

Central Services  
**Joan Araujo**, Director

Engineering Services  
**Christopher Cooper**, Director

Roads & Transportation  
**Christopher Kurgan**, Director

Water & Sanitation  
**Joseph Pope**, Director

Watershed Protection  
**Glenn Shephard**, Director

March 14, 2023

Board of Supervisors  
County of Ventura  
Board of Supervisors, Ventura County Watershed Protection District  
800 South Victoria Avenue  
Ventura, CA 93009

Subject:      **Approval of, and Authorizations for the Director of Public Works Agency, or Designee, and the Director of Ventura County Watershed Protection District, or Designee, to Sign an Amendment No. 3 to the Memorandum of Agreement with the City of Fillmore, City of Oxnard, City of San Buenaventura, and City of Santa Paula to Provide Equal Cost Sharing for Santa Clara River Bacteria Total Maximum Daily Load Monitoring and Reporting Program. Project Nos. P6040225 and P6010279; Watershed Protection District Zone 2; Supervisorial District Nos. 1, 3, and 5.**

**Recommendations:**

1. Approve the proposed Amendment No. 3 to the Memorandum of Agreement (MOA) Regarding the Commitment to Provide for Equal Cost Sharing to Fund the Santa Clara River (SCR) Bacteria Total Maximum Daily Load (TMDL) Monitoring and Reporting Program.
2. Authorize the Director of Public Works Agency, or designee, to execute the proposed Amendment No. 3, Exhibit 3, on behalf of the County of Ventura (County), Project No. P6040225.
3. Authorize the Director of Ventura County Watershed Protection District (District), or designee, to execute the proposed Amendment No. 3, Exhibit 3, on behalf of the District, Project No. P6010279.

**Fiscal/Mandates Impact:**

Mandatory:

Yes

Cite Authority:

Section 303 (d) of the Clean Water Act  
and State of California, California  
Regional Water Quality Control Board,  
Los Angeles Region (LARWQCB) Order



Source of Funding: No. R4-2021-0105, NPDES Municipal Stormwater permit No. CAS004004 County Stormwater Program (Fund S130) \$13,207, Watershed Protection District Zone 2 (Fund S720) \$13,207, and remaining SCR MOA Parties \$52,828

Funding Match Required: None  
Impact on Other Department(s): None

**County of Ventura – Stormwater Program  
Summary of Revenue and Total Costs**

	<u><b>FY 2022-23</b></u>	<u><b>FY 2023-24 through FY2024-2025</b></u>
Revenue:	\$ 0	\$66,035
Costs:		
Direct	\$0	\$79,242
Indirect – Agency/Department	\$0	\$ 0
Indirect – CAP	\$0	\$ 0
Total Costs:	\$0	\$79,242
Net County Costs	\$0	\$13,207
Recovered Indirect Costs	\$0	\$ 0

<b>Current FY 2022-23 Budget Projections for County Stormwater Program – Unit 4092</b>				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$408,009	\$983,684	\$814,009	\$169,675
Revenue	\$296,800	\$564,854	\$564,900	\$ 46
Net Cost	\$111,209	\$418,830	\$249,109	\$169,721

Sufficient appropriations and revenue will be included in future County Stormwater Program Budgets as appropriate.

**Ventura County Watershed Protection District  
Summary of Revenue and Total  
Costs**

	<u><b>FY 2022-23</b></u>	<u><b>FY 2023-24 through FY2024-2025</b></u>
Revenue:	\$0	\$ 0
Costs:		
Direct	\$0	\$13,207



Indirect – Agency/Department	\$0	\$ 0
Indirect – CAP	\$0	\$ 0
Total Costs:	\$0	\$13,207
Net District Costs	\$0	\$13,207
Recovered Indirect Costs	\$0	\$ 0

<b>Current FY 2022-23 Budget Projections for Watershed Protection Zone 2 – Unit 4222</b>				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$1,012,700	\$3,184,156	\$3,408,400	\$(224,244)
Revenue	\$1,029,100	\$1,173,850	\$1,174,210	\$ 360
Net Cost	\$ (16,400)	\$2,010,306	\$2,234,190	\$(223,884)

Sufficient appropriations will be included future Watershed Protection Zone 2 Budgets as appropriate.

### **Discussion:**

Pursuant to the federal Clean Water Act, the California Regional Water Quality Control Board, Los Angeles Region (LARWQCB) on July 10, 2010, established a Total Maximum Daily Load (TMDL) for Indicator Bacteria in the Santa Clara River (SCR) Estuary and Reaches 3, 5, 6, and 7 documented in the Resolution No. R10-006. This TMDL identifies the County and the cities of Fillmore, Oxnard, Ventura, and Santa Paula (Cities) as the parties responsible for in-stream and outfall compliance monitoring and for reporting at the SCR Estuary and Reach 3. Their responsibility is in accordance with the Final In-Stream Compliance Monitoring Plan (ISCMP). The ISCMP is dated May 10, 2016, for the SCR Estuary and for Reach 3 Bacteria TMDL. Their responsibility is also in accordance with Appendix A of the “Outfall Monitoring Plan” of “Indicator Bacteria Total Maximum Daily Load Draft Implementation Plan for the Lower Santa Clara River Watershed,” dated March 21, 2015.

On October 4, 2016, the Ventura County Board of Supervisors approved a MOA among the County and the Cities (MOA Parties) to provide equal cost sharing for the SCR Bacteria TMDL monitoring and reporting program. On June 19, 2018, the Ventura County Board of Supervisors approved Amendment No. 1 to the MOA to include additional outfall monitoring activities for ongoing receiving water monitoring through October 4, 2021. The vicinity map is provided in Exhibit 1 and monitoring location map in Exhibit 2.

On July 23, 2021, the LARWQCB adopted the Regional Municipal Stormwater Permit, which required the District to comply with the SCR Bacteria TMDL. Thus, the District



joined the MOA Parties' group in Amendment No. 2 to the MOA for the monitoring and reporting requirements of the SCR Bacteria TMDL.

The proposed Amendment No. 3 to the MOA (Exhibit 3), among the County, District, and Cities commits each MOA party to actively support the monitoring and reporting efforts through March 21, 2025. The 2-year cost to continue the receiving water and outfall monitoring is estimated at \$260,097.00, including a five percent administration fee for the lead contract agency. The parties' equal cost share contribution is estimated at \$43,349.50 per party, and there is a current contract balance of \$30,142.88 per party; thus, the future contribution is expected to be \$13,206.62 per party. County staff will administer the contract and act as the lead agency through March 21, 2025.

Today we seek your Boards' approval to execute the proposed Amendment No. 3 to the MOA between the County, District, and the Cities to continue to implement the SCR Bacteria TMDL monitoring and reporting program.

This letter has been reviewed and approved by the County Executive Office, the Auditor-Controller's Office, and County Counsel.

If you have any questions regarding this item, please call Ewelina Mutkowska, Senior Stormwater Manager, at (805) 645-1382.

Sincerely,



David Fleisch, P.E.  
Assistant Director

Attachments:

- Exhibit 1: Santa Clara River Vicinity Map
- Exhibit 2: Santa Clara River Bacteria Monitoring Location Map
- Exhibit 3: Amendment No. 3

