



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City

**Council From:** Jason Simpson, City Manager

**Approved by:** Johnathan Skinner, Director of Community Services

**Prepared by:** Ben Foster, Management Analyst

**Date:** October 11, 2022

**Subject:** Amendment No. 3 to the Lake Elsinore and Canyon Lake Total Maximum Daily Loads (TMDL) Task Force Agreement

### **Recommendation**

Approve and authorize the Mayor to execute Amendment No. 3 to the Lake Elsinore and Canyon Lake Total Maximum Daily Loads (TMDL) Task Force Agreement.

### **Background**

In 1998, the Santa Ana Regional Water Quality Control Board designated Lake Elsinore and Canyon Lake as "impaired water bodies" pursuant to Section 303(d) of the Federal Clean Water Act, due to high levels of algae in both lakes and low dissolved oxygen in Lake Elsinore, attributed to excess phosphorus and nitrogen (Nutrients).

As a result of said Section 303 designation, the Regional Water Quality Control Board (RWQCB) adopted Resolution RS-2004-0037 on December 20, 2004 incorporating nutrient Total Maximum Daily Loads (TMDLs) for Lake Elsinore and Canyon Lake holding specified stake holders (TASK FORCE AGENCIES) individually and/or jointly liable for complying with the TMDLs by means of specific tasks to be completed by specified dates under penalty of law, the goal of the tasks to improve the water quality in the Lakes to the level specified in the TMDL.

### **Discussion**

In order to pool resources a stakeholders group was formed in 2006 and culminated in the formation of the TMDL Task Force Agreement. The original Task Force Agreement expired on June 30, 2012. A revised agreement was prepared by the Tasks Force Agencies reflecting selection by Task Force Agency of representatives to the Task Force, modification in monitoring requirements, and program cost distribution among other items. The revised agreement was adopted by City Council on July 10, 2012 and expired on June 30, 2017 (Exhibit D).

Amendment No. 3 to the Lake Elsinore and Canyon Lake TMDL Task Force Agreement  
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Task Force Agencies agreed to extend the agreement to June 30, 2020 (Exhibit C – Amendment No. 1) and authorized an administrative extension to June 30, 2022, which was approved by the Task Force Administrator (Exhibit B – Amendment No. 2).

Amendment No. 3 extends the term of the Task Force Agreement to June 30, 2025 and includes authorization that the Agreement may be extended an additional two years to June 30, 2027, by means of administrative action by the Task Force Administrator.

**Fiscal Impact**

Approval of this item will result in an expenditure of \$35,769 for FY 2022/2023 (Exhibit E). This expenditure is budgeted for and recovered by CSA 152 (stormwater) assessment.

**Exhibits**

- A - Amendment No. 3
- B - Amendment No. 2
- C - Amendment No. 1
- D – Original Agreement
- E - FY 2022-2023 TMDL Task Force Budget