, Clerk of the Board