

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

June 2, 2020

FROM

BRENDON BIGGS, Interim 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 budgeted expenditure (**County Contract No. 20-355**), in an amount not to exceed \$165,225, for the period of July 1, 2020 through June 30, 2021, 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, per Agreement 16-949, Section 8, with the Santa Ana Watershed Project Authority. (Presenter: Brendon Biggs, Interim 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.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). In accordance with the Cooperative Agreement 16-949, Task Force budgets are subject to stakeholder approval. Sufficient appropriation and revenue will be included in the San Bernardino County Flood Control District (District) 2020-21 recommended budget (1990002550-75F01780).

In accordance with Agreement 16-949, 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) has approved the 2020-21 Task Force budget. The District's portion of the budget is funded by the San Bernardino County Areawide Stormwater Program (Program) under Implementation Agreement No. 11-545 (Item No. 94 of June 28, 2011). The cost shares are distributed to the County of San Bernardino (County) \$31,492 (19.06%), the District \$8,261 (5%), and 16 incorporated cities \$125,472 (75.94%). Future contributions to the Task Force will also be funded through the Program under Agreement No. 11-545 and will be presented annually to the Board for approval.

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Funding Entity/ Participant	Cost Center	Percentage	Amount
Program	1990002550		
District		5.00	\$ 8,261
County		19.06	\$ 31,492
Incorporated Cities (16)		75.94	\$ 125,472
		100.00	\$ 165,225

BACKGROUND INFORMATION

In January 2010, the Santa Ana Regional Water Quality Control Board 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 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. 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. The Board approved implementation of Agreement 11-545 on June 28, 2011 (Item No. 94) 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 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 Agreement has a term of ten years and will expire in 2027. The District anticipates that a sustained funding commitment will be required to continue regional monitoring tasks for the Santa Ana River Watershed to meet Basin Plan requirements.

The parties to Agreement No. 16-949 have agreed to work cooperatively 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 will 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.

This payment achieves the County and 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 Santa Ana River Regional Water Quality Control Board (SARWQCB) Basin Plan (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 Municipal Separate Storm Sewer System Permit (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

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science in the 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. Akins, Deputy County Counsel, 387-5455) on April 17, 2020; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on April 23, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on May 5, 2020.

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

APPROVED (CONSENT CALENDAR)

Moved: Dawn Rowe Seconded: Robert A. Lovingood

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 2, 2020



cc: SBCFCD- Zamora w/agree
 Contractor- C/O SBCFCD w/agree
 File- w/agree
la 06/10/2020