

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



ITEM
3.6
(ID # 4594)

MEETING DATE:

Tuesday, July 11, 2017

FROM : EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: Amendment No. 1 to the Agreement to form the Middle Santa Ana River TMDL Task Force. Districts 1/2/3/5 [\$57,500 - General Fund].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 1 to the Agreement to form the Middle Santa Ana River TMDL Task Force; and
2. Authorize the Chairman of the Board to sign the Amendment on behalf of the County.

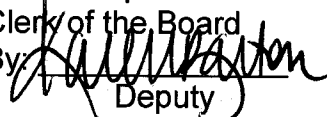
ACTION: Policy


Steve C. Horn 6/16/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: July 11, 2017
xc: E.O.

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	N/A	\$11,500	\$ 57,500	N/A
NET COUNTY COST	N/A	\$11,500	\$ 57,500	N/A
SOURCE OF FUNDS: NPDES 11050 – General Fund			Budget Adjustment:	No
			For Fiscal Year:	17/18 – 22/23

C.E.O. RECOMMENDATION: APPROVE

BACKGROUND:

Summary

Water quality data collected in 1994 and 1998 from waterbodies in the Middle Santa Ana River (MSAR) watershed showed exceedances of fecal coliform bacteria in certain rivers. Based on these data and potential impacts to recreational uses, the RWQCB recommended that the following waterbodies be placed on the 303(d) list:

- Santa Ana River, Reach 3 – Prado Dam to Mission Boulevard
- Chino Creek, Reach 1 – Santa Ana River confluence to beginning of hard lined channel south of Los Serranos Road
- Chino Creek, Reach 2 – Beginning of hard lined channel south of Los Serranos Road to confluence with San Antonio Creek
- Mill Creek (Prado Area) – Natural stream from Cucamonga Creek Reach 1 to Prado Basin
- Cucamonga Creek, Reach 1 – Confluence with Mill Creek to 23rd Street in City of Upland
- Prado Park Lake

Waterbodies on the 303(d) list are subject to the development of a Total Maximum Daily Load (TMDL). Accordingly, on August 26, 2005 the RWQCB adopted Resolution No. R8-2005-0001, amending the Basin Plan to incorporate bacterial indicator TMDLs for the above-listed waterbodies in the watershed (i.e., MSAR Bacterial Indicator TMDL). The TMDLs adopted by the RWQCB were subsequently approved by the State Water Resources Control Board on May 15, 2006, by the California Office of Administrative Law on September 1, 2006, and by EPA Region 9 on May 16, 2007. The EPA approval date is the TMDL effective date.

The MSAR Bacterial Indicator TMDL established wasteload allocations for urban MS4 and confined animal feeding operation discharges and load allocations for agricultural and natural sources. The following wasteload and load allocations were established for both fecal coliform and *E. coli*:

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- Fecal coliform: 5-sample/30-day logarithmic mean (or geometric mean) less than 180 organisms/ 100 mL and not more than 10 percent of the samples exceed 360 organisms/100 mL for any 30-day period.
- *E. coli*: 5-sample/30-day logarithmic mean (or geometric mean) less than 113 organisms/100 mL and not more than 10 percent of the samples exceed 212 organisms/100 mL for any 30-day period.

The MSAR Watershed TMDL Task Force was formed in 2007 to facilitate a coordinated and cost effective approach to comply with the MSAR TMDL. The purpose of this agreement is to continue the County's participation in the Middle Santa Ana River Watershed TMDL Task Force ("Task Force") to implement tasks identified in the TMDL Implementation Plan and to pursue TMDL related tasks agreed upon by Task Force Agencies. This is the third agreement renewal proposed since formation of the Task Force. The Board of Supervisors approved the prior agreement on August 20, 2013 (Item #3-13).

Impact on Residents and Businesses

No new taxes or fees are proposed as part of this agreement.

SUPPLEMENTAL (if needed, OR delete this section):

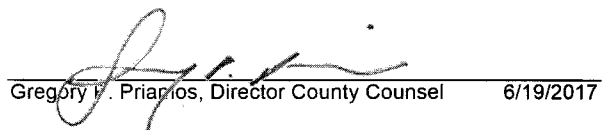
Additional Fiscal Information

Summarize the full cost of the item before the Board. Describe the source(s) of funding. Include an explanation of new/ongoing costs not explicitly in the Form 11 (i.e., the operations cost of a new building).

Clearly show the cost per year for all years to be approved. For example, a 5-year contract should show the cost of each of the 5 years. Show the total cost of the asked-for Board action. This total cost is to be included at the end of the Subject section on the Form 11's first page in [Brackets].


Alex Gann

6/30/2017


Gregory V. Priamos, Director County Counsel

6/19/2017

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

**AMENDMENT NO. 1
TO THE
AGREEMENT TO FORM THE
MIDDLE SANTA ANA RIVER
TMDL TASK FORCE**

Pursuant to Section V – 'Term of the Agreement' of that specific AGREEMENT entitled, "Agreement to Form the Middle Santa Ana River TMDL Task Force" ("Task Force Agreement"), dated December 1, 2012; and

Whereas this Task Force Agreement had been prepared for a five-year term, and therefore is set to expire on the date of December 31, 2017.

Therefore, the TASK FORCE AGENCIES as named in the Agreement (Exhibit A) hereby agree to the following change:

- I. Extend the term of the Task Force Agreement for five years, to **December 31, 2022.**

Except as otherwise expressly amended herein, all of the terms, conditions, and provisions of the Agreement to Form the Middle Santa Ana River TMDL Task Force (Exhibit A) shall continue in full force and effect.

This Amendment No. 1 may be executed in original counterparts, which together shall constitute a single Agreement document.

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1** to the **Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

SANTA ANA WATERSHED PROJECT AUTHORITY (SAWPA)

BY _____

Celeste Cantú, General Manager

_____ Date

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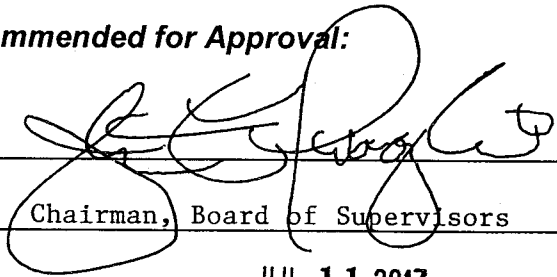
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11/11/17

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 1 to the Agreement to Form the Middle Santa Ana River TMDL Task Force**, on the dates set forth below.

COUNTY OF RIVERSIDE

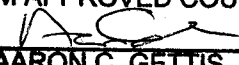
Recommended for Approval:

By: 
Title: Chairman, Board of Supervisors
Date: JUL 11 2017

APPROVED AS TO FORM

ATTEST:

FORM APPROVED COUNTY COUNSEL

BY:  6-12-17
AARON C. GETTIS DATE

ATTEST:

KECIA HARPER-IHEM, Clerk

By: 
DEPUTY