



**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

413B

**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
July 13, 2010

**SUBJECT:** Public Hearing - Confirmation of Fiscal Year 2010-11  
Benefit Assessments for the Santa Ana Watershed

**RECOMMENDED MOTION:** The Board conduct the public hearing concerning the "Engineer's Report on the NPDES Program for the Santa Ana Watershed Benefit Assessment Area", dated July 2010, and if at the conclusion of the hearing a majority protest has not been received, adopt the following resolution:

**RESOLUTION NO. F2010-17**

**ADOPTING AND CONFIRMING EACH AND ALL ASSESSMENTS ON PROPERTY IN THE SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA PURSUANT TO ORDINANCE NO. 14 PROVIDING FOR THE ESTABLISHMENT AND LEVY OF BENEFIT ASSESSMENTS FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER PROGRAM.**

**BACKGROUND:** All the requirements of Ordinance No. 14, providing for the establishment and levy of the Fiscal Year 2010-11 Benefit Assessments have been satisfied; therefore, the public hearing may be closed and the assessments levied.

**FINANCIAL:** The financial impact to the property owners is outlined in the Engineer's Report and Benefit Assessment Tax Rolls.

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b> N/A	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE.  
County Executive Office Signature by Alex Gann

**MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

**Ayes:** Buster, Tavaglione, Stone, Benoit and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** July 13, 2010  
**xc:** Flood Auditor, Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

11.2

FISCAL PROCEDURE APPROVED BY: MAN M. CHANG, FINANCE DIRECTOR  
6/10/2010  
Departmental Conference AND  
FORM APPROVED COUNTY COUNSEL BY: DALE A. GARDNER 6/18/10 DATE

Dept' Recomm.:  Policy  
Per Exec. Ofc.:  Consent

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD  
RIVERSIDE CO. CLERK OF THE BOARD  
4080 LEMON STREET, 1<sup>ST</sup> FLOOR CAC  
P O BOX 1147 - RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010  
RIVERSIDE COUNTY CLERK OF THE BOARD  
P. O. BOX 1147 - RIVERSIDE, CA 92502

DOC # 2010-0342318  
07/22/2010 08:00A Fee:NC  
Page 1 of 4  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder



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## RESOLUTION NO. F2010-17

Title of Document

(ADOPTING AND CONFIRMING EACH AND ALL ASSESSMENTS ON PROPERTY IN THE SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA PURSUANT TO ORDINANCE NO. 14 PROVIDING FOR THE ESTABLISHMENT AND LEVY OF BENEFIT ASSESSMENTS FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER PROGRAM)

(Flood Control and Water Conservation District ~ Item 11.2 of 07/13/10)

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FOR RECORDING INFORMATION

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2 BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

3 RESOLUTION NO. F2010-17

4 ADOPTING AND CONFIRMING EACH AND ALL ASSESSMENTS ON PROPERTY IN THE  
5 SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA PURSUANT TO ORDINANCE  
6 NO. 14 PROVIDING FOR THE ESTABLISHMENT AND LEVY OF BENEFIT ASSESSMENTS FOR  
7 THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER  
8 PROGRAM

9 WHEREAS, the California Regional Water Quality Control Board - Santa Ana Region, on behalf  
10 of the Federal Environmental Protection Agency (the "EPA"), and consistent with Section 402 of the  
11 Federal Clean Water Act, as amended, and the regulations promulgated by the EPA pursuant thereto, has  
12 issued an area wide stormwater discharge permit under the National Pollutant Discharge Elimination  
13 System (the "NPDES Permit") to the Riverside County Flood Control and Water Conservation District  
14 (the "District"), the County of Riverside and certain cities within the Santa Ana Watershed that are within  
15 the District's jurisdiction, and has named the District as the "Principal Permittee"; and

16 WHEREAS, under existing State and Federal regulations, the District must obtain and comply  
17 with the provisions of the NPDES Permit in order to legally discharge stormwater from its flood control  
18 and stormwater drainage facilities; and

19 WHEREAS, the NPDES Permit requires the District to develop, implement, and manage specific  
20 programs dealing with stormwater runoff that will benefit all property within the Santa Ana Watershed  
21 that lies within the District's jurisdiction; and

22 WHEREAS, the District's Board of Supervisors (the "Board") on May 14, 1991, adopted  
23 Resolution No. F91-21 pursuant to the provisions of Section 14 of the Riverside County Flood Control  
24 and Water Conservation District Act, which is Appendix 48 to the California Water Code (the "District  
25 Act"), and pursuant to Ordinance No. 14, that formed a Benefit Assessment Area (the "Benefit  
26 Assessment Area"), which encompasses all territory within the District's jurisdiction that is within the  
27 Santa Ana Watershed as described in Ordinance No. 14, and has levied annually thereon a Benefit  
28 Assessment ("Benefit Assessment") to pay the District's annual costs associated with the NPDES Permit;  
and

WHEREAS, the Benefit Assessments collected are principally used to finance capital costs and to  
maintain and operate the flood control system as required by the terms of said Permit and must be  
expended in the Benefit Assessment Area in which they are collected; and

WHEREAS, the District initially levied the Benefit Assessment for 1991-92 Fiscal Year and has  
levied the Benefit Assessment in each successive fiscal year; and

WHEREAS, the voters of California on November 5, 1996, approved Proposition No. 218 which  
added Article XIID to the California Constitution ("Article XIID") effective November 6, 1996; and

WHEREAS, Section 5(a) of Article XIID provides in pertinent part that "...any assessment  
imposed exclusively to finance the capital costs or maintenance and operation expenses for...flood control  
and drainage systems..." shall be exempt from the procedures and approval process set forth in Section 4  
of Article XIID until the assessment is increased; and

FORM APPROVED COUNTY COUNSEL  
BY: *Dale A. Gardner* 6/8/10  
DATE



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WHEREAS, the Benefit Assessment proposed to be levied and enrolled for the 2010-11 Fiscal Year is not greater than the Benefit Assessment that was levied for the 1996-97 Fiscal Year and all subsequent years.

WHEREAS, at a duly noticed hearing as required by Ordinance No. 14, the Board heard and considered all protests with respect to the amount of the Benefit Assessment to be levied for the 2010-11 Fiscal Year.

NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District, County of Riverside, State of California, in regular session assembled on July 13, 2010, as follows:

Section 1. The above recitals are true and correct.

Section 2. That a public hearing has been duly held on this date and that each and every step in the proceedings as required by the District Act and Ordinance No. 14 has been duly taken and all protests considered, and that the Board does hereby close the public hearing.

Section 3. That the Board does hereby make its determination upon each parcel in the Benefit Assessment Area as described in the Engineer's Report entitled "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" (the "Engineer's Report"), dated July 2010, filed with the Board and pursuant to Ordinance No. 14 and that the Board does hereby confirm each and all Benefit Assessments on such parcels and thereby levies a Benefit Assessment in the Benefit Assessment Area of the District for the Fiscal Year 2010-11 at a rate of \$3.75 per benefit assessment unit (BAU).

Section 4. Pursuant to Section 5(a) of Article XIID, compliance with the procedures set forth in Section (4) of Article XIID is not necessary and there will be no increase in the Benefit Assessment to be enrolled for the 2010-11 Fiscal Year over the Benefit Assessment enrolled for the 1996-97 Fiscal Year and all subsequent years.

Section 5. That a copy of this Resolution duly certified by the Clerk of this Board be recorded in the Office of the Recorder of the County of Riverside and a copy of this Resolution duly certified by the Clerk of this Board and the Engineer's Report be filed with the Auditor/Controller of the County of Riverside.

ROLL CALL:

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley  
Nays: None  
Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By: [Signature]  
Deputy



LARRY W. WARD  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER

Recorder  
P.O. Box 751  
(951) 486-7000

www.riversideacr.com

**CERTIFICATION**

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION FOR SEAL for the Riverside County Flood Control and Water Conservation District (EMBOSED ON DOCUMENT)

RIVERSIDE COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT

1945

CALIFORNIA

Date:

7-13-10

Signature:

*Karen Barton*

Print Name:

Karen Barton, Board Assistant



**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

301B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
June 29, 2010

**SUBJECT:** Santa Ana Watershed Benefit Assessment  
Resolution No. F2010-13

**RECOMMENDED MOTION:** The Board adopt Resolution F2010-13 which accepts the Engineer's Report on the NPDES Program for the Santa Ana Watershed Benefit Assessment Area, dated July 2010; sets a public hearing on said report to be held at 1:30 p.m. on July 13, 2010 at a regular meeting of the Board; and instructs the Clerk of the Board to advertise said public hearing in accordance with Section 6066 of the California Government Code.

**BACKGROUND:** The Santa Ana Watershed Benefit Assessment Area was established on May 14, 1991 by the adoption of Resolution No. F91-21 by the Board pursuant to Ordinance No. 14 of the Flood Control District and the Flood Control District Act. Said Ordinance No. 14 requires that the Chief Engineer shall prepare an annual report on the status of the program and recommend the benefit assessment levy to be enrolled for the ensuing fiscal year. The Board, upon acceptance of said report, shall set a time and place for a public hearing to hear and consider all protests regarding the report and the amount of the proposed benefit assessment levy.

**FINANCIAL:** The financial impact to the property owners is outlined in the Engineer's Report and Benefit Assessment Tax Rolls.

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b> N/A	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

County Executive Office Signature by Alex Gann

**MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione and Stone  
Nays: None  
Absent: Benoit and Ashley  
Date: June 29, 2010  
xc: Flood, COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Prev. Agn. Ref.:

District: All

Agenda Number:

11.2

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

FISCAL PROCEDURES APPROVED  
 BY: M. CHANU, FINANCE DIRECTOR  
 DATE: 6/10/2010  
 Departmental Concurrence: [Signature]  
 DATE: 6/28/10  
 BY: DALE A. GARDNER  
 FORM APPROVED COUNTY COUNSEL  
 BY: [Signature]

1  
2 BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

3 RESOLUTION NO. F2010-13

4 ACCEPTING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING  
5 FOR THE SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA  
6 PURSUANT TO ORDINANCE NO. 14 PROVIDING FOR THE ESTABLISHMENT AND  
7 LEVY OF BENEFIT ASSESSMENTS FOR THE NATIONAL POLLUTANT DISCHARGE  
8 ELIMINATION SYSTEM (NPDES) STORMWATER PROGRAM

8 WHEREAS, the California Regional Water Quality Control Board - Santa Ana Region,  
9 on behalf of the Federal Environmental Protection Agency (the "EPA"), and consistent with  
10 Section 402 of the Federal Clean Water Act, as amended, and the regulations promulgated by the  
11 EPA pursuant thereto, has issued an area-wide stormwater discharge permit under the National  
12 Pollutant Discharge Elimination System (the "NPDES Permit") to the Riverside County Flood  
13 Control and Water Conservation District (the "District"), the County of Riverside and certain  
14 cities within the Santa Ana Watershed that are within the District's jurisdiction, and has named  
15 the District as the "Principal Permittee"; and

13 WHEREAS, under existing State and Federal regulations, the District must obtain and  
14 comply with the provisions of the NPDES Permit in order to legally discharge stormwater from  
15 its flood control and stormwater drainage facilities; and

15 WHEREAS, the NPDES Permit requires the District to develop, implement, and manage  
16 specific compliance programs dealing with stormwater runoff that will benefit all property within  
17 the Santa Ana Watershed that lies within the District's jurisdiction; and

18 WHEREAS, the District's Board of Supervisors (the "Board") on May 14, 1991, adopted  
19 Resolution No. F91-21 pursuant to the provisions of Section 14 of the Riverside County Flood  
20 Control and Water Conservation District Act, which is Appendix 48 to the California Water  
21 Code (the "District Act"), and pursuant to Ordinance No. 14, that formed a Benefit Assessment  
22 Area (the "Benefit Assessment Area"), which encompasses all territory within the District's  
23 jurisdiction that is within the Santa Ana Watershed as described in Ordinance No. 14, and has  
24 levied annually thereon a Benefit Assessment ("Benefit Assessment") to pay the District's annual  
25 costs associated with the NPDES Permit; and

23 WHEREAS, the Benefit Assessments collected are principally used to finance capital  
24 costs and to maintain and operate the flood control system as required by the terms of said  
25 Permit and must be expended in the Benefit Assessment Area in which they are collected; and

25 WHEREAS, pursuant to Article IV of Ordinance No. 14, the General Manager-Chief  
26 Engineer of the District (the "Chief Engineer") is to cause to be prepared annually a written  
27 report for each Benefit Assessment Area regarding the Benefit Assessment to be levied and to  
28 file said report with the Clerk of the Board of Supervisors; and

FORM APPROVED COUNTY COUNSEL  
BY *Wesley Gardner* 6/8/10  
DATE A. GARDNER

1 WHEREAS, the Chief Engineer has caused a report (the "Report") to be prepared and  
2 filed with the Clerk of the Board of Supervisors regarding the Benefit Assessment to be levied  
3 for the 2010-11 Fiscal Year for the Santa Ana Watershed Benefit Assessment Area; and

4 WHEREAS, Section 3 of Article IV of Ordinance No. 14 requires that the Board set a  
5 date, time and place for a public hearing on the Report; and

6 WHEREAS, the voters of California on November 5, 1996, approved Proposition No.  
7 218 which added Article XIID to the California Constitution ("Article XIID") effective  
8 November 6, 1996; and

9 WHEREAS, with regard to an assessment in place as of November 6, 1996, Section 5(a)  
10 of Article XIID provides in pertinent part that "...any assessment imposed exclusively to finance  
11 the capital costs or maintenance and operation expenses for ...flood control and drainage  
12 systems..." shall be exempt from the procedures and approval process set forth in Section 4 of  
13 Article XIID until the assessment is increased.

14 BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of  
15 Supervisors of the Riverside County Flood Control and Water Conservation District in regular  
16 session assembled on the 29<sup>th</sup> day of June 2010, as follows:

17 Section 1. Each of the above recitals is true and correct.

18 Section 2. The Report prepared by the Chief Engineer and filed with the Clerk of the  
19 Board is accepted.

20 Section 3. The Report proposes that the Benefit Assessment to be levied on all parcels  
21 within the Santa Ana Watershed Benefit Assessment Area, as described in Ordinance No. 14, in  
22 Fiscal Year 2010-11 is equal to or less than the Benefit Assessment that was enrolled and levied  
23 for Fiscal Year 1996-97 and all subsequent years.

24 Section 4. The public hearing on the Report is to be held at 1:30 p.m. on Tuesday, July  
25 13, 2010, in the meeting room of the District's Board of Supervisors which is located at 4080  
26 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

27 Section 5. The Chief Engineer is to cause copies of the Report to be placed at the  
28 following sites for review by the public:

Clerk of the District's Board  
County Administrative Center  
4080 Lemon Street  
Riverside, California



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

City Clerk's Office  
City of Hemet  
445 E. Florida Avenue  
Hemet, California

City Clerk's Office  
City of Corona  
400 South Vincentia Avenue, 1<sup>st</sup> Floor  
Corona, California

City Clerk's Office  
City of Lake Elsinore  
130 S. Main Street  
Lake Elsinore, California

Section 6. The Clerk of the Board of Supervisors is to cause a notice to be prepared by the Chief Engineer to be published in The Press Enterprise pursuant to the provisions of Section 6066 of the California Government Code. The Chief Engineer is to cause said notice to be posted in at least three public places within the boundaries of the Santa Ana Watershed Benefit Assessment Area at least seven (7) days prior to the date of the hearing.

Section 7. This resolution shall take effect upon its adoption.

ROLL CALL:

Ayes: Buster, Tavaglione and Stone  
Nays: None  
Absent: Benoit and Ashley

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By:   
Deputy

**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 2010**

**WARREN D. WILLIAMS**  
**General Manager-Chief Engineer**



## CONTENTS

	<u>Page</u>
<b>INTRODUCTION</b>	<b>1</b>
<b>APPORTIONMENT METHODOLOGY</b>	<b>4</b>
<b>CURRENT YEAR ASSESSMENTS (FY 2009-2010)</b>	<b>4</b>
<b>RECOMMENDED BENEFIT ASSESSMENT RATES (FY 2010-2011)</b>	<b>5</b>
<b>ASSESSMENT ROLL</b>	<b>6</b>
<b>NPDES PROGRAM HIGHLIGHTS FOR FY 2009-2010</b>	<b>7</b>
<b>PROGRAM/WORK ITEMS FOR FY 2010-2011</b>	<b>11</b>
<b>CONCLUSIONS AND RECOMMENDATIONS</b>	<b>15</b>
<b>GLOSSARY</b>	<b>16</b>

## APPENDICES

<b>APPENDIX A – Proposed NPDES Program Budget for FY 2010-2011</b>	<b>A-1</b>
<b>APPENDIX B – RCFC&amp;WCD Ordinance No. 14 (May 14, 1991)</b>	<b>B-1</b>
<b>APPENDIX C – Map of Santa Ana Watershed Benefit Assessment Area (SAWBAA)</b>	<b>C-1</b>
<b>APPENDIX D – FY 2010-2011 SAWBAA Assessment Roll (Under Separate Cover)</b>	

## 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 Stormwater 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 Municipal Separate Storm Sewer System (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. The discharge of stormwater from municipal storm drainage systems 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"<sup>1</sup> NPDES Permit (NPDES Permit) from the CRWQCB - Santa Ana Region (Regional Board) on July 1, 1990. The Regional Board added the then newly incorporated cities of Calimesa and Canyon Lake to the NPDES Permit on July 10, 1992. The initial NPDES Permit expired on July 1, 1995; however, the provisions of this first NPDES Permit remained in effect until the Regional Board adopted a subsequent NPDES Permit (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 an ROWD on April 26, 2007. The Permittees received a new MS4 Permit, Order No. R8-2010-0033 on January 29, 2010 (2010 MS4 Permit). The 2010 MS4 Permit added the newly incorporated cities of Wildomar and Menifee.

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

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<sup>1</sup> 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].

Permit. To ensure a consistent region-wide program in Riverside County, the DAMP was designed to address both the Santa Ana and San Diego Regional Boards NPDES Permits. The Permittees submitted the DAMP in 2004, and finalized the document during FY 2005-2006 after having received comments from both Regional Boards.

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 requires the Permittees to enhance the DAMP to incorporate Low Impact Development 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 also requires each Permittee to develop and maintain a Local Implementation Plan (LIP). The LIP describes the Permittee's individual programs, procedures, tools and ordinances to implement the DAMP consistent with the 2010 MS4 Permit requirements. Several other DAMP programs are also modified in the 2010 MS4 Permit. The total estimated cost to update the DAMP, conduct required studies, and modify existing regional programs consistent with the DAMP is \$2,000,000. Implementation costs for the revised programs are pending further progress on revisions to the DAMP.

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 FY 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 amongst 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 FY 2010-2011 is equal to or less than the assessment rate that was enrolled and levied for FY 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 2009-2010)

In July 2009, the District's Board of Supervisors confirmed a benefit assessment rate for FY 2009-2010 of \$3.75 per BAU. Following is a summary of FY 2009-2010 assessments:

<b>Rate</b>	<b>Billed Parcels</b>	<b>BAUs</b>	<b>Assessments</b>	<b>Corrections</b>	<b>Amount Paid*</b>
\$3.75	362,879	642,132	\$2,407,993.58	\$0.00	\$2,253,799.24

Through May 31, 2010

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 2010-2011)**

The District recommends that for FY 2010-2011, 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 2010-2011, using the proposed benefit assessment rate of \$3.75 per BAU is as follows:

Rate	Parcels*	BAUs	Assessment*	Projected Revenue**
\$3.75	364,395	642,657	\$2,409,964.22	\$2,229,216.90

\* Based on preliminary Assessor's information

\*\* Assumes a 7.5% delinquency rate

The projected revenue along with a portion of the end of year balance from FY 2009-2010 will fund the District's NPDES Stormwater Management Program activities for the Santa Ana Watershed area in FY 2010-2011. The proposed FY 2010-2011 budget is presented in Appendix A.

During the early years of the NPDES Program, there were many uncertainties regarding start up 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 successfully negotiate reasonable NPDES Permit conditions and implement its Stormwater Management Program in a manner that has retained a portion of the program's initial budget surpluses. As a result, a modest fund balance has been maintained since the benefit assessments were first levied in FY 1991-1992. The District is gradually reducing the fund balance by maintaining the current assessment rate while sustaining expenditure levels that are slightly above projected revenues. 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 may increase over the next few years.



## ASSESSMENT ROLL

The SAWBAA Assessment Roll provides a listing by Assessor's Parcel Number of the proposed FY 2010-2011 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, 1<sup>st</sup> 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, 1<sup>st</sup> 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

**The Engineer's Report may also be viewed or downloaded at  
<http://rcflood.org/NPDES/>**

## NPDES PROGRAM HIGHLIGHTS FOR FY 2009-2010

For the year ending June 30, 2010, the following major tasks and activities were accomplished:

- A. The most significant activity conducted during the FY 2009-2010 was the negotiation and adoption of the 2010 MS4 Permit. The Permit was released on July 14, 2009 and was followed by a public workshop in August 2009 and final adoption on January 29, 2010. The Permittees and Regional Board staff communicated regularly between August of 2009 and October of 2009 in an effort to ensure that the Permit focused on programs that would both continue to improve water quality and respect the unprecedented economic conditions affecting Riverside County. The discussions resulted in several changes to the Permit. The 2010 MS4 Permit incorporates several new 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. The Permittees are also required to develop Permittee specific implementation manuals called Local Implementation Plans. The Local Implementation Plans describe the specific tools, processes, procedures and resources used by the Permittee to implement the DAMP. The Permittees generally have 18 months to develop these programs. The balance of FY 2009-2010 has been spent developing schedules, issuing RFPs, and initiating the work necessary to address the 2010 MS4 Permit schedules.
- B. Implementation of the Water Quality Management Plan (WQMP) for new development in accordance with the October 2002 Permit. The Regional Water Quality Control Board – Santa Ana Region (SARWQCB) adopted the WQMP in October 2004. New developments were required to submit a project-specific WQMP for qualified new development and redevelopment projects effective on January 1, 2005. The District is developing additional BMP design guidance to standardize post-construction BMP selection and design in Riverside County. Ongoing updates to the handbook include a plan to incorporate low impact development (LID) design concepts. The first draft of this guidance is expected in July 2010.
- C. Continued participation in the Lake Elsinore/Canyon Lake Nutrient TMDL Task Force. The Task Force is formed of stakeholders regulated by the SARWQCB through the Lake Elsinore/Canyon Lake Nutrient TMDL (adopted December 17, 2004). The District also participates in another TMDL Task Force for the Reach 3 Santa Ana River Pathogen Indicator TMDL (adopted August 26, 2005). The purpose of both task forces is to implement joint requirements of the TMDLs and to address these impairments and implement the TMDLs.
- D. Continued offering of several municipal employee-training sessions to provide a general orientation of the Municipal Stormwater Program including topics such as stormwater regulations and permits, storage and disposal of hazardous materials, BMPs for parks and recreation activities, animal control facilities, vehicle and equipment cleaning, outdoor cleaning activities, pesticides/fertilizers, painting, dumpster areas, etc. to all Santa Ana Permittees' staff. Attendees included code enforcement and field maintenance staff, construction site inspectors, and personnel involved in conducting industrial/commercial

facility inspections. Training focused on compliance requirements and ordinance enforcement processes required by the October 2002 Municipal Stormwater Permit.

- E. Continued implementation of a 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 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.
- F. Completed a redesign of the District's NPDES website to improve its effectiveness, usability, and quality of information regarding MS4 compliance programs. The website provides pertinent information for Permittees, regulators, public and in-house personnel. A separate update is planned for the Public Education webpage.
- G. Participation in the California Stormwater Quality Association, including the leadership roles of Board Member, Legislative Chair and 2010 and 2011 Conference Chair and membership roles in the Monitoring Science, Pesticides and Construction Subcommittees.
- H. Continued participation in the Consolidated Program for Water Quality Monitoring (Consolidated Monitoring Program) in accordance with NPDES Permit requirements that includes collection of water quality samples at Municipal Separate Storm Sewer Systems (MS4) outfalls and Receiving Waters for a variety of constituents as well as coordinate monitoring efforts for the Canyon Lake/Lake Elsinore TMDL and for the Middle Santa Ana River TMDL development. The District is also coordinating the implementation of a new bioassessment monitoring program with the Stormwater Monitoring Coalition.
- I. Continued financial support for area-wide Stormwater Pollution Prevention Programs, including Hazardous Materials Response (HAZMAT) Team, the Household Hazardous Waste (HHW) collection events and "ABOP" (Anti-freeze, Batteries, Oil and Paint) program.
- J. Preparation of a comprehensive Annual Report to the Regional Board. The 2009 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.
- K. Promotion (advertising) of proper household hazardous waste disposal at special hazardous waste collection events and at the Pedley "ABOP" collection center through placement of numerous newspaper advertisements. Attending various community events to provide information and brochures on stormwater pollution prevention, recycling and proper disposal of household hazardous waste.
- L. Continued coordination with the Riverside-Corona Resource Conservation District to present the Stormwater Pollution Prevention Patrol Program in elementary school classrooms and conduct slide-show presentations on stormwater pollution prevention to local service clubs and civic groups.

- M. 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 reevaluating 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.
- N. Continued coordination with the Riverside-Corona Resource Conservation District to develop and present a series of Home Gardening Workshops at local nurseries and garden centers to promote alternatives to fertilizer and pesticide usage.
- O. Distribution of focused BMP Brochures targeting Construction Activities, Bank Stabilization, Pet Care, Restaurant/Food Service Industry, Automotive Service Industry, Outdoor Cleaning Activities and Industrial Facilities.
- P. 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.
- Q. Convened four Management Steering Committee meetings. The Management Steering Committee consists of the City Managers, Directors of Public Works and other essential municipal staff. The District's Chief Engineer chairs the Committee. 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.
- R. Participation in two thirty-minute episodes of "Greenworks" an environmental talk show aired on Channel 18 in the Desert and KVCR in western Riverside County.
- S. Developed a Curiosity Quest Goes Green episode in partnership with KVCR. The show is produced by KVCR, the local PBS affiliate. Total viewership was estimated at 500,000 within the market areas of Riverside, San Bernardino, and sections of Los Angeles and San Diego Counties.
- T. Participation in the development of the Orange County NPDES MS4 Permit for the Santa Ana and San Diego Regional Water Quality Control Boards.
- U. Coordinated with the Santa Ana Regional Board on the development of a new De-Minimus Discharge Permit and prepared a permit application for District facilities.
- V. Eliminated a sewer cross-connection to Box Springs Channel. As a follow up to bacteriodes monitoring conducted by the Middle Santa Ana River TMDL Task Force, the District and City of Riverside initiated an IC/ID investigation of the Box Springs Channel in January 2008 to identify any potential sources of human fecal contamination to the channel. During the investigation it was determined that the sewer line had been

inadvertently connected to a small Riverside Community College-owned storm drain tributary to the Box Springs Channel. The City and District worked with RCC to eliminate the cross connection and conduct necessary clean-up work. The work was finalized in January 2009.

## **PROGRAM / WORK ITEMS FOR FY 2010-2011**

The 2010 MS4 Permit significantly expands the compliance requirements that must be implemented by the Santa Ana Region Permittees. The 2010 MS4 Permit incorporates several new 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. The Permittees are also required to develop Permittee specific implementation manuals called Local Implementation Plans. The Local Implementation Plans describe the specific tools, processes, procedures and resources used by the Permittee to implement the DAMP. The Permittees generally have 18 months to develop these programs, with most being due on July 2011. Most resources in FY 2010-2011 will be spent working with selected consultant services providers, Permittees and District staff to conduct the work necessary to address the 2010 MS4 Permit. The District also continues to work with the Regional Board staff on the development of Total Maximum Daily Loads (TMDLs) for certain pollutants identified as causing impairment of beneficial uses in Canyon Lake, Lake Elsinore, 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, commenting on pending TMDLs for Canyon Lake, 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:

### **GENERAL CONSTRUCTION PERMIT**

A new General Construction Permit was adopted on September 2, 2009 and will become effective on July 1, 2010. The permit is exponentially more stringent than the previous Permit. The requirements of the new General Construction Permit have been incorporated into the 2010 MS4 Permit. The District is developing guidance memos and training for the Permittees. District NPDES staff are also revising contract specifications for District public works projects to assist with the transition to the new General Construction Permit requirements.

### **LID PROJECT**

The District has partnered with the Santa Ana Watershed Project Authority to obtain an approximately \$475,000 Proposition 13 grant to retrofit the District's headquarters with low impact development features and drought tolerant landscaping. The project is proposed to break ground during the Summer of 2010. The project will construct, test and evaluate a variety of integrated management practices (IMPs) that serve as hydraulic and hydrologic controls consistent with the low impact development planning and design approach.

The project will also provide a facility that can be used for demonstrating and evaluating the effectiveness of low impact development IMP techniques in southern California. The centralized

location is convenient for training residents, regulators, developers, municipal employees, engineers and other interested stakeholders from many southern California communities. Construction is expected to begin Summer 2010.

### **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 combined Santa Ana/Santa Margarita 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), program development and preparation of the Annual Report to the Regional Board. Development of the revised SA/SMR DAMP programs will be the most significant program management activity for FY 2010-2011. The District will also focus its efforts on identifying and commenting on statewide issues that affect local storm water 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. Major revisions to these programs that will be required by the 2010 MS4 Permit include enhancement to address TMDL and 303(d) listed pollutants associated with urban runoff. The programs currently include:

#### **Public Education**

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. 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.

#### **Training for Municipal Employees**

Municipal training programs 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. Training will be conducted specifically for construction inspection staff, industrial/commercial facilities inspection staff, municipal facilities maintenance staff, and staff responsible for new development/re-development project review.

#### **Hazardous Materials Emergency Spill Response**

Providing 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**

Providing financial support to the County Waste Management Department to support ongoing mobile Household Hazardous Waste (HHW) collection events and operation of the ABOP (Antifreeze, Batteries, used motor Oil, and latex Paint) program that provide local residents with opportunities to properly dispose of HHW.

### **Compliance Assistance Program**

Continuation of a partnership 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 will provide feedback through survey forms concerning the compliance status of commercial and industrial facilities to both 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 support of the Regional Board's TMDL development for Canyon Lake, Lake Elsinore, and Reach 3 of the Santa Ana River has resulted in additional demands being placed on the current Water Quality Monitoring Program. District staff will be meeting with Regional Board staff during this fiscal year to determine necessary changes to the program to address the 2010 MS4 Permit.

### **LEGAL AUTHORITY**

The 2010 MS4 Permit requires documentation of adequate legal authority to control the contribution of pollutants to the MS4, to enforce those authorities and to otherwise demonstrate capability to implement 2010 MS4 Permit requirements. In developing the DAMP updates, the District and Permittees may identify potential deficiencies in one or more of the Permittees current legal authorities. The District will continue to work with the Permittees to coordinate consistent programs, including the approach to enforcement of local stormwater quality and soil erosion ordinances. This will be achieved through development and implementation of regionally acceptable programs and enforcement procedures to be described in the revised DAMP. Each Permittee, including the District, will be required to provide their own certification of legal authority to the Regional Board.

### **NEW DEVELOPMENT**

Perhaps the most significant expansion of the compliance requirements in the new 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 include the expansion of project types subject to the WQMP, low impact development and hydromodification requirements, requirements to establish an urban runoff fund or water quality credit system for those projects that cannot implement low impact development, and development of a database and inspection program to track and ensure maintenance of structural post-construction BMPs.

To support the development of these requirements, the Permittees will have to conduct the following specific studies:

- GIS level mapping of stream segments in the Santa Ana Watershed to determine those streams that may be susceptible to hydromodification from new or existing development.
- Development of 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.

- Development of revised road standards for public works road projects. The 2010 MS4 Permit requires the Permittees to develop individual WQMPs for public road projects. This is problematic for a number of reasons, therefore, the Permittees negotiated an option to develop revised road standards in lieu of a WQMP requirement. This study would evaluate existing road standards, identify potential improvements to better address water quality, and develop those revised road standards.
- Development of a revised BMP design manual to incorporate low impact development concepts including infiltration and filtration BMPs, capture and re-use technologies and evapotranspiration.
- Development of updated project-specific WQMP templates and training to assist Permittees and developers with the transition to the new requirements.

These studies will be conducted during FY 2010-2011 to support the final requirements for the revised WQMP.

#### **LOCAL IMPLEMENTATION PLANS (LIPs)**

As part of the 2010 MS4 Permit, the Permittees must prepare and maintain a LIP that describes their compliance programs to implement the revised DAMP programs to address the 2010 MS4 Permit. The District has developed a LIP template for use by the Permittees. The initial template must be submitted for approval by the Executive Officer of the Santa Ana Regional Board by July 29, 2010. The Permittees must use the LIP template to prepare their individual LIPs within 12 months of approval. Additional LIP template modifications will be required when the DAMP is updated to incorporate additional new programs required by the 2010 MS4 Permit.

#### **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 (MSAR) Bacteria Indicator TMDL and the Lake Elsinore/Canyon Lake (LE/CL) 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 will either be based on a Comprehensive Bacteria Reduction Plan (CBRP) for the MSAR TMDL and a Comprehensive Nutrient Reduction Plan (CNRP) for the LE/CL TMDL (Reduction Plans) to be developed by the Permittees and approved by the Regional Board or the explicit numeric Waste Load Allocations that are prescribed for Urban Runoff in the respective TMDLs. The Reduction Plans are long term plans designed to achieve compliance with Waste Load Allocations for bacterial indicators (MSAR) and nutrients (LE/CL) established by the TMDLs. The Reduction Plans must describe, in detail, the specific actions that have been taken or will be taken to achieve compliance with the waste load allocations by December 31, 2015 and December 31, 2020, respectively. The District and Permittees will be working with consultants in order to develop the Reduction Plans over the next fiscal year.

### **ILLICIT CONNECTION/ILLEGAL DISCHARGE (IC/ID) PROGRAMS**

The 2010 MS4 Permit requires the expansion of the IC/ID Program and will require 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.

### **MUNICIPAL FACILITIES AND ACTIVITIES**

Continue to implement the provisions of the NPDES Permit's Municipal Facilities Strategy as described in the revised 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 2010-2011.**

## 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

**CRWQCB** - California Regional Water Quality Control Board

**CWA** – Clean Water Act

**District** – The 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.

**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

## **APPENDIX A**

### **Proposed NPDES Program Budget for FY 2010-2011**

**APPENDIX A**

**SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA  
PROPOSED NPDES PROGRAM BUDGET FOR FY 2010-2011**

<b>STAFFING</b>	
Staff Salaries	\$481,706
Staff Benefits	194,318
Other Pay (Standby/Shift Differential/Overtime)	<u>5,000</u>
<b>Subtotal</b>	<b>\$681,024</b>
 <b>ADMINISTRATION &amp; OVERHEAD</b>	
Administration & Overhead	\$290,550
County Counsel Services	10,000
Equipment Lease / Rental	0
Vehicle Mileage	12,490
Photocopying / Reproduction	29,600
Miscellaneous (Photography, Communications, Supplies, etc.)	<u>39,670</u>
<b>Subtotal</b>	<b>\$382,310</b>
 <b>GENERAL CONSULTANT SERVICES</b>	
Permit Compliance Assistance	\$1,192,000
LID Demonstration Facility Design	0
Benefit Assessment Services	<u>26,000</u>
<b>Subtotal</b>	<b>\$1,218,000</b>
 <b>PUBLIC EDUCATION PROGRAM</b>	
Education Program: Contract Services / Presentations	\$136,950
Education Program: Production / Materials / Media	<u>229,740</u>
<b>Subtotal</b>	<b>\$366,690</b>
 <b>WATER QUALITY MONITORING PROGRAM</b>	
Laboratory Services	\$277,085
SMC/SCWRP Regional Monitoring Program	25,000
Small Tools & Equipment	<u>54,500</u>
<b>Subtotal</b>	<b>\$356,585</b>
 <b>POLLUTION PREVENTION PROGRAMS</b>	
HAZMAT Response Team (Fire Dept.)	\$292,000
Household Hazardous Waste Program (Waste Management Dept.)	240,000
Compliance Assistance Program (Environmental Health Dept.)	66,600
Santa Ana WQS Workgroup	100,000
Contributions to other efforts	<u>42,216</u>
<b>Subtotal</b>	<b>\$740,816</b>
 <b>PROGRAM SUBTOTAL</b>	
	<b>\$3,745,425</b>
CONTINGENCY (10%)	<u>\$374,543</u>
Assessor's/Treasurer's Office Line Item Charges (\$0.57/parcel)	\$207,824
<b>TOTAL EXPENDITURES</b>	<b>\$4,327,792</b>
 <b>FUND BALANCE FROM FY 2009-2010 (est.)</b>	
	\$3,449,682
<b>PROJECTED REVENUE</b>	<u>\$2,228,000</u>
<b>CASH AVAILABLE</b>	<b>\$5,677,682</b>
<b>PROJECTED FUND BALANCE</b>	<b>\$1,349,890</b>

**APPENDIX B**

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

0596

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

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 *[Signature]*  
20 Chairman

21 ATTEST:  
22 GERALD A. MALONEY, Clerk

23 B. *[Signature]*  
24 DEPUTY

21 ////  
22 ////  
23 ////  
24 ////  
25 ////  
26 ////  
27 ////  
28 ////

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

14 Dated: 6/4/91

CLERK OF THE BOARD  
OF SUPERVISORS

(Seal)

By Bernie May  
Deputy

15  
16  
17  
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19  
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TJD:cm/db  
5/17/91  
ID #107C

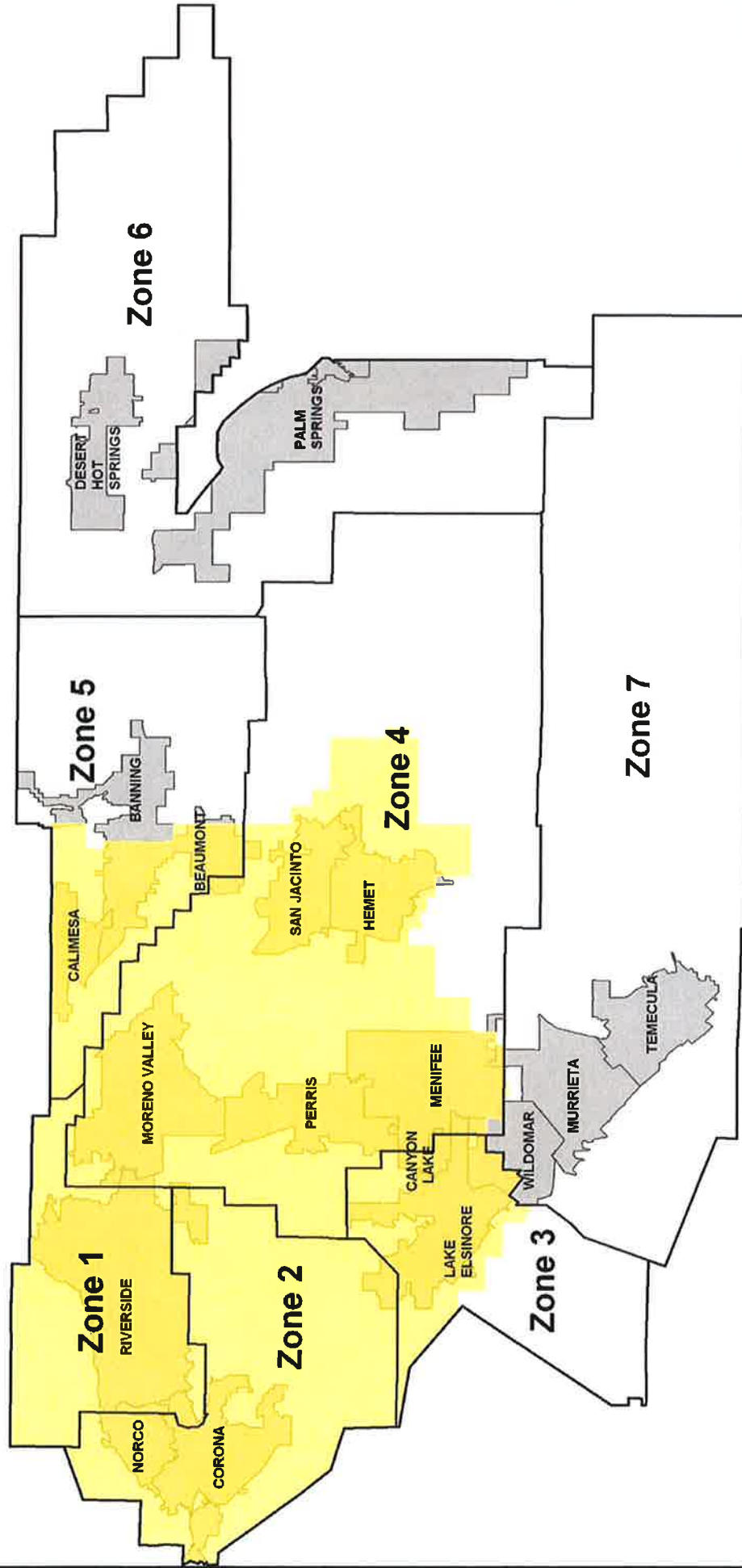
WILLIAM C. MATZENSTERN  
COUNTY COUNSEL  
SUITE 100  
1533 10TH STREET  
RIVERSIDE, CALIFORNIA

## **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

**APPENDIX D**

**FY 2010-2011 SAWBAA Assessment Roll  
(Under Separate Cover)**



**CERTIFICATE OF POSTING**

(Original copy, duly executed, must be attached to original at the time of filing)

I, Tiosha Ford / Board Assistant, do hereby certify that  
(NAME AND TITLE)

I am not a party to the within action or proceeding; that on  
7/1/2010, I posted a copy of the following  
(DATE)

document:

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF  
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION  
NPDES PROGRAM FOR THE SANTA ANA BENEFIT ASSESSMENT AREA**

by posting at: Clerk of the Board  
Riverside County  
4080 Lemon Street, 1<sup>st</sup> Floor  
Riverside, CA

Board Agenda Date: July 13, 2010

Tiosha Ford  
(SIGNATURE)

2010 07 -1 00 1:20

2010-07-101591

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS  
OF RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT ON THE NPDES BENEFIT ASSESSMENT PROGRAM FOR  
THE SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, acting as the governing board of the Riverside County Flood Control and Water Conservation District, County Administrative Center, 4080 Lemon Street, Riverside, California, on July 13, 2010 at 1:30 p.m., relative to the Flood Control Engineer's Report on the NPDES Program for the Santa Ana Watershed Benefit Assessment Area. The Board will hear and consider all protests with regard to the program, if any, including protests with regard to the amount of the proposed assessment to be levied. At the conclusion of the hearing, the Board may adopt, revise, change, reduce, or modify any assessment and shall make its determination upon each assessment described in the report for Fiscal Year 2010-11.

NOTICE IS FURTHER GIVEN that pursuant to statutory authorization, a written report by the Chief Engineer of the District describing the Benefit Assessment Program has been filed with the Clerk of the District's Board. The report contains a description of each parcel of property within the boundaries of the Santa Ana Watershed Benefit Assessment Area of the District on which a benefit assessment is proposed to be levied, and sets forth the amount of the proposed benefit assessment for each such parcel. The report contains a schedule of the benefit assessment rates for the 2010-11 fiscal year. Copies of the report, together with copies of the assessment rolls for the Santa Ana Watershed Benefit Assessment Area, and of the official Riverside County Assessor's Map Books, are on file and available for review by the public at the office of the Clerk of the District's Board, at the County Administrative Center, 4080 Lemon Street, Riverside, California, the District's office at 1995 Market Street, Riverside, California, the City Clerk's office at the City of Hemet, 445 E. Florida Avenue, Hemet, California, the City Clerk's office at the City of Corona, 400 S. Vicentia Avenue, Corona, California, and the City Clerk's office at the City of Lake Elsinore, 130 S. Main Street, Lake Elsinore, California. By reference to the Chief Engineer's report, the assessment rolls and the map books, each property owner may verify the area of his or her parcel, its land use, and the amount of the 2010-11 Benefit Assessment.

NOTICE IS FURTHER GIVEN THAT the proposed benefit assessment rate for Fiscal Year 2010-11 is the same benefit assessment rate as Fiscal Year 1996-97 and all subsequent years.

BY ORDER OF THE BOARD OF SUPERVISORS

Dated: 6/9/10

KECIA HARPER-IHEM  
Clerk of the District's Board

By Kecia Harper-Ihem  
Deputy

1070-1 6/11 1:28

FILED 2010



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

June 24, 2010

PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

EMAIL: [legals@pe.com](mailto:legals@pe.com)  
FAX: (951) 368-9018

**RE: NOTICE OF PUBLIC HEARING: SANTA ANA WATERSHED BENEFIT ASSESSMENT**

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **TWO (2) CONSECUTIVE TUESDAYS: June 29 and July 6, 2010.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*McGil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

## Gil, Cecilia

---

**From:** PE Legals [legals@pe.com]  
**Sent:** Thursday, June 24, 2010 8:09 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: SANTA ANA WATERSHED BENEFIT

**Received for publication on June 29 and July 6**

*Thank You! ~Maria G. Tinajero ▪ The Press Enterprise Legal Adv. ▪ 1.800.880.0345 (Phone) ▪ 951.368.9018 (fax) ▪ Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.*

---

**From:** Gil, Cecilia [mailto:CCGIL@rcbos.org]  
**Sent:** Thursday, June 24, 2010 7:34 AM  
**To:** PE Legals  
**Subject:** FW: FOR PUBLICATION: SANTA ANA WATERSHED BENEFIT

Hello....Attached is a Notice of Public Hearing for publication on 2 Tuesdays: June 29 and July 6, 2010. Please confirm.  
THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

***THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.***  
**PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS  
OF RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT ON THE NPDES BENEFIT ASSESSMENT PROGRAM FOR  
  
THE SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, acting as the governing board of the Riverside County Flood Control and Water Conservation District, County Administrative Center, 4080 Lemon Street, Riverside, California, on **Tuesday, July 13, 2010 at 1:30 p.m.**, relative to the Flood Control Engineer's Report on the NPDES Program for the Santa Ana Watershed Benefit Assessment Area. The Board will hear and consider all protests with regard to the program, if any, including protests with regard to the amount of the proposed assessment to be levied. At the conclusion of the hearing, the Board may adopt, revise, change, reduce, or modify any assessment and shall make its determination upon each assessment described in the report for Fiscal Year 2010-11.

NOTICE IS FURTHER GIVEN that pursuant to statutory authorization, a written report by the Chief Engineer of the District describing the Benefit Assessment Program has been filed with the Clerk of the District's Board. The report contains a description of each parcel of property within the boundaries of the Santa Ana Watershed Benefit Assessment Area of the District on which a benefit assessment is proposed to be levied, and sets forth the amount of the proposed benefit assessment for each such parcel. The report contains a schedule of the benefit assessment rates for the 2010-11 fiscal year. Copies of the report, together with copies of the assessment rolls for the Santa Ana Watershed Benefit Assessment Area, and of the official Riverside County Assessor's Map Books, are on file and available for review by the public at the office of the Clerk of the District's Board, at the County Administrative Center, 4080 Lemon Street, Riverside, California, the District's office at 1995 Market Street, Riverside, California, the City Clerk's office at the City of Hemet, 445 E. Florida Avenue, Hemet, California, the City Clerk's office at the City of Corona, 400 S. Vicentia Avenue, Corona, California, and the City Clerk's office at the City of Lake Elsinore, 130 S. Main Street, Lake Elsinore, California. By reference to the Chief Engineer's report, the assessment rolls and the map books, each property owner may verify the area of his or her parcel, its land use, and the amount of the 2010-11 Benefit Assessment.

NOTICE IS FURTHER GIVEN THAT the proposed benefit assessment rate for Fiscal Year 2010-11 is the same benefit assessment rate as Fiscal Year 1996-97 and all subsequent years.

Please send all written correspondence to:

Clerk of the Board  
4080 Lemon Street, 1st Floor  
Post Office Box 1147  
Riverside, Ca 92502-1147

Dated: June 24, 2010

Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

① REMITTANCE ADDRESS  
 POST OFFICE BOX 12009  
 RIVERSIDE, CA 92502-2209  
 FAX (951) 368-9026

① BILLING PERIOD 07/06/10 - 07/06/10  
 ② BILLING DATE 07/06/10  
 ③ TOTAL AMOUNT DUE 362.50  
 ② ADVERTISING/CLIENT NAME BOARD OF SUPERVISORS  
 FOR BILLING INFORMATION CALL (951) 368-9713  
 \* UNAPPLIED AMOUNT ②  
 ④ PAGE NO 1  
 TERMS OF PAYMENT Due Upon Receipt

⑥ BILLED ACCOUNT NAME AND ADDRESS  
 BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE  
 P.O. BOX 1147  
 RIVERSIDE CA 92502

⑥ BILLED ACCOUNT NUMBER 045202 | REP NO LE04

Statement #: 56549995 Amount Paid \$ \_\_\_\_\_ Your Check # \_\_\_\_\_

**PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE**

⑩ DATE	⑪ REFERENCE	⑫ ⑬ ⑭ DESCRIPTION-OTHER COMMENTS/CHARGES	⑮ ⑯ UNIT SIZE ⑮ BILLED UNITS	⑰ RATE	⑱ GROSS AMOUNT	⑲ NET AMOUNT
06/29	4202801 CO	PH SANTA ANA WATERSHED BENEFIT Class : 10 Ctext Ad# 10312553 Placed By : Cecilia Gil	145 L	1.30		188.50
07/06	4202801 CO	PH SANTA ANA WATERSHED BENEFIT Class : 10 Ctext Ad# 10312553 Placed By : Cecilia Gil	145 L	1.20		174.00

*Flood  
 11-2 of 06/29/10  
 1 hr*

RECEIVED RIVERSIDE COUNTY  
 CLERK/BOARD OF SUPERVISORS  
 2010 JUL 13 PM 3:16

⑳ *CURRENT NET AMOUNT DUE	㉑ 30 DAYS	㉒ 60 DAYS	㉓ OVER 90 DAYS	* UNAPPLIED AMOUNT	㉔ PLEASE PAY THIS AMOUNT
					362.50

THE PRESS-ENTERPRISE  P.O. BOX 12009  
 RIVERSIDE, CA 92502-2209  
 TELEPHONE (951) 368-9711  
 (951) 368-9720 □ (951) 368-9713

**ADVERTISING STATEMENT/INVOICE**

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE



⑳ STATEMENT NUMBER	㉑ BILLING PERIOD	㉒ BILLED ACCOUNT NUMBER	㉓ ADVERTISER/CLIENT NUMBER	㉔ ADVERTISER/CLIENT NAME
56549995	07/06/10 - 07/06/10	045202		BOARD OF SUPERVISORS

7/13/10 11.2

# THE PRESS-ENTERPRISE

3450 Fourteenth Street  
Riverside CA 92501-3878  
951-684-1200  
951-368-9018 FAX

**PROOF OF PUBLICATION  
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: PH Santa Ana Watershed Benefit

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

06-29-10  
07-06-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Jul. 6, 2010  
At: Riverside, California

Natalie Viola

BOARD OF SUPERVISORS

P.O. BOX 1147  
COUNTY OF RIVERSIDE  
RIVERSIDE CA 92502

Ad #: 10312553

PO #:

Agency #: \_\_\_\_\_

Ad Copy:

**NOTICE OF PUBLIC HEARING BEFORE THE  
BOARD OF SUPERVISORS OF RIVERSIDE  
COUNTY FLOOD CONTROL AND WATER CONSER-  
VATION DISTRICT ON THE NPDES BENEFIT AS-  
SESSMENT PROGRAM FOR THE SANTA ANA  
WATERSHED BENEFIT ASSESSMENT AREA**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, acting as the governing board of the Riverside County Flood Control and Water Conservation District, County Administrative Center, 4080 Lemon Street, Riverside, California, on Tuesday, July 13, 2010 at 1:30 p.m., relative to the Flood Control Engineer's Report on the NPDES Program for the Santa Ana Watershed Benefit Assessment Area. The Board will hear and consider all protests with regard to the program, if any, including protests with regard to the amount of the proposed assessment to be levied. At the conclusion of the hearing, the Board may adopt, revise, change, reduce, or modify any assessment and shall make its determination upon each assessment described in the report for Fiscal Year 2010-11.

NOTICE IS FURTHER GIVEN that pursuant to statutory authorization, a written report by the Chief Engineer of the District describing the Benefit Assessment Program has been filed with the Clerk of the District's Board. The report contains a description of each parcel of property within the boundaries of the Santa Ana Watershed Benefit Assessment Area of the District on which a benefit assessment is proposed to be levied, and sets forth the amount of the proposed benefit assessment for each such parcel. The report contains a schedule of the benefit assessment rates for the 2010-11 fiscal year. Copies of the report, together with copies of the assessment rolls for the Santa Ana Watershed Benefit Assessment Area, and of the official Riverside County Assessor's Map Books, are on file and available for review by the public at the office of the Clerk of the District's Board, at the County Administrative Center, 4080 Lemon Street, Riverside, California, the District's office at 1995 Market Street, Riverside, California, the City Clerk's office at the City of Hemet, 445 E. Florida Avenue, Hemet, California, the City Clerk's office at the City of Corona, 400 S. Vicentia Avenue, Corona, California, and the City Clerk's office at the City of Lake Elsinore, 130 S. Main Street, Lake Elsinore, California. By reference to the Chief Engineer's report, the assessment rolls and the map books, each property owner may verify the area of his or her parcel, its land use, and the amount of the 2010-11 Benefit Assessment.

NOTICE IS FURTHER GIVEN THAT the proposed benefit assessment rate for Fiscal Year 2010-11 is the same benefit assessment rate as Fiscal Year 1996-97 and all subsequent years.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, Ca 92502-1147

Dated: June 24, 2010

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

6/29, 7/6

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