

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT  
AND RECORD OF ACTION**

**May 6, 2025**

**FROM**

**NOEL CASTILLO, Chief Flood Control Engineer, Flood Control District**

**SUBJECT**

Cooperative Funding Agreement for the Middle of Santa Ana River Watershed Total Maximum Daily Load Task Force

**RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino County Flood Control District, approve the Cooperative Funding **Agreement No. 25-289** with the Santa Ana Watershed Project Authority for administrative and technical services to support the Middle Santa Ana River Watershed Total Maximum Daily Load Task Force, in the amount not-to-exceed \$202,358, for the period of July 1, 2025, through June 30, 2026.

(Presenter: Noel Castillo, Chief Flood Control Engineer, 387-7906)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The Middle Santa Ana River (MSAR) Watershed Total Maximum Daily Load (TMDL) Task Force (Task Force) budgets are subject to stakeholder approval. In accordance with Amendment No. 2 of Cooperative Agreement No. 13-712, approved by the Board of Supervisors (Board) on June 14, 2022 (Item No. 92), the Task Force has approved the 2025-26 Task Force budget.

The San Bernardino County Areawide Stormwater Program (Program) was established under Implementation Agreement No. 11-545 (Implementation Agreement) and approved by the Board on June 28, 2011 (Item No. 94). The cost share for the proposed cooperative funding agreement is allocated to San Bernardino County in the amount of \$27,399 funded with the San Bernardino County Flood Control District's (District) existing ongoing allocation of Discretionary General Funding for the County's portion of costs for the National Pollutant Discharge Elimination System Municipal Stormwater Permit (MS4 Permit), the District in the amount of \$10,118 funded with property tax revenue, and the 16 incorporated cities in the amount of \$164,841 for a total of \$202,358. Future contributions to the Task Force will also be funded through the Program under the Implementation Agreement, subject to Board approval. Sufficient appropriation and revenue have been included in the District's 2025-26 Recommended Budget (1990002550-F01778).

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<b>Funding Entity/Participant</b>	<b>Percentage</b>	<b>Amount</b>
San Bernardino County	13.54%	\$27,399
District	5.00%	\$10,118
Incorporated Cities (16)	81.46%	\$164,841
<b>Total</b>	<b>100%</b>	<b>\$202,358</b>

**BACKGROUND INFORMATION**

On an annual basis, a Task Force budget and cost sharing determination is prepared and adopted by the majority of the stakeholders. The District, on behalf of the Program, will provide funding in the amount of \$202,358 to the MSAR TMDL Task Force to implement the required compliance activities beginning July 1, 2025 through June 30, 2026. The goal of these activities is to find sources of bacteria and either eliminate the source of bacteria or prevent it from entering the Santa Ana River.

In January 2010, the Santa Ana Regional Water Quality Control Board adopted the MS4 Permit for Stormwater discharges from areas in unincorporated San Bernardino County and the 16 incorporated cities of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa (Cities). The District was designated as the Principal Permittee under the MS4 Permit. The District represents the co-permittees to implement area-wide programs required by the MS4 Permit, and the Implementation Agreement funds this work. The MS4 Permit requires that TMDL requirements be integrated into applicable Stormwater Program activities, including stormwater management and monitoring plans.

On August 20, 2013 (Item No. 73), the Board approved Cooperative Agreement No. 13-712 that formed the current Task Force, which authorized the Santa Ana Watershed Project Authority to administer the implementation of TMDL compliance activities. The original Agreement No. 07-630 was approved by the Board on August 7, 2007 (Item No. 85), with a term of five years through 2012, which was later extended for an additional five years through 2017.

On August 22, 2017 (Item No. 60), the Board approved Amendment No. 1 to Cooperative Agreement No. 13-712, extending the term through December 31, 2022.

On June 14, 2022 (Item No. 92), the Board approved Amendment No. 2 to Cooperative Agreement No. 13-712, extending the term through June 30, 2027, allowing the District to continue acting on behalf of the Program and maintain compliance with the MSAR TMDL. An Annual Cooperative Funding Agreement authorizing the Santa Ana Watershed Project Authority to administer the implementation of TMDL compliance activities associated with Agreement No. 13-712, on behalf of the Task Force, is brought to the Board every year for approval. Last year, Agreement No. 24-545 was approved by the Board on June 25, 2024 (Item No. 136).

The District's participation in the Task Force, on behalf of the Program, achieves the goals and objectives of the County by working with other agencies and stakeholders to provide funding to the Task Force on an annual basis for the continuing implementation of TMDL tasks.

Achieving and maintaining compliance with the MSAR TMDL will aid in the protection of the beneficial uses of the Santa Ana River, as well as assist the Program in complying with the MS4 Permit's requirements, thereby reducing the potential for incurring permit violations and

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significant fines and penalties, thereby meeting the County's objective of operating in a fiscally-responsible and business-like manner.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Sophie A. Curtis, Deputy County Counsel, 387-5455) on March 6, 2025; Finance (Kathleen Gonzalez, Administrative Analyst, 387-4222) on April 15, 2025; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on April 15, 2025.

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Record of Action of the Board of Supervisors  
San Bernardino County Flood Control District

**APPROVED (CONSENT CALENDAR)**

Moved: Curt Hagman   Seconded: Joe Baca, Jr.  
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: May 6, 2025



cc:     Flood - Chun w/agree  
         Contractor - c/o Flood w/agree  
         File - w/agree  
MBA    05/8/2025