

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY

Contract Number

20-313

SAP Number



San Bernardino County Flood Control District

Department Contract Representative	<u>Harold Zamora, P.E., Division Chief</u>
Telephone Number	<u>(909) 387-8109</u>
Contractor	<u>Santa Ana Watershed Project Authority</u>
Contractor Representative	<u>Mark Norton</u>
Telephone Number	<u>(951) 354-4220</u>
Contract Term	<u>July 1, 2020 - June 30, 2021</u>
Original Contract Amount	<u>\$166,360</u>
Amendment Amount	<u></u>
Total Contract Amount	<u>\$166,360</u>
Cost Center	<u>CC: 1990002550</u>
	<u>GL: 52002445</u>
	<u>PC: 77141500</u>
	<u>WINCAMS 75F01778</u>

Briefly describe the general nature of the contract:

The District as the Principal Permittee under the current Municipal NPDES Stormwater Permit on behalf of itself, the sixteen cities and the County of San Bernardino participates in the Middle Santa Ana River (MSAR) Total Maximum Daily Load (TMDL) Task Force. The purpose of the MSAR TMDL Task Force is to identify activities that targets sources of bacteria by either eliminating the source of bacteria or preventing it from entering the Santa Ana River. This is to provide continued funding to the Task Force to implement the requirements of the TMDL for bacterial indicators in the MSAR and allocate funds required for the compensation of the Santa Ana Watershed Project Authority as administrator to perform the tasks required by the Agreement shareholders.

FOR COUNTY USE ONLY

Approved as to Legal Form

▶ see attached

Sophie A. Akins, County Counsel

Date _____

Reviewed for Contract Compliance

▶ Andy Silao

Andy Silao, P.E.

Date 5/11/2020

Reviewed/Approved by Department

▶ Brendon Biggs

Brendon Biggs, P.E., Interim Chief Flood Control Engineer

Date 5-12-2020

Contract Number

SAP Number



San Bernardino County Flood Control District

<p>Department Contract Representative Telephone Number</p> <p>Contractor Contractor Representative Telephone Number Contract Term Original Contract Amount Amendment Amount Total Contract Amount Cost Center</p>	<p><u>Harold Zamora, P.E., Division Chief</u> <u>(909) 387-8109</u></p> <p><u>Santa Ana Watershed Project Authority</u> <u>Mark Norton</u> <u>(951) 354-4220</u> <u>July 1, 2020 - June 30, 2021</u> <u>\$166,360</u> <u>\$166,360</u> <u>CC: 1890002550</u> <u>GL: 52002445</u> <u>PC: 77141500</u> <u>WINCAMS 75F01778</u></p>
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FOR COUNTY USE ONLY

Approved as to Legal Form


Sophie A. Alzola, County Counsel

Date 5/11/20

Reviewed for Contract Compliance


Andy Siles, P.E.

Date _____

Reviewed/Approved by Department


Brandon Biggs, P.E., Interim Chief Flood Control Engineer

Date _____

Approved FY 2020-21 Budget: Middle Santa Ana River Pathogen TMDL Task Force

11/28/2019

Summary: TMDL Task Force Implementation Schedule and Budget			
Summary Expenses	Task Force Budget 2020-21	CBRP Source Eval 2020-21	Total Budget 2020-21
TASK FORCE: Administration (assumes quarterly meetings)	\$ 30,000		\$ 30,000
TASK FORCE: TMDL Compliance Expert	\$ 87,145		\$ 87,145
- Tess Dunham / Somach Simmons & Dunn	\$ 77,145		\$ 77,145
- Tim Moore / Risk Sciences	\$ 10,000		\$ 10,000
TMDL Implementation: Task 3 - Watershed-wide Monitoring Program	\$ 134,060		\$ 134,060
TMDL Implementation: Tasks 4 & 5 - Source Evaluation / Management:	\$ 100,000		\$ 100,000
- TMDL Workplan Implementation	\$ 100,000		\$ 100,000
Estimated Total Annual TMDL Implementation Budget:	\$ 351,205	\$ -	\$ 351,205
Applied Task Force Carryover Funds:	\$ -		\$ -
Estimated Total Stakeholder Cash Contribution:	\$ 351,205	\$ -	\$ 351,205
Contingency Reserve (estimated):	na	\$ -	na
Detailed: Named TMDL Party Pro Rata Budget Cost Shares			
	Task Force Budget 2020-21	CBRP Source Eval 2020-21	Total Budget 2020-21
MSAR TMDL Task Force Participants Cost Shares:			
San Bernardino County MS4 Program	\$ 166,360		\$ 166,360
Riverside Co. Flood Control & Water Conservation District	\$ -		\$ -
County of Riverside	\$ 18,484		\$ 18,484
City of Riverside	\$ 18,484		\$ 18,484
City of Corona	\$ 18,484		\$ 18,484
City of Norco	\$ 18,484		\$ 18,484
City of Eastvale	\$ 18,484		\$ 18,484
City of Jurupa Valley	\$ 18,484		\$ 18,484
Agriculture	\$ 18,484		\$ 18,484
City of Pomona	\$ 18,484		\$ 18,484
City of Claremont	\$ 18,484		\$ 18,484
U.C. Riverside	\$ 18,484		\$ 18,484
Applied Task Force Carryover Funds:	\$ -		\$ -
Total:	\$ 351,205		\$ 351,205

Notes:

Budget number for TMDL Compliance Expert are preliminary.

The FY 2020-21 budget for Task 3 - Watershed-wide Monitoring Program of \$134,060 to be transferred to the Regional Water Quality Monitoring Task Force

The \$100,000 allocated to Tasks 4 & 5 - Source Evaluation / Management is intended to initiate the process to update the TMDLs.

Description of Task Force Budget			
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Annual Task Force Administration

- Organize and facilitate TMDL TASK FORCE meetings,
- Perform secretarial, clerical and administrative services, including providing meeting summaries to TMDL TASK FORCE members,
- Manage TMDL TASK FORCE funds and prepare annual reports of TMDL TASK FORCE assets and expenditures,
- Act as the contracting party, for the benefit of the TMDL TASK FORCE, for contracts with all consultants, contractors, vendors and other entities,
- Seek funding grants to assist with achieving the work of the TMDL TASK FORCE and other goals and objectives of the TMDL TASK FORCE,
- Coordinate with other agencies and organizations as necessary to facilitate TMDL TASK FORCE work,
- Administer the preparation of quarterly and annual reports, as required by the TMDL Implementation Plan, and submit them as required by the TMDL Implementation Plan on behalf of the TMDL TASK FORCE,
- Provide TMDL TASK FORCE members an opportunity to comment and approve any reports or other work product developed.
- Coordinate and facilitate the addition of other Monitoring Programs to the Task Force,
- SAWPA Administration fees include a 5% escalator annually

TMDL Compliance Expert

Support stakeholders as a Regulatory Strategist and Compliance Expert .

TMDL Task 3 - Annual Watershed-wide Monitoring Program

Watershed-Wide Monitoring Program to assess compliance with REC-1 use water quality objectives for fecal coliform and evaluate numeric targets established for E. coli has been incorporated into the regional **Santa Ana River Bacteria Monitoring Program**.

TMDL Task 4 - Urban Source Evaluation / Management

Includes effort to update TMDLs along with additional Characterization of Pathogen Indicator Pollution using available water quality data

NON-TMDL Related activities

Comprehensive Bacteria Reduction Plan (CBRP) implementation

Includes efforts by the Counties to conduct source evaluation as part of their MS4 permit requirements detailed in each County's Comprehensive Bacteria Reduction Plan (CBRP)

Santa Ana River Bacteria Monitoring Program

This Santa Ana River Watershed Bacteria Monitoring Plan ("SAR Bacteria Monitoring Plan") establishes the requirements for bacteria sampling to support the following objectives:

- 1) Fulfill the monitoring and surveillance requirements of the 2012 adopted Basin Plan amendment (BPA) to Revise Recreation Standards for Inland Freshwaters in the Santa Ana Region
- 2) Conduct sampling to support implementation of the Middle Santa Ana River (MSAR) Bacterial Indicator TMDL
- 3) Support any additional bacterial indicator monitoring that may be conducted in the watershed to support regional regulatory activities or requirements.

[Link to Santa Ana River Bacteria Monitoring Plan and QAPP](#)

Balance of Stakeholder Funds: June 30, 2019			
	Balance of Task Force Funds	Balance of CBRP Implementation Funds	Total Stakeholder Funds
Middle Santa Ana River Pathogen TMDL Task Force			
Total Task Force Reserve:	\$ 55,689		\$ 55,689
CBRP Implementation Funds			
Riverside County MS4 Program		\$ -	\$ -
San Bernardino County MS4 Program		\$ 37,900	\$ 37,900
Los Angeles Cities (Claremont and Pomona)		\$ 17,045	\$ 17,045
Total:		\$ 54,945	\$ 110,634

**AMENDMENT NO. 1
TO THE
AGREEMENT TO FORM THE
MIDDLE SANTA ANA RIVER
TMDL TASK FORCE**

Pursuant to Section V – 'Term of the Agreement' of that specific AGREEMENT entitled, "Agreement to Form the Middle Santa Ana River TMDL Task Force" ("Task Force Agreement"), dated December 1, 2012; and

Whereas this Task Force Agreement had been prepared for a five-year term, and therefore is set to expire on the date of December 31, 2017.

Therefore, the TASK FORCE AGENCIES as named in the Agreement (Exhibit A) hereby agree to the following change:

- I. Extend the term of the Task Force Agreement for five years, to **December 31, 2022.**

Except as otherwise expressly amended herein, all of the terms, conditions, and provisions of the Agreement to Form the Middle Santa Ana River TMDL Task Force (Exhibit A) shall continue in full force and effect.

This Amendment No. 1 may be executed in original counterparts, which together shall constitute a single Agreement document.

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

SANTA ANA WATERSHED PROJECT AUTHORITY (SAWPA)

BY  8-1-17
Susan Lien Longville, Commission Chair Date

APPROVED AS TO FORM:

By  8/1/17
Larry McKenney, Executive Counsel Date

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force, on the dates set forth below.

AGRICULTURAL OPERATORS (represented by CHINO BASIN WATERMASTER)

Approved:

By: Robert Feaster

Title: Chairman of the Ag-Pool CBWM

Date: 2-22-19

APPROVED AS TO FORM

By: Paul Jensen

CITY OF JURUPA VALLEY

Approved:

By: _____

Title: _____

Date: _____

APPROVED AS TO FORM

By: _____
City Attorney

ATTEST:

By: _____
City Clerk

CITY OF CLAREMONT

Approved:

By: *Lucia Schabtz* _____

Title: *City Manager* _____

Date: *7/17/19* _____

APPROVED AS TO FORM

By: *[Signature]* _____
City Attorney

ATTEST:

By: *[Signature]* _____
City Clerk

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.


CITY OF CORONA

Approved:


By: 
Tom Moody
General Manager

Date: 9/5/18

ATTEST:

By: 
Sylvia Edwards
City Clerk

APPROVED AS TO FORM:

By: 
Dean Dereth
City Attorney

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

CITY OF EASTVALE

Approved:

By: *Miaelle Davis*

Title: *City Manager*

Date: *6/22/10*

APPROVED AS TO FORM

By: *Erica Vega*
City Attorney


ATTEST:

By: *[Signature]*
City Clerk

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

CITY OF JURUPA VALLEY

Approved:

By:  _____
for Gary S. Thompson, City Manager

Date: September 6, 2018


APPROVED AS TO FORM:

By:  _____
City Attorney

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

CITY OF NORCO

Recommended for Approval:

By: 
Ted Hoffman, Mayor

Date: August 1, 2018

ATTEST:

By: 
Cheryl L. Link, CMC, City Clerk

APPROVED AS TO FORM

By: 
John R. Harper, City Attorney

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

CITY OF POMONA

Approved:

By: *M. Lowry* for

Title: Linda Lowry, City Manager

Date: 10/23/17

APPROVED AS TO FORM

By: *Teresa Chen*
City Attorney

Teresa Chen, Deputy City Attorney

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

CITY OF RIVERSIDE

Recommended for Approval:

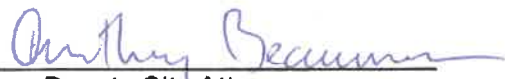
By:  _____

Title: Assistant City Manager

Date: July 14, 2017


APPROVED AS TO FORM _____

ATTEST:

By:  _____
Deputy City Attorney

By:  _____
City Clerk

CERTIFIED AS TO FUNDS AVAILABILITY:

BY:  _____
Chief Financial Officer/ City Treasurer

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

COUNTY OF RIVERSIDE

Recommended for Approval:

By: 
Title: Chairman, Board of Supervisors
Date: JUL 11 2017

APPROVED AS TO FORM

ATTEST:

FORM APPROVED COUNTY COUNSEL
BY:  6-12-17
AARON C. GETTIS DATE

ATTEST:
KECIA HARPER-IHEM, Clerk
By: 
DEPUTY

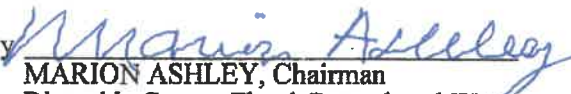
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IN WITNESS WHEREOF, the parties hereto have executed this Amendment on

JUL 25 2017
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL: **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

By 
JASON E. UHLEY
General Manager-Chief Engineer

By 
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM:

ATTEST:

GREGORY P. PRIAMOS
County Counsel

KECIA HARPER-IHEM
Clerk of the Board

By  6-28-17
AARON GETTIS
Deputy County Counsel

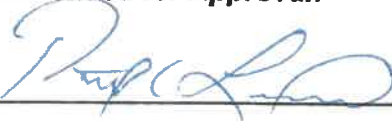
By 
Deputy
(SEAL)

Amendment No. 1 - Agreement to Form the Middle Santa Ana River Watershed TMDL Task Force
07/25/17
EL:cw

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT

Recommended for Approval:

By: 

Title: Robert A. Lovingood, Board Chairman

Date: **AUG 22 2017**

SIGNED AND CERTIFIED THAT A COPY OF
THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD
LAURA H. WELSH
Clerk of the Board of Supervisors
of the County of San Bernardino

By: 


IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

Approved:

By: Steve Smith

Title: Executive Officer

Date: 11/14/17

APPROVED AS TO FORM

By: Daniel Rice
Legal Counsel