

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

967



FROM: Executive Office

SUBMITTAL DATE:
February 26, 2008

SUBJECT: National Pollution Discharge Elimination System (NPDES) Municipal Separate Stormwater Sewer System (MS4) Permit Implementation Agreement for the Whitewater Watershed-Colorado River Basin Region

RECOMMENDED MOTION:

That the Board of Supervisors approve the Implementation Agreement between the County of Riverside (County), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the Coachella Valley Water District (CVWD), and the cities of Banning, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs and Rancho Mirage (Cities) and authorize the Chairman to execute the Agreement on behalf of the County.

BACKGROUND: This Implementation Agreement sets forth the terms and conditions by which the County, RCFC&WCD, CVWD and the Cities perform and/or execute certain activities and responsibilities prescribed in the NPDES MS4 permit issued by the Colorado Regional Water Quality Control Board (CRWQCB), Whitewater Watershed-Colorado River Basin, pursuant to Order # R7-2001-007. A new permit and order will be issued on May 21, 2008, by the CRWQCB.
(Continued)

Michael R. Shetler

Michael R. Shetler
Senior Management Analyst

FINANCIAL DATA

Current F.Y. Total Cost:	\$ 90,000	In Current Year Budget:	Yes
Current F.Y. Net County Cost:	\$ 90,000	Budget Adjustment:	No
Annual Net County Cost:	\$ 90,000	For Fiscal Year:	2007/2008

SOURCE OF FUNDS: CEO NPDES Fund (General Fund)

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

Gary M. Christmas

County Executive Office Signature Gary M. Christmas

FORM APPROVED COUNTY COUNSEL
BY DAVID H. K. HUFF DATE 2/15/08 Departmental Concurrence

- Policy
- Policy
- Consent
- Consent

Prev. Agn. Ref.: ATTACHMENTS FILED District: 4 & 5 Agenda Number:

3.17

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

National Pollution Discharge Elimination System (NPDES) Municipal Separate Stormwater Sewer System (MS4) Permit Implementation Agreement for the Whitewater Watershed-Colorado River Basin Region

PAGE 2

(Continued from page 1)

On March 6, 2006, the County, RCFC&WCD, CVWD and the Cities reapplied for an area-wide NPDES MS4 permit in accordance with the permit requirements administered by the CRWQCB. It is anticipated that the CRWQCB will issue a new NPDES MS4 permit on May 21, 2008, pursuant to Section 402(p) of the federal Clean Water Act. The permit designates the County and the RCFC&WCD as principal permittees and designates the CVWD and the Cities as co-permittees. It is in the best interest of the principal permittees and the co-permittees to work cooperatively to facilitate the administration and implementation of the NPDES MS4 requirements.

RCDC&WCD utilizes the Whitewater Watershed Benefit Assessment Area (Benefit Assessment) pursuant to RCFC&WCD Ordinance 14 established on May 14, 1991, to offset program and costs associated with the development, implementation and administration of this federally mandated NPDES MS4 permit program. A cost share formula agreed upon by the County, the RCFC&WCD, CVWD and the Cities, has been devised to provide funding support for the regional program costs that are incurred during the 5 year permit term as identified in the Implementation Agreement.

The cost share for the County of Riverside in FY 07/08 for the Whitewater Watershed-Colorado River Basin is \$90,000.*

The projected cost share for the County of Riverside in FY 08/09 is \$92,500.*

* These cost share estimates do not include any supplemental costs that may be associated with the implementation of bacteria Total Maximum Daily Load (TMDL) requirements or a California Water Code, Section 13267, Investigative Order that may be imposed by the CRWQCB within the next permit term.