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METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

November 22, 1993

To: Board of Directors (Engineering & Operations Committee--Information)
(Land Committee--Information)
(Water Quality & Environmental Compliance--Info)

From: General Manager

Subject: Update on Activities at Lake Mathews

Report

Introduction. There are several activities underway or in the planning stages at Lake Mathews that are intended to address a variety of operational, environmental, and water quality issues. Since many of these issues may be of particular interest to your Board and the general public, a summary of the current status of these activities is provided below for your information.

Multi-Species Habitat Conservation Plan/Natural Community Conservation Plan (MSHCP/NCCP). As authorized by your Board in July 1992, Metropolitan has been working with the Riverside County Habitat Conservation District (RCHCA) to develop the Lake Mathews MSHCP/NCCP. This plan is patterned after the Southwestern Riverside County MSHCP that was done to provide the assurances we needed from the U.S. Fish and Wildlife Service (Fish and Wildlife) and the California Department of Fish and Game (Fish and Game) to ensure that the Domenigoni Reservoir Project would not be delayed or halted by an endangered species listing. The Lake Mathews MSHCP/NCCP balances Metropolitan's ongoing operational requirements and capital improvement needs with the sensitive biological resources located on Metropolitan's lands around the lake. Among the key benefits of the proposed plan are the following:

1. By providing long-term habitat conservation for the endangered Stephens' kangaroo rat (SKR), the threatened California Gnatcatcher and more than 40 other sensitive species, Metropolitan will be able to secure pre-listing agreements with U.S. Fish and Wildlife Service and California Department of Fish and Game in conjunction with the MSHCP/NCCP. This will minimize the potential for project delays or stoppages resulting from the listing of one or more of those species covered by the plan.

2. A mitigation bank will be established to offset potential project impacts, including the Central Pool Augmentation project, the Cajalco Dam and Detention Basins, the Lake Mathews Bypass facility, and certain improvements proposed by Western Municipal Water District. Metropolitan would convey conservation easements to Fish and Game and RCHCA in exchange for the firm assurances of Fish and Wildlife Service and Fish and Game that, subject to the requirements of applicable law and regulations, reserve lands managed in accordance with the MSHCP/NCCP will be available both for Metropolitan's use as a mitigation bank and for RCHCA's use in connection with its long-term SKR HCP.

3. The aforementioned pre-listing agreement will provide a basis to minimize potential disruption of existing and future operational activities at the lake due to the presence of endangered species.

4. Through execution of a Cooperative Management Agreement, a Reserve Management Committee composed of Metropolitan, RCHCA, Fish and Wildlife, and Fish and Game will be established. As with the Southwestern Riverside County Multi-Species Reserve Management Committee, the Lake Mathews Reserve Management Committee would operate by consensus within the scope of authority specified in the Agreement.

5. The plan represents a cornerstone for the Lake Mathews/Estelle Mountain Core Reserve to be established by the RCHCA in conjunction with their Long-Term Habitat Conservation Plan for SKR, which in turn provides the basis for their long-term SKR take permit.

6. The plan will add another 2,545 acres to the existing 2,565-acre preserve now managed by Fish and Game at Lake Mathews, which essentially doubles the natural habitat protected in Reserve at the lake.

The biological surveys and acreage tabulations necessary to support the plan have been done and preliminary documents have been drafted (including the main volume of the plan, a biological technical report, and several legal agreements to be executed among the cooperating agencies). Further negotiations with the RCHCA, Fish and Wildlife, and Fish and Game are necessary to finalize the details of the agreements. In addition, a joint Mitigated Negative Declaration and Environmental Assessment/Finding of No Significant Impact

(EA/FONSI) is being prepared to comply with the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). It is anticipated that final negotiations and documentation will be complete by Spring 1994.

Fire Management Plan. To address public safety issues at Lake Mathews and in partial support of the aforementioned MSHCP/NCCP planning effort, staff is working closely with the California Department of Forestry & Fire Protection, Fish and Wildlife, and Fish and Game to develop a Fire Management Plan (Fire Plan) for the Lake Mathews area. The Fire Plan provides a planning framework for presuppression, suppression, and post-suppression fire control activities. It will allow Forestry & Fire to accomplish its fire protection mission while minimizing or avoiding potential impacts upon water quality, operations areas, and natural and cultural resources in the Lake Mathews area. A draft plan is currently being reviewed within Metropolitan and by each of the other participating agencies. A final plan is expected to be done by the end of December 1993.

Drainage Water Quality Management Plan for the Lake Mathews Watershed. In January 1993, your Board approved the Drainage Water Quality Management Plan for the Lake Mathews Watershed, authorized the General Manager to enter into the Implementation Agreement for the plan, and certified that it had considered the environmental effects of the plan as shown in the December 1992 Final EIR. Your Board had been informed previously about the plan's components, financing programs, environmental documentation, etc. in January and October 1992 Board letters.

Since your Board's approval of the plan, a Streambed Alteration Agreement with Fish and Game has been secured for Phase I of the plan pursuant to Section 1600 of the State Fish and Game Code. A similar agreement for Phase II is still being processed. Permits required from the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act for both Phases I and II are expected to be obtained by mid-1994. Related Section 401 Water Quality Certifications have already been obtained from the State Water Resources Control Board for both phases.

With regard to funding arrangements for plan implementation, an Area Drainage Plan, which is a major plan reimbursement source, is expected to be approved by the Riverside County Flood Control and Water Conservation District in the first quarter of 1994. Further, Congressman Ken Calvert of Riverside is spearheading a drive to obtain Federal grant funding for the plan as a demonstration project related to a County-wide wetlands and water quality project. There also appears to be strong

support for the plan as a demonstration project among the entire Inland Empire Congressional delegation. Federal grant funding of up to \$11 million for the 1995 construction year is being pursued actively.

Revised Water Quality Control Plan - Santa Ana River Basin. The Santa Ana Regional Water Quality Control Board (RWQCB) released their final draft of the revised Water Quality Control Plan for the Santa Ana River Basin Plan (Santa Ana Plan) on November 5, 1993. The Santa Ana Plan sets forth certain beneficial use designations for Lake Mathews that are of concern to Metropolitan, particularly the new designation of "BIOL" (Preservation of Biological Habitats of Special Significance). This new designation could restrict Metropolitan's ability to operate the reservoir for the primary purpose of supplying a reliable and safe drinking water supply. Metropolitan's November 18, 1993 letter to RWQCB suggests that the BIOL designation is unnecessary (in light of the aforementioned MSHCP/NCCP) and that it may conflict with the primary purpose of the lake. The letter also raises Metropolitan's concerns regarding the compatibility of the Santa Ana Plan's designated recreational uses ("REC-1" and "REC-2") with Metropolitan's need to protect both water quality and ecological resources at Lake Mathews. A copy of the November 18 letter is attached for further information.

Shoreline Maintenance Activities. The removal of vegetation below the high water line of Lake Mathews (elevation 1390-feet) has been part of Metropolitan's routine reservoir maintenance activities for many years. This year's effort commenced on November 1 and is scheduled to extend through January 1994.

In light of increasingly stringent state and federal regulations governing biological resources, Planning and Operations divisions have devoted considerable effort to avoid and/or minimize potential impacts to these resources. This effort is the same as that employed last year and includes the following actions:

1. Scheduling maintenance for a window of time that avoids the nesting season for birds.
2. Advance flagging by biologists to identify sensitive resources to be avoided by work crews (i.e., large, healthy trees, trees and coves showing physical

evidence of use by wildlife, occupied SKR and California Gnatcatcher habitat, etc.). In addition, parking areas and access routes were flagged by biologists to identify areas appropriate for such use.

3. Ongoing monitoring by at least one onsite biologist during the entire vegetation removal process to ensure that resource issues which may arise during the course of the operation are resolved promptly and in a manner consistent with applicable state and federal regulations.

4. For all work below the high water line, vegetation removal is being done only by hand crews using chain saws and brush hogs. Cleared vegetation is placed in dump trucks or is stockpiled for removal in designated staging areas located above the high water line. The removed material is then hauled to a landfill.

Letters of notification regarding this year's effort were sent to Fish and Wildlife, Fish and Game, the Corps, the San Bernardino Valley Chapter of the National Audubon Society, and local newspapers. In addition, staff escorted a representative of Fish and Game around the site while work was underway to demonstrate the effectiveness of the steps noted above. To date, the operation has proceeded without incident or controversy.

To address shoreline maintenance needs for a longer term, staff is currently preparing application packages to obtain a permit from the Corps pursuant to Section 404 of the Clean Water Act and a related Section 401 Water Quality Certification from the State Water Resources Control Board. This would allow future shoreline maintenance activities to be done in a more efficient manner by using mechanized equipment rather than hand crews to remove vegetation below the high water line. These approvals would likely be conditioned upon Metropolitan's implementation of certain mitigation measures.

Board Committee Assignments

This letter was referred for information to:

The Engineering and Operations Committee because of its authority to study, advise, and make recommendations with regard to the operation, protection, and maintenance of the plants and facilities required for the production, exchange, sale, storage, treatment, and delivery of water and power and for the storage and treatment of water, pursuant to Administrative Code Section 2431(c).

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The Land Committee because of its authority to study, advise, and make recommendations with regard to the purchase, sale, and leasing of land, pursuant to Administrative Code Section 2451(b).

The Special Committee on Water Quality and Environmental Compliance because of its authority to study, advise, and make recommendations regarding environmental compliance and requirements pursuant to Administrative Code Section 2551(d).

Recommendation

For information only.



A handwritten signature in black ink, appearing to read "John R. Wodraska". The signature is fluid and cursive, with a large, stylized 'J' at the beginning.

John R. Wodraska

TPL/wlb

Attachment

S:\LK-MATHWS

November 18, 1993

Mr. Gerald J. Thibeault
Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION
2010 Iowa Avenue, Suite 100
Riverside, CA 92507-2409

Dear Mr. Thibeault:

Comments on Final Draft of Revised Water Quality
Control Plan - Santa Ana River Basin

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity to comment on the final draft of the revised Water Quality Control Plan for the Santa Ana River Basin (Basin Plan), dated November 5, 1993.

Metropolitan is a special district created by the California State Legislature in 1928 to provide supplemental water for cities and communities on the coastal plain of Southern California. Metropolitan's service area includes in excess of 160 cities and has a combined population of over 15 million. To provide this service, Metropolitan operates an extensive system of drinking water conveyances, reservoirs, and water treatment facilities, including extensive facilities within the Santa Ana Region.

Metropolitan previously submitted comments to you on the first draft revised Basin Plan, in a letter dated July 15, 1993. Your staff subsequently addressed those comments in the Basin Plan Update Report dated October 13, 1993. However, we have identified additional concerns with regard to the final draft of the Basin Plan that we would like to bring to your attention.

Metropolitan is concerned that we continue to have the ability to operate and manage our drinking water storage and

conveyance facilities in the Santa Ana River Basin for the purpose of complying with drinking water quality requirements of the California Safe Drinking Water Act (Chapter 7, Part 1, Division 5, Health and Safety Code). It is essential that Metropolitan not be constrained from managing and operating Lake Mathews for the primary purpose of supplying a reliable and safe drinking water supply to our customers to protect public health.

Short-term Variances. We note that all references to the Water Quality Control Plan for Inland Surface Waters of California (ISWP) have been deleted from the Basin Plan. It is our understanding that the ISWP deletions have occurred in response to the recent tentative court decision in a lawsuit filed against the California State Water Resources Control Board (SWRCB) by cities and public agencies in the Sacramento and San Francisco Bay areas. The California ISWP contained language in the introduction which allowed short-term or seasonal variances from ISWP provisions, if such variances were necessary to meet State or Federal drinking water regulations. This language ensured that compliance with the ISWP did not compromise the ability of drinking water suppliers to implement control measures at drinking water storage and conveyance facilities that are necessary to comply with drinking water regulations. Since all references to the ISWP have been deleted from the Basin Plan, we request that the Regional Board incorporate similar language into the introduction of the Basin Plan, which would allow for short-term or seasonal variances from Basin Plan provisions, if such variances are necessary to meet State or Federal drinking water regulations.

Beneficial Use Designations for Lake Mathews. Metropolitan is also concerned about the beneficial use designations listed in Table 3-1 of the Basin Plan for Lake Mathews. The beneficial uses which concern Metropolitan are BIOL, REC-1, and REC-2.

BIOL Beneficial Use. The second draft of the Basin Plan added the BIOL beneficial use for Lake Mathews. The Basin Plan defines BIOL as waters that support designated areas or habitats including established refuges, parks, sanctuaries, ecological reserves or preserves, and Areas of Special Biological Significance. Metropolitan is concerned that the BIOL beneficial use designation for Lake Mathews could be broadly interpreted to restrict our ability to operate and manage the reservoir for the primary purpose of supplying a reliable and safe drinking water supply to our customers to protect public health. Specifically, we are concerned that the BIOL beneficial use designation may

result in restrictions or limitations on Metropolitan's ability to effectively mitigate problems associated with the growth of nuisance algae in the reservoir. There are serious public health and water quality implications related to algae growth in water supply reservoirs including:

1. Deterioration in raw water quality including increased turbidity, increased pH and fluctuations in dissolved oxygen, all of which may impair water treatment plant performance and increase the risk of violations of the Federal and State Surface Water Treatment Rules;
2. Reduction in treatment plant capacity because of increased turbidity, or in extreme cases, filter clogging, which could affect Metropolitan's ability to meet consumer demands for safe drinking water;
3. Demand for higher chlorine dosage which may result in increased formation of disinfection by-product compounds in treated drinking water, some of which are suspected human carcinogens;
4. Production of compounds such as 2-methylisoborneol (MIB) and Geosmin which cannot be controlled by conventional water treatment processes and which cause serious taste and odor problems. This would result in noncompliance with State and Federal secondary drinking water standards; and
5. Blooms of certain algae which may produce human toxins as a byproduct of their growth.

A 2,565-acre ecological reserve managed by the California Department of Fish and Game was established by Metropolitan in 1979 as partial mitigation for the State Water Project, on lands surrounding Lake Mathews, but not including the lake itself. This reserve, however, does not conflict with Metropolitan's operation of the reservoir, according to the 1982 Agreement for the Establishment of an Ecological Reserve at Lake Mathews between Metropolitan and the California Department of Fish and Game which specifies:

"The establishment of the ecological reserve at Lake Mathews by the California Fish and Game Commission will not interfere with delivery of potable water by Metropolitan. Nothing in this agreement....is intended to affect or affects Metropolitan's ability or right to

utilize the reservoir as part of its water distribution system...."

Because of Metropolitan's commitment to the ecological reserve at Lake Mathews, we submit that the BIOL designation is unnecessary and may be counter-productive to preserving Lake Mathews' primary purpose as a drinking water supply reservoir.

REC-1 and REC-2 Beneficial Uses. Metropolitan also believes that the REC-1 and REC-2 designations for Lake Mathews are not compatible with protecting drinking water quality or the ecological reserve at Lake Mathews. According to the Basin Plan definitions, REC-1 uses may include swimming, wading, water skiing, skin and scuba diving, surfing, whitewater activities, and fishing, and REC-2 uses may include picnicking, sunbathing, hiking, beachcombing, camping, boating, hunting, sightseeing, and aesthetic enjoyment in conjunction with the above activities. We are aware that Table 3-1 in the Basin Plan contains a footnote stating that access to Lake Mathews for REC-1 activities is prohibited by the Metropolitan Water District; however, **Metropolitan specifically requests that the REC-1 and REC-2 designations for Lake Mathews be removed.**

The REC-1 designation is inconsistent with drinking water quality concerns. Metropolitan does not permit body contact recreation at our reservoirs because of the increased risk of introduction of water-borne pathogens to the reservoirs, and the conflicts with proper reservoir management. These issues are even more important with the expected promulgation by the U.S. Environmental Protection Agency of the proposed and more stringent Enhanced Surface Water Treatment Rule. This new rule will require higher levels of pathogen removal and inactivation.

The REC-1 and REC-2 designations are definitely not consistent with the sensitivity and mitigation purposes of the existing ecological reserve at Lake Mathews. Additionally, Metropolitan is currently working with the U.S. Fish and Wildlife Service, the California Department of Fish and Game, and the Riverside County Habitat Conservation Agency (RCHCA) to nearly double the size of the existing upland reserve. This will be accomplished through preparation of a Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan (MSHCP/NCCP) pursuant to the Federal Endangered Species Act and Sections 2800 - 2840 of the California Fish and Game Code. This enlarged reserve will protect over 45 sensitive species including the endangered Stephens' kangaroo rat and the threatened

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California gnatcatcher, and will be the cornerstone of the Lake Mathews-Estelle Mountain core reserve being established by the RCHCA's long-term Stephens' kangaroo rat Habitat Conservation Plan. Lastly, the new addition to the reserve will function as a mitigation bank for Metropolitan, providing mitigation credits for impacts of water supply infrastructure projects.

Currently, public use of the lands surrounding Lake Mathews is limited to prescheduled bird watching tours. The MSHCP/NCCP will include a management plan that addresses public use; however, it is unlikely most of the activities included in the REC-1 and the REC-2 categories will be allowed.

Wetlands Delineation Manual. The discussion of wetlands on page 3-4 of the Basin Plan states:

"The specific boundaries of each of these wetland areas will be determined on an as-needed basis (for 401 certifications and the like), using the methods described in the "Federal Manual for Identifying and Delineating Jurisdictional Wetlands" or other accepted techniques."

This statement needs to be revised to indicate that the 1987 Corps of Engineers Wetland Delineation Manual will be used for this purpose. Use of the 1987 manual was reinstated by the Corps of Engineers, U.S. Environmental Protection Agency, and the Soil Conservation Service following Congressional prohibition of Corps of Engineers' use of the 1989 Federal Manual.

We appreciate your consideration of the comments discussed above. If you have any questions or need additional information, please contact Ms. Kathy Kunysz, Manager of the Environmental Planning Branch at (213) 217-6272, or Mr. Chet Anderson, Senior Environmental Specialist in the Water Quality Division at (213) 217-6309.

Very truly yours,

Duane L. Georgeson
Assistant General Manager

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Mr. Gerald J. Thibeault

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bcc: Mr. John T. Morris
Irvine Ranch Water District

Mr. Robert G. Westdyke
Chino Basin Municipal Water District

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R. W. Balcerzak
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