

August 24, 2022

Consulting
Engineers and
Scientists

Rick Whetsel
Senior Watershed Manager
Santa Ana Watershed Project Authority
11615 Sterling Avenue
Riverside, CA 92503

Re: Preparation of a Basin Plan Amendment for Limited Revisions to the Middle Santa Ana River Bacterial Indicator TMDLs

Dear Mr. Whetsel,

The purpose of this letter is to present a proposal to provide regulatory and technical support to the Middle Santa Ana River (MSAR) Watershed Total Maximum Daily Load (TMDL) Task Force to support preparation of a Basin Plan amendment (BPA) to complete limited revisions to the MSAR Bacterial Indicator TMDLs. GEI Consultants (GEI) prepared this proposal in collaboration with Kahn, Soares & Conway, LLP (KSC). The following sections provide a brief project background, proposed scope of work, schedule and cost estimate to complete the project.

Project Background

On August 26, 2005, the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) adopted Middle Santa Ana River (MSAR) Bacterial Indicator Total Maximum Daily Loads (TMDL) (“MSAR TMDL”) for Reach 3 of the Santa Ana River, Mill Creek (in the Prado area), Reach 1 of Cucamonga Creek, Reaches 1 and 2 of Chino Creek, and the Prado Park Lakes (Resolution No. R8-2005-0001). The adopted TMDLs were approved by the State Water Resources Control Board (State Water Board) on May 15, 2006 (Resolution No 2006-030) and by the United States Environmental Protection Agency (USEPA) Region 9 on May 16, 2007.

The MSAR TMDLs established *Escherichia coli* (*E. coli*) wasteload allocations (WLAs) for urban Municipal Separate Storm Sewer System (MS4) and confined animal feeding operation discharges and load allocations (LAs) for agricultural and natural sources. Table 5-9x in the MSAR TMDL established the following WLAs and LAs:

- A. Dry Summer Conditions (April 1 through October 31) - Achieve the following waste load allocation as soon as possible, but not later than December 31, 2015:

Escherichia coli: The 5-sample, 30-day logarithmic mean of *Escherichia coli* less than 113 organisms/100 mL and not more than 10% of the samples exceed 212 organisms/100 mL for any 30-day period.

- B. Wet Winter Conditions (November 1 through March 31) - Achieve the following waste load allocation as soon as possible, but not later than December 31, 2025:

Escherichia coli: The 5-sample, 30-day logarithmic mean of *Escherichia coli* less than 113 organisms/100 mL and not more than 10% of the samples exceed 212 organisms/100 mL for any 30-day period.

The primary purpose for revising the TMDLs is to extend the wet winter condition compliance date, which is currently December 31, 2025. Extension of the compliance date will provide opportunity for the MSAR Task Force to (a) identify and implement needed special studies; (b) develop a better understanding of wet weather sources of bacterial indicators; (c) allow time to develop and implement either an alternative Watershed Management Plan (an expected option under the next Regional MS4 Permit) or Comprehensive Bacteria Reduction Plans for wet conditions.

Revision to the MSAR TMDLs requires an amendment to the Santa Ana Regional Water Quality Control Plan (Basin Plan). Preparation of the TMDL revisions and process to amend the Basin Plan requires completion of a number of steps. While the Santa Ana Water Board is the lead agency to complete this process, the MSAR Task Force proposes to provide technical and regulatory support to the Santa Ana Water Board staff. It is proposed that this support primarily be provided by Tess Dunham (KSC) and Richard Meyerhoff (GEI Consultants) (collectively “Consultant Team”). If necessary, additional technical support may be sought from Steven Wolosoff (CDM Smith). The following scope of work describes the proposed tasks to complete this effort. Subsequent sections provide an estimated schedule and GEI’s proposed costs to complete the work. Services provided by Tess Dunham for this scope of work fall within Ms. Dunham’s currently allocated budget as the regulatory facilitator for the Task Force. Accordingly, Ms. Dunham’s time and proposed costs are not included with this letter proposal.

Scope of Work

Task 1 - Draft CEQA Scoping and Tribal Outreach Document

As part of the BPA process, the Santa Ana Water Board is required to conduct a California Environmental Quality Act (CEQA) Scoping meeting to provide opportunity for stakeholders to comment on the appropriate scope and content of the Substitute Environmental Document (SED) that will be prepared for the proposed BPA. The scoping meeting assists the Board staff in identifying the range of actions, alternatives, mitigation measures, and significant environmental effects, if any, to be analyzed prior to the decision-making process on the recommended BPA.

Under this task, the Consultant Team will prepare a draft CEQA Scoping meeting announcement for Task Force review and finalization by the Santa Ana Water Board staff (Note: For here and subsequent tasks, reference to Task Force review is intended to include review by Santa Ana Water Board staff).

The final CEQA Scoping Meeting notice will be posted by the Santa Ana Water Board staff. In addition, Board staff will set the Scoping Meeting date, handle meeting logistics and lead the meeting. The Consultant Team will assist the Board staff with preparation of presentation materials and attend the meeting (virtually or in-person) to provide as needed support to the Board staff during the meeting. Comments gathered during the Scoping Meeting or received in post-meeting comment letters will be provided to GEI and KSC for consideration in subsequent tasks and included in the SED prepared under Task 6.

Task 2 - Draft Outline of BPA Supporting Technical Report

The Consultant Team will prepare a draft BPA Technical Report Outline for Task Force review. The purpose of the outline is to provide clear direction for the development of the content required for inclusion in the BPA Supporting Technical Report (to be prepared under Task 3). Based on comments received on the draft outline, the team will prepare a final Technical Report Outline.

Task 3 - Draft BPA with Supporting Technical Report

The Consultant Team will prepare the draft BPA with supporting Technical Report that provides the technical justification for the proposed BPA to modify the existing MSAR TMDLs. The content of the supporting Technical Report will be based on the outline approved under Task 2, but, at a minimum, is expected to include the following key sections: (1) Introduction/purpose; (2) problem statement to summarize existing TMDL requirements and need for revising the TMDLs; and (3) proposed revisions to the TMDLs and brief technical justification for each proposed change. Elements currently planned for inclusion in the proposed revisions include: (a) revised wet winter conditions compliance date; (b) establishment of new tasks for implementation in the TMDLs consistent with the revised compliance date; and (c) schedule for implementation of the planned new tasks.

The Consultant Team will prepare a draft BPA with supporting Technical Report for Task Force review. Based on comments received, the team will prepare a revised draft BPA and supporting Technical Report. The revised documents will be provided to the Santa Ana Water Board staff for finalization and use during the BPA process.

Task 4 - Draft BPA Staff Report

The Consultant Team will prepare a draft BPA Staff Report based on the findings of the BPA supporting Technical Report prepared under Task 3. For the purposes of this scope of work it has been assumed that the draft BPA Staff Report will be similar in structure and

content as an Executive Summary of the deliverables prepared under Task 3. The Consultant Team will prepare a draft BPA Staff Report for Task Force review. Based on comments received, the team will prepare a revised draft BPA Staff Report. The revised document will be provided to the Santa Ana Water Board staff for finalization and use during the BPA process.

Task 5 - Draft Substitute Environmental Document

The SED will be prepared pursuant to Public Resources Code Section 21080.5, and the State Water Board's regulations related to Certified Regulatory Programs (California Code of Regulations, Title 23, Section 3775 et seq.). The Consultant Team will prepare a draft SED using a format similar to SED's prepared for other relatively recent Santa Ana Water Board BPAs, e.g., the recently approved BPA to revise and update the Santa Ana Region Total Dissolved Solids and Nitrogen Management Program. The SED will include an introduction, descriptions of the proposed action and environmental setting, evaluation of the potential impact(s) of the proposed action using the CEQA Environmental Checklist and a brief analysis of any reasonable alternatives to the proposed action. The Consultant Team will prepare a draft SED for Task Force review. Based on comments received on the draft SED, the Consultant Team will prepare a revised draft SED to support the BPA. The revised document will be provided to the Santa Ana Water Board staff for finalization and use during the BPA process.

Task 6 - Draft BPA Resolution

The Consultant Team will assist Santa Ana Water Board staff with the preparation of a draft BPA Resolution to support the adoption of the BPA, in particular the portions of the Resolution that address the findings from the BPA Staff Report and supporting Technical Report. Draft Resolution text will be provided to the Task Force for review. Revised draft language will be prepared based on comments received. The revised document will be provided to the Santa Ana Water Board staff for finalization and use during the BPA process.

Task 7 – Assistance Assembling the Administrative Record & As Requested Support to BPA Adoption Process

The Consultant Team will support efforts by the Santa Ana Water Board staff to prepare the BPA Administrative Record to support the BPA adoption process. In addition, the Consultant Team will provide as requested support to Board staff, e.g., assistance with response to comments during the public BPA adoption process and necessary revisions to the BPA Staff Report or BPA Resolution.

Task 8 – Project Coordination

The Consultant Team will attend MSAR TMDL Task Force meetings during the execution of this project. It is assumed that most meetings will be conducted virtually, but the project budget does include budget to support up to two face to face meetings with the Task Force, or meetings before the Santa Ana Water Board if determined necessary. Additional project coordination will occur as needed via email and teleconference.

Project Schedule

The goal of this project is to have a proposed BPA ready for public review and Santa Ana Water Board consideration by approximately May/June 2023. **Table 1** summarizes the proposed schedule for the execution of this project to achieve this goal, based on a Notice to Proceed by September 1, 2022.

Table 1. Proposed Project Schedule

Task	Complete by
Task 1 - Draft CEQA Scoping and Tribal Outreach Document	<ul style="list-style-type: none"> Draft: September 16, 2022 Final: October 7, 2022
Task 2 - Draft Outline of BPA Supporting Technical Report	<ul style="list-style-type: none"> Draft: September 16, 2022 Final: October 7, 2022
Task 3 - Draft BPA with Supporting Technical Report	<ul style="list-style-type: none"> Draft: January 6, 2023 Final: February 24, 2023
Task 4 - Draft BPA Staff Report	<ul style="list-style-type: none"> Draft: February 10, 2023 Final: February 24, 2023
Task 5 - Draft Substitute Environmental Document	<ul style="list-style-type: none"> Draft: February 10, 2023 Final: March 10, 2023
Task 6 - Draft BPA Resolution	<ul style="list-style-type: none"> Draft: March 10, 2023 Final: March 31, 2023
Task 7 - Assistance Assembling the Administrative Record & As Requested Support to BPA Adoption Process	<ul style="list-style-type: none"> Initial document submittal to support Administrative Record: March 31, 2023 As needed BPA adoption support: April – June, 2023

Project Cost Estimate

GEI proposes to complete its portion for implementation of the above Scope of Work on a time and materials basis with a not to exceed cost of \$67,000. This cost estimated is based on an estimated 240 labor hours as shown in **Table 2. Attachment A** provides the rate schedule for GEI. As noted previously, Tess Dunham with KSC intends to provide the services associated with this Scope of Work under her existing regulatory facilitator contract, which is billed at a labor rate of \$375. If technical support is needed from Steven Wolosoff, CDM Smith, that support will be billed at a labor rate of \$220/hour. Estimated costs for Task 8, Project Coordination, take into account participation in Task Force meetings as part of other ongoing activities, e.g., preparation of the 2023 MSAR Triennial

Report. Expenses include travel costs to attend up to two face to face MSAR Task Force meetings, or meetings before the Santa Ana Water Board if determined necessary.

Table 2. GEI Cost Estimate

Task	Comments	Hours	Labor	Other Direct Costs ¹	Total
1 – Draft CEQA Scoping and Tribal Outreach Document	Services primarily provided by KSC	6	\$1,500	\$0	\$1,500
2 - Draft Outline of BPA Technical Report	--	8	\$2,400	\$0	\$2,400
3 - Draft BPA with Supporting Technical Report	--	100	\$27,500	\$0	\$27,500
4 - Draft BPA Staff Report	--	10	\$3,000	\$0	\$3,000
5 - Draft Substitute Environmental Document	--	90	\$23,500	\$0	\$23,500
6 - Draft BPA Resolution	Services provided by KSC	0	\$0	\$0	\$0
7 - Administrative Record & As Requested Support	--	16	\$4,100	\$0	\$4,100
8 – Project Coordination	--	10	\$3,000	\$2,000	\$5,000
Totals	--	240	\$65,000	\$2,000	\$67,000

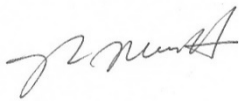
¹ Support travel costs for up to two face to face meetings at SAWPA or at Santa Ana Water Board (see text)

Closing

I appreciate having the opportunity to provide you with this proposal. Should you have any questions or need further information, please contact me at 303-345-3083.

Sincerely,

GEI CONSULTANTS, INC.



Richard Meyerhoff, PhD
Senior Water Quality Specialist

Attachment A – GEI Rate Schedule

GEI SAWPA 2022 LIFE SCIENCES FEE SCHEDULE AND PAYMENT TERMS

FEE SCHEDULE

<u>Personnel Category</u>	<u>Hourly Billing Rate</u> <u>\$ per hour</u>
Staff Professional – Grade 1	\$ 130
Staff Professional – Grade 2	\$ 140
Project Professional – Grade 3	\$ 155
Project Professional – Grade 4	\$ 175
Senior Professional – Grade 5	\$ 205
Senior Professional – Grade 6	\$ 235
Senior Professional – Grade 7	\$ 280
Senior Consultant – Grade 8	\$ 300
Senior Consultant - Grade 9	\$ 325
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Senior CADD Drafter / Designer / GIS	\$ 135
CADD Drafter / Designer	\$ 115
Field Professional	\$ 120
Technician 1	\$ 90
Technician 2	\$ 95
Technician 3	\$ 100
Technician 4	\$ 105
Word Processor, Administrative Staff	\$ 115
<u>Office Aide</u>	<u>\$ 95</u>

These rates are billed for both regular and overtime hours in all categories.

Rates will increase up to 5% annually, at GEI's option, for all contracts that extend beyond twelve (12) months after the date of the contract. Rates for Deposition and Testimony are increased 1.5 times.

OTHER PROJECT COSTS

Third Party Project Charges – All third party project charges will be billed at cost plus a 5% service charge. Examples of such charges include chemical laboratory charges; rented or leased equipment; printing and communication costs; shipping and mailing costs; sample disposal costs; transportation costs, project permits, and licenses.

Field Equipment Charges – GEI-owned field equipment will be billed at the following rates:

Backpack and shoreline electro-fishers	\$ 175/day	Invertebrate equipment package	\$ 60/day
Boat electro-fisher	\$ 450/day	Flow meter	\$ 90/day
Boat only	\$ 280/day	Multi-probe	\$ 170/day
IFIM equipment package	\$ 90/day		

Transportation Charges - Automobile expenses for GEI or employee owned cars will be charged at the rate per mile set by the Internal Revenue Service for tax purposes plus tolls and parking charges or at a rate negotiated for each project. When required for a project, four-wheel drive vehicles owned by GEI or the employees will be billed at \$25/day plus mileage. Travel costs including airfare, rental vehicles, taxis, parking, tolls, and other transportation charges will be billed at cost plus 5% service charge.

Subsistence – Lodging and meal costs at job sites, and in transit to and from job sites, will be billed at cost plus 5% service charge.

PAYMENT TERMS

Invoices will be submitted monthly or upon completion of a specified scope of service, as described in the accompanying contract (proposal, project, or agreement document that is signed and dated by GEI and CLIENT). Payment is due upon receipt of the invoice. Interest will accrue at the rate of 1% of the invoice amount per month, for amounts that remain unpaid more than 30 days after the invoice date. All payments will be made by either check or electronic transfer to the address specified by GEI and will include reference to GEI's invoice number.