

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

February 9, 2021

FROM

BRENDON BIGGS, Chief Flood Control Engineer, Flood Control District

SUBJECT

Planning Memorandum of Understanding with the San Bernardino Valley Water Conservation District for Stormwater Recharge at Flood Control Facilities

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Flood Control District, approve Planning Memorandum of Understanding (**County Contract No. 21-140**) with the San Bernardino Valley Water Conservation District to evaluate flood control facilities for dual use for flood control and stormwater recharge purposes for a term of 10-years, commencing on the last date of the party's signatures, with the options to extend for two additional 10-year terms, pursuant to written amendment signed by both parties.

(Presenter: David Doublet, Assistant Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The proposed Planning Memorandum of Understanding (MOU) is non-financial and therefore does not commit the San Bernardino County Flood Control District (District) to any expenditure other than existing staff time. Sufficient appropriation has been included in the District's 2020-21 budget.

BACKGROUND INFORMATION

The proposed MOU with the San Bernardino Valley Water Conservation District (SBVWCD) delineates the responsibilities of the District and SBVWCD to work cooperatively in the planning and evaluation of the possible joint use of District facilities for both flood control and stormwater recharge operations. The MOU does not bind the District to any specific stormwater recharge project. Any proposed use of District facilities by SBVWCD that originates from the MOU is at the sole discretion of the District and will be memorialized in a separate site-specific agreement with SBVWCD.

The District owns and operates a number of flood control facilities within SBVWCD's operational boundaries. SBVWCD is interested in expanding and upgrading the number of District facilities used for stormwater recharge, understanding that the primary purpose of District facilities is to maintain adequate flood protection for the safety and protection of the public. Notwithstanding the primary purpose of District facilities, the District and SBVWCD wish to jointly explore

**Planning Memorandum of Understanding with the San Bernardino
Valley Water Conservation District for Stormwater Recharge at Flood
Control Facilities
February 9, 2021**

opportunities to use existing flood control basins and other facilities, for the dual purpose of providing adequate flood control and stormwater recharge.

The proposed MOU establishes the framework for the District and SBVWCD to work together to plan and evaluate the environmental, operational, and financial impacts of such combined facility use. The MOU does not authorize or guarantee any specific project and the parties will comply with the California Environmental Quality Act prior to approving any specific project.

The proposed MOU is consistent with the County and 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.

The term of the MOU is for 10 years from the date on which the MOU is fully executed, and may be mutually extended by the parties in writing for two additional 10-year terms. Either party may terminate the MOU prior to its expiration, after providing the other party with a 90-day written notice.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Sophie A. Akins, Deputy County Counsel, 387-5455) on January 6, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on January 19, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on January 24, 2021.

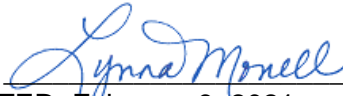
**Planning Memorandum of Understanding with the San Bernardino
Valley Water Conservation District for Stormwater Recharge at Flood
Control Facilities
February 9, 2021**

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

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: February 9, 2021



cc: SDD/SBCFCD- Fam w/agree
Contractor- C/O SDD/SBCFCD w/agree
File- w/agree
LA 02/19/2021