

Central Services  
**Joan Araujo**, Director

Engineering Services  
**Christopher Cooper**, Director

Roads & Transportation  
**David Fleisch**, Director

Water & Sanitation  
**Joseph Pope**, Director

Watershed Protection  
**Glenn Shephard**, Director

September 15, 2020

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

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

Subject:     **Approval of and Authorization for the Director of Ventura County Public Works Agency, or Designee, and the Director of Ventura County Watershed Protection District, or Designee, to Sign Amendment No. 1 to the Memorandum of Agreement for Cost Sharing to Fund Receiving Water Monitoring as Required by the Ventura River Algae Total Maximum Daily Load. Project Nos. P6040155 and P6010179; Watershed Protection District Zone 1; Supervisorial District No. 1.**

**Recommendations:**

It is recommended that your Board:

1. Approve the proposed Amendment No. 1 to the Memorandum of Agreement (MOA) among the City of San Buenaventura (Ventura), City of Ojai, Farm Bureau of Ventura County (Farm Bureau), Ojai Valley Sanitary District (OVSD), California Department of Transportation (Caltrans), County of Ventura (County) and Ventura County Watershed Protection District (VCWPD) regarding cost-sharing to fund receiving water monitoring as required by the Ventura River Algae Total Maximum Daily Load.
2. Authorize the Director of the Ventura County Public Works Agency, or designee, to execute the proposed Amendment No. 1 to MOA on behalf of the County of Ventura, Project No. P6040155.
3. Authorize the Director of VCWPD, or designee, to execute the proposed Amendment No. 1 to MOA on behalf of VCWPD, Project No. P6010179.



**Fiscal/Mandates Impact:**

Mandatory: Yes  
Cite Authority: Section 402 (p) of the Clean Water Act and State of California, California Regional Water Quality Control Board, Los Angeles Region (Regional Board) Resolution No. R12-011, VR Algae TMDL  
Source of Funding: Ventura River Algae TMDL Monitoring Stakeholder Group, County Stormwater Program Fund S130, and Watershed Protection District Fund S710  
Funding Match Required: N/A  
Impact on Other Department(s): None

**County of Ventura – County Stormwater Program**

<b>Summary of Revenue &amp; Costs:</b>	<b><u>FY 2020-21</u></b>	<b><u>FY 2021-22 through FY 2024-25</u></b>
Revenue:	\$154,555	\$547,900
Costs:		
Direct	\$180,314	\$639,217
Indirect – Agency/Dept.	\$ 0	\$ 0
Indirect – CAP	\$ 0	\$ 0
Total Costs:	\$180,314	\$639,217
Net County Costs:	\$ 25,759	\$ 91,317
Recovered Indirect Costs:	\$ 0	\$ 0

**Current FY 2020-21 Budget Projections for County Stormwater Program – Unit 4091  
(Unincorporated Area Zone 1)**

	<b>Recommended Budget</b>	<b>Adjusted Budget</b>	<b>Projected Budget</b>	<b>Estimated Savings/(Deficit)</b>
Appropriations	\$365,000	\$365,000	\$365,000	\$0
Revenue	\$216,500	\$216,500	\$216,500	\$0
Net Cost	\$148,500	\$148,500	\$148,500	\$0

Sufficient appropriations and revenue are available in the FY 2020-21 County Stormwater Program Recommended Budget. FY 2021-22 through FY 2024-25 Budgets will include sufficient revenue and appropriations as appropriate.





**Ventura County Watershed Protection District**

<b>Summary of Revenue &amp; Costs:</b>	<b><u>FY 2020-21</u></b>	<b><u>FY 2021-22 through FY 2024-25</u></b>
Revenue:	\$ 0	\$ 0
Costs:		
Direct	\$25,759	\$91,317
Indirect – Agency/Dept.	\$ 0	\$ 0
Indirect – CAP	\$ 0	\$ 0
Total Costs:	\$25,759	\$91,317
Net District Costs:	\$25,759	\$91,317
Recovered Indirect Costs:	\$ 0	\$ 0

Current FY 2020-21 Budget Projections for Watershed Protection Zone 1 – Unit 4212				
	Recommended Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$233,200	\$233,200	\$233,200	\$0
Revenue	\$118,700	\$118,700	\$118,700	\$0
Net Cost	\$114,500	\$114,500	\$114,500	\$0

Sufficient appropriations are available in the FY 2020-21 Recommended Budget. FY 2021-22 through FY 2024-25 Budgets will include sufficient appropriations as appropriate.

**Discussion:**

On December 6, 2012, under Resolution No. R12-011, the Los Angeles Regional Water Quality Control Board (RWQCB) amended the Water Quality Control Plan for the Los Angeles Region to incorporate a Total Maximum Daily Load (TMDL) for Algae, Eutrophic Conditions, and Nutrients in the Ventura River and its tributaries (VR Algae TMDL). The TMDL went into effect on June 28, 2013, after it was approved by the U.S. Environmental Protection Agency.

The VR Algae TMDL listed the cities of Ventura and Ojai, the Farm Bureau representing the Ventura County Agricultural Irrigated Lands Group, OVSD, Caltrans, VCWPD, and the County as responsible parties for conducting receiving water monitoring to assess numeric target attainment and measure in-stream nutrient concentrations. This TMDL required the responsible parties to commence receiving water monitoring on January 19, 2015, in accordance with the Comprehensive Monitoring Plan cooperatively developed by the responsible parties and approved by the RWQCB on October 20, 2014. The responsible parties implemented the TMDL requirements by cooperatively conducting the receiving water monitoring and equally cost-sharing the required cost through a MOA (Exhibit 1). Your Board approved the MOA on behalf of the County and VCWPD on December 16, 2014.



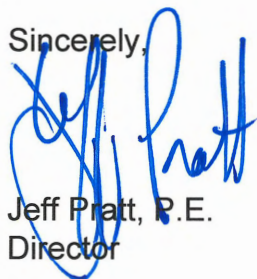
The proposed Amendment No. 1 (Exhibit 2) extends the MOA for an additional five years and commits each party to paying an equal share (14.29 percent) of the receiving water monitoring cost. For the first year of the extended MOA, the cost is estimated at \$180,314, then ranges between \$155,037 and \$164,608 annually during the following four years. In the first year, the responsible parties are planning on additional efforts to evaluate monitoring data collected during the first five years of the monitoring program and to propose a monitoring program reduction to the RWQCB staff for approval. As a result, the contribution amount in the first year is anticipated to be higher than during the remaining four years. The County has agreed to continue acting as the MOA Lead Agency with fiscal responsibilities during the term of the extended MOA. The total cost includes a 2 percent administration fee for the County to act as the MOA Lead Agency.

Today we seek from your Boards approval to execute the proposed Amendment No. 1 to the MOA to meet requirements of the VR Algae TMDL.

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 call Ewelina Mutkowska, Senior Stormwater Manager, at 645-1382 or the undersigned at 654-2073.

Sincerely,



Jeff Pratt, P.E.  
Director

Attachment:

Exhibit 1: Memorandum of Agreement (MOA) Among the City of San Buenaventura, the City of Ojai, the Ojai Valley Sanitary District, the Farm Bureau of Ventura County, the California Department of Transportation, the Ventura County Watershed Protection District, and the County of Ventura to Provide Equal Cost Sharing to Fund Receiving Water Monitoring as Required by the Ventura River Algae Total Maximum Daily Load.

Exhibit 2: Amendment No. 1 to the MOA.

