

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

ENCROACHMENT PERMIT INFORMATION SHEET

Applicants: Please note that the following information and documents **MUST** be submitted with your application in order for the Riverside County Flood Control and Water Conservation District (District) to begin processing your request for an encroachment permit. Failure to submit all documentation as described below will delay the processing of your application:

Please use the attached Encroachment Permit Check List to address all applicable items.

1. Completed and signed Application Form (attached).
2. A check or money order written for the appropriate fee amount to be deposited. (Please refer to the attached Encroachment Permit Fee Deposit Requirement Sheet.) Fees will be placed in an individual account and all District costs will be tracked as work is performed. If the balance in the account drops under 25% of the original deposit and the General Manager-Chief Engineer determines that the remaining amount is insufficient to complete the processing of the application (including environmental review, inspection and finalization of the project), the applicant will be required to submit an additional deposit prior to continuing to work on the application or proceeding with any further work on the project. Further inspections will not be scheduled until the additional deposit is submitted. Once a project is completed and accepted by the District, all unused funds will be refunded to the applicant within 60 days. All applicants, including public entities, must submit the required fee.
3. Two (2) sets of 90% plans for the proposed work.
4. Two (2) copies of the District as-built drawing(s) clearly showing the proposed work to be done under the requested encroachment permit. As-built drawings can be purchased from the District's Reproduction Section (951.955.1221).
5. A copy of the approved and filed California Environmental Quality Act (CEQA) document (e.g., Notice of Exemption, Negative Declaration, Mitigated Negative Declaration/Initial Study, Environmental Impact Report and Statement of Overriding Consideration) as prepared by the Lead Agency for the proposed project shall be submitted to the District. The CEQA document is usually available from the City or County Planning Department that originally approved the proposed project. The District, as a CEQA Responsible Agency, must prepare the appropriate CEQA document for the proposed project prior to issuance of the requested encroachment permit.
6. Proof of prior compliance with the approved Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) must be submitted to the District for proposed projects with the boundaries of the MSHCP. For projects previously approved by the County or Cities, this proof may consist of written documentation from the applicable jurisdiction confirming compliance with the MSHCP. Documentation concerning payment of the MSHCP Mitigation Fee alone is not sufficient. The District must receive written documentation specifically confirming compliance with Sections 6.1.2, 6.1.3, 6.1.4 and 6.3 of the MSHCP as well as the Criteria if the project is located within the Criteria Area/Cell. Encroachment Permits associated with a project not previously reviewed by the County or a City for MSHCP compliance or Encroachment Permits not associated with any project that are located within the boundaries of the MSHCP will need to be reviewed for compliance with the requirements of the MSHCP by the District prior to issuance of the requested Encroachment Permit. The issuance of an Encroachment Permit by the District is a discretionary action subject to compliance with the MSHCP.
7. NPDES REQUIREMENTS: Encroachment permit applicants whose projects will disturb greater than one acre must demonstrate coverage under California's Construction General Permit and submit a Storm Water Pollution Prevention Plan (SWPPP), per requirements of the State Water Resources Control Board. A copy of the SWPPP shall be provided and approved by the District prior to receiving the requested

encroachment permit. A SWPPP template and guidance on the preparation of a SWPPP can be purchased and/or downloaded from the California Association of Stormwater Quality Agencies (CASQA) website at:

<http://www.casqa.org/LeftNavigation/ConstructionBMPHandbookPortalSWPPPTemplate/tabid/200/Default.aspx>.

If the project will disturb less than one acre and/or does not require a SWPPP, a Water Pollution Control Program (WPCP) must be submitted to the District for approval; the WPCP template can be found at:

<http://www.dot.ca.gov/hq/construc/stormwater/templates1.htm>.

Additionally, encroachment permit applications associated with new or redevelopment projects proposing to discharge stormwater or non-stormwater into District facilities must identify the structural and non-structural post-construction best management practices (BMPs) that will be utilized to mitigate water quality and hydrologic impacts from the proposed project.

- a. **ENCROACHMENT PERMITS WITHIN THE SANTA ANA WATERSHED:** Projects within the Santa Ana watershed regions of Riverside County must meet the requirements of Section 6 of the Riverside County Drainage Area Management Plan for the Santa Ana watershed Region (SA DAMP). Encroachment permit applications for projects that meet the definition of New Development or Significant Redevelopment per Section 6 of the SA DAMP may demonstrate compliance by providing proof of completion of a project-specific Water Quality Management Plan (WQMP). Projects that do not meet the definition of New Development or Significant Redevelopment per Section 6 of the SA DAMP must demonstrate compliance with the Structural and Operational BMP requirements specified for other development projects in Section 6.5.4 of the SA DAMP. Submittal of plans identifying the locations of post-construction BMPs can be used to demonstrate compliance with this requirement.
- b. **ENCROACHMENT PERMITS WITHIN THE SANTA MARGARITA WATERSHED:** Projects within the Santa Margarita watershed region of Riverside County must meet the requirements of Section 6 of the District's Jurisdictional Runoff Management Plan (District JRMP). Encroachment permit applications for projects that meet the definition of a Priority Development Project per Section 6 of the District JRMP may demonstrate compliance by providing proof of completion of a project-specific Water Quality Management Plan (WQMP). Projects that do not meet the definition of Priority Development Project per Section 6 of the District JRMP must demonstrate compliance with the Low Impact Design (LID) and Source Control BMP requirements specified for Other Development Projects in Section 6.6.6 of the District's JRMP. Submittal of plans identifying the locations of post-construction BMPs can be used to demonstrate compliance with this requirement.
- c. **ENCROACHMENT PERMITS WITHIN THE WHITEWATER WATERSHED:** Projects within the Whitewater Watershed Region of Riverside County must meet the requirements of Section 4 of the Whitewater Region Storm Water Management Plan (WW SWMP). Encroachment permit applications for projects that meet the definition of new development or redevelopment per Section 4.1 of the WW SWMP may demonstrate compliance by providing proof of completion of a project-specific Water Quality Management Plan (WQMP). Projects that do not meet the definition of new development or redevelopment per Section 4 of the WW SWMP must demonstrate compliance with the structural and non-structural BMPs requirements specified for other development projects per the requirements of Section 4.2.1 of the WW SWMP; submittal of plans identifying the locations of post-construction BMPs can be used to demonstrate compliance with this requirement.
- d. Encroachment permit applicants not associated with new or redevelopment projects who discharge stormwater or non-stormwater to District facilities must identify the necessary structural and non-structural BMPs to mitigate water quality and/or hydrologic impacts from the proposed project, and if applicable, demonstrate compliance and/or coverage under an NPDES permit which may be

applicable to the discharge. The applicant must complete the Application for Third-Party Discharge to the District Facilities. The application form is available on-line at <http://rcflood.org/downloads/NPDES/Documents/Developers/3rd-partyDischarges.pdf>. It may be advisable to contact the NPDES representative listed on the form to determine what, if any, water quality sampling data may be needed to process the application.

8. **STORM DRAIN CONNECTIONS, BRIDGES AND CULVERT CROSSINGS:** Hydrology and hydraulic calculations prepared and signed by a Registered Civil Engineer must be submitted with all applications for storm drain connections, bridges and culvert crossings. The maximum confluence angle at the junction of a lateral storm drain and mainline channel shall be 45 degrees. A hydraulic junction analysis must be done if the lateral flowrate is greater than 25% of the mainline flowrate. The hydraulic grade line, flow rate, and velocity shall be shown on the storm drain profile drawing. Only reinforced concrete pipe (RCP minimum 1500D) will be approved within District right of way.

REGULATORY PERMITS

The applicant shall accept full responsibility for all costs related to obtaining and complying with all applicable provisions of the appropriate regulatory permits. If the requested encroachment permit is for facilities that will be ultimately maintained by the District, the regulatory permits shall address both the construction and maintenance activities of these facilities in compliance with all applicable federal, state and local regulations. These regulatory permits include, but are not limited to: a Section 404 Permit issued by the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act, a California State Department of Fish and Wildlife Streambed Alteration Agreement in compliance with the Fish and Wildlife Code Sections 1600 et seq., a 401 Water Quality Certification or a Report of Waste Discharge Requirements in compliance with Section 401 of the Clean Water Act or State Porter-Cologne Water Quality Act, respectively, from the appropriate Regional Water Quality Control Board, and coverage under California's statewide Construction General Permit through project completion and receipt of a Notice of Termination (NOT). The applicant shall also be responsible for complying with all mitigation measures as required under CEQA and all federal, state, and local environmental rules and regulations. A copy of the above mentioned permits shall be submitted to the District for review and approval for all facilities that will ultimately be maintained by the District prior to District issuance of the requested encroachment permit. For projects that will not be maintained by the District, a copy of the above mentioned permits shall be submitted to the District for the encroachment permit file. Mitigation measures may not be placed within District rights of way without prior approval from the General Manager-Chief Engineer.

EXCESS MATERIAL REMOVAL

Excess material removal shall be approved by the District's Chief of Operations and Maintenance, prior to submitting the encroachment permit application. An inspection fee for a minimum of \$0.35 per cubic yard will take effect when the permit is issued and is payable to the District monthly or as specified in the encroachment permit.

- a. Applicants requesting encroachment permits for the removal of excess material from District facilities must also submit for approval, a Storm Water Pollution Prevention Plan (SWPPP) or Water Pollution Control Plan (WPCP), as described in paragraph 8 above.
- b. Applicants requesting encroachment permits for the removal of excess material from District facilities must also submit a fugitive dust control plan (DCP) per the requirements of the Air Quality Management District or local ordinances, as required. A copy of the DCP shall be provided and approved by the District prior to receiving the requested encroachment permit. DCP Handbooks for the Coachella Valley region can be downloaded from the Coachella Valley Association of Governments at:

http://www.cvag.org/Community%20Resources/pdf/CV_DCH.pdf

ADDITIONAL DEPOSIT

If the District determines that survey monuments are located in the area of work, an additional deposit will be required to cover the cost of replacing any survey monuments that may be disturbed. District survey crews will replace monuments. A map will be provided to the applicant showing locations of survey monuments involved.

Requirements Due Prior to the Issuance of the Encroachment Permit

Prior to the issuance of the encroachment permit, the applicant or the contractor performing the work shall furnish a certificate of insurance specifying comprehensive liability limits of \$2,000,000 per occurrence and \$2,000,000 general aggregate. The applicant, the District, the County of Riverside, and any municipal corporation within which the work is to be performed, shall each be named as an additional insured. Alternatively, comprehensive liability limits shall be \$1,000,000 per occurrence, with \$2,000,000 general aggregate and a minimum of \$2,000,000 excess liability. This insurance shall remain in effect for the duration of the work. Please reference the encroachment permit number (shown on your receipt for the initial deposit) on the certificate of insurance.

Additional Information

1. Please contact the District's Permit Engineer at 951.955.1266 if you have any questions or need any additional information.
2. Typical time for initial comments for an encroachment permit (if all required information is submitted with the initial application) is approximately 30 working days.

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

ENCROACHMENT PERMIT CHECK LIST

Applicant Name: _____

Address: _____

Contact Number: _____

1. _____ Completed and signed Application Form
2. _____ Check or Money Order written for the appropriate deposit
3. _____ 90 % plans for the proposed work (2 sets)
4. _____ District as-built drawing(s) clearly marked to show the proposed work (2 sets)
5. _____ Copy of the Lead Agency's approved and filed CEQA documents
6. _____ Proof of compliance with the Western Riverside MSHCP (if proposed work is within the MSHCP boundary)
7. _____ Proof of NPDES Compliance (refer to Section 8 of the encroachment permit information sheet for compliance requirements)
8. _____ Hydrology and Hydraulic Calculations (if for a storm drain connection, bridge or culvert crossing)

Regulatory Permits (if appropriate)

9. _____ Streambed Alteration Agreement from the California Department of Fish and Wildlife
10. _____ Section 404 Authorization from the U.S. Army Corps of Engineers
11. _____ Section 401 Water Quality Certification from the appropriate Regional Water Quality Control Board

Encroachment Permits for the Removal of Excess Material

12. _____ Dust Control Plan
13. _____ Stormwater Pollution Prevention Plan
14. _____ **Please submit digital copies of all items above**

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

ENCROACHMENT PERMIT FEE DEPOSIT REQUIREMENTS
Effective December 23, 2004

Note: Per Ordinance No. 19 the Filing Fee for each encroachment permit shall be \$500, with the exception of a permit for access to adjacent properties which shall be \$250. This fee is non-refundable and will be deducted from the initial deposit.

STORM DRAIN CONNECTIONS

- (a) 0" to 60" diameter
Initial Deposit (including non-refundable Filing Fee)..... \$2,000.00
- (b) Over 60" will be considered as major construction.
(See below)

**ACCESS TO ADJACENT PROPERTY VIA DISTRICT FACILITY WITH
TEMPORARY FENCE REMOVAL**

- (a) Initial Deposit (including non-refundable Filing Fee)..... \$750.00

UTILITY CROSSINGS

- (a) Underground Initial Deposit (including non-refundable Filing Fee) \$2,000.00
- (b) Aerial Initial Deposit (including non-refundable Filing Fee)..... \$2,000.00

PARALLEL UTILITIES

- (a) Underground Initial Deposit (including non-refundable Filing Fee) \$2,000.00
- (b) Aerial Filing Fee (including non-refundable Filing Fee) \$2,000.00

MAJOR CONSTRUCTION

- (a) Initial Deposit (including non-refundable Filing Fee)..... \$3,000.00

EXCESS MATERIAL REMOVAL

- (a) Initial Deposit (including non-refundable Filing Fee)..... \$2,000.00
Inspection Fee - Per Cubic Yard Removed \$0.35 (Minimum)

MISCELLANEOUS ENCROACHMENT (Any situation not covered above)

- (a) Miscellaneous Filing Fee (including non-refundable Filing Fee) \$2,000.00

NOTE: NO WORK SHALL COMMENCE WITHIN DISTRICT RIGHT OF WAY PRIOR TO OBTAINING AN ENCROACHMENT PERMIT. IN SUCH EVENT, THE APPLICANT/OWNER MAY BE REQUIRED TO REMOVE ALL WORK WITHIN DISTRICT RIGHT OF WAY AND RESTORE THE SITE TO PRE-PROJECT CONDITION AT THE APPLICANT/OWNER'S EXPENSE. IF AT THE DISCRETION OF THE GENERAL MANAGER-CHIEF ENGINEER, AN ENCROACHMENT PERMIT IS SUBSEQUENTLY ISSUED THE APPLICANT/OWNER WILL BE REQUIRED TO PAY A \$1000 PENALTY FEE (NON-REFUNDABLE) IN ADDITION TO ALL OTHER DEPOSITS WHICH WILL BE REQUIRED AS STIPULATED HEREIN.

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

APPLICATION FOR ENCROACHMENT PERMIT

TO: Riverside County Flood Control
and Water Conservation District
Encroachment Permit Section
1995 Market Street
Riverside, California 92501

Date: _____

The undersigned hereby applies for an encroachment permit to perform the following work within Riverside County Flood Control and Water Conservation District (District) right of way:

Please describe the work proposed to be done within District right of way. (Use extra sheets if necessary.)

Location of proposed work (Specify City, Township, Range, Section): _____

Name and Project Number of District Facility impacted by the proposed work: _____

Estimated duration of construction for proposed project: _____ working days.

Applicant agrees to do the work in accordance with all pertinent District rules and regulations and that the proposed work as shown on the attached drawings will be subject to inspection and approval. (Refer to the Encroachment Permit Information Sheet for details on the complete submittal required.)

Applicant acknowledges and understands that construction within District rights of way will, in all likelihood, not be permitted from October 31st through March 31st due to seasonal constraints. Further, Applicant acknowledges that weather and/or flow conditions may necessitate the District, at its sole discretion, to delay or suspend Applicant's work at any time of the year in the interest of public health and safety. Moreover, Applicant appreciates the significance of these seasonal constraints, and understands and agrees to adjust all scheduling accordingly.

Agency Requiring Work (if different than Applicant)

Applicant:

Signature

Signature

Print Name and Title

Print Name and Title

Agency Name

Company Name

Address

Address

Telephone number

Telephone number