



SANTA ANA WATERSHED  
PROJECT AUTHORITY

# Agreement to Purchase Treatment and Disposal Capacity Rights

Project Agreement 24 Committee

Item No. 6.A

David Ruhl, P.E.

Executive Manager of Engineering and Operations

December 3, 2024

# Recommendation

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- That the Project Agreement 24 Committee authorize the General Manager to execute a Treatment and Disposal Capacity Purchase Agreement with San Bernardino Valley Municipal Water District (Valley District), subject to minor, non-substantive changes contingent on concurrence by legal counsel.

# Treatment and Disposal Capacity Right (Capacity)

- SAWPA has a 30 MGD Capacity Right in OC San's Treatment Facilities and ocean outfall
- SAWPA has purchased 17 MGD of Capacity and has sold this Capacity to Member Agencies
- Capacity is sold in 1 MGD increments (per the 1996 agreement between SAWPA and OC San)
- Note:
  - Per agreement, SAWPA must purchase additional 1 MGD of Capacity when monthly average flow (MGD) exceeds purchased Capacity (currently 17 MGD)



# Process to Purchase Capacity

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- Sub Agency request to Member Agency
- Member Agency request to SAWPA
- SAWPA notifies OC San of the need to purchase Capacity
- PA 24 Committee Approval of Capacity Purchase Agreements:
  - Between SAWPA and OC San
  - Between SAWPA and Member Agency
  - Note:
    - If Member Agency is selling Capacity, there is an agreement between the Member Agency and Sub Agency

# YVWD Request to Purchase Capacity

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- YVWD discharges RO Concentrate from the Wochholz Regional Water Recycling Facility to the Brine Line
  - YVWD is expanding their Facility and anticipates completion in December 2026
  - YVWD has requested from SAWPA / Valley to purchase 0.505 MGD of T&D Capacity
- YVWD is interested in purchasing Capacity now based on:
  - YVWD Board has directed their staff to secure Capacity prior to the award of a construction contract
  - YVWD has secured funds from the Water Infrastructure Finance and Innovation Act (WIFIA)



# Discussions with OC San

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- SAWPA contacted OC San on their ability to sell Capacity
- OC San Response:
  - OC San is not willing to sell Capacity until SAWPA exceeds its purchased Capacity (per 1996 Agreement)
- Current information:
  - SAWPA owns 17 MGD of Capacity and currently discharges 12.2 MGD to OC San
  - Brine Line is expected to exceed the 17 MGD Capacity in next 5-10 years (per draft Brine Line Master Plan)



Agency	Discharger	Allocated Capacity (MGD)	3 Month Ave Flow (MGD)	Unused Allocated Capacity (MGD)
CDA	Chino Desalter 1 and 2	3.670	3.603	0.067
EMWD	Menifee and Perris I and II Desalter	4.048	3.340	0.708
IEUA	Green River Golf Club	0.007	0.004	0.003
	California Institute for Women	0.400	0.186	0.214
	In N Out	0.086	0.071	0.015
	California Institute for Men	0.197	0.033	0.161
	Mission Linen	0.712	0.146	0.566
	OLS	0.129	0.013	0.116
	Repet	0.043	0.029	0.014
	Eastside Water Treatment Plant	0.065	0.017	0.048
	Lease Pool Contribution Balance	0.029	0.000	0.029
SBVMWD	Mountainview Power Plant	0.432	0.410	0.022
	Agua Mansa Power Plant	0.062	0.002	0.060
	YVWD – Wochholz Wastewater TP	0.595	0.415	0.180
	Rialto Bioenergy Solutions	0.250	0.029	0.221
	City of Beaumont	0.580	0.541	0.039
WMWD	Anita B. Smith Treatment Facility	0.030	0.006	0.024
	Aramark Uniform Services	0.330	0.175	0.155
	Arlington Desalter	1.400	0.759	0.642
	JCSD	1.155	1.140	0.015
	Temescal Desalter	2.150	1.380	0.770
	Wellington Foods	0.030	0.014	0.016
	Dart Container	0.060	0.032	0.028
	Fruturom	0.005	0.005	0.000
	Stringfellow	0.259	0.114	0.145
	Inactive Dischargers	0.128	0.000	0.128
	Lease Pool Contribution Balance	0.151	0.000	0.151
4 MA's	Collection Stations	0.000	0.120	(0.120)
	<b>Total</b>	<b>17.000</b>	<b>12.585</b>	<b>4.415</b>

## Brine Line Treatment and Disposal Capacity (Capacity)

- 17.0 MGD allocated Capacity
- 12.6 MGD brine flow to OC San (3 Month Average)
- 4.4 MGD of unused allocated Capacity



# Capacity Purchase Agreement Pertinent Points

- Valley District acquires a Capacity right of 0.505 mgd at a wastewater strength of 20 mg/L BOD and 20 mg/L of TSS
- The Calculated Purchase Price is \$4,485,896.77
- The Calculated Purchase Price is the current cost from OC San to purchase Capacity inflated to a point in time SAWPA is required to purchase Capacity from OC San.
  - Inflated price is based on the historical increase in price from OC San, estimated at 1.5%
  - Estimated timeline when the Brine Line average flow will exceed SAWPA's currently owned Capacity is 5 years and is based upon the findings in the draft Master Plan.
- SAWPA would hold the funds, and any interest earned in the Brine Line Reserves until such time it is required to purchase Capacity from OC San (Final Purchase Price).

# Capacity Purchase Agreement Pertinent Points (cont.)

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- Valley District would pay the difference in the Final Purchase Price and the Calculated Purchase Price.
- Interest earnings may be used to offset the Final Purchase Price.
- If the calculated purchase price is over estimated, interest on the over estimated amount will be returned in addition to the amount over paid.
- SAWPA will provide an annual accounting statement to Valley detailing interest earnings in the Reserve and the 0.25% deducted annually on the balance of funds to be retained by SAWPA.

# Recommendation

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- That the Project Agreement 24 Committee authorize the General Manager to execute a Treatment and Disposal Capacity Purchase Agreement with San Bernardino Valley Municipal Water District (Valley District), subject to minor, non-substantive changes contingent on concurrence by legal counsel.

# Questions?



SANTA ANA WATERSHED  
PROJECT AUTHORITY

# License Agreement with AT&T

PA 24 Committee  
Item No. 6.B  
Daniel Vasquez  
Manager of Operations  
December 3, 2024

# Recommendation

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To authorize the General Manager to execute a License Agreement with AT&T to remove existing telecommunication poles and install a new telecommunication conduit in SAWPA's fee property on Reach IV.



# Background: Santa Ana River Trail (SART)

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- Phase 6 of the SART includes the construction of approximately 1.5 miles of multi-use path from the terminus of SART Phase 3 through Prado Basin.
- In 2006, SAWPA signed an MOU indicating participation and planning efforts with subsequent amendments.

# Santa Ana River Trail (Cont.)

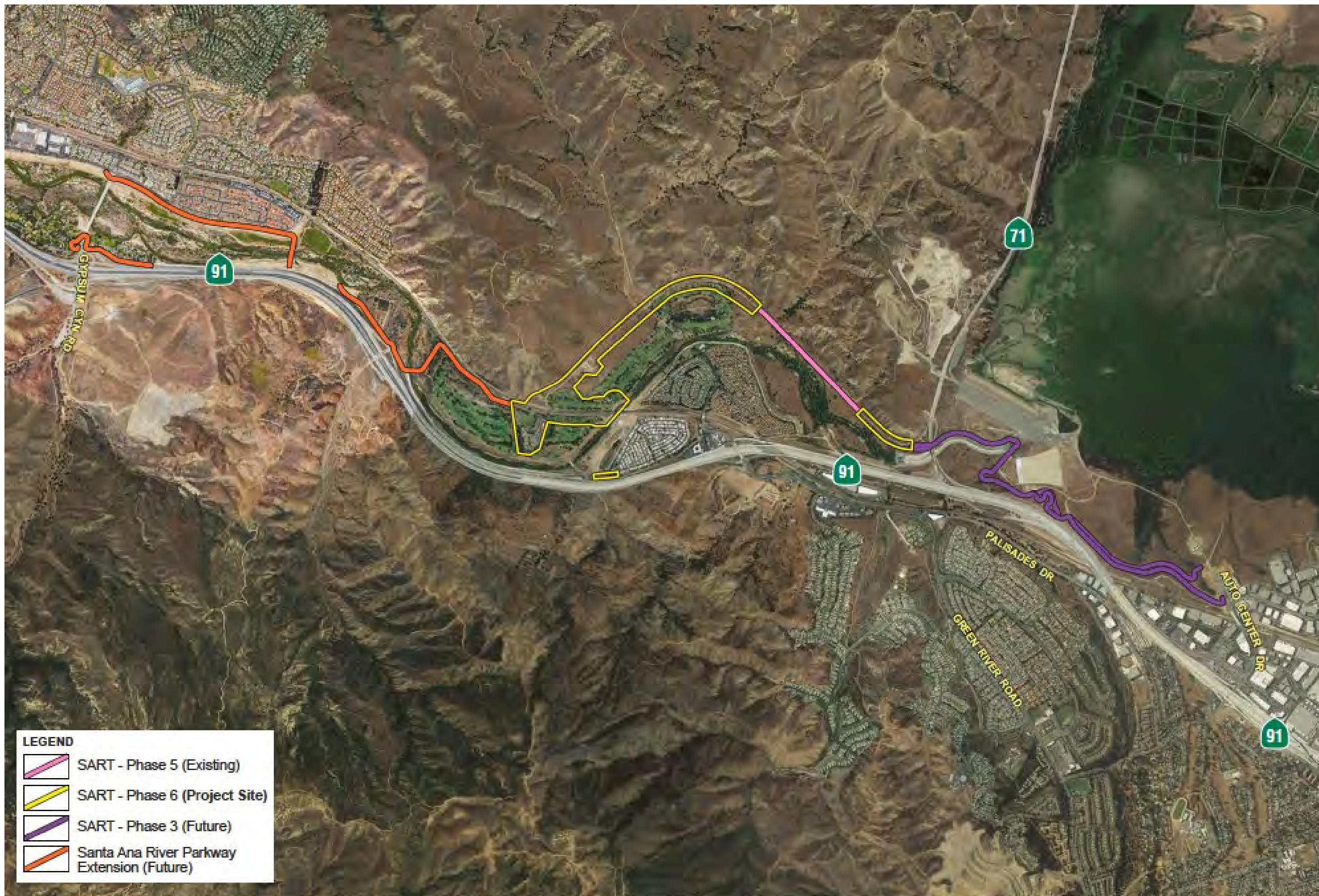
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- In 2014, an Operations and Maintenance Agreement was signed by SAWPA with RivCo Parks for development of the SART from below Prado Dam to the Green River Golf Course for 25 years upon completion of construction.
- SAWPA provides feedback in the planning efforts with RivCo Parks for Phase 6 to preserve SAWPA access for Brine Line maintenance and repairs.

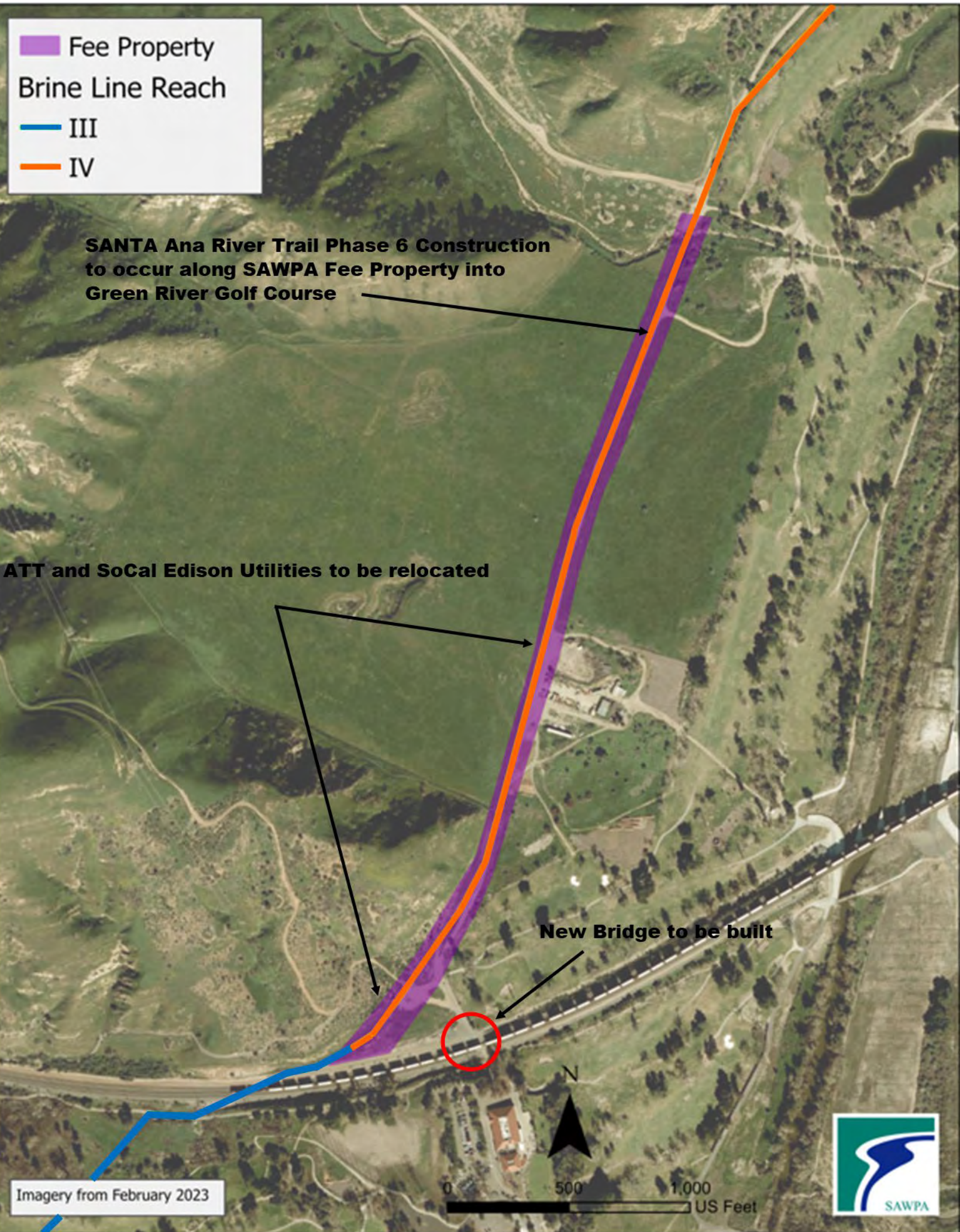
# Santa Ana River Trail (Cont.)

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- To accommodate the SART and the railway bridge crossing, AT&T has requested a license agreement to relocate their utility infrastructures in SAWPA's property.
- SAWPA brought this request to PA 24 in April and began to work on a Draft License Agreement. The License Agreement was reviewed by SAWPA Legal Counsel and AT&T.











SAWPA Owned Fee Property

SoCal Edison Proposed Above-Ground Facilities

ATT Proposed Under-Ground Facilities

- AT&T is proposing to remove poles and relocate facilities underground in a northeasterly direction on SAWPA fee property (Blue).
- SCE is proposing to relocate poles on SAWPA property strictly above ground (Red).



# License Agreement

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- The License Agreement protects SAWPA's interest in operating and maintaining the Brine Line.
- The License Agreement limits the use of the SAWPA fee property to the relocation and upkeep of proposed telecommunications facilities.

# Recommendation

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To authorize the General Manager to execute a License Agreement with AT&T to remove existing telecommunication poles and install a new telecommunication conduit in SAWPA's fee property on Reach IV.

# Questions?

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