

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
SITTING AS THE GOVERNING BODY OF THE FOLLOWING:  
SAN BERNARDINO COUNTY  
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT  
AND RECORD OF ACTION**

October 8, 2024

**FROM**

**NOEL CASTILLO, Director and Chief Flood Control Engineer, Department of Public Works and Flood Control District**

**SUBJECT**

Memorandum of Understanding Between San Bernardino County, San Bernardino Flood Control District, and the San Bernardino Valley Municipal Water District Regarding Request for Recharge of State Water Project water at Cactus Basins

**RECOMMENDATION(S)**

1. Acting as the governing body of San Bernardino County, approve the **Memorandum of Understanding 24-982** between San Bernardino County Flood Control District and the San Bernardino Valley Municipal Water District regarding the Request for Recharge of State Water Project's water at Cactus Basins, for a contract term of October 8, 2024, through October 7, 2025, with the option to extend for one additional year.
2. Acting as the governing body of the San Bernardino County Flood Control District, approve the **Memorandum of Understanding 24-982** between San Bernardino County and the San Bernardino Valley Municipal Water District regarding the Request for Recharge of State Water Project's water at Cactus Basins, for a contract term of October 8, 2024, through October 7, 2025, with the option to extend for one additional year.
3. Authorize the Chief Executive Officer to exercise the option to extend the term of the Memorandum of Understanding between San Bernardino County, San Bernardino Flood Control District and the San Bernardino Valley Municipal Water District for one-year, subject to review by County Counsel.
4. Direct the Chief Executive Officer to transmit a one-year extension of the Memorandum of Understanding to the Clerk of the Board of Supervisors within 30 days of execution.  
(Presenter: Noel Castillo, Director/Chief Flood Control Engineer, 387-7906)

**COUNTY AND CHIEF FLOOD CONTROL ENGINEER GOALS & OBJECTIVES**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.  
Ensure Development of a Well-Planned, Balanced, and Sustainable County.  
Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The proposed Memorandum of Understanding (MOU) between San Bernardino County (County), San Bernardino County Flood Control District (Flood Control District), and the San

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Bernardino Valley Municipal Water District (San Bernardino Valley) is non-financial and does not commit to expenditures for either party. The minor administrative costs to prepare the MOU will be funded with property tax revenue. Sufficient appropriation is included in the Flood Control District 2024-25 budget.

**BACKGROUND INFORMATION**

The Flood Control District owns the Cactus Basins in the City of Rialto, which are used to detain water from rain events that could cause flooding temporarily.

San Bernardino Valley is interested in exploring the possibility of using the Cactus Basins, when not needed for flood control purposes, for groundwater transport, capture, spreading, and recharge of State Water Project water. San Bernardino Valley also intends to make certain improvements to support the recharge of State Water Project water at the Cactus Basins, subject to review and approval by the Flood Control District.

In response to San Bernardino Valley's request for recharge activities at the Cactus Basins, the County and Flood Control District agreed to meet with San Bernardino Valley to determine the feasibility of such activities. The County and Flood Control District expressed concerns to San Bernardino Valley regarding impacts recharge activities at Cactus Basins may have on two perchlorate groundwater plumes. Cactus Basins overlays what is known as the eastern perchlorate plume, which is under the oversight of the United States Environmental Protection Agency. The County is under California Regional Water Quality Control Board, Santa Ana Region order to remediate what is known as the western perchlorate plume and next to the eastern plume. The parties developed the proposed MOU that will address technical concerns, allow the County and Flood Control District to negotiate legal and financial protections to mitigate potential legal risks and costs due to impacts recharge may have on the western perchlorate plume, and potentially develop an adaptive management plan. This plan may describe the hydrogeological conditions around the Cactus Basins, including groundwater contaminant plumes, remediation systems, regulatory management, and existing groundwater monitoring programs.

The proposed MOU establishes a framework for the County, Flood Control District, and San Bernardino Valley to collaborate on planning and evaluating the environmental, operational, and financial impacts of recharging State Water Project water at Cactus Basins. The MOU does not authorize or guarantee any specific project, and any project would need to comply with the California Environmental Quality Act before approval.

The proposed MOU is consistent with the County and the Chief Executive Officer's goal and objective of working with other agencies. The approval of the MOU will serve County residents by maximizing the potential use of flood control facilities for stormwater recharge, therefore, optimizing water resources in the County.

**PROCUREMENT**

Not applicable.

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**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Sophie A. Curtis and Maria Insixiengmay, Deputies County Counsel, 387-5455) on August 28, 2024; Finance (Jessica Trillo, Administrative Analyst III, 387-4222) on September 20, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on September 23, 2024.

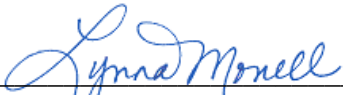
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Record of Action of the Board of Supervisors  
San Bernardino County  
San Bernardino County Flood Control District

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: October 8, 2024



cc: Flood - Castillo w/agree  
Contractor - c/o Flood w/agree  
File - w/agree  
CCM 10/15/2024