

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



ITEM: 11.2
(ID # 12963)

MEETING DATE:
Tuesday, July 14, 2020

FROM: FLOOD CONTROL DISTRICT AND General Manager-Chief Engineer:

SUBJECT: FLOOD CONTROL DISTRICT: PUBLIC HEARING - Adopt Resolution F2020-14 Confirmation of the FY 2020-21 Benefit Assessments for the Santa Ana Watershed, Districts 1, 2, 3 and 5. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Conduct the public hearing concerning the Engineer's Report on the National Pollutant Discharge Elimination System Program for the Santa Ana Watershed Benefit Assessment Area, dated July 2020; and
2. If at the conclusion of the hearing a majority protest has not been received, adopt the following Resolution: Resolution No. F2020-14 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.

ACTION: Policy, Clerk to Advertise

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG 6/26/2020

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: July 14, 2020
xc: Flood

Kecia R. Harper
Clerk of the Board

By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment: N/A	
			For Fiscal Year: 20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Ordinance No. 14 controls the District's procedures and implementation of the various Benefit Assessments within the County of Riverside. Article IV, Section 4, of Ordinance No. 14, requires the Board of Supervisors to hold a public hearing on the Benefit Assessment, and after considering all testimony presented, to confirm, revise, change, reduce or modify the assessment and thereafter confirm by resolution the final assessment. All of the requirements of District Ordinance No. 14 providing for the establishment and levy of the Fiscal Year 2020-21 Benefit Assessments have been satisfied; therefore, the public hearing may be closed and the assessments levied.

Impact on Residents and Businesses

The financial impact to property owners is outlined in the Engineer's Report and Benefit Assessment Tax Rolls. The proposed benefit assessment rate for Fiscal Year 2020-21 is \$3.75 per Benefit Assessment Unit; this is equal to the Benefit Assessment that was enrolled and levied for Fiscal Year 1996-97 and all subsequent years.

ATTACHMENTS

1. SA BA Engineer's Report FY 2020-21
2. SA BA Resolution No. F2020-14

CW:cw
MT #12963
P8/231049


Jeanine Rey, Finance Director

6/25/2020


Jason Farin, Principal Management Analyst

7/7/2020


Gregory J. Priaplos, Director County Counsel

7/1/2020

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST 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

2020-0348134

08/03/2020 01:47 PM Fee: \$ 0.00

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Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



368

THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. F2020-14

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 & Water Conservation District ~ Item 11.3 of 07/14/2020)

11.2

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2020-14

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

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

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

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

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

07.14.2020 11.2

FORM APPROVED COUNTY COUNSEL
BY: AKS 5/7/20
AARON C. GETTIS DATE

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

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

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

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

13 **WHEREAS**, the Benefit Assessment proposed to be levied and enrolled for the 2020-21
14 Fiscal Year is not greater than the Benefit Assessment that was levied for the 1996-97 Fiscal Year
15 and all subsequent years;

16 **WHEREAS**, at a duly noticed hearing as required by Ordinance No. 14, the Board heard
17 and considered all protests with respect to the amount of the Benefit Assessment to be levied for
18 the 2020-21 Fiscal Year.

19 **NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the
20 Board of Supervisors of the Riverside County Flood Control and Water Conservation District,
21 County of Riverside, State of California, in regular session assembled on July 14, 2020 as follows:

22 Section 1. The above recitals are true and correct.

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

26 Section 3. That the Board does hereby make its determination upon each parcel in the
27 Benefit Assessment Area as described in the Engineer's Report entitled "Engineer's Report to the
28 Board of Supervisors of the Riverside County Flood Control and Water Conservation District on

1 the NPDES Program for the Santa Ana Watershed Benefit Assessment Area" ("Engineer's
2 Report"), dated July 2020, filed with the Board pursuant to Ordinance No. 14, and that the Board
3 does hereby confirm each and all Benefit Assessments on such parcels and thereby levies a Benefit
4 Assessment in the Benefit Assessment Area of the District for the Fiscal Year 2020-21 at a rate of
5 \$3.75 per benefit assessment unit.

6 Section 4. Pursuant to Section 5(a) of Article XIID, compliance with the procedures set
7 forth in Section (4) of Article XIID is not necessary and there will be no increase in the Benefit
8 Assessment to be enrolled for the 2020-21 Fiscal Year over the Benefit Assessment enrolled for
9 the 1996-97 Fiscal Year and all subsequent years.

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

14
15 ROLL CALL:

16 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
17 Nays: None
18 Absent: None

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

21 Kecia R. Harper, Clerk of said Board

22 By *Aurilla Rasso*
Deputy



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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 2020

Jason Uhley
General Manager-Chief Engineer



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APPENDICES

- APPENDIX A – Proposed NPDES Program Budget (FY 2020-21)**
- APPENDIX B – RCFC&WCD Ordinance No. 14 (May 14, 1991)**
- APPENDIX C – Map of Santa Ana Watershed Benefit Assessment Area (SAWBAA)**
- APPENDIX D – SAWBAA Assessment Roll (FY 2020-21)**
(Under Separate Cover)

INTRODUCTION

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

The Riverside County Flood Control and Water Conservation District's (District) service area encompasses portions of three major watersheds: the Santa Ana River, Santa Margarita River, and Whitewater River watersheds. The discharge of stormwater from MS4s within each of these three watersheds is regulated pursuant to an NPDES MS4 Permit (NPDES MS4 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 River Watershed, the District, along with the County of Riverside (County) and the Cities of Beaumont, Corona, Hemet, Lake Elsinore, Moreno Valley, Norco, Perris, Riverside, and San Jacinto, obtained an "early"¹ NPDES MS4 Permit from the CRWQCB - Santa Ana Region (Regional Board) on June 1, 1990. The Regional Board added the then newly incorporated Cities of Calimesa and Canyon Lake to the NPDES MS4 Permit on June 10, 1992. This first NPDES Permit 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.

Each permit renewal has required the Permittees to further develop programs to effectively prohibit non-stormwater discharges into the MS4 systems and to reduce the amount of pollutants to the Maximum Extent Practicable (MEP). Below is a table that shows the permit renewal history.

Table 1- Riverside County Permit History in the SAR

<u>Permit Term</u>	<u>Order No.</u>	<u>Date Adopted</u>	<u>Date Expired</u>
First (1990-1995)	90-104	June 1, 1990	June 1, 1995
Second (1996-2001)	96-30	March 8, 1996	March 1, 2001
Third (2002-2007)	R8-2002-0011	October 25, 2002	October 25, 2007
Fourth (2010-2015)*	R8-2010-0033	January 29, 2010	January 29, 2015

*The 2010 MS4 Permit is expired but has been administratively extended until a new MS4 permit is adopted.

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

From 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 that are both cost-effective and acceptable to the public.

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 and implementation of identified stormwater management activities required by each permit. **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.

As Principal Permittee, the District is required to take a lead role, and implement area-wide management programs and related plans, as required by the 2010 MS4 Permit². As such, the costs of the District's various NPDES Permit compliance activities fluctuate from year to year. Although some expenses do not change significantly on a yearly basis, certain costs are cyclical (e.g., preparing ROWDs and negotiating Permit provisions), while expenses associated with collecting water samples and performing laboratory analysis may vary according to the amount of rainfall occurring in a given year or in response to certain information requests from the Regional Board. Costs associated with the development, production and distribution of public education materials are not always incurred on a Fiscal Year (FY) basis. Occasionally, additional consultant and/or legal 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.

The regulation and management of stormwater runoff is a topic of increasing interest among the public, municipalities, regulatory authorities, and legislators. Although new laws and/or regulations could result in changes to the assessment rate in future years, **the proposed assessment rate for FY 2020-21 is equal to or less than the assessment rate that has been levied since FY 1996-97.**

² Section III.A, Order No. R8-2010-0033

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 Act³. The amount of benefit is computed based upon parcel size (acreage) and 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, industrial and commercial properties typically generate more stormwater runoff and higher pollutant loads on a per acre basis. Thus, industrial/commercial 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 exempted 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 2019-20)

In July 2019, the District's Board of Supervisors confirmed a benefit assessment rate for FY 2019-20 of \$3.75 per BAU. Following is a summary of FY 2019-20 assessments:

Rate	Billed Parcels	BAUs	Assessments	Corrections	Amount Paid⁽²⁾⁽³⁾
\$3.75	392,205	714,609	\$2,677,849 ⁽¹⁾	\$0	\$2,420,762

⁽¹⁾ Amount reflects actual total assessments on all parcels. Total may vary due to rounding.

⁽²⁾ Through May 26, 2020 provided by the County of Riverside Auditor-Controller.

⁽³⁾ Includes payments received for direct billed parcels.

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.

³ "District Act" means the Riverside County Flood Control and Water Conservation District Act, Statutes 1945, Chapter 1122, as amended; California Water Code, Appendix, Chapter 48.

RECOMMENDED BENEFIT ASSESSMENT RATES (FY 2020-21)

The District recommends that for FY 2020-21, the SAWBAA assessment rate remains 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	Industrial/Commercial	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.

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

The projected revenue for FY 2020-21 using the proposed benefit assessment rate of \$3.75 per BAU is as follows:

Rate	Parcels ⁽¹⁾	BAUs	Assessment ⁽¹⁾⁽²⁾	Projected Revenue ⁽³⁾
\$3.75	392,205	714,609	\$2,677,881	\$2,543,987

⁽¹⁾ Based on FY 2019-20 Assessor's information.

⁽²⁾ Totals may vary due to rounding.

⁽³⁾ Assumes a 5.0% delinquency rate.

The projected revenue along with a portion of the end of year balance from FY 2019-20 will fund the District's NPDES Stormwater Management Program activities for the Santa Ana Watershed area in FY 2020-21. The proposed FY 2020-21 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 maintain a modest fund balance since the benefit assessments were first levied in FY 1991-92. The District is maintaining the current assessment rate while sustaining required expenditure levels that are slightly above projected revenues, which should gradually reduce the fund balance. It should also be noted that the current trend in California is towards more stringent regulation of municipal stormwater runoff. Thus, it is expected that the District's NPDES Permit compliance costs will increase over the coming years.

ASSESSMENT ROLL

The SAWBAA Assessment Roll provides a listing by Assessor's Parcel Number of the proposed FY 2020-21 Benefit Assessment to be levied on each parcel of property in the SAWBAA. The Assessment Roll is identified as Appendix D and incorporated herein by this reference. This Engineer's Report, along with the SAWBAA Assessment Roll, will be placed at the following locations for review by the public:

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

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

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

City of Hemet
445 East Florida Avenue
Hemet, CA 92543

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

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

NPDES PROGRAM HIGHLIGHTS (FY 2019-20)

For the year ending June 30, 2020, the following major tasks and activities were accomplished in compliance with the 2010 Santa Ana River MS4 Permit:

- A. The District continued implementing and assisting the Permittees with implementing the Drainage Area Management Plan (DAMP), Watershed Action Plan (WAP), the Water Quality Management Plan (WQMP) guidelines and template, the Low Impact Development Best Management Practice Design Handbook (LID BMP Handbook), the California Stormwater Quality Association Best Management Practices Handbooks (CASQA BMP handbooks), and the local and regional components of the Permit. The DAMP, WAP, WQMP, LID BMP Handbook, and CASQA BMP Handbooks assist Permittees in satisfying the Permit requirements. The Permit and links to these documents are available on the District's NPDES website: <http://content.rcflood.org/NPDES/SantaAnaWS.aspx>.
- B. The District developed a Geographical Information System (GIS) based database to track mandated inspections of industrial and commercial facilities. The Cities of Beaumont, Eastvale, and Jurupa Valley are participating in this project for industrial/commercial inspections.
- C. The District continued participation in the Lake Elsinore/Canyon Lake (LE/CL) Nutrient TMDL Task Force. The Task Force is comprised of stakeholders regulated by the Regional Board through the LE/CL Nutrient TMDL (LE/CL TMDL), which was adopted in 2004. The Permittees utilized the LE/CL TMDL Task Force to implement the approved Comprehensive Nutrient Reduction Plan (CNRP) which includes an alum treatment project for Canyon Lake, as well as continued funding for the Lake Elsinore Aeration and Mixing System. On August 29, 2017, the District executed an extension to the LE/CL TMDL agreement to June 30, 2020 with an option to extend an additional two years to June 30, 2022. The LE/CL TMDL Task Force is anticipating Regional Board, State Board, Office of Administrative Law and the United States Environmental Protection Agency approval of the revised LE/CL TMDL.
- D. The District continued participation in the Middle Santa Ana River Pathogen Indicator TMDL (MSAR TMDL) Task Force. The MSAR TMDL agreement expired on December 31, 2017 however, it has been extended for an additional five (5) years and will expire on December 31, 2022.
- E. The Permittees utilized the MSAR TMDL Task Force Agreement to facilitate the hiring of a consultant to aid in the development of the approved 2012 Comprehensive Bacteria Reduction Plan (CBRP) for those Permittees named in the TMDL within Riverside County. The CBRP is in the implementation phase and will be updated as necessary once a new MS4 Permit is approved.
- F. Permittees identified locations that are suitable to implement structural Best Management Practices (BMPs) to manage dry weather flows and reduce bacterial indicators in downstream waters as part of the CBRP. The District continued to work on the proposed Eastvale MDP Lines D and E, and Phoenix Avenue Storm Drain dry weather flow sewer diversions to help eliminate bacteria contributions to the MSAR in partnership with other agencies. Design for the Phoenix Avenue Storm Drain project was completed, and

construction is anticipated to be finished by end of 2020. Continued discussions with Jurupa Services Community District along with follow up monitoring and sewer capacity assessments has concluded dry weather flow sewer diversion projects are feasible for both Eastvale MDP Lines D and E.

- G. The District participated in the Stormwater Quality Standards Task Force. The Task Force has developed the necessary information to amend the Santa Ana Basin Plan to include a high flow suspension of REC-1 uses, and also revise designated uses for selection of waterbody segments where a Use Attainability Analysis was completed. Following Regional Board, State Board, and the Office of Administrative Law (OAL) approval in 2015, EPA Region IX issued a decision letter approving parts of the amendments for the Basin Plan. Approval of this Basin Plan Amendment by EPA successfully brought to completion and conclusion of the Stormwater Quality Standards Task Force. The Basin Plan Amendments (BPA) requires establishment of a comprehensive monitoring program to support implementation of the changes to the Basin Plan for the entire Santa Ana Basin. The Regional Water Quality Monitoring Task Force was then established in order to develop a Regional Bacteria Monitoring Plan (RMP) to fulfill these monitoring and surveillance requirements of the BPA as well as continue to conduct sampling to support implementation of the MSAR Bacterial Indicator TMDL. The District is one of the stakeholders of this Task Force. The RMP prioritizes monitoring activities in waterbodies where significant recreational use frequently occurs, posing a greater potential risk to public health, by categorizing inland surface waters into Tiers and associated monitoring priority classifications.
- H. The District continued identifying and tracking impending draft policies and proposed legislation to inform regulators, policy makers, and the Permittees of potential impacts to the Permit program or to any of its specific components.
- I. The District continued participation in the Santa Ana "One Water One Watershed" (OWOW) planning process which focuses on establishing regional solutions for water problems within the Santa Ana Watershed and is intended to develop linkages between all water interests. The objective of OWOW is to encourage and secure resources for the development of multi-benefit projects that use resources and expertise from across disciplines. The Santa Ana Watershed Project Authority (SAWPA) is the administrator of the OWOW planning process.
- J. District staff participated in the Santa Ana River Watershed Ambassador Program hosted by SAWPA and the Local Government Commission. This program is intended for policy makers, city/county staff and other civic leaders to connect with regional leaders, learn how California's drought, fire and flood cycle impacts water and land-use decisions as well as strategizing innovative solutions to their community's water challenges.
- K. The District continued to chair the Santa Ana Technical Advisory Committee, which is comprised of Permittees, members of the Regional Board staff, and interested parties. The Permittees coordinate their Urban Runoff management activities to work toward achieving the greatest protection of Receiving Water quality. This committee serves as a forum to effectively disseminate information, discuss regional and statewide program issues, and plan and coordinate Permittee actions to achieve compliance with the 2010 MS4 Permit.

- L. The District continued support to the Permittees' Management Steering Committee (MSC) meetings, which consist of the Permittee's City Managers, Directors of Public Works, and other essential municipal staff. The MSC is a Permit requirement, which was established to address urban runoff management policies for the permit area, and coordinate the review and necessary revisions to the Drainage Area Management Plan (DAMP), Implementation Agreement, and development of the WQMP. In addition, the MSC facilitates coordination with related water quality management programs and monitoring. It also responds to new legislative and regulatory initiatives.
- M. The District continued financial support to area-wide stormwater pollution prevention programs, including the Household Hazardous Waste (HHW) temporary and permanent collection events and the "ABOP" (Anti-freeze, Batteries, Oil, and Paint) Program.
- N. The District developed, prepared, and submitted a comprehensive District Annual Report and Annual Progress Report to the Regional Board.
- O. The District continued to utilize its award-winning LID research campus to test and demonstrate stormwater capture, management, and treatment using various LID practices. The centralized location of the District's LID research campus has served to educate residents, regulators, developers, municipal employees, engineers, local and foreign delegates, and other interested stakeholders throughout Southern California. Since its completion, District staff have provided numerous informational project tours and retrofitted its bioretention basin BMP.
- P. The District continues to review and update the LID BMP Design Manual, which is focused on landscape-based BMPs and infiltration BMPs capable of addressing identified water quality impairments in the Santa Ana Watershed. The LID BMP Design Manual is available on the District's website.
- Q. The District and the Permittees convened a Land Development Subcommittee to exchange ideas and experiences on various land development topics and propose revisions to the WQMP, of which a revised WQMP version was submitted to the Regional Board in November 2019.
- R. The District continued implementation of the Hydromodification Management Plan (HMP) Evaluation Program including completion of field surveying, GIS metrics, and field observations.
- S. The District continued collection and analysis of water quality samples in accordance with the Permit's Monitoring and Reporting Program (MRP) via the Consolidated Monitoring Program (CMP) for water quality monitoring. The District's CMP includes the procedures for collecting and analyzing water quality samples at MS4 outfalls and from the receiving water stations within the Santa Ana Watershed during dry and wet weather events. These procedures encompass the requirements for sample handling, managing stormwater data, implementing and ensuring data quality control, laboratory and contractor obligations, and maintaining accurate reporting. Through the implementation of the procedures and standards described in the CMP, the District successfully facilitates a monitoring program to comply with the Permit's MRP.

- T. The CMP for water quality monitoring describes the monitoring efforts that will be implemented to comply with the County's three MS4 Permits. The Santa Ana Region Monitoring Plan (CMP Volume IV) was updated in January 2020. The SAR Monitoring Program includes specific procedures for collection and analysis of water quality samples at MS4 outfalls and receiving waters sites for a variety of constituents. The CMP also makes reference to other monitoring efforts that are implemented within the SAR, such as the LE/CL TMDL, MSAR TMDL, Hydromodification Monitoring, LID Monitoring, and participation in the Regional Watershed Monitoring through membership with the Southern California Stormwater Monitoring Coalition (SMC). These additional monitoring components and Special Studies have stand-alone work plans that have been developed and approved for these components independently of the CMP.
- U. The District's monitoring group utilizes the GIS field data collection tool called Survey123. The electronic interface allows field crews to record data quickly in the field for other personnel to efficiently compile, review, filter, and analyze entries. This information is readily uploaded into the District's water quality database and checked for completeness and accuracy.
- V. The District continued participation in the SMC on behalf of the Co-Permittees. The SMC is a multi-regional monitoring consortium of Southern California agency members, namely, comprised of Southern California Phase 1 Municipal NPDES Permit holders whose focus is developing effective, meaningful stormwater quality monitoring techniques. The goal of the SMC is to develop the technical information necessary to better understand stormwater mechanisms and impacts and then develop the tools that will effectively and efficiently improve stormwater decision-making. The SMC develops and funds cooperative projects to improve the knowledge of stormwater quality management and reports on the progress of those projects on an annual basis (<http://socalsmc.org/>).
- W. Recognizing that collaboration is foundational to the SMC's enduring success, the original SMC master agreement was signed in 2000 and has been renewed three times since (i.e., 2009, 2015, and 2019) providing the formal framework for the coalition's interactions and the ability to add a long-term research perspective to management needs. SMC member agencies received the benefit of shared resources as collaborative projects can reduce costs by more than 90% relative to financing alone for the large-scale region-wide efforts. In addition, the majority of projects often have non-member agency cost sharing. SMC member agencies have leveraged over 70% of this cost by cost sharing in-kind services or outside grants. The coalition has funded more than 30 research projects valued at \$18 million underscoring the value of collaborative research. The newest master agreement was signed in October 2019 and spanning five years. Under the newest agreement, the SMC executive steering committee has called for the development of a forward-looking research agenda that can guide the SMC's priorities and directions through 2024. To date, the District has served as SMC Vice-Chair, on the Executive Steering Committee, on the Regional Bioassessment Survey Technical Subcommittee, and on the SMC California LID Evaluation and Analysis Network Technical Subcommittee.
- X. The District continued coordination with the SMC on a five-year southern California bioassessment monitoring program. The SMC regional monitoring program was created in response to the need for a more holistic and coordinated approach for gathering information about the health of streams in southern California both for compliance purposes and data-sharing purposes as streams are an important natural resource. The

study is designed to answer questions essential to watershed management. Answering these questions at the regional scale provides resource managers with the ability to contextualize their programs and improve understanding of the effectiveness of management actions, prioritization of streams most in need of protection, and identification of stressors that are likely to pose the greatest risk to stream health. Based on the findings and lessons learned from the 2009-2013 and 2015-2019 regional monitoring efforts, a revised study design will be developed for 2020-2024. Four stations are being monitored for the bioassessment in SAR, for meeting both the bioassessment requirement and jointly demonstrating participation in the SMC per the requirements of the 2010 Permit. Moving forward, the SMC is starting the planning process for the next cycle of regional monitoring as based on lessons learned from the prior study periods.

- Y. The District continued participating in the California Stormwater Quality Association (CASQA). On behalf of California stormwater permittees, CASQA advances sustainable stormwater management protective of California water resources. It is made possible by the network of highly engaged professionals, which make up its member association dedicated to the CASQA Strategic Plan and organization goals. CASQA members participate through subject-specific subcommittee collaboration, education, development of implementation guidance, shared expertise, regulatory review, and scientific assessment. CASQA assists California's stormwater Permittees in developing, implementing, and maintaining effective stormwater quality management programs. To date, District staff has served on its Board of Directors, Executive Program Committee, Legislative Subcommittee, Monitoring and Science Subcommittee, Policy and Permitting Subcommittee, Best Management Practices (BMPs) Subcommittee, and Pesticides Subcommittee.
- Z. The District continued participation in the CASQA Pesticides Subcommittee. This subcommittee is tasked with facilitating changes to state and federal pesticide regulations that could potentially improve processes for evaluating the environmental impacts of new pesticides on receiving waters. It is also focused on changing labeling and use requirements for existing pesticides, such as pyrethroids. This subcommittee has collaborated with the Water Boards in a coordinated statewide effort, referred to as the Urban Pesticides Pollution Prevention Partnership. The goal is to address the impacts of pesticides efficiently and proactively through the statutory authority of the Department of Pesticide Regulation and EPA's Office of Pesticide.
- AA. The District continued presentation of bi-annual municipal employee stormwater training programs. These training classes focus on the requisite knowledge for properly implementing the DAMP and WQMP, and address Permittee functions such as development planning, municipal activities, industrial/commercial inspections, and construction inspections. Part of the fall and spring training classes were held in-person within the Santa Ana Region in order to provide close proximity to the Permittees. The District began implementation of an online training program to allow for a more cost effective and convenient training platform.
- BB. The District continued providing stormwater pollution prevention education and outreach by conducting educational presentations in local elementary schools throughout the County; participating in the annual Date Festival; supporting Permittee-sponsored community events such as Earth Day and distributing BMP brochures addressing pollution prevention, recycling, proper disposal of household hazardous waste, runoff from

construction activities, pet care, swimming pool discharges, jacuzzi and garden fountain maintenance, septic tank upkeep, professional mobile services, landscape and gardening activities, over-irrigation tips, the "Do's and Don'ts" of outdoor cleaning, and proper housekeeping practices for automotive facilities, restaurants, and commercial/industrial facilities.

- CC. The District continued to chair the Public Education Strategic Taskforce. Meetings include Permittee representation from the Santa Ana, Santa Margarita, and Whitewater watersheds to review elements of regional public education programs and program materials.
- DD. The District's five-year Riverside County Watershed Protection Program Public Education Strategic Plan, applies community based social marketing-based approaches to the issue of eliminating dry weather runoff arising from excess irrigation runoff including the creation of a door hanger as well as updating the Riverside County Watershed Protection Program website to display a new Overwatering webpage meant to educate residents, HOA's and businesses on the prohibition of irrigation runoff.
- EE. The District continued operating and maintaining the District's NPDES website which provides information, resources, and important links for the Permittees, regulators, developers, business owners, the public, and in-house staff regarding the Permit, its compliance programs, compliance documents, monitoring and sampling and more. The District regularly updates its Public Education Watershed Protection website (<http://www.rcwatershed.org/>), Facebook page, other social media and monthly newsletter for subscribers in order for content to be more effective at providing usable and on-demand information that ultimately enhances the quality of educational materials.
- FF. The District launched and conducted Stormwater Program Manager 101 briefings meant to train new NPDES staff and senior management.
- GG. The District continued coordinating all responsibilities assigned to the Principal Permittee in the 2010 MS4 Permit, as well as assisting Permittees with their jurisdictional requirements upon request. The Permit features a comprehensive monitoring program, annual and reporting requirements, and inspection components focusing on ensuring that construction projects, existing industrial facilities, and municipal activities are implementing effective pollution prevention practices, new development/significant redevelopment requirements including LID as well as hydromodification and have applicable permit coverage.
- HH. In March 2020, the Governor and the County of Riverside Public Health Officer declared a health emergency due to the COVID-19 pandemic and issued several orders which included behavioral restrictions for the entire population, such as prohibiting gatherings of any size and following social distancing protocols. These restrictions are expected to impact implementation of some District activities.

PROGRAM/WORK ITEMS (FY 2020-21)

The principal work effort in the Santa Ana River Region in FY 2020-21 is anticipated to be permit renewal, including negotiation of a fifth-term municipal permit and updating of the Program's policy and guidance documents to address new permit requirements. Watershed planning and modeling for the purpose of both demonstrating eventual attainment of water quality standards and establishing an alternative compliance option with respect to the permit's receiving water limitation provisions will likely bring significant new regulatory requirements for the Permittees if a permit is adopted in FY 2020-21.

Support of program implementation will continue with delivery of a training program covering key Santa Ana River Region Drainage Area Management Plan (DAMP) elements and improvements to program effectiveness assessment. At the same time, there will be continued implementation of the public education program, environmental monitoring program, and fiscal support for household hazardous waste collection and other pollution prevention programs.

The major work tasks are presented below.

MS4 Program Management

As a Principal Permittee, the District will continue managing the regional requirements of the Permit. These activities include chairing task force meetings, administering area-wide programs (e.g., public education, household hazardous waste collections, hazardous material spill response, stormwater sample collection and analysis), continuing ongoing program development, and preparing and submitting annual progress reports and watershed annual reports to the Regional Board and USEPA. The District will also continue focusing its efforts on identifying and commenting on statewide and nationwide issues that affect local stormwater programs. When requested, the District will continue assisting the Permittees in preparing for their respective program audits and accompanying them in navigating through the program audits.

The District also continues to work with Regional Board staff on implementation of TMDL requirements for certain pollutants identified as causing impairment of beneficial uses in Lake Elsinore, Canyon Lake, and the Santa Ana River. The TMDLs contain pollutant-specific implementation plans that must be funded and addressed by the Permittees. The District will continue to allocate significant resources participating in TMDL Task Force and Regional Board meetings, commenting on technical reports and studies required by the implementation plans, as well as taking the lead in coordinating and implementing high priority structural BMP projects that will mitigate dry weather flows.

Additionally, the District will continue to update and modify MS4 programs to address COVID-19 Riverside County Public Health Order(s) restrictions and maintain permit compliance.

MS4 Permit Renewal

The 2010 MS4 Permit expired in 2015 and was administratively extended until the effective date of the new permit. The principal work effort in the SAR for FY 2020-21 is anticipated to be permit renewal, including negotiation of a fifth-term municipal permit and updating the programmatic policy and guidance documents to address new permit requirements.

LID Project

Construction of the District's LID Project was completed in 2012; this project implements a variety of LID BMPs, and is being used to test and demonstrate stormwater capture, management, and

treatment using LID practices. The project continues to provide a facility in a centralized location, which is convenient for educating residents, regulators, developers, municipal employees, engineers, and other interested stakeholders from many Southern California communities. The bioretention basin BMP has recently been retrofitted.

Aquatic Weed Control NPDES Permit Compliance

Compliance with the Aquatic Weed Control NPDES Permit is required for vegetation control activities which utilize application of aquatic herbicides on District facilities. Vegetation control is an essential part of the District's routine maintenance activities in order to ensure that its facilities continue to provide the design level of flood protection to which they were constructed and minimize or prevent loss of life and property. Compliance with the Aquatic Weed Control NPDES Permit includes maintaining an aquatic pesticide application plan, implementing BMPs to minimize potential impacts from the use of herbicides, monitoring for impacts to water quality, and submittal of an annual report to the Regional Board and State Water Board.

Stormwater and Water Conservation Tracking Tool

The District will also update and further enhance its Stormwater and Water Conservation Tracking Tool (Geodatabase).

Area-Wide MS4 Program Contributions

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

Public Education

The District provides for coordination and oversight of the area-wide NPDES public education and outreach efforts in all three watersheds, including public events, school and adult education programs, printed brochures, and commercial mass-media campaigns. This includes continued development and distribution of focused educational outreach materials for specific industries and businesses such as restaurants, auto repair shops, mobile cleaning businesses, and other industrial activities that are potential sources of stormwater pollution. Implementation of the Public Education Strategic Plan is underway.

Training for Municipal Employees

Formal training classes are provided to improve understanding of NPDES Permit requirements, the DAMP, and stormwater BMPs. The classes focus on methods to reduce and/or eliminate sources of stormwater pollution from public agency facilities and activities, implementation of the WQMP and Transportation Project Guidance (TPG), local stormwater ordinances, and State Construction and Industrial General Permit requirements. Training is conducted specifically for construction inspection staff, industrial/commercial facilities inspection staff, municipal facilities maintenance staff, and staff responsible for new development/redevelopment project review with some of these classes being offered online. The District will continue implementation of online training courses, providing for a more convenient and cost-effective training program.

Household Hazardous Waste Collection (HHW)/ABOP

The District and Co-Permittees provide financial support to the Riverside County Department of Waste Resources to support the permanent HHW collection sites at Agua Mansa and Lake Elsinore, ongoing mobile HHW collection events, and operation of the ABOP program, all of which provide local residents with opportunities to properly dispose of HHW.

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 Consolidated Monitoring Program.

Watershed Action Plan (WAP)

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

1. Hydromodification Management Plan Evaluation Program - Monitoring will be conducted at two sites for the purpose of watershed characterization and to assess the effectiveness of efforts to manage increases in runoff volumes and discharge rates from new development or significant redevelopment projects through the implementation of the SAR HMP.
2. Retrofit Studies - GIS-based analyses will be conducted to identify candidate areas for retrofit projects within existing public and private MS4s, parks and recreational areas, and incorporate opportunities for addressing TMDL implementation plans, hydromodification from urban runoff, LID implementation, and pollutant discharge reduction.

A major focus during the coming fiscal year will be implementation and maintenance of the various WAP components.

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 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 are based on the approved 2012 CBRP for the MSAR TMDL and the approved 2013 CNRP for the LE/CL TMDL.

The MSAR TMDL Permittees will continue implementation of the CBRP in the upcoming fiscal year. In compliance with the LE/CL TMDL, the Permittees will continue implementation of the CNRP in the upcoming fiscal year. As part of CNRP implementation, the Permittees are working with the LE/CL TMDL Task Force to fund and administer in-lake projects at Canyon Lake and Lake Elsinore. The LE/CL TMDL is currently being revised by the Task Force with the help of Risk Sciences and CDM Smith. The aim of the revision is to have a pragmatic approach to the LE/CL TMDL that takes into account the unique factors of the Canyon Lake and Lake Elsinore watersheds.

Municipal Facilities and Activities

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

CONCLUSIONS AND RECOMMENDATIONS

The area-wide Municipal Stormwater Program for the Santa Ana Watershed has been implemented in an efficient, cost-effective manner through the ongoing cooperative efforts of the District, the Co-Permittees, the Regional Board, the Riverside County Fire Department, and the Riverside County Department of Waste Resources. The District's NPDES Program activities, which are funded by these SAWBAA assessments, are required to comply with the current 2010 MS4 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 2020-21.

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GLOSSARY

- ABOP** – Anti-freeze, Batteries, Oil, Paint
- BAU** – Benefit Assessment Unit
- BMP** – Best Management Practice
- BPA** – Basin Plan Amendment
- CASQA** – California Stormwater Quality Association
- CBRP** – Comprehensive Bacteria Reduction Plan
- CDEH** – Riverside County Department of Environmental Health
- CNRP** – Comprehensive Nutrient Reduction Plan
- CMP** – Consolidated Monitoring Plan
- CRWQCB** – California Regional Water Quality Control Board
- CWA** – Clean Water Act
- District** – Riverside County Flood Control and Water Conservation District
- EPA** – Environmental Protection Agency
- FY** – Fiscal Year
- HAZMAT Team** – Hazardous Materials Emergency Response Team
- HHW** – Household Hazardous Waste
- HMP** – Hydromodification Management Plan
- LE/CL** – Lake Elsinore/Canyon Lake
- LID** – Low Impact Development
- LIP** – Local Implementation Plan
- MSAR** – Middle Santa Ana River
- NPDES** – National Pollutant Discharge Elimination System
- OAL** – Office of Administrative Law
- 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

RMP – Regional Bacteria Monitoring Plan

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

SA DAMP – Santa Ana Drainage Area Management Plan

SAWBAA – Santa Ana Watershed Benefit Assessment Area

SAWPA – Santa Ana Watershed Project Authority

SCCRWP – Southern California Coastal Water Research Project

SMC – Southern California Stormwater Monitoring Coalition

SWRCB – State Water Resources Control Board

TPG – Transportation Project Guidance document

TMDL – Total Maximum Daily Load

USEPA – United States Environmental Protection Agency

WAP – Watershed Action Plan

WQBELS – Water Quality Based Effluent Limitations

WQMP – Water Quality Management Plan

APPENDIX A

Proposed NPDES Program Budget (FY 2020-21)

APPENDIX A
SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA
PROPOSED NPDES PROGRAM BUDGET FOR FY 2020-21

STAFFING	
Salaries, Overtime and Benefits	\$972,417.10
OVERHEAD	
Administration Support	230,000.00
Computer Workstation Usage	<u>95,000.00</u>
Subtotal	\$325,000.00
CONSULTANT SERVICES	
NPDES Permit Administration	325,000.00
Public Education & Outreach – Community Outreach	225,000.00
NPDES Stormwater Training Program	81,000.00
Water Quality Monitoring	378,000.00
TMDLs	80,000.00
LID Facility	75,000.00
District Permit Compliance	26,250.00
Subtotal	\$1,190,250.00
OTHER MS4 PROGRAM EXPENSES	
County Counsel/Vehicle Usage	30,000.00
Public Education & Outreach: Event Sponsorships	13,200.00
Public Education & Outreach: Educational Materials	44,750.00
Water Quality Monitoring Equipment	21,000.00
Licenses, Permits, and Publications	<u>800.00</u>
Subtotal	\$109,750
REGIONAL PROGRAMS AND MEMBERSHIPS	
NPDES Permit Administration: CASQA Membership	18,023.00
NPDES Permit Administration: HHW Program, SMC	<u>402,000.00</u>
Subtotal	\$420,023.00
PROGRAM SUBTOTAL	\$3,017,440.10
CONTINGENCY (10%)	301,744.01
Assessor's/Treasurer's Office Line Item Charges (\$0.35/parcel) *	137,271.75
County Fee for Annual Submittal *	<u>91.17</u>
TOTAL EXPENDITURES FOR SANTA ANA RIVER WATERSHED	\$3,456,547.03

* Based on County's FY 2019-2020 collection charges. The County's FY 2020-2021 collection charges are not yet available.

APPENDIX B

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

ORDINANCE NO. 14

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

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

ARTICLE I

GENERAL

Section 1. Title.

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

Section 2. Purpose.

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

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

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

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ARTICLE II

DEFINITIONS

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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,

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Appendix, Chapter 48.

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

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

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

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

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

ARTICLE III

ESTABLISHMENT OF BENEFIT ASSESSMENT AREAS

Section 1. Formation of Benefit Assessment Areas.

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

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

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

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

18 ARTICLE IV

19 REPORT OF CHIEF ENGINEER, HEARING THEREON;

20 CONFIRMATION OF BENEFIT ASSESSMENT BY THE

21 BOARD OF SUPERVISORS

22 Section 1. Report.

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

27 Section 2. Content of the Report.

28 Each report shall contain the District's estimate of

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

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

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

25 Section 4. Hearing.

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

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

9 Section 5. Enrollment.

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

14 ARTICLE IV

15 LEVY OF BENEFIT ASSESSMENT

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

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

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

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

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

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

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

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

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

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

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

13 Group A: Commercial or industrial use

14 Group B: Institutional uses, ie. churches, or
15 hospitals, or multiple family residential
16 use having four or more units per parcel,
17 ie. apartments or mobile home parks.

18 Group C: Single family residential or multiple
19 family residential having three or fewer
20 units on 1/6 of an acre parcel.

21 Group D: Agricultural uses, including dairies,
22 poultry, livestock, groves, orchards,
23 row crops, field crops, vines or dry farming.

24 Group E: Golf courses, cemeteries, etc. and that
25 portion of a single family residential
26 parcel in excess of 7,200 square feet (1/6
27 acre) but less than 2.5 acres.

28 Group F: The undeveloped portion of a parcel such

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

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

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

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

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

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

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

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

13 ARTICLE V

14 COLLECTION OF BENEFIT ASSESSMENT.

15 Section 1. Collection by Treasurer/Tax Collector.

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

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

3 Section 2. Applicable Law.

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

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

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

12 ARTICLE VI

13 CORRECTION OR CHANGE TO THE TAX ROLL

14 Section 1. Initiation of the Correction or Change.

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

19 Section 2. Initiation by Flood Control Engineer.

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

24 Section 3. Initiation by the Assessee.

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

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

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

10 Section 4. Categories of Corrections or Changes.

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

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

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

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

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

8 ARTICLE VII

9 EFFECTIVE DATE OF ORDINANCE

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

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

19 By *Melvin Dunlap*
20 Chairman

21 ATTEST:
22 GERALD A. MALONEY, Clerk

23 *Bonnie May*
24 DEPUTY

25
26
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28
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////
////

1 Attest:

2

3

4

(Seal)

5

6

STATE OF CALIFORNIA)

7

) ss.

COUNTY OF RIVERSIDE)

8

9

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

10

11

12

13

14

Dated: 6/4/91

CLERK OF THE BOARD OF SUPERVISORS

15

16

(Seal)

By Bonnie May
Deputy

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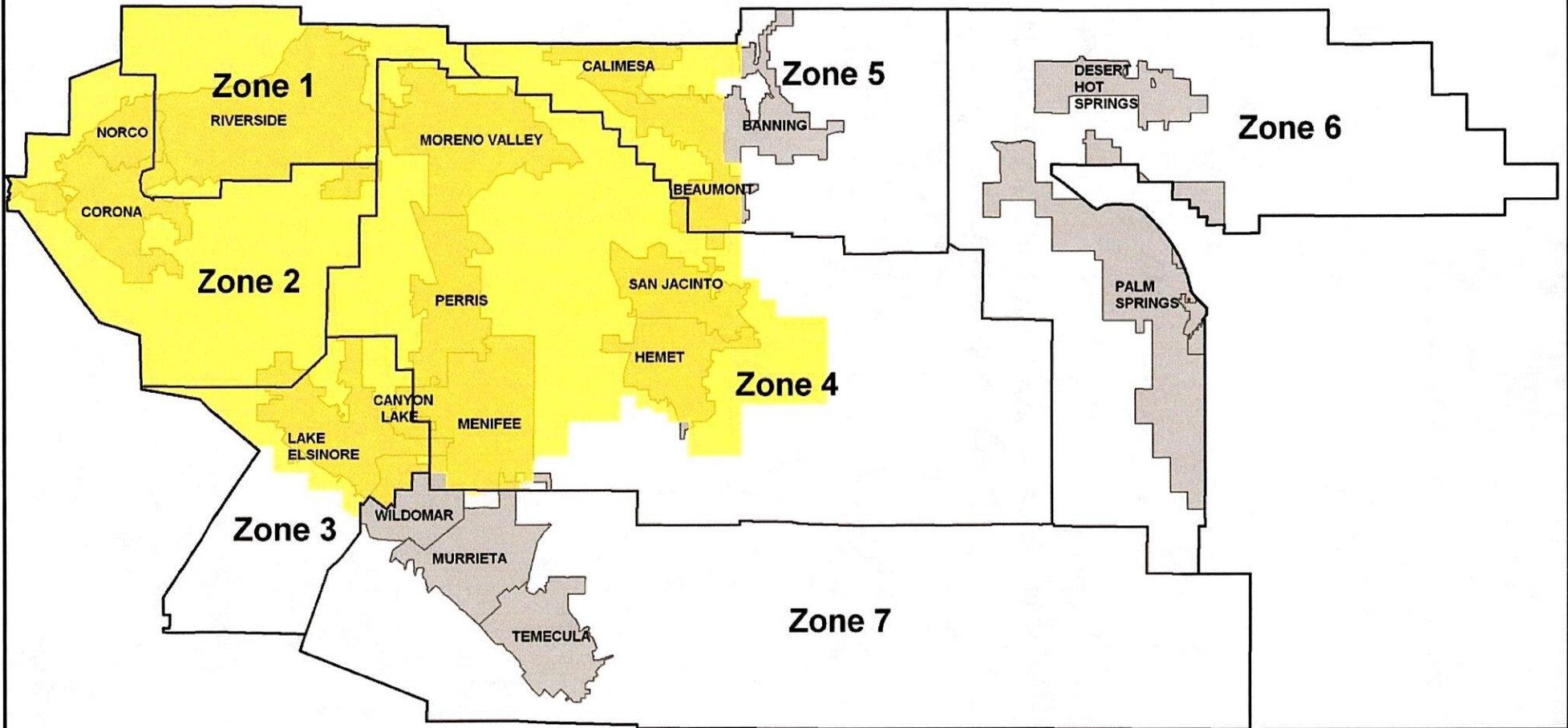
TJD:cm/db
5/17/91
ID #107C

APPENDIX C

Map of Santa Ana Watershed Benefit Assessment Area

Riverside County Flood Control & Water Conservation District

Map of Santa Ana Watershed Benefit Assessment Area



 - Santa Ana Watershed Benefit Assessment Area (SAWBAA)

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

APPENDIX D

**SAWBAA Assessment Roll (FY 2020-21)
(Under Separate Cover)**

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 (District), County Administrative Center, 4080 Lemon Street, Riverside, California, on July 14, 2020 at 9:30 a.m. or soon thereafter, relative to the District's 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 2020-21.

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 2020-21 Fiscal Year. Copies of the report, together with copies of the assessment rolls for the Santa Ana Watershed Benefit Assessment Area and 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 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 2020-21 Benefit Assessment.

NOTICE IS FURTHER GIVEN THAT the proposed benefit assessment rate for Fiscal Year 2020-21 is the same benefit assessment rate as Fiscal Year 1996-97 and all subsequent years.

BY ORDER OF THE BOARD OF SUPERVISORS

Dated: June 24, 2020

KECIA R. HARPER
Clerk of the District's Board

By: Kecia R Harper

Deputy

RECORDED RIFT. RM. COURT
CLERK / BOARD OF SUPERVISORS
2020 JUL -6 PM 1:34

CERTIFICATE OF POSTING

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

I, Sue Maxwell, do hereby certify that
(NAME AND TITLE)

I am not a party to the within action or proceeding; that on

7/6/2020, I posted a copy of the following
(DATE)

document: Inside CAC Bldg COB Office, 4080 Lemon St Rvsd

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

By posting at: Riverside County Flood Control and Water Conservation District
1995 Market Street
Riverside, California

Board Agenda Date: July 14, 2020

Sue Maxwell
(SIGNATURE)

2020 JUL -6 PM 1:34

RECEIVED BY THE CLERK / BOARD OF SUPERVISORS