

ENGINEER'S REPORT
TO THE
BOARD OF SUPERVISORS
OF THE
RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
ON THE
NPDES PROGRAM
FOR THE
SANTA ANA WATERSHED
BENEFIT ASSESSMENT AREA
JULY 2014

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INTRODUCTION

In 1987, Congress amended the Federal Clean Water Act (CWA) to require public agencies which serve urbanized areas with a population greater than 100,000 and other designated areas to obtain permits to discharge urban stormwater runoff from municipally owned drainage facilities including streets, highways, storm drains and flood control channels. In November 1990, the United States Environmental Protection Agency (USEPA) promulgated enforceable regulations establishing Municipal Separate Storm Sewer System (MS4) Permit requirements under its National Pollutant Discharge Elimination System (NPDES) program. In California, USEPA has delegated its NPDES permitting authority to the State Water Resources Control Board (SWRCB). The SWRCB issues and enforces NPDES MS4 Permits through its nine California Regional Water Quality Control Boards (CRWQCBs).

The Riverside County Flood Control and Water Conservation District (District) service area encompasses portions of three major watersheds (drainage areas): the Santa Ana, the Santa Margarita and the Whitewater watersheds. The discharge of stormwater from MS4s within each of these three watersheds is regulated pursuant to an NPDES MS4 Permit (NPDES Permit) administered by a separate CRWQCB. **The District must comply with the provisions of these NPDES Permits in order to legally operate and maintain its flood control and drainage system infrastructure.** The USEPA and the CRWQCB can impose significant penalties for non-compliance as high as \$32,500 per day per violation. In addition, private citizens can pursue enforcement actions under the Federal CWA.

In the case of the Santa Ana Watershed, the District, along with the County of Riverside (County) and the Cities of Beaumont, Corona, Hemet, Lake Elsinore, Moreno Valley, Norco, Perris, Riverside and San Jacinto obtained an "early"¹ NPDES Permit from the CRWQCB - Santa Ana Region (Regional Board) on June 1, 1990. The Regional Board added the then newly incorporated cities of Calimesa and Canyon Lake to the NPDES Permit on June 10, 1992. The initial NPDES Permit expired on June 1, 1995; however, the provisions of this first NPDES Permit remained in effect until the Regional Board adopted a subsequent NPDES Permit on March 8, 1996. The 1996 Permit, which identified the District, County and above listed cities (Cities) as Permittees, expired on March 1, 2001. The Permittees submitted a "Report of Waste Discharge" (ROWD), as required by the Permit renewal procedures, and the Regional Board extended coverage under the 1996 Permit until October 25, 2002, when Order No. R8-2002-0011 (2002 Permit) was adopted. The 2002 Permit expired on October 25, 2007; thus, in accordance with permit renewal procedures, the Permittees submitted a ROWD on April 26, 2007. The Permittees received the fourth term MS4 Permit, Order No. R8-2010-0033 on January 29, 2010 (2010 MS4 Permit); the 2010 MS4 Permit added three additional Permittee: the newly incorporated Cities of Menifee, Eastvale and Jurupa Valley. In accordance with Permit renewal procedures and federal requirements, the Permittees are currently in the process of developing the ROWD for the fifth term MS4 Permit, which is due for submittal to the Regional Board on July 29, 2014.

The first NPDES Permit issued by the Regional Board in June 1990 was considered a "Developmental Permit". The Permittees were authorized to continue discharging stormwater

¹ The term "early" is used to refer to permits that were issued prior to the promulgation of the final USEPA rules for permitting municipal stormwater discharges [40 CFR 122.26, November 1990].

from their municipally owned storm drain and flood control facilities while developing the various elements of their respective Municipal Stormwater Management Programs.

The 2002 Permit required the Permittees to implement a Drainage Area Management Plan (DAMP), incorporating upgraded program elements and other information as specified by the Permit. To ensure a consistent region-wide program in Riverside County, the DAMP was originally designed to address both the Santa Ana and San Diego Regional Board's NPDES Permits. The Permittees submitted the original DAMP in 2004, and finalized the document during FY 2005-2006, after having received comments from both Regional Boards. Since then, the DAMP has undergone several additional revisions to reflect changes in Permit compliance activities, and required updates to other Permit compliance documents.

From the beginning, the Permittees' Municipal Stormwater Management Program has been guided by the following principles:

1. Utilize existing municipal departments/programs to meet NPDES Permit requirements whenever possible.
2. Minimize duplication of effort through coordinated Permittee compliance actions.
3. When necessary, develop new or enhanced Stormwater Management Programs (Best Management Practices) that are both cost-effective and acceptable to the public.

The 2010 MS4 Permit has required the Permittees to enhance the DAMP to incorporate Low Impact Development (LID) and Hydromodification design standards into the new development programs, enhance IC/ID programs, and evaluate opportunities to address water quality problems at regional or watershed scales. The 2010 MS4 Permit has also required each Permittee to develop and maintain a Local Implementation Plan (LIP). The LIP describes each Permittees' individual programs, procedures, tools and ordinances to implement the DAMP consistent with the 2010 MS4 Permit requirements. Additionally, the 2010 MS4 Permit has required development of a Watershed Action Plan (WAP) which includes several efforts such as Hydromodification Susceptibility Mapping, Regional Geodatabase, Hydromodification Management Plan and Retrofit Studies.

The Santa Ana Watershed Benefit Assessment Area (SAWBAA) was established pursuant to District Ordinance No. 14 on May 14, 1991 (copy attached - see Appendix B). The SAWBAA was formed to offset the District's program and administrative costs associated with the development, implementation and management of identified stormwater management activities required by the federally mandated NPDES Permit Program. The District must continue to develop and implement these stormwater management activities in order to legally operate and maintain its flood control and drainage facilities. A map showing the boundaries of the SAWBAA is attached hereto as Appendix C.

The cost of the District's various NPDES Permit compliance activities fluctuates from year to year. Although some expenses do not change significantly on a yearly basis, certain costs are cyclical (e.g., preparing Permit applications and negotiating Permit provisions) while expenses associated with collecting water samples and performing laboratory analysis may vary according to the amount of rainfall occurring in a given year or in response to certain information requests

from the Regional Board. Costs associated with the development, production and distribution of public education materials are not always incurred on a fiscal year basis. Occasionally, consultant services may be needed to assist the District with the development of a particular Permit requirement or program activity. Also, certain activities or programs may be expanded or curtailed from time to time and, occasionally, new programs or activities must be developed and implemented.

Currently, the regulation and management of stormwater runoff is a topic of increasing interest among the public, municipalities, regulatory authorities and legislators. Although new laws and/or regulations could result in changes to the assessment rate in future years, **the proposed assessment rate for Fiscal Year 2014-2015 is equal to or less than the assessment rate that was enrolled and levied for Fiscal Year 1996-1997 and all subsequent years.**

APPORTIONMENT METHODOLOGY

SAWBAA assessments are apportioned on the basis of proportionate stormwater runoff generated by each parcel. This method of assessment is consistent with State law and the District Act. The amount of benefit is computed based upon the parcel's size (acreage) and its use classification. A single-family residential structure on a 7,200 square foot lot (1/6 of an acre) is defined as one benefit assessment unit (BAU). The BAUs for other types of land use are calculated in proportion to the amount of runoff generated by a single-family residence on a 7,200 square foot lot.

In comparison with a typical single family residence, properties used for industrial and commercial purposes typically generate more stormwater runoff and higher pollutant loads on a per acre basis. Thus, commercial/industrial parcels are assessed at a higher rate per acre than residential parcels. Because agricultural discharges are currently exempt under the NPDES Permit regulations, parcels within the SAWBAA that are used for agricultural purposes are exempt from the assessment. Vacant undeveloped parcels are not assessed because they are considered to generate no increase in pollutant loading. Additionally, certain large undeveloped tracts of land such as Federal or State owned forest are excluded from the SAWBAA. A more detailed discussion of the apportionment methodology is presented in Appendix B.

CURRENT YEAR ASSESSMENTS (FY 2013-2014)

In July 2013, the District's Board of Supervisors confirmed a benefit assessment rate for FY 2013-2014 of \$3.75 per BAU. Following is a summary of FY 2013-2014 assessments:

Rate	Billed Parcels	BAUs	Assessments	Corrections	Amount Paid*
\$3.75	367,391	650,854	\$2,440,703.60	\$0.00	\$2,319,400.63

* Through April 30, 2014

Property owners may request a review of their assessment(s) by contacting the District. District staff considers each request by reviewing readily available information such as Assessor's parcel maps, aerial photographs, and, when necessary, conducting site visits. The Auditor/Controller is notified of any needed corrections and a new tax bill is issued or, in cases where the assessment has been paid, a refund is made. Last year, there were no corrections processed.

RECOMMENDED BENEFIT ASSESSMENT RATES (FY 2014-2015)

The District recommends that for FY 2014-2015, the SAWBAA assessment rate remain unchanged at \$3.75 per BAU. This BAU rate would result in an equivalent charge per acre for the following land uses:

Group	Land Use Category	BAU/Acre	Assessment Rate*
A	Commercial, Industrial	12	\$45.00/acre
B	Apartments/Mobile Home Parks, Churches and Schools	9	\$33.75/acre
C	Single-family Residential	6**	\$22.50/acre
D	Agricultural/Vacant Undeveloped	Exempt	\$0.00/acre
E	Golf Courses	0.10	\$0.38/acre
F	Undeveloped Portions of Parcels	0.05	\$0.19/acre

* Refer to Appendix B for a detailed discussion of the Benefit Assessment methodology.

** 1 BAU per single-family residence, assuming six equally sized residential parcels per acre.

The projected revenue for FY 2014-2015, using the proposed benefit assessment rate of \$3.75 per BAU is as follows:

Rate	Parcels*	BAUs	Assessment*	Projected Revenue**
\$3.75	367,391	650,854	\$2,440,703.60	\$2,257,650.80

* Based on FY 2013-2014 Assessor's information

** Assumes a 7.5% delinquency rate

The projected revenue along with a portion of the end of year balance from FY 2013-2014 will fund the District's NPDES Stormwater Management Program activities for the Santa Ana Watershed area in FY 2014-2015. The proposed FY 2014-2015 budget is presented in Appendix A.

During the early years of the NPDES Program, there were many uncertainties regarding startup costs (consultant costs, amount of sampling that would be required, overall program scope, etc.) since the program was new for both the regulatory authorities and the Permittees. Consequently, the initial assessment rates were set conservatively to ensure that all Permit obligations could be met. To date, the District has been able to maintain a modest fund balance since the benefit assessments were first levied in FY 1991-1992. The District is maintaining the current assessment rate while sustaining required expenditure levels that are slightly above projected revenues, which should gradually reduce the fund balance. It should also be noted here that the current trend in California is toward more stringent regulation of municipal stormwater runoff. Thus, it is expected that the District's NPDES Permit compliance costs will increase over the next few years.

ASSESSMENT ROLL

The SAWBAA Assessment Roll provides a listing by Assessor's Parcel Numbers of the proposed FY 2014-2015 Benefit Assessment to be levied on each parcel of property in the SAWBAA. The Assessment Roll is identified as Appendix D and incorporated herein by this reference. This Engineer's Report along with the SAWBAA Assessment Roll will be placed at the following locations for review by the public:

Clerk of the Board of Supervisors
4080 Lemon Street, 1st floor
Riverside, CA 92501

Riverside County Flood Control
and Water Conservation District
1995 Market Street
Riverside, CA 92501

City of Corona
400 South Vicentia Avenue, 1st floor
Corona, CA 92882

City of Hemet
445 East Florida Avenue
Hemet, CA 92543

City of Lake Elsinore
130 S. Main Street
Lake Elsinore, CA 92530

This Engineer's Report may also be viewed or downloaded at
<http://rcflood.org/NPDES/SantaAnaWS.aspx#SAbenefit>

NPDES PROGRAM HIGHLIGHTS FOR FY 2013-2014

For the year ending June 30, 2014, the following major tasks and activities were accomplished, in compliance with the 2010 Santa Ana NPDES Permit:

- A. The most significant activities conducted during the FY 2013-2014 were continued development of the following WAP Components: the Regional Geodatabase, Hydromodification Susceptibility Mapping and Report, the Hydromodification Management Plan, and the Retrofit Study. Per 2010 Permit requirements, a draft WAP was submitted by the Permittees for Regional Board approval on January 29, 2013; the Permittees received comments from the Regional Board, and re-submitted the revised WAP on June 24, 2013. The Permittees received comments from the Regional Board on the revised WAP and the HMP and Hydromodification Susceptibility Mapping and Report on December 18, 2013 and March 21, 2014, respectively. The WAP, HMP and Hydromodification Susceptibility Mapping and Report are due to the Regional Board on May 29, 2014.
- B. The District completed its LIP on May 24, 2013 and submitted it to the Regional Board in the FY12-13 Annual Report on October 31, 2013.
- C. Implementation of the Water Quality Management Plan (WQMP) Template and Guidance documents for new development, and the Low Impact Development (LID) Guidance and Standards for Transportation Projects (TPG). The Regional Board required both development of the TPG and revision of the WQMP to incorporate an increased focus on LID design practices and BMPs.
- D. The Implementation Agreement was fully executed by all Permittees to include the Cities of Eastvale, Menifee, and Wildomar in early 2012; the City of Jurupa Valley incorporated shortly thereafter. The Amendment to the Implementation Agreement became effective on November 13, 2013 to include the City of Jurupa Valley.
- E. Continued participation in the Lake Elsinore/Canyon Lake Nutrient TMDL Task Force. The Task Force is comprised of stakeholders regulated by the Regional Board through the Lake Elsinore/Canyon Lake Nutrient TMDL (LE/CL TMDL), which was adopted on December 17, 2004. The District also participates in another TMDL Task Force for the Reach 3 Santa Ana River Pathogen Indicator TMDL (MSAR TMDL), which was adopted on August 26, 2005. The purpose of both task forces is to implement joint requirements of the TMDLs, to address these impairments and implement the TMDLs. The agreements for both Task Forces were recently renewed, and have a term of 5 years. The current task force agreements are set to expire on June 17, 2017 for the LE/CL TMDL Task Force, and December 1, 2017 for the MSAR TMDL Task Force.
- F. The Permittees utilized the MSAR TMDL Task Force Agreement to facilitate the hiring of a consultant to aid in the implementation of the Comprehensive Bacteria Reduction Plan (CBRP) for those Permittees named in the TMDL within Riverside County. The CBRP was approved at the February 10, 2012 Regional Board meeting, and is currently in the implementation phase. Specifically, the consultant (CDM Smith, Inc.) was contracted to assist in revising the Middle Santa Ana River Water Quality Monitoring

Plan and Quality Assurance Project Plan in order to facilitate the Tier 2 source assessments for Human Fecal Indicator Bacteria, which are part of the CBRP implementation schedule. CDM Smith also coordinated sample collection for the Tier 2 source assessments. As part of the contract, CDM Smith compiled and analyzed the data gathered during the Tier 2 source assessments, and is preparing a summary report to the Regional Board which will include insights as to the possible sources of contamination found during Tier 2 as well as recommendations for interventions during the 2014 dry season.

- G. The Permittees utilized the LE/CL TMDL Task Force to facilitate the hiring of a consultant (CDM Smith, Inc.) to complete the development of the Comprehensive Nutrient Reduction Plan (CNRP); the final draft was submitted at the end of June 2012. Following the submittal of the CNRP in June, additional studies were performed by Dr. Michael Anderson from UCR which indicated that an alternative in-lake project in Canyon Lake may provide a higher benefit for the lake than the project proposed in the CNRP submitted in June. Through the Task Force, the Permittees asked the Regional Board if a CNRP addendum could be submitted, which would include the new project. The Regional Board agreed, and the Permittees asked CDM Smith to make the necessary changes to the CNRP and resubmit the document for Regional Board approval. The CNRP addendum was submitted on January 31, 2013. The CNRP was approved at the June 19, 2013 Regional Board meeting. The approved CNRP includes an alum treatment project for Canyon Lake. Currently, the CNRP is in the implementation phase. Specifically, CDM Smith was contracted to coordinate efforts to facilitate the in-lake projects such as determining the timing and dosage of alum to Canyon Lake. Their services have also been secured to provide assistance to the Task Force in writing a scope for additional lake modeling in support of compliance demonstration.
- H. Continued participation in the Stormwater Quality Standards Task Force. The multi-stakeholder Task Force was formed by Orange, San Bernardino, and Riverside counties to assist the Santa Ana Regional Board in re-evaluating the application of the water contact beneficial uses (REC-1, REC-2) for Receiving Waters in the Santa Ana Watershed. The Task Force's goal is to recommend revised beneficial use designations for sections of the Santa Ana River and its tributaries, develop water quality objectives to protect each designated use, and reexamine the appropriateness of the fecal coliform bacteria as the most appropriate water quality objective indicator organism. The Santa Ana Regional Board held multiple hearings at the end of FY 2011-2012 to amend the Basin Plan to include a high flow suspension of REC-1 uses, and also a narrative REC-2 use. The Regional Board approved Basin Plan amendments to revise recreation standard for inland fresh waters in the Santa Ana Region in June 2012, and the State Board subsequently approved the Basin Plan Amendment on January 2014. The Basin Plan Amendment is currently being reviewed by the Office of Administrative Law (OAL); OAL approval is expected in June 2014. Following OAL, USEPA will also review the Basin Plan Amendment; USEPA approval is expected in September 2014.
- I. Continued proactive efforts to inform regulators and policy makers by working with the Permittees to provide comment on various draft policy and legislation which have potential to shape District, County and Permittee MS4 Permit compliance activities.

- J. Continued presentation of semi-annual municipal employee stormwater training programs. These training classes focus on the requisite knowledge for properly implementing the DAMP and WQMP, and address Permittee functions such as Development Planning, Municipal Activities, Industrial/Commercial Inspections and Construction Inspections. Fall and spring training sessions were held at the District, so as to provide close proximity for the Permittees.
- K. Continued to chair the Santa Ana Technical Advisory Committee, which is comprised of Permittees and members of the Regional Board staff. The Permittees coordinate their Urban Runoff management activities to work toward achieving the greatest protection of Receiving Water quality. This committee serves as a forum to effectively disseminate information, discuss regional and statewide program issues, and plan and coordinate Permittee actions to achieve compliance with the NPDES MS4 Permit.
- L. Continued implementation of the Commercial/Industrial Compliance Assistance Program (CAP) to conduct focused outreach to restaurants, automotive repair shops and certain other commercial and industrial establishments to encourage implementation of appropriate stormwater BMPs and facilitate consistent and coordinated enforcement of local stormwater quality ordinances. Site visits included use of a survey checklist to document stormwater management practices for each facility.
- M. Continued financial support to area-wide Stormwater Pollution Prevention Programs, including Hazardous Materials Response (HAZMAT) Team, the Household Hazardous Waste (HHW) temporary and permanent collection events and "ABOP" (Anti-freeze, Batteries, Oil, and Paint) program.
- N. Developed, prepared and submitted a comprehensive District Annual Report and Watershed Annual Report to the Regional Board. The 2013 Report contained updates to the Permittees' stormwater management activities, including a summary of actions to investigate and eliminate Illegal Discharges, Construction site and Industrial/Commercial business inspections, and BMP implementation for Municipal Facilities Programs and Activities.
- O. Continued to utilize the District's \$2.5 million LID Project to test, demonstrate and evaluate the effectiveness of LID practices in stormwater capture and management, treating pollutants of concern associated with urban runoff, mitigating the impacts of hydromodification from urban development, and identifying optimum design criteria and standards for LID BMPs in Riverside County. This project implements a variety of LID BMPs, and provides a facility in a centralized location which is convenient for educating residents, regulators, developers, municipal employees, engineers and other interested stakeholders from many Southern California communities. Data collected will also be provided to the regional Southern California Stormwater Monitoring Coalition (SMC) LID Project. As this project will have statewide and regional benefits, the project is partially funded by a Proposition 13 grant and in partnership with SAWPA.
- P. The District completed development of an enhanced LID BMP Design Manual, which is focused on landscape-based BMPs and infiltration BMPs capable of addressing identified water quality impairments across Riverside County. The LID BMP Design Manual is

available on the District's website. In May 2012, the District's Board of Supervisors adopted the LID BMP Manual and ordered the establishment of a Water Quality Facilities Maintenance Community Facilities District. The District subsequently executed the consulting services agreements for the CFD formation and legal services. At the start of the 2013/2014 Fiscal Year, the Riverside County Transportation Land Management Agency took responsibility for the CFD, and the final stages of completing its formation. Funding generated by this CFD will support tracking and maintenance of residential and some commercial/industrial post-construction BMPs in the unincorporated County area.

- Q. The Consolidated Monitoring Program (CMP) for Water Quality Monitoring was updated to describe the additional monitoring efforts that will be implemented to comply with the County's three MS4 Permits. Specifically, the Santa Ana Region Monitoring Plan (CMP Volume IV) was updated in August 2012 to comply with the 2010 MS4 Permit. As a result of lessons learned during the FY 2012-13, the CMP underwent additional revisions and updates in November 2013. The CMP includes procedures for collection and analysis of water quality samples at Municipal Separate Storm Sewer Systems (MS4) outfalls and Receiving Waters sites for a variety of constituents. The CMP has been further refined to reflect programmatic adjustments, including global revisions to provide standardization and clarity, updates of key staff assignments, clarification of Wet Weather monitoring mobilization, and improvements to sampling procedures. The CMP also includes reference to additional monitoring components that are required by the MS4 Permits. For the SAR these include the monitoring efforts for the LE/CL TMDL, MSAR TMDL development, Hydromodification Monitoring, LID Monitoring, and participation in the Regional Watershed Monitoring through membership with the Southern California Stormwater Monitoring Coalition. These Special Studies have stand-alone work plans that have been developed and approved for these components independently of the CMP.
- R. Continued participation in the Santa Ana "One Water One Watershed"(OWOW) planning process which focuses on establishing regional solutions for water problems within the Santa Ana Watershed and is intended to develop linkages between all water interests. The objective of OWOW is to encourage and secure resources for the development of multi-benefit projects that use resources and expertise from across disciplines. The Santa Ana Watershed Project Authority (SAWPA) is the administrator of the OWOW planning process.
- S. Continued active participation in the California Stormwater Quality Association (CASQA). On behalf of the Permittees, the District serves many leadership roles within the organization, specifically: Jason Uhley, Board Member from 2010-present, Legislative Chair since 2003, Treasurer since 2010; and active contributory membership roles in the Monitoring & Science, Legislative, and Construction Sub-committees.
- T. Continued active participation in the CASQA Pesticides Subcommittee, with the goal of facilitating changes to State and Federal pesticides regulations. These changes will improve processes for evaluating the environmental impacts on Receiving Waters of new pesticides, and also change labeling and use requirements for existing pesticides, such as pyrethroids.

- U. Continued participation in the Southern California Stormwater Monitoring Coalition, a regional monitoring group comprised of Southern California Phase 1 Municipal NPDES Permit holders whose focus is developing effective, meaningful stormwater quality monitoring techniques.
- V. Continuation of the Permittees' Management Steering Committee meetings. The 2010 MS4 Permit revised the required meeting frequency from four meetings to two. The Management Steering Committee consists of the Permittee's City Managers, Directors of Public Works and other essential municipal staff. The Committee was established to address Urban Runoff management policies for the Permit Area and coordinate the review and necessary revisions to the DAMP, Implementation Agreement, and development of the WQMP. In addition, the Management Steering Committee facilitates coordination with related water quality management programs and monitoring. It also responds to new legislative and regulatory initiatives.
- W. Continued to provide Stormwater Pollution Prevention presentations in local elementary schools; 18 assembly style presentations were provided County-wide in 2013/2014, reaching over 3,000 students.
- X. Continued to chair the Public Education Subcommittee. Meetings include Permittee representation from each watershed to review elements of regional public education programs and program materials.
- Y. Continued an ongoing effort to redesign the District's NPDES Public Education webpage to improve its effectiveness, usability and quality of information regarding MS4 compliance programs. The webpage is currently being reformatted extensively to add more usable and interactive data as well as add information pertinent to new permit requirements, based on recommendations from the District's consultant. The webpage will provide information for the general public, Permittees, regulators, public and in-house personnel.
- Z. Continued to host the District's NPDES website which provides information regarding the regional MS4 Permit compliance programs. The website provides pertinent information for Permittees, regulators, public and in-house personnel.
- AA. Continued distribution of focused BMP brochures targeting Construction Activities, Pet Care, Guidelines for Swimming Pool, Jacuzzi and Garden Fountain Maintenance, Septic Tank Maintenance, Restaurant/Food Service Industry, Professional Mobile Services, Automobile Service Industry, Outdoor Cleaning Activities and Industrial Facilities. Efforts continue to ensure that brochures are updated as necessary
- BB. Developed and executed informative e-newsletters which are sent out quarterly, and focus on one key area of pollution prevention in each issue, for a variety of target audiences. The e-newsletters are also tightly integrated with the revised District website to enhance our ability to outreach to target audiences.
- CC. The District and County partnered with Metropolitan Water District (MWD) to conduct a watershed assessment and modeling study to support watershed management, source

water protection, and long term planning for the Lake Mathews watershed. This effort was intended in part to update the findings and recommendations in the Lake Mathews Drainage Water Quality Master Plan (DWQMP), prepared in 1992. The DWQMP identified a series of best management practices (BMPs) to protect Lake Mathews water quality from the potential adverse effects of development in the watershed. Several of the BMPs included in the original DWQMP have been constructed (for example, the large dam and detention basin on Cajalco Creek), however, some of these projects remain in the planning stages. Since the writing of the original DWQMP, many important changes have occurred that have had positive water quality impacts in the watershed. Regulatory agencies have increased requirements for control of runoff, development plans have matured, and technology advancements have been achieved which allow for dynamic analysis of water quality in a watershed. It is for these reasons that stakeholders decided to pursue a study to evaluate the effectiveness of the 1992 DWQMP and compare it to potential alternatives. The results of the study revealed that the BMPs which have been constructed coupled with the advancements in water quality regulations and their implementation have made significant progress toward protecting Lake Mathews water quality. Moreover, the study found that when the LID requirements for new and redevelopment projects are factored in, only one additional BMP (from those in the planning stages) needed to move forward in order to have the same water quality benefits as the original DWQMP. Pursuing implementation of the updated DWQMP will save millions of dollars in implementation costs while still achieving the goal of the original DWQMP for future built-out condition.

- DD. The District recently partnered with Western Municipal Water District (WMWD) to examine the feasibility of infiltrating urban runoff/stormwater into the Arlington Groundwater Basin. The recharge project is part of a larger effort to increase the sustainable yield of the Arlington Groundwater Basin. WMWD selected a consultant (Wildermuth Environmental) who developed a study to evaluate alternative scenarios. Wildermuth also conducted an evaluation of potential negative impacts from the recharge project on the groundwater basin. The project recently received Proposition 84 grant funding, and is expected to incorporate multiple benefits, including increasing the sustainable yield of the Arlington Basin and decreasing pollutant loads (particularly bacteria) to the Santa Ana River.
- EE. The District recently approved a funding agreement with the City of Corona for the construction of exploratory boreholes and monitoring wells within the City for the purpose of identifying potential sites for groundwater recharge basins. Future groundwater recharge basin sites have the potential to also serve as water quality basin sites that will benefit the District's Watershed Protection and Stormwater Quality Program. The District and City are currently considering a project which would construct a groundwater recharge basin off of a reach of the Temescal Channel.

PROGRAM / WORK ITEMS FOR FY 2014-2015

The 2010 MS4 Permit significantly expanded the compliance requirements that must be implemented by the Santa Ana Region Permittees. The 2010 MS4 Permit incorporated several programs addressing Low Impact Development, Hydromodification, Permittee public works projects, Illicit Discharge Detection and Elimination, mobile businesses, watershed scale planning, urban and MS4 retrofit, De-Minimus and General Construction Permit coordination, and program effectiveness assessment. Most resources in FY 2014-2015 will be spent working to implement these programs to address the 2010 MS4 Permit, continuing development of the required components of the Watershed Action Plan, and most notably, negotiating the terms of a new MS4 Permit for the Santa Ana Region. The District also continues to work with the Regional Board staff on implementation of TMDLs for certain pollutants identified as causing impairment of beneficial uses in Lake Elsinore, Canyon Lake, and the Santa Ana River. The TMDLs contain implementation plans that impact MS4 Permittees and that must be funded and addressed by the Permittees. The implementation plans also affect other watershed stakeholders, private landowners, and other local, state and federal government entities. Several implementation plan programs must be jointly funded and implemented by multiple stakeholders. The District will continue to spend a significant amount of time coordinating TMDL Task Forces to address joint TMDL requirements, participating in Task Force and Regional Board meetings, and coordinating and commenting on technical reports and studies required by the implementation plans.

The following program activities will be emphasized for the coming year:

NEW MS4 PERMIT NEGOTIATIONS

The 2010 MS4 Permit is due to expire on January 29, 2015. In accordance with federal regulations, the Permittees are currently developing a Report of Waste Discharge (ROWD), which summarizes the current program's developments, successes and any recommendations for the next Permit term. The ROWD is the Permittees' application for a new Permit, and must be submitted to the Regional Board six months prior to Permit expiration; for the Santa Ana Region Permittees, the ROWD submittal due date is July 29, 2014. Once submitted, negotiations and drafting of the area's next Phase 1 MS4 Permit will begin. Permit negotiations are expected to be the program's primary focal point throughout the 2014-2015 Fiscal Year.

LID PROJECT

Construction of the District's \$2.5 million LID Project was completed in Spring of 2012; this project implements a variety of LID BMPs, and is being used to test and demonstrate the effectiveness of LID practices in stormwater capture and management, treating pollutants of concern associated with urban runoff, mitigating the impacts of hydromodification from urban development, and identifying optimum design criteria and standards for LID BMPs in Riverside County. Water quality monitoring and hydrology studies will continue to be conducted over the coming years, and data collected is being provided to the regional Stormwater Monitoring Coalition (SMC) LID Project. The project provides a facility in a centralized location, which is convenient for educating residents, regulators, developers, municipal employees, engineers and other interested stakeholders from many Southern California communities.

This fiscal year, the District will continue to host tours of the facility, and gather data regarding water quality and flow, LID BMP functionality over time, and operations and maintenance cost and practices. Additionally, the District plans to work on a study with the Southern California Monitoring Coalition (SMC) assess LID BMP effectiveness, develop a LID BMP monitoring effectiveness guidance manual, and produce recommendations for BMP implementation in southern California.

PROGRAM MANAGEMENT

As Principal Permittee, the District conducts certain activities to coordinate the efforts of the other Permittees and facilitate compliance with the Permit. These activities include chairing monthly meetings of the Santa Ana Technical Advisory Committee, administration of area-wide programs (e.g., public education, household hazardous waste collection, hazardous material spill response, stormwater sample collection and analysis), ongoing program development and preparation of the Annual Report to the Regional Board. Implementation of the revised SAR DAMP programs, and the Regional Geodatabase, HMP and Retrofit Studies will be the most significant program management activities for FY 2014-2015. The District will also focus its efforts on identifying and commenting on statewide issues that affect local stormwater programs.

AREA-WIDE PROGRAMS

The District will continue to provide financial support for several important "area-wide" BMP programs implemented on behalf of the Permittees. The programs currently include:

Public Education

The District provides for coordination and oversight of the area-wide NPDES public education and outreach efforts, including public events, school and adult education programs, printed brochures and commercial mass-media campaigns. This includes continued development and distribution of focused educational outreach materials for specific industries and businesses such as restaurants, auto repair shops, mobile cleaning businesses, and other commercial and industrial activities that are potential sources of stormwater pollution. Additionally, e-newsletters are developed and distributed quarterly, and the public education webpage is under an ongoing redesign effort to improve its effectiveness, usability and quality of information regarding MS4 compliance programs.

Training for Municipal Employees

Municipal training programs are provided to improve understanding of NPDES Permit requirements and stormwater BMPs. The classes focus on methods to reduce and/or eliminate sources of stormwater pollution from public agency facilities and activities, implementation of the WQMP, local Stormwater ordinances, and State Construction and Industrial General Permit requirements. Training is conducted specifically for construction inspection staff, industrial/commercial facilities inspection staff, municipal facilities maintenance staff, Compliance Assistance Program inspectors, and staff responsible for new development/re-development project review.

Hazardous Materials Emergency Spill Response

The District and Permittees provide financial support to the County Fire Department's Hazardous Materials Emergency Spill Response Team to ensure that hazardous chemical incidents (spills or illegal dumping) are responded to quickly, and effectively cleaned up.

Household Hazardous Waste Collection / ABOP

The District and Permittees provide financial support to the County Waste Management Department to support the permanent Household Hazardous Waste (HHW) collection sites at Agua Mansa and Lake Elsinore, ongoing mobile HHW collection events and operation of the "ABOP" (Anti-freeze, Batteries, Oil, and Paint) program, which provide local residents with opportunities to properly dispose of HHW.

Compliance Assistance Program

The District is contracted with the County Environmental Health Department to conduct outreach and education to specific commercial establishments and industrial facilities in conjunction with existing facility inspection programs. In addition, this program provides feedback through survey forms concerning the compliance status of commercial and industrial facilities to both the Permittees and the Regional Board.

WATER QUALITY MONITORING

On behalf of all Permittees, the District conducts both wet and dry weather sample collection and analysis in accordance with the Permit's Monitoring and Reporting Program. Coordinating and conducting monitoring in compliance with the Regional Board's TMDL for Lake Elsinore, Canyon Lake, and Reach 3 of the Santa Ana River has resulted in additional demands being placed on the current Water Quality Monitoring Program.

WATERSHED ACTION PLAN (WAP)

The WAP describes and implements the Permittees' approach to coordinated watershed management. The objective of the WAP is to address watershed scale water quality impacts of urbanization associated with urban TMDL waste load allocations, stream system vulnerability to hydromodification from urban runoff, cumulative impacts of development on vulnerable streams, preservation of beneficial uses of streams, and protection of water resources, including groundwater recharge areas. The WAP document includes the following:

1. Hydromodification Susceptibility Mapping - delineation of stream channels that are vulnerable to hydromodification.
2. Regional Geodatabase – an integrated, world wide web available Geodatabase and web interface. The web interface is designed to allow for the input of a project location/area, and then output a report of design related constraints and information specific to that project, such as watershed and hydrologic subarea(s), downstream receiving waters including hydromodification susceptibility and 303(d) listed pollutants, soil types, structural post-construction BMPs suitable for the site based on the previously listed constraints, MSHCP areas, flood zones, land use designations, District Master/Area Drainage Plans, MS4 facilities, etc.
3. Hydromodification Management Plan – describes how the hydromodification mapping above will be used on a per project, subwatershed and watershed basis.
4. Retrofit Studies - recommendations to identify candidate areas for retrofits within existing public and private MS4s, parks and recreational areas and that incorporate opportunities for addressing TMDL implementation plans, hydromodification from urban runoff, LID implementation and pollutant discharge reduction.

Per 2010 Permit requirements, a draft WAP was submitted by the Permittees for Regional Board approval on January 29, 2013; the Permittees received comments from the Regional Board, and re-submitted the revised WAP on June 24, 2013. The Permittees received comments from the

Regional Board on the revised WAP and the HMP and Hydromodification Susceptibility Mapping and Report on December 18, 2013 and March 21, 2014, respectively. The WAP, HMP and Hydromodification Susceptibility Mapping and Report are due to the Regional Board on May 29, 2014. A major focus during the coming fiscal year will be implementation and maintenance of the various WAP components.

NEW DEVELOPMENT

Perhaps the most significant expansion of the compliance requirements of the 2010 MS4 Permit is related to the Water Quality Management Plan for new development and significant redevelopment (WQMP). The WQMP requirements impact both public and private projects. Significant revisions made include the expansion of project types subject to the WQMP, LID and hydromodification requirements, requirements to establish an urban runoff fund or water quality credit system for those projects that cannot implement LID, and development of a database and inspection program to track and ensure maintenance of structural post-construction BMPs.

To implement these requirements, the Permittees will utilize and fine tune the following program items, which were developed during past fiscal years:

- GIS level mapping of stream segments in the Santa Ana Watershed which has determined streams that are susceptible to hydromodification from new or existing development.
- Feasibility criteria for determining when infiltration, capture and re-use or evapotranspiration are not feasible for a specific development site. The Permit requires that these BMPs be used unless a technical feasibility study indicates that they are not feasible for a particular project.
- The Transportation Project Guidance was developed for street and road projects and is an attachment to the WQMP. The LID BMP Design Manual, which incorporates LID concepts including infiltration and filtration BMPs, capture and re-use technologies and evapotranspiration.
- Project-specific WQMP Template, Guidance and Training to assist Permittees and developers with the transition to the new requirements.

These program items will be implemented during FY 2014-2015 to support the requirements of the WQMP.

LOCAL IMPLEMENTATION PLANS (LIPs)

As part of the 2010 MS4 Permit, the Permittees are required to prepare and maintain a LIP that describes their compliance programs to implement the DAMP programs to address the 2010 MS4 Permit. The District completed its LIP by May 24, 2013 and submitted it to the Regional Board in the FY12-13 Annual Report on October 31, 2013. The District's LIP is currently available for viewing on the District's NPDES website.

TOTAL MAXIMUM DAILY LOADS (TMDLs)

The 2010 MS4 Permit directly incorporates two TMDLs that have been established for the Santa Ana Region of Riverside County, namely the Middle Santa Ana River Bacteria Indicator TMDL and the Lake Elsinore/Canyon Lake Nutrient TMDL. The 2010 MS4 Permit incorporates interim and final water quality based effluent limitations (WQBELs) specified in the TMDLs. The interim WQBELs are established based on the TMDL Implementation Plans. The final WQBELs are based on the Comprehensive Bacteria Reduction Plan (CBRP) for the MSAR

TMDL and the Comprehensive Nutrient Reduction Plan (CNRP) for the LE/CL TMDL (Reduction Plans). These documents were developed by the Permittees and approved by the Regional Board. The CBRP was approved in February 2012; TMDL compliance is now based upon CBRP implementation. The CNRP was approved at the July 2013 Regional Board meeting.

The MSAR TMDL Permittees will continue implementation of the CBRP in the upcoming Fiscal Year. As part of CBRP implementation, the Permittees are currently preparing for a second round of Tier 2 dry weather source assessments which will begin in June. All efforts will be documented and reported to the Regional Board.

In compliance with the LE/CL TMDL, the Permittees will continue implementation of the CNRP in the upcoming fiscal year. As part of CNRP implementation, the Permittees are working with the LE/CL TMDL Task Force to fund and administer in-lake projects at Canyon Lake and Lake Elsinore.

ILLICIT CONNECTION/ILLEGAL DISCHARGE (IC/ID) PROGRAMS

The 2010 MS4 Permit requires expansion of the IC/ID Program and requires implementation of a more rigorous and proactive IC/ID detection and elimination program, including development and implementation of Permittee specific schedules to conduct systematic investigations of MS4 channels and outfalls with a diameter of 36 inches or larger to receiving waters.

In an effort to assist the Co-Permittees with understanding the new program requirements, the District continues to provide IC/ID Investigation and Safety Training which includes:

- Background on Santa Ana Region (SAR) Monitoring and Reporting Program (MRP);
- IC/ID Program Components;
- Sampling Safety;
- Meter Calibration, Operation and Maintenance; and
- Field site visit (hands-on sampling).

The District also purchased and provided handheld multi-meters capable of measuring pH, temperature and specific conductivity (parameters mentioned in the CMP) for Permittee use during IC/ID investigations. An update on the Permittees' investigations will be included in the FY13/14 Annual Report.

MUNICIPAL FACILITIES AND ACTIVITIES

Continue to implement the provisions of the NPDES Permit's Municipal Facilities Strategy as described in the DAMP, including improvements to structural facilities at the District's headquarters, municipal employee training activities, and reduction and/or elimination of stormwater pollution sources at public agency facilities.

CONCLUSIONS AND RECOMMENDATIONS

The area-wide Municipal Stormwater Program for the Santa Ana Watershed has been implemented in an efficient, cost-effective manner through the ongoing cooperative efforts of the District, the Co-Permittees, the Regional Board and the Riverside County Fire Department and Environmental Health Department. The District's NPDES Program activities, which are funded

by these SAWBAA assessments, are required to comply with the current NPDES Permit for the Santa Ana Watershed and enforceable provisions of the California Water Code and the Federal Clean Water Act which regulate the discharge of stormwater from municipally owned storm drains and flood control facilities. These mandatory Stormwater Management Program activities are an essential component of the District's continuing operation and maintenance of its critical public safety facilities; therefore, the following action is recommended:

Levy a Flood Control Benefit Assessment in the Santa Ana Watershed Benefit Assessment Area at an unchanged rate of \$3.75 per benefit assessment unit for FY 2014-2015.

GLOSSARY

ABOP – A permanent collection facility that accepts Anti-freeze, Batteries, Oil and latex Paint for recycling and/or proper disposal

BAU – Benefit Assessment Unit

BMP – Best Management Practice

CAP - Commercial/Industrial Compliance Assistance Program

CBRP - Comprehensive Bacteria Reduction Plan

CNRP – Comprehensive Nutrient Reduction Plan

CMP – Consolidated Monitoring Plan

CRWQCB - California Regional Water Quality Control Board

CWA – Clean Water Act

District – Riverside County Flood Control and Water Conservation District

FY – Fiscal Year

HAZMAT Team – Hazardous Materials Emergency Response Team

HHW – Household Hazardous Waste. Commonly used household chemicals that may be toxic or require special handling for proper disposal, e.g., automotive fluids, pesticides, fertilizers, paint, cleaning products, pool chemicals, etc.

HMP – Hydromodification Management Plan

LID – Low Impact Development

LIP – Local Implementation Plan

NPDES – National Pollutant Discharge Elimination System

Order R8-2010-0033 - Santa Ana Regional Board Order adopted on January 29, 2010

Regional Board - California Regional Water Quality Control Board – Santa Ana Region

ROWD - Report of Waste Discharge (NPDES Permit Re-application)

SA/SMR DAMP – Santa Ana/Santa Margarita Regional Drainage Area Management Plan

SAWBAA – Santa Ana Watershed Benefit Assessment Area

SWRCB – State Water Resources Control Board

TMDL - Total Maximum Daily Load

USEPA – United States Environmental Protection Agency

WAP - Watershed Action Plan

WQMP – Water Quality Management Plan

APPENDIX A

Proposed NPDES Program Budget for FY 2014-2015

APPENDIX A
SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA
PROPOSED NPDES PROGRAM BUDGET FOR FY 2014-2015

STAFFING

General Staff Salaries and Benefits	\$822,000
General Staff Standby / Differential / Overtime Pay	<u>16,000</u>
Subtotal	\$838,000

ADMINISTRATION & OVERHEAD

Administration & Overhead	\$289,750
County Counsel Services	10,000
Equipment Lease / Rental	1,350
Vehicle Mileage	13,000
Photocopying / Reproduction	10,500
Miscellaneous (Photography, Communications, Supplies, etc.)	<u>36,670</u>
Subtotal	\$361,270

GENERAL CONSULTANT SERVICES

Permit Compliance Assistance	\$400,150
CNRP/CBRP Support	250,000
District LID Project Support	100,000
Grants / Misc. Applications	50,000
Benefit Assessment Services	<u>26,000</u>
Subtotal	\$826,150

PUBLIC EDUCATION PROGRAM

Education Program: Staff / Contract Services / Presentations	\$157,100
Education Program: Production / Materials / Media	<u>136,400</u>
Subtotal	\$293,500

WATER QUALITY MONITORING PROGRAM

Staff Time / Laboratory Services / Monitoring / Reporting	\$295,000
SMC/SCWRP Regional Monitoring Program	9,375
Small Tools & Equipment	<u>163,300</u>
Subtotal	\$467,675

POLLUTION PREVENTION PROGRAMS

Household Hazardous Waste Program (Waste Management Dept.)	\$240,000
Compliance Assistance Program (Environmental Health Dept.)	60,000
TMDL Cooperative Projects	1,000,000
Contributions to other efforts	<u>72,000</u>
Subtotal	\$1,372,000

PROGRAM SUBTOTAL

CONTINGENCY (10%)	\$415,859
Assessor's/Treasurer's Office Line Item Charges (\$0.51/parcel)	\$186,866
County Fee for Annual Submittal	<u>\$104</u>
TOTAL EXPENDITURES	\$4,761,424

FUND BALANCE FROM FY 2013-2014(est.)	\$4,808,215
PROJECTED REVENUE	\$2,257,651
PERMITTEE REIMBURSEMENTS	\$517,000

CASH AVAILABLE	\$7,582,866
PROJECTED FUND BALANCE	\$2,821,442

APPENDIX B

**RCFC&WCD Ordinance No. 14
(May 14, 1991)**

ORDINANCE NO. 14

AN ORDINANCE OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT ESTABLISHING A BENEFIT ASSESSMENT FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER PROGRAM

The Board of Supervisors of the Riverside County Flood Control and Water Conservation District, State of California, do ordain as follows:

ARTICLE I

GENERAL

Section 1. Title.

This Ordinance shall be known as the "NPDES Program - Benefit Assessment Ordinance" of the Riverside County Flood Control and Water Conservation District.

Section 2. Purpose.

The United States Environmental Protection Agency (the "EPA") has, consistent with Section 402 of the Federal Clean Water Act, as amended, promulgated the National Pollutant Discharge Elimination System Regulations (the "NPDES Regulations") pursuant to which the EPA, through the appropriate California Regional Water Quality Control Board (the "CRWQCB") has required the Riverside County Flood Control and Water Conservation District (the "District") and other affected public entities to secure a National Pollutant Discharge Elimination System Stormwater Permit (the "NPDES Permit") which does require the District to develop, implement and manage identified programs dealing with stormwater runoff. The parcels of land within the respective watersheds within the District's jurisdiction for which a NPDES Permit is

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1 required will benefit from these programs. The Board of
2 Supervisors of the District has determined, pursuant to the
3 Riverside County Flood Control and Water Conservation Act (the
4 "District Act"), which is Chapter 48, as amended, of the
5 California Water Code Appendix, to establish certain Benefit
6 Assessment Areas in which the District will annually levy a
7 Benefit Assessment to pay the cost of these programs required by
8 the NPDES Permit. The Board of Supervisors of the District,
9 consistent with Section 48-14 of the District Act, held a noticed
10 public hearing at which time all testimony, oral and written, was
11 considered. As the conclusion of the public hearing, the Board of
12 Supervisors of the District adopted resolutions establishing the
13 Benefit Assessment Areas. The provisions of this Ordinance
14 confirming the establishment of the Benefit Assessment Areas and
15 providing for the annual levy of a Benefit Assessment are
16 consistent with the District Act and the reports prepared by the
17 Chief Engineer of the District and accepted by the Board of
18 Supervisors of the District.

19 The Board of Supervisors of the District finds that
20 the Benefit Assessment to be annually levied shall be based on the
21 proportional stormwater runoff generated by each lot or parcel
22 within the Benefit Assessment Area. Revenues derived from the
23 Benefit Assessment shall be applied exclusively to pay the
24 District's administrative and program costs associated with the
25 NPDES Permit required for the Benefit Assessment Area and are to
26 be apportioned to the Benefit Assessment Area in which they are
27 collected.

28 ////

1 ARTICLE II

2 DEFINITIONS

3 Section 1. Unless otherwise specifically provided or required by
4 the context, certain terms or expressions used herein have the
5 meanings set forth below:

6 a.) "Benefit Assessment" means the Benefit Assessment
7 to be levied annually on each Parcel within a Benefit
8 Assessment Area pursuant to Article IV of this Ordinance.

9 b.) "Benefit Assessment Area" means a Benefit Assessment
10 Area formed pursuant to Section 48-14 of the District Act
11 by the Board of Supervisors and identified in Article III
12 of this Ordinance.

13 c.) "Board of Supervisors" means the Board of Supervisors
14 of the Riverside County Flood Control and Water
15 Conservation District.

16 d.) "Chief Engineer" means the Chief Engineer of the
17 Riverside County Flood Control and Water Conservation
18 District.

19 e.) "County" means the County of Riverside, State of
20 California.

21 f.) "CRWQCB" means the California Regional Water Quality
22 Control Board for the region in which the Benefit
23 Assessment Area has been established.

24 g.) "District" means the Riverside County Flood Control
25 and Water Conservation District.

26 h.) "District Act" means the Riverside County Flood
27 Control and Water Conservation District Act, Statutes
28 1945, Chapter 1122, as amended; California Water Code,

1 Appendix, Chapter 48.

2 i.) "EPA" means the United States Environmental
3 Protection Agency, which, pursuant to the Clean Water
4 Act of 1976, as amended by the Water Quality Act of 1987,
5 has jurisdiction to establish the NPDES program and
6 promulgate regulations pursuant thereto.

7 j.) "NPDES Permit" means the permit, issued by the
8 regional CRWQCB, dealing with stormwater runoff in
9 association with the National Pollutant Discharge
10 Elimination System (NPDES) and the regulations
11 promulgated by the EPA.

12 k.) "NPDES Regulations" means the final regulations dated
13 November 16, 1990, and any subsequent amendments thereto
14 promulgated by the EPA governing the National Pollutant
15 Discharge Elimination System (NPDES).

16 l.) "Ordinance" means this Ordinance No. 14 of the
17 Riverside County Flood Control and Water Conservation
18 District.

19 m.) "Parcel" means a parcel of property identified by
20 Assessor parcel number as shown on the equalized tax
21 rolls of the County of Riverside, State of California.

22 ARTICLE III

23 ESTABLISHMENT OF BENEFIT ASSESSMENT AREAS

24 Section 1. Formation of Benefit Assessment Areas.

25 Pursuant to Section 48-14 of the District Act, the
26 Board of Supervisors noticed three public hearings to consider the
27 establishment of three Benefit Assessment Areas for each of which
28 a NPDES Permit would be required by the NPDES Regulations. At the

1 conclusion of the hearings, the Board of Supervisors adopted
2 Resolutions Nos. F91-21, F91-22, and F91-23 which established,
3 respectively, the Santa Ana Watershed Benefit Assessment Area, the
4 Santa Margarita Watershed Benefit Assessment Area, and the
5 Whitewater Watershed Benefit Assessment Area. The legal
6 descriptions for each of the Benefit Assessments Areas are
7 attached hereto, marked respectively Exhibits A, B, and C, and are
8 by this reference incorporated herein.

9 Section 2. Amendment to or Additional Benefit Assessment Areas.

10 The District may amend the boundaries of each of the
11 Benefit Assessment Areas or create additional Benefit Assessment
12 Areas, if in the District's administrative judgment the NPDES
13 Regulations and the NPDES Permits issued pursuant thereto so
14 require. To amend the boundaries to a Benefit Assessment Area or
15 to create an additional Benefit Assessment Area, the District is
16 to comply with provisions of the District Act then governing the
17 creation of a benefit assessment area.

18 ARTICLE IV

19 REPORT OF CHIEF ENGINEER, HEARING THEREON;

20 CONFIRMATION OF BENEFIT ASSESSMENT BY THE

21 BOARD OF SUPERVISORS

22 Section 1. Report.

23 The Chief Engineer shall cause to be prepared annually
24 a written report for each Benefit Assessment Area regarding the
25 Benefit Assessment to be levied and shall file each report with
26 the Clerk of the Board of Supervisors.

27 Section 2. Content of the Report.

28 Each report shall contain the District's estimate of

1 its administrative and program costs in association with the NPDES
2 Permit for the Benefit Assessment Area for the ensuing fiscal
3 year. Said estimate of cost shall be apportioned to each Parcel
4 on the basis of proportionate stormwater runoff generated from
5 each Parcel to be assessed. Only Parcels not otherwise exempted
6 by this Ordinance or the NPDES Regulations shall have a Benefit
7 Assessment levied on them. The report shall identify all Parcels
8 by Assessor parcel number on which a Benefit Assessment is to be
9 levied and the amount of the assessment.

10 Section 3. Resolution Accepting Report and Noticing Public
11 Hearing.

12 Upon the report being filed with the Clerk of the
13 Board of Supervisors, the Board of Supervisors is, by resolution,
14 to accept, if appropriate, the report and to set a date, time and
15 place for a hearing on said report. Prior to the date of the
16 hearing, a notice specifying the date, time, place and purpose of
17 the hearing and identifying those locations at which a property
18 owner may review the report shall be published in a newspaper of
19 general circulation within the Benefit Assessment Area pursuant to
20 the provisions of Section 6066 of the California Government Code.
21 In addition, the District shall cause the notice of the hearing to
22 be posted in at least three public places within the boundaries of
23 the Benefit Assessment Area at least seven (7) days prior to the
24 date of the hearing.

25 Section 4. Hearing.

26 The Board of Supervisors shall hear the matter on the
27 date and at the time specified in the notice, or as continued for
28 good cause. At the hearing, the Board of Supervisors shall hear

1 and consider all testimony, oral and written, presented, including
2 all written protests. At the conclusion of the hearing, the Board
3 of Supervisors may revise, change, reduce or modify any Benefit
4 Assessment and shall make its determination upon each Benefit
5 Assessment identified in the report. Thereafter, by resolution it
6 shall confirm the assessments. Such confirming resolution shall
7 be adopted no later than August 10 of each fiscal year in which
8 the Benefit Assessment is to be levied and collected.

9 Section 5. Enrollment.

10 The District shall provide certified copies of the
11 confirming resolutions and the roll of confirmed Benefit
12 Assessments, in an acceptable format, to the Auditor-Controller of
13 the County on or before August 10 of each fiscal year.

14 ARTICLE IV

15 LEVY OF BENEFIT ASSESSMENT

16 Section 1. Determination of the Amount to be Assessed.

17 The District is to estimate for the fiscal year in
18 which the Benefit Assessment is to be levied the administrative
19 and program costs that it will incur pursuant to the NPDES Permit
20 issued for each Benefit Assessment Area. This estimate of costs
21 is to be apportioned among the Parcels within each Benefit
22 Assessment Area on the basis of proportionate stormwater runoff
23 generated by each Parcel. The Benefit Assessment levied and
24 collected within each Benefit Assessment Area may only be applied
25 toward the costs incurred pursuant to the NPDES Permit for that
26 Benefit Assessment Area. If at the conclusion of any fiscal year
27 there remains in the account for a Benefit Assessment Area
28 unexpended funds, the remaining balance shall be applied toward

1 the estimated costs for the next fiscal year and thereby reduce
2 the amount of the Benefit Assessment to be levied. Benefit
3 Assessments levied and collected pursuant to this Ordinance may
4 not be applied toward any other costs or expenses of the District
5 nor may they be applied to the costs of a Benefit Assessment Area
6 other than the Benefit Assessment Area for which they were levied
7 and collected.

8 Section 2. Determination of Proportionate Storm Water Runoff and
9 Amount of Benefit Assessment to be Levied.

10 a.) Benefit Assessment Unit. The District shall
11 express the of proportionate stormwater runoff factor as a
12 decimal. The standard against which all property is to be
13 measured shall be a single-family residential parcel of 7,200
14 square feet (1/6 acre) in size to which a runoff factor of 0.40 is
15 ascribed and shall be called a Benefit Assessment Unit (BAU).

16 The runoff factor for each of the classes listed in subsection
17 (b) below are as follows:

18	Group A	0.80
19	Group B	0.60
20	Group C	0.40
21	Group D	Exempt
22	Group E	0.0067
23	Group F	0.0033

24 The runoff factor for each group is compared to the
25 runoff factor of the standard Benefit Assessment Unit (Group C) as
26 described above. This results in a runoff factor ratio. The
27 runoff factor ratio shall be that ratio established by comparing
28 Benefit Assessment Units assigned to one of the groups listed

1 above, compared to the standard Benefit Assessment Unit
2 represented by Group C. The number of Benefit Assessment Units
3 per parcel size for each of the classes listed in subsection (b)
4 below are as follows:

5	Group A	12 BAU/acre
6	Group B	9 BAU/acre
7	Group C	1 BAU/7200 sq. ft. lot
8	Group D	Exempt
9	Group E	0.10 BAU/acre
10	Group F	0.05 BAU/acre

11 b.) Classification of Parcels. All Parcels shall be
12 assigned to one of the following classifications based on land use:

- 13 Group A: Commercial or industrial use
- 14 Group B: Institutional uses, ie. churches, or
15 hospitals, or multiple family residential
16 use having four or more units per parcel,
17 ie. apartments or mobile home parks.
- 18 Group C: Single family residential or multiple
19 family residential having three or fewer
20 units on 1/6 of an acre parcel.
- 21 Group D: Agricultural uses, including dairies,
22 poultry, livestock, groves, orchards,
23 row crops, field crops, vines or dry farming.
- 24 Group E: Golf courses, cemeteries, etc. and that
25 portion of a single family residential
26 parcel in excess of 7,200 square feet (1/6
27 acre) but less than 2.5 acres.
- 28 Group F: The undeveloped portion of a parcel such

1 as the portion of a single family
2 residential parcel exceeding 2.5 acres.

3 Calculation of the Benefit Assessment Units to be
4 attributed to a single family residential unit on a Parcel larger
5 than 1/6 acre is cumulative with that portion of the Parcel in
6 excess of the 1/6 acre which falls in either Group E or F being
7 assigned the appropriate BAU for the amount of acreage falling
8 within either Group E or F.

9 It is determined that Parcels used as a railroad, gas,
10 water, telephone, cable television, electric utility right-of-way,
11 electric line right-of-way or other utility right-of-way will
12 benefit from the programs required by the NPDES Permit and will be
13 subject to the Benefit Assessment to be levied pursuant to this
14 Ordinance.

15 c.) Exempted Land Uses. All land uses expressly
16 exempted by the NPDES Regulation will be exempted from the levy of
17 a Benefit Assessment pursuant to this Ordinance. Those land uses
18 exempted are:

- 19 1.) Agricultural uses, including dairies,
20 poultry, livestock, groves, orchards, row
21 crops, field crops, vines or dry farming.
- 22 2.) Vacant, undeveloped parcels.
- 23 3.) Publicly owned parcels which are parcels
24 owned by a Federal, State or local public
25 entity or agency and used for public
26 purposes.

27 d.) Determination of Benefit Assessment Units per
28 Parcel. Once a Parcel is classified and its acreage is

1 determined, the appropriate BAU's per acre for its classification
2 will be multiplied by the acreage to determine the total Benefit
3 Assessment Units for the Parcel

4 e.) Determination of Benefit Assessment to be levied
5 per Benefit Assessment Unit. The aggregate number of Benefit
6 Assessment Units within a Benefit Assessment Area will be divided
7 into the estimated administrative and program costs for the
8 Benefit Assessment Area to determine the amount of Benefit
9 Assessment to be levied per Benefit Assessment Unit. The Benefit
10 Assessment to be levied on a Parcel is determined by the number of
11 Benefit Assessment Units ascribed to the Parcel and the assessment
12 value of each unit.

13 ARTICLE V

14 COLLECTION OF BENEFIT ASSESSMENT.

15 Section 1. Collection by Treasurer/Tax Collector.

16 The confirmed Benefit Assessment for each Parcel shall
17 appear as a separate item on the tax bill issued by the
18 Treasurer-Tax Collector of the County. The Benefit Assessment
19 shall be levied and collected at the same time and in the same
20 manner as the general ad valorem property taxes and shall be
21 subject to the same penalties and the same procedures for sale in
22 case of delinquency. If, for the first year the Benefit
23 Assessment is levied, the property on which the Benefit Assessment
24 is levied has been transferred or conveyed to a bona fide
25 purchaser for value, or if a lien of a bona fide encumbrancer for
26 value has been created and attached thereon, prior to the date on
27 which the first installment of ad valorem property taxes would
28 become delinquent, the Benefit Assessment shall not result in a

1 lien against the real property but shall be transferred to the
2 unsecured roll.

3 Section 2. Applicable Law.

4 All laws applicable to the levy, collection and
5 enforcement of ad valorem property taxes shall be applicable to
6 Benefit Assessments, except as otherwise provided herein.

7 Section 3. Validity of Benefit Assessment Not Affected by Time
8 Limits.

9 Failure to meet the time limits set forth in this
10 Ordinance for whatever reason shall not invalidate any Benefit
11 Assessment levied hereunder.

12 ARTICLE VI

13 CORRECTION OR CHANGE TO THE TAX ROLL

14 Section 1. Initiation of the Correction or Change.

15 A correction or change to the tax roll with respect to
16 a Benefit Assessment may be made by the Chief Engineer, either on
17 his own initiative, or on application by a property owner (the
18 "Assessee").

19 Section 2. Initiation by Flood Control Engineer.

20 The Chief Engineer may initiate a correction or change
21 to the tax roll at any time within four (4) years of the date of
22 the resolution of the Board of Supervisors confirming Benefit
23 Assessments placed upon the tax roll.

24 Section 3. Initiation by the Assessee.

25 The Assessee may initiate a correction or change to
26 the tax roll by filing a written application with the Chief
27 Engineer within 60 days following his/her receipt of the tax bill
28 reflecting the Benefit Assessment. The application shall contain

1 or include the following information, together with such
2 additional information deemed relevant by the Assessee or
3 requested by the Chief Engineer:

- 4 1. Assessor's parcel number.
- 5 2. Gross acreage.
- 6 3. Use of property as of the preceding March 1st.
- 7 4. Measurements of man-made impervious area, if known.
- 8 5. Copy of the tax bill containing the benefit
9 assessment.

10 Section 4. Categories of Corrections or Changes.

11 Upon approval of the Chief Engineer, corrections or
12 changes shall be made with respect to:

- 13 1. Ownership of a Parcel;
- 14 2. Address of an owner of a Parcel;
- 15 3. Subdivision of an existing Parcel;
- 16 4. Land use category of all or part of a Parcel;
- 17 5. Computation of the area of a Parcel;
- 18 6. Erroneous computation of the Benefit Assessment.

19 Corrections to the tax roll shall not be valid unless and
20 until approved by the Board of Supervisors. All corrections or
21 changes must be reported by the Chief Engineer to the
22 Auditor-Controller of the County, who shall prepare the amended
23 billing, as the case may be. The Chief Engineer shall give
24 written notice to the Assessee of the action taken on the
25 application.

26 If the Assessee disagrees with the Chief Engineer's
27 determination, he/she may file an appeal with the Board of
28 Supervisors within 30 days after receipt of the written notice.

1 The appeal shall be initiated by a written application filed with
2 the Clerk of the Board of Supervisors for refund of all or part of
3 the Benefit Assessment. The decision of the Board of Supervisors
4 shall be final and shall complete the administrative process. Any
5 further action by the Assessee for recovery of any part of the
6 Benefit Assessment shall be by complaint for refund filed in the
7 Superior Court.

8 ARTICLE VII

9 EFFECTIVE DATE OF ORDINANCE

10 This Ordinance shall take effect and be in force 30 days
11 after the adoption by the Board of Supervisors. Before the
12 expiration of fifteen (15) days after the effective date of this
13 Ordinance it shall be published once in The Press-Enterprise, a
14 newspaper of general circulation in the County of Riverside.

15
16 BOARD OF SUPERVISORS OF THE RIVERSIDE
17 FLOOD CONTROL AND WATER CONSERVATION
18 DISTRICT

19 BY *Melvin DeLuca*
20 Chairman

21 ATTEST:
22 GERALD A. MALONEY, Clerk

23 *Ernie May*
24 DEPUTY

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28
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1 Attest:

2

3

4

(Seal)

5

6

STATE OF CALIFORNIA)
7) ss.
COUNTY OF RIVERSIDE)

8

9

I HEREBY CERTIFY that a regular meeting of the Board of
Supervisors of the Riverside County Flood Control and Water
10 Conservation District held on 6/4, 1991, the foregoing
11 ordinance consisting of 7 articles was adopted by said Board by
12 the following vote:

10

11

12

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Dated: 6/4/91

CLERK OF THE BOARD
OF SUPERVISORS

15

16

(Seal)

By Bernie May
Deputy

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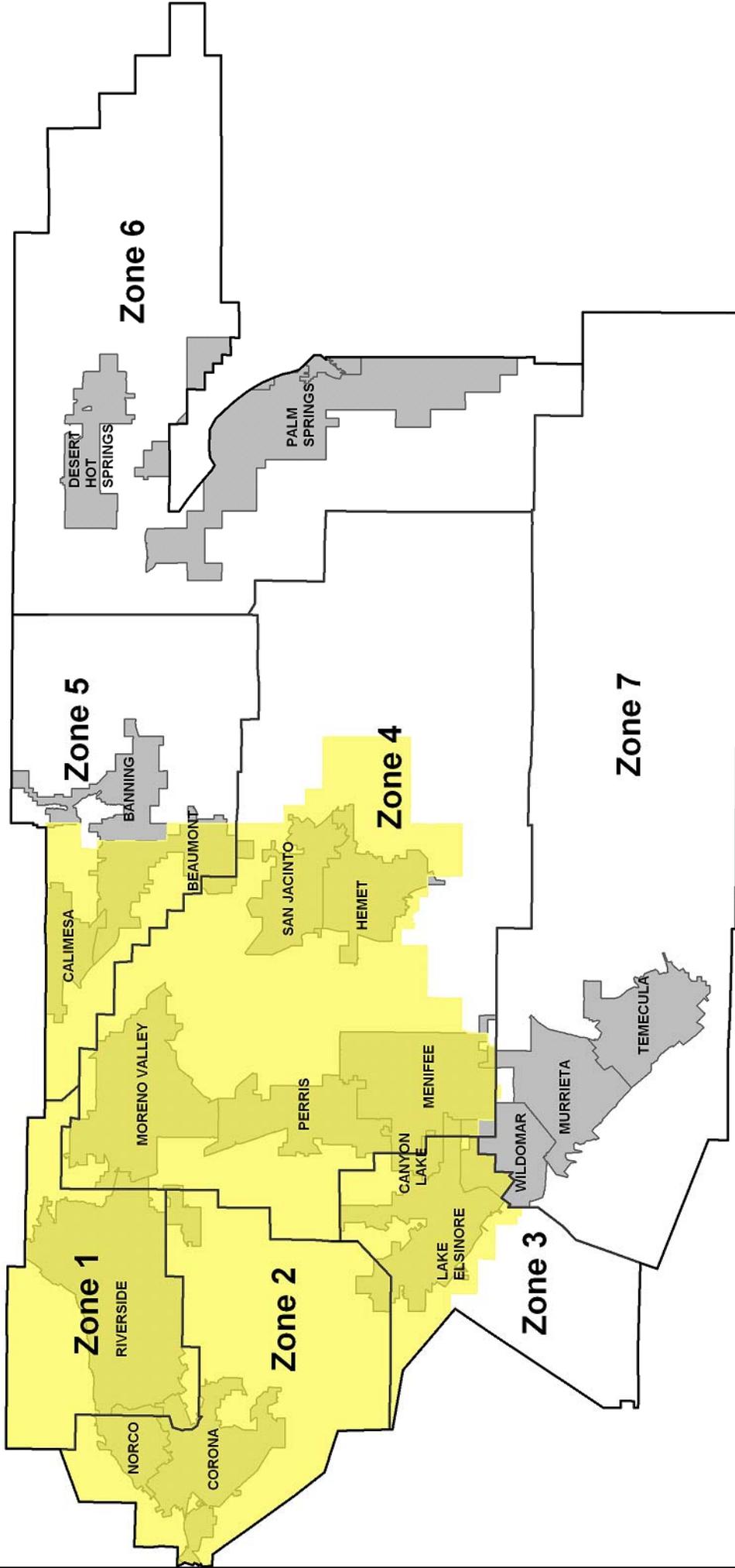
TJD:cm/db
5/17/91
ID #107C

APPENDIX C

Map of Santa Ana Watershed Benefit Assessment Area

Riverside County Flood Control & Water Conservation District

Map of Santa Ana Watershed Benefit Assessment Area



■ - Santa Ana Watershed Benefit Assessment Area (SAWBAA)

APPENDIX C

Engineer's Report
to the
Board of Supervisors of
Riverside County Flood Control
and Water Conservation District