

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

495



FROM: Executive Office

SUBMITTAL DATE:
August 8, 2013

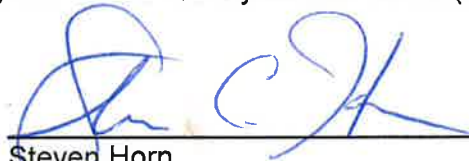
SUBJECT: Middle Santa Ana River Watershed Pathogen TMDL Task Force Agreement

RECOMMENDED MOTION:

1. Ratify and Approve the Agreement to form The Middle Santa Ana River Watershed TMDL Task Force between the County and Task Force Agencies; and
2. Authorize the Chairman of the Board to execute the Agreement on behalf of the County.

BACKGROUND: The purpose of the Middle Santa Ana River Task Force is to facilitate a coordinated and cost effective approach to comply with the Middle Santa Ana River Total Maximum Daily Load (MSAR TMDL). The TMDL was adopted by the Santa Ana Regional Water Quality Control Board (Regional Board) on August 26, 2005.

(Continued on Page 2)



Steven Horn
Senior Management Analyst

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 30,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 30,000	Budget Adjustment:	No
	Annual Net County Cost:	\$30,000	For Fiscal Year:	FY 13/14-17/18

SOURCE OF FUNDS: National Pollutant Discharge Elimination System - 110500	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Debra Cournoyer

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

2013 AUG 13 5:38

Prev. Agn. Ref.: 3.12 6/5/07 | District: 1, 2 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3-13

FORM APPROVED COUNTY COUNSEL
BY: Karin Watts-Day 8/8/13
DATE: 8/8/13
KARIN L. WATTS-BAZAN
Departmental Concurrence

Dept Recomm.:
Per Exec. Ofc.:

SUBJECT: Agreement to form The Middle Santa Ana River Watershed TMDL Task Force
Districts 1, 2

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BACKGROUND: (continued)

The proposed TMDL Task Force Agreement requires specified Santa Ana Watershed NPDES Municipal Permittees to accomplish certain TMDL Implementation Plan tasks, either individually or in cooperation with the other named stakeholders. The stakeholders include the County, the County of San Bernardino, the Riverside County Flood Control and Water Conservation District, the Cities of Corona, Norco, Riverside, Eastvale, Jurupa Valley, Claremont and Pomona, the Regional Board, Agricultural Operators (represented by Chino Basin Watermaster) and the Santa Ana Watershed Project Authority (SAWPA) ("Task Force Agencies").

The Agreement is necessary to continue work of the Santa Ana River TMDL Task Force ("Task Force"). The Task Force was originally formed in 2007, and the current Task Force Agreement expired on April 17, 2012. The purpose of the Task Force is to implement tasks identified in the TMDL Implementation Plan and to pursue TMDL related tasks as agreed upon by the Task Force Agencies, including the following:

1. Review and develop recommendations to update the MSAR TMDL based on scientific information collected by the Task Force;
2. Implement MSAR TMDL Implementation Plan Tasks jointly assigned to Task Force stakeholders; and
3. Allow watershed stakeholders to participate in regional efforts to achieve appropriate water quality standards so that Middle Santa Ana River can be removed from the Clean Water Act Section 303(d) list of impaired water bodies.

The TMDL Task Force Agreement will have a term of five (5) years. The TMDL Task Force annual budget is adopted by majority vote of the TMDL Task Force. Section III B. of the Agreement provides that each annual budget shall not exceed \$300,000.00 but does not include a similar limitation on any individual stakeholders annual contribution. Although, subsequent work plan implementation costs are identified and shared among the Task Force stakeholders as set forth in Section IV of the Agreement, Section IV is not clear as to how the County's actual contribution is calculated. Thus, if any future County contribution adopted by the TMDL Task Force is unacceptable to the County, the County's sole legal remedy would be to withdraw from the Task Force and provide written notice of such withdrawal 60 days prior to the August 31st payment deadline in any given year.

Funding for the County's contribution will be provided by the County's NPDES fund (General Fund) established within the Executive Office.

A companion item appears on the District's agenda this same date.