

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

June 25, 2024

FROM

NOEL CASTILLO, Chief Flood Control Engineer, Flood Control District

SUBJECT

Cooperative Funding Agreement for the Santa Ana River Watershed Regional Water Quality Standards Task Force

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Flood Control District, approve the Cooperative Funding **Agreement No. 24-544** with the Santa Ana Watershed Project Authority, for administrative and technical services to support the Santa Ana River Watershed Regional Water Quality Standards Task Force in implementing requirements of the Santa Ana Regional Water Quality Control Board Basin Plan, in the amount not-to-exceed \$158,207, for the period of July 1, 2024 through June 30, 2025,
(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). In accordance with Cooperative Funding Agreement No. 16-949 (Cooperative Agreement), approved by the Board of Supervisors (Board) on December 6, 2016 (Item No. 83), the Santa Ana River Watershed Regional Water Quality Standards Task Force (Task Force) budgets are subject to stakeholder (Task Force) approval. The Task Force has approved the 2024-25 Task Force budget.

The San Bernardino County Areawide Stormwater Program (Program) was established under Implementation Agreement No. 11-545 and approved by the Board on June 28, 2011 (Item No. 94) (Implementation Agreement). The cost shares are distributed to the District (\$7,910) funded with property tax revenue, San Bernardino County (County) (\$21,374) funded with the District's existing ongoing allocation of Discretionary General Funding for the County's portion of costs for the Municipal Storm Sewer System permit, and 16 incorporated cities (\$128,923), for a total of \$158,207. Future contributions to the Task Force will also be funded through the Program under the Implementation Agreement and will be presented annually to the Board for approval. Sufficient appropriation and revenue have been included in the San Bernardino County Flood Control District's (District) 2024-25 Budget (1990002550-F01780).

Funding Entity/ Participant	Percentage	Amount
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Funding Entity/ Participant	Percentage	Amount
District	5.00%	\$7,910
County	13.51%	\$21,374
Incorporated Cities (16)	81.49%	\$128,923
Total	100.00%	\$158,207

BACKGROUND INFORMATION

In January 2010, the Santa Ana Regional Water Quality Control Board (SARWQCB) adopted the National Pollutant Discharge Elimination System Municipal Stormwater Permit (MS4 Permit) for stormwater discharges from areas in unincorporated San Bernardino County and from 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 Board approved the Implementation Agreement to fund this work.

The MS4 Permit requires that Total Maximum Daily Load (TMDL) requirements be integrated into applicable Stormwater Program activities, including stormwater management and monitoring plans. A TMDL establishes the maximum amount of a pollutant that a waterbody can receive and still meet water quality objectives. TMDL requirements include periodic waterbody sampling and laboratory testing to determine pollutant levels, as well as implementation of community outreach and education programs to reduce pollutants contributing to the exceedances within the waterbody. The Task Force assists the Program in performing regional monitoring activities required by the TMDL.

On December 6, 2016 (Item No. 83), the Board approved the Cooperative Agreement No. 16-949 to form the Task Force. Due to participation of multiple stakeholders in the Task Force, the Santa Ana Watershed Project Authority is the designated Task Force Administrator to coordinate among all parties. This Cooperative Agreement has a term of 10 years and will expire June 30, 2027.

The parties to the Cooperative Agreement have agreed to work together to implement Basin Plan requirements. As the representative of the Program, the District will participate in the subject Task Force on behalf of the Program and provide funding to the Task Force on an annual basis for continuing Task Force activities. The District's contribution towards the Task Force supports the goals and objectives of the District by preventing contamination, pollution, and/or other conditions rendering unfit for beneficial use and for the County by working with other agencies and stakeholders.

The Cooperative Agreement achieves the County and the Chief Executive Officer's goals and objectives of operating in a fiscally-responsible and business-like manner by allowing the District, acting on behalf of the Program, to utilize the Task Force to assist the Program in performing regional monitoring activities as required by the Basin Plan. Achieving and maintaining compliance with the Basin Plan will aid in the protection of the beneficial uses of the Santa Ana River, as well as assist the Program in complying with the requirements of the MS4 Permit, thereby reducing the potential for incurring permit violations and significant fines and penalties. The Task Force assists the SARWQCB in providing additional data and science in the

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evaluation of beneficial use designations and associated water-quality objectives for the Santa Ana River.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Sophie A. Curtis, Deputy County Counsel, 387-5455) on May 14, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on May 31, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on June 6, 2024.

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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: June 25, 2024



cc: SBCFCD - Chun w/ agree
Contractor c/o SBCFCD w/ agree
File w/ agree
JLL 06/28/2024