



CITY OF MENIFEE

SUBJECT: Agreement Amendment to the Lake Elsinore and Canyon Lake Total Maximum Daily Load Task Force

MEETING DATE: June 1, 2022

TO: Mayor and City Council

PREPARED BY: Haile Ford, Senior Engineer

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Approve Amendment No. 3 to the Lake Elsinore and Canyon Lake Total Maximum Daily Load (TMDL) Task Force Agreement extending the term through June 30, 2025; and
2. Adopt Resolution approving Amendment No. 3 to the TMDL Task Force Agreement.

DISCUSSION

On October 2, 2012, the City Council approved an agreement with agencies in the Lake Elsinore and San Jacinto Watersheds to participate in the Lake Elsinore and Canyon Lake TMDL Task Force (Task Force). The Task Force works to monitor and improve the water quality of Lake Elsinore and Canyon Lake, and is comprised of the following 20 member agencies:

- County of Riverside
- City of San Jacinto
- City of Hemet
- City of Perris
- City of Lake Elsinore
- City of Riverside
- City of Beaumont
- City of Menifee
- City of Moreno Valley
- Riverside County Flood Control and Water Conservation District
- U.S. Air Force
- U.S. Forest Service in the U.S. Department of Agriculture
- City of Canyon Lake
- City of Murrieta
- Eastern Municipal Water District
- California Department of Transportation
- March Air Reserve Base – Joint Powers Authority
- California Department of Fish and Game
- Western Riverside County Agricultural Coalition on behalf of Agricultural and Dairy Operators in San Jacinto River Basin
- Elsinore Valley Municipal Water District (EVMWD)

Lake Elsinore and Canyon Lake are designated as impaired water bodies for nitrogen and phosphorus, pursuant to the Federal Clean Water Act. As a result of this designation, the Clean Water Act requires that limitations be placed on the specific amounts of nitrogen and phosphorus found in Lake Elsinore and Canyon Lake. These limitations are established as the TMDL, which is the total amount of nitrogen and phosphorus allowed per day to be found in the water of each lake.

The Task Force was established to share costs for activities to monitor water quality, develop plans for pollutant reduction, update water quality models, and revise the current TMDL to reflect updated data with the objective of reducing pollutants in water runoff that are found in the waters of Lake Elsinore and Canyon Lake. These activities are performed by the Lake Elsinore and San Jacinto Watersheds Authority (LESJWA), and the costs for LESJWA to perform these activities are shared by the 20 member agencies of the Task Force.

Amendment No. 1 to the original Agreement was approved by the City Council on October 17, 2018 and extended the term of the Agreement to June 30, 2020 and LESJWA the authority to unilaterally extend the term of the Agreement through June 30, 2022. LESJWA unilaterally extended the term of the Agreement to June 30, 2022 as part of Amendment No. 2.

If approved, Amendment No. 3 would extend the term of the Agreement to June 30, 2025 and give LESJWA the authority to unilaterally extend the term of the Agreement to June 30, 2027.

The City is not required to continue to be part of the Task Force. However, it is recommended to continue participation in the task force due to the following:

- The Task Force still has additional tasks to accomplish in order to find solutions to the water quality issues in Lake Elsinore and Canyon Lake. It is in the City's best interest to remain in the Task Force rather than individually carrying out and paying for the necessary activities to be performed at Lake Elsinore and Canyon Lake, since the City does not have the staffing and other resources to properly do all the necessary activities (i.e., achieve compliance) individually.
- As a continued member of the Task Force, water quality monitoring and issues in the City would be funded through the Task Force, saving the City thousands of dollars compared to the City doing these activities on its own.
- The City is much less likely to face potential litigation as a continued member of the Task Force. Of the 20 member agencies that are part of the Task Force, the City has the largest land area that discharges storm water to Lake Elsinore and Canyon Lake.

STRATEGIC PLAN OBJECTIVE

Safe and Attractive Community

FISCAL IMPACT

Funding for membership participation fee related to the agreement is included in the City's proposed fiscal year 2022-2023 annual operating budget in the amount of \$100,000. Future fiscal year participation costs have not been determined at this time. However, participation costs are calculated based on land area, of which Menifee has the largest of amongst member agencies.

ATTACHMENTS

1. Original Agreement
2. Amendment No. 1
3. Amendment No. 2
4. Amendment No. 3
5. Resolution