



## ENCROACHMENT PERMIT INFORMATION SHEET

Applicants: Please note that the following information and documents **MUST** be submitted with your application 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. If you have questions or concerns with the required documentation, please contact the District Plan Check Section at 951.955.1200.

To facilitate the expedient processing and issuance of your application, please use the Encroachment Permit Checklist to address all applicable items:

1. Completed and signed Encroachment Permit Application Form
2. A check or money order written for the appropriate fee amount to be deposited. Please refer to the Encroachment Permit Fee Deposit Requirement Sheet found below. 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 payee within 60 days. All applicants, including public entities, must submit the required fee.

Deposits may also be paid via credit card with a 2.3% processing fee. Please contact the District's Plan Check Section to notify of the intent of credit card payment.

3. One (1) full-size digital copy of 90% plans for the proposed work currently under review by governing entity overseeing construction activities (City/County). Improvement plans must cover proposed work for District Encroachment Permit. Plans must be approved prior to issuance of District Encroachment Permit.
4. One (1) full-size digital copy of the District as-built drawing(s) clearly showing the proposed work to be performed under the requested Encroachment Permit. As-builts for most District facilities can be obtained from the District's online GIS Webmap found through this link: <https://content.rcflood.org/webmaps/rcfc/>.

To access the as-builts, open the Webmap and go to the area of interest, you will see line work in red representing the District's facilities. If you click on the line, a pop-up window will appear that contains facility information. If you click on the number next to the "Drawing/Maps" row that will bring up the plan sheets which can be downloaded. Additionally, higher quality as-built drawings can be purchased from the District's Reproduction Section (951.955.1221).

5. **NPDES REQUIREMENTS:** Encroachment Permit applicants whose projects will disturb one acre or more of soil must demonstrate coverage under California's Construction General Permit by providing a WDI No. and submitting a Storm Water Pollution Prevention Plan (SWPPP). **A digital copy of the approved SWPPP shall be provided to the District prior to receiving the requested Encroachment Permit.**

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. SWPPP and WPCP templates can be found here: <https://dot.ca.gov/programs/construction/storm-water-and-water-pollution-control>

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 copy of the Water Quality Management Plan (WQMP) approved by the governing land use agency, demonstrating implementation of post construction BMPs shall be provided to the District prior to receiving the requested Encroachment Permit.**

- a. **ENCROACHMENT PERMITS WITHIN THE SANTA ANA WATERSHED:** Projects within the Santa Ana watershed regions of Riverside County must meet the requirements of Section 6.0 of the Riverside County Drainage Area Management Plan - Santa Ana Region (SA DAMP). Encroachment Permit applications for projects that meet the definition of New Development or Significant Redevelopment per Section 6.0 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 6.0 of the SA DAMP must demonstrate compliance with the 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 6.0 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 6.0 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 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 4.0 of the Whitewater River 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 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, complete the Proof of NPDES Compliance for Discharges to District Facilities. This form is available here: [https://content.rcflood.org/Downloads/Right%20of%20Way/20190422/Proof%20of%20NPDES%20Compliance%20for%20Discharges%20to%20District%20Facilities\\_Form\\_223.pdf](https://content.rcflood.org/Downloads/Right%20of%20Way/20190422/Proof%20of%20NPDES%20Compliance%20for%20Discharges%20to%20District%20Facilities_Form_223.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.

6. **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 performed 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 (Min D-load for 18-inch and 24-inch diameter pipes is 2000-D (Class IV)) will be approved within District right of way.

**Regulatory Documents/Permits (If Applicable)**

7. **CEQA Compliance:** Issuance of an Encroachment Permit is a discretionary action and is subject to the California Environmental Quality Act (CEQA). Pursuant to CEQA, the District, in its limited role as a CEQA Responsible Agency, must comply with CEQA and therefore will require the applicant to provide a copy of the approved, adopted, or certified CEQA document if one was prepared for the proposed project by the Lead Agency. The following documents are typically sufficient to fulfill this CEQA requirement:
  - Final Initial Study (IS) and Negative Declaration (ND)
  - Final Initial Study, Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan/Program (MMRP)
  - Final Environmental Impact Report (EIR) and MMRP. Note if the Final EIR does not include the Draft EIR language, please provide the Draft EIR as well.

The following supporting technical reports will help to expedite the environmental review process and should be submitted if available. Note that typically the CEQA document will include these reports.

- Biological Resources Report
- Jurisdictional Delineation Report

Under certain circumstances, the District may also request submittal of the following technical support documents:

- Cultural Report
- Paleontological Report

Pursuant to CEQA, the Permittee is responsible for complying with all applicable mitigation measures as approved by the CEQA Lead Agency. The Permittee is also responsible for complying with all applicable federal, state, and local environmental laws and regulations.

The CEQA document is usually available from the City or County Planning Department that originally approved the project. **All CEQA documents should be submitted in a digital format.** Should the Permit Applicant have concerns with these environmental requirements, please contact the Plan Check Engineer.

Grading and construction activities within channels and basins may require the regulatory permits listed below. If regulatory permits are required for the Encroachment Permit activity, the Permit Applicant shall provide such permits with the Encroachment Permit application, or prior to the issuance of the Encroachment Permit. If regulatory permits are not required, the District may request the Permit Applicant to provide documentation demonstrating that the proposed activity does not require the permits listed below. Any required regulatory permits will need to clearly demonstrate that the construction and eventual maintenance of the proposed activity is authorized. Compliance with all conditions identified in any required regulatory permits will be required as a condition of issuing the Encroachment Permit. Typical regulatory permits include, but are not limited to:

8. Streambed Alteration Agreement from California Department of Fish and Wildlife in compliance with the California Fish and Game Code Sections 1600 et seq.

9. Section 404 Permit issued by the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act.
10. 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, issued from the appropriate Regional Water Quality Control Board.

As part of issuance of the Encroachment Permit, the Permittee shall accept full responsibility for all costs and mitigation related to obtaining and complying with any required regulatory permits.

#### **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.

11. 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 Program (WPCP), as described in item No. 5 above.
12. 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.

#### **Additional Information**

1. Please contact the District's Plan Check Section at 951.955.1200 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.



## ENCROACHMENT PERMIT CHECKLIST

**Application must include digital copy (secure link or USB drive) of all items submitted and as noted below:**

1. ☐ Completed and signed Application Form
2. ☐ Check or money order written for the appropriate deposit
3. ☐ 90% plans for the proposed work (one (1) full-size hard copy and one (1) digital copy set). Improvement plans must cover proposed work for District Encroachment Permit. Plans must be approved by governing entity overseeing construction activities (City/County) prior to issuance of District Encroachment Permit
4. ☐ District as-built drawing(s) clearly marked to show the proposed work (one (1) full-size hard copy and one (1) digital copy set)
5. ☐ Proof of NPDES Compliance (refer to Item No. 5 of the Encroachment Permit information sheet for compliance requirements)
6. ☐ Hydrology and Hydraulic Calculations (for a storm drain connection, bridge, or culvert crossing, (one (1) hard copy and one (1) digital copy)).

### **Regulatory Documents/Permits (if appropriate)**

7. ☐ Copy of the Lead Agency's approved, adopted, or certified and filed CEQA documents, and any supporting documents
8. ☐ Streambed Alteration Agreement from the California Department of Fish and Wildlife
9. ☐ Section 404 Authorization from the U.S. Army Corps of Engineers
10. ☐ Section 401 Water Quality Certification (or Waste Discharge Requirements) from the appropriate Regional Water Quality Control Board

### **Encroachment Permits for the Removal of Excess Material**

11. ☐ Stormwater Pollution Prevention Plan
12. ☐ Dust Control Plan



## ENCROACHMENT PERMIT FEE DEPOSIT REQUIREMENTS

Note: The Initial Deposit for Filing required by this Ordinance shall be paid at the time the application is filed. Additional Deposits (if required) will be billed out as the District reviews and processes the application. These additional deposit requests must be paid prior to the District continuing work under the subject permit.

### NON-REFUNDABLE FILING FEE

- (a) All EP applications, except for a permit for access to adjacent properties.....\$500.00
- (b) Access to adjacent properties.....\$250.00

Initial Deposits for permits are as follows:

### 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 of \$250) .....\$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

### ADDITIONAL DEPOSIT

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

If a License Agreement or Easement is needed for this Encroachment Permit, an additional deposit of \$10,000 will be required for each. The District's Contract Services or Real Estate Services section will draft the agreement or process the easement, respectively and send it to County Council for review, and it will ultimately go to the Board of Supervisor's for approval.

If a Specific Facilities License Exhibit (SFLE) is needed for this Encroachment Permit, an additional deposit of \$5,000 will be required. The applicant must submit a completed Public License Agreement Application and a completed draft SFLE. The District's Contract Services section will review the application, Draft the SFLE and send it to County Council for review, and ultimately to the General Manager-Chief Engineer for approval.

If this Encroachment Permit Requires review by the District's Flood Plain Management Section, an additional deposit of \$5,000 will be required.

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



## APPLICATION FOR ENCROACHMENT PERMIT

TO: Riverside County Flood Control  
and Water Conservation District  
Plan Check 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: \_\_\_\_\_

---

---

In consideration of the granting of this application, Permit Applicant hereby agrees to:

1. Indemnify, defend, and save the District, County of Riverside, its authorized agents, officers, representatives and employees, harmless from and against any and all penalties, liabilities or loss resulting from claims or court action and arising out of any accident, loss or damage to persons or property happening or occurring as a proximate result of any work undertaken under the permit granted pursuant to this application.
2. Remove or relocate an encroachment installed or maintained under this permit, upon written notice from the District's Chief Engineer.
3. Notify the District's Encroachment Permit Inspector in writing five (5) days in advance of the time when work will be started, and upon completion of the work and within ten (10) days, notify the Encroachment Permit Inspector in writing of such completion.
4. Comply with all the terms and conditions of the permit, and all applicable rules and regulations of the District and Water Conservation District, County of Riverside, and other public agencies having jurisdiction.
5. Accept full responsibility for complying with federal, state and county environmental laws, including but not limited to CEQA, the Clean Water Act, and California Fish and Game Code, and any applicable environmental clearances and/or permits from other public agencies.



6. 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 and potential seasonal constraints. Moreover, Applicant appreciates the significance of these seasonal constraints, and understands and agrees to adjust all scheduling accordingly.
7. Agrees to do the work in accordance with all pertinent District rules, regulations, and general provisions 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.)

Estimated duration of construction for proposed project \_\_\_\_\_ working days.

Estimated start date \_\_\_\_\_.

**PERMIT APPLICANT- Agency/ Company/ Property Owner requiring the Encroachment Permit**

Agency / Company / Property Owner	Name and Title	
Address		
Phone Number	Email Address	
Signature		Date

**FILING APPLICANT**

Agency / Company / Property Owner	Name and Title	
Address		
Phone Number	Email Address	
Signature		Date

☐ Check if same as Permittee. No need to re-enter information.

**PAYEE- Responsible for Initial and Additional Deposits**

Agency / Company / Property Owner	Name and Title	
Address		
Phone Number	Email Address	
Signature		Date

☐ Check if same as Permittee. No need to re-enter information.

**ENGINEER**

Agency / Company / Property Owner	Name and Title	
Address		
Phone Number	Email Address	
Signature		Date

☐ Check if same as Permittee. No need to re-enter information.

REV. Jun 2023