

Central Services
Joan Araujo, Director

Engineering Services
James O'Tousa, Director

Roads & Transportation
Anitha Balan, Director

Water & Sanitation
Joseph Pope, Director

Watershed Protection
Vacant, Director

January 23, 2024

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

Subject: Authorization for the Director of Watershed Protection District to Acknowledge, Sign, and Enter into an Agreement with Natural Resources Conservation Services for the Operation and Maintenance Plan of Ferro Ditch Channel Improvements Project; Project Specification No. WP21-05, Project No. P6045301; Supervisorial District No. 3; Watershed Protection District Zone 3.

Recommendations:

1. Authorize the Director of Watershed Protection District (District) to acknowledge, sign, and enter into an Agreement with the United States Department of Agriculture Natural Resources Conservation Services (NRCS) for the Operation and Maintenance Annual Plan (Plan) of Ferro Ditch Channel Improvements Project (Project); Project Specification No. WP21-05, Project No. P6045301.

Fiscal/Mandates Impact:

Mandatory:	No
Source of Funding:	Watershed Protection District Zone 3
Funding Match Required:	No
Impact on Other Department(s):	None

Summary of Revenue and Total Costs:

		<u>FY 2023-24</u>		<u>FY 2024-25</u>
				<u>Through FY 2042-43</u>
Revenue:	\$	0	\$	0
Costs:				
Direct	\$	80,300	\$	1,525,700
Indirect – Agency/Dept.	\$	0	\$	0
Indirect – County CAP	\$	0	\$	0
Total Costs	\$	80,300	\$	1,525,700



Net Costs	\$	80,300	\$	1,525,700
Recovered Indirect Costs	\$	0	\$	0

Current Fiscal Year Budget Projections:

Current FY 2023-24 Budget Projection for Watershed Protection District Zone 3 - Unit 4233				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$ 12,570,171	\$ 13,177,384	\$ 13,177,384	\$ 0
Revenue	\$ 4,563,700	\$ 4,563,700	\$ 4,563,700	\$ 0
Net Cost	\$ 8,006,471	\$ 8,613,684	\$ 8,613,684	\$ 0

Sufficient appropriations are available in the FY 2023-24 Watershed Protection District Zone 3 Adjusted budget. Sufficient appropriations will be included in FY 2024-2025 through FY 2043-2044 budgets as appropriate.

Discussion:

As a condition of a grant NRCS is requesting the District to review, acknowledge, and sign the Operation and Maintenance Plan of the Ferro Ditch Channel committing the District to the annual maintenance of the channel for 20 years. The Project was developed, designed, and constructed to improve flow drainage and provide better road access to the upstream Ferro Debris Basin. The completion of this project in June 2023 marks the completion of the Beardsley-Revolon Watershed Project. The Beardsley-Revolon Watershed Project consisted of 30 separate construction contracts totaling over \$52 million completed over a span of nearly 60 years. The projects were done in partnership with, and funded by NRCS. Construction of this last component of the Beardsley-Revolon Watershed Project, the \$2.4 million Ferro Ditch Channel Improvements, has brought to conclusion these long-term watershed projects.

In August 2020, NRCS entered into an agreement with the District to provide technical and financial assistance to the Project in Ventura County, California (Exhibit 3 - Notice of Grant and Agreement Award). In that agreement, there is clause that states:

“6. Upon determination of technical acceptability of the completed work, the Sponsor must assume responsibility for the revised operation and maintenance (O&M) plan as provided by NRCS upon acceptance of designs and in accordance with Title 180, Part



500 of the NRCS Operation and Maintenance Manual and Title 390, Part 505, Subpart B, Section 505.11, of the NRCS National Watershed Program Manual...”

In accordance with this clause, NRCS has prepared the Plan, attached as Exhibit 4, and has requested the Director of Watershed Protection District to review, acknowledge, and sign it. The Plan is also an agreement that binds the District to the annual maintenance of the subject channel. The Plan defines responsibilities for operating, inspecting, and maintaining the Project. These responsibilities are to be continued in effect for the project life of 20 years from the date the structure is determined completed by NRCS (June 30, 2023). After the expiration of this Plan, the District may continue to be liable until the structure is removed or modified to eliminate potential hazards. It also specifically states:

“If NRCS determines that the Sponsor (VCWPD) has failed to comply with the provisions of this O&M Plan, the Sponsor agrees to reimburse the Federal government for the financial assistance provided for the installation of the Project. The Federal government also shall have the right to take any further action it deems necessary as per the O&M Agreement.”

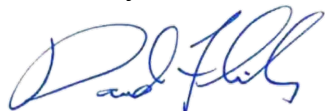
In summary, NRCS has invested approximately \$2.4 million dollars in the Project, the last component of Beardsley-Revolon Watershed Project. The source of the grant is federal money; therefore, NRCS wants to ensure that there is a full commitment on behalf of VCWPD to operate, inspect, and maintain Ferro Ditch over a period of 20 years. To finalize and pay the last invoice, NRCS is requesting the authorized representative of the District to review, acknowledge, and sign the Plan of said channel. Therefore, the District is requesting the Board of Supervisors grant the authority to the Director of the District to accomplish this final task.

Strategic Plan:

This item contributes to the Board of Supervisors (Board's) 2024-2027 strategic priority to provide reliable infrastructure and sustainability through investing in sustainable infrastructure, renewable energy, and preservation of our natural resources.

This letter has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel. If you have any questions regarding this item, please contact the undersigned at (805) 654-2040.

Sincerely,



David Fleisch, P.E.
Assistant Director



Attachments:

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Location Map
- Exhibit 3 – Notice of Grant and Agreement Award
- Exhibit 4 – Operation and Maintenance Plan

