

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

330



**FROM:** Executive Office

**SUBMITTAL DATE:**  
May 20, 2008

**SUBJECT:** National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Program, Memorandum of Agreement for the Santa Margarita Watershed pursuant to Investigative Order R9-2006-0076 issued by the San Diego Regional Water Quality Control Board.

**RECOMMENDED MOTION:**

That the Board of Supervisors approve the Memorandum of Agreement 08-MU-35-0005, between the United States Department of the Interior-Bureau of Reclamation, the County of Riverside, County of San Diego, City of Murrieta, City of Temecula, California Department of Transportation (CALTRANS), United States Department of the Navy-Naval Weapons Station-Fallbrook, United States Department of the Navy-Marine Corps Base-Camp Pendleton and authorize the Chairman of the Board of Supervisors to execute the Agreement on behalf of the county.

**BACKGROUND:** This Memorandum of Agreement sets forth the terms and conditions by which the aforementioned entities perform and/or execute certain activities and responsibilities prescribed in Investigative Order R9-2006-0076, issued by the San Diego Regional Water Quality Control Board (SDWQCB), Santa Margarita Watershed.

(Continued)

*Michael R. Shetler*

**Michael R. Shetler  
Senior Management Analyst**

FORM APPROVED COUNTY COUNSEL  
BY: DAVID H. K. HUFF DATE: 5/19/08  
Environmental Compliance

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$29,397	In Current Year Budget:	Yes
Current F.Y. Net County Cost:	\$29,397	Budget Adjustment:	No
Annual Net County Cost:	\$29,397	For Fiscal Year:	2007/2008

**SOURCE OF FUNDS: NPDES Stormwater Program Budget**

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION: APPROVE**

*Gary M. Christmas*

**County Executive Office Signature Gary M. Christmas**

- Consent
- Policy
- Consent
- Policy

Dept's Recomm.:  
Per Exec. Ofc.:

**Prev. Agn. Ref.:** ATTACHMENTS FILED | **District:** 1, 3, 5 | **Agenda Number:**  
WITH THE CLERK OF THE BOARD

3.5

**National Pollution Discharge Elimination System (NPDES) Municipal Separate Stormwater Sewer System (MS4) Program, Memorandum of Agreement for the Santa Margarita Watershed pursuant to Investigative Order R9-2006-0076 issued by the San Diego Regional Water Quality Control Board**

PAGE 2

(Continued from page 1)

The Federal Clean Water Act (CWA) section 303(d) requires states to develop a list of waterbodies that do not or are not expected to meet water quality standards after implementing technology-based controls. On July 19, 2006, the San Diego Regional Water Quality Control Board issued a State Water Code §13267 Investigative Order (R9-2006-0076) to the responsible parties within the Santa Margarita Watershed to investigate the source of pollutants (nutrients) that have impacted the Santa Margarita River, its tributaries and the Santa Margarita Lagoon located on USMC Base-Camp Pendleton. As part of the Investigative Order, the aforementioned parties must develop and execute a scientifically valid water quality study of the Lagoon (Lagoon Study) within prescribed timelines.

The responsible parties desire to share the costs associated with the development and execution of the Lagoon Study. In addition, the responsible parties have requested that the Bureau of Reclamation take on the leadership role to coordinate the efforts of the Lagoon Study as required by the Investigative Order.

The cost of the Lagoon Study shall not exceed \$372,929 with the following cost share distribution\*:

<b>Cost Share Partners</b>	<b>FY2008</b>	<b>FY2009</b>	<b>TOTAL</b>
Riverside County	\$29,397	\$14,228	\$43,625
San Diego County	\$77,927	\$54,847	\$132,774
Temecula	\$40,246	\$19,076	\$59,322
Murrieta	\$47,684	\$22,399	\$70,083
CALTRANS	\$10,783	\$6,160	\$16,943
USMC Camp Pendleton	\$21,892	\$14,615	\$36,507
Fallbrook Naval Station	\$8,656	\$5,019	\$13,675
<b>Total</b>	<b>\$236,585</b>	<b>\$136,343</b>	<b>\$372,928</b>

\*These cost share estimates do not include any supplementary costs that may be associated with the implementation of a nutrient Total Maximum Daily Load (TMDL) requirements that may be imposed by the SDWQCB once the Lagoon Study is completed.

**Attachments**

Memorandum of Agreement 08-MU-35-0005

Water Code §13267 Investigative Order R9-2006-0076, San Diego RWQCB