

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



ITEM: 11.1
(ID # 24696)

MEETING DATE:

Tuesday, June 11, 2024

FROM : FLOOD CONTROL DISTRICT

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution F2024-07 Accepting the Engineer's Report and Setting the Date of the Public Hearing for the National Pollutant Discharge Elimination System Program Santa Ana Watershed Benefit Assessment Area, Pursuant to Ordinance No. 14 Providing for the Establishment and Levy Benefit Assessment for the National Pollutant Discharge Elimination System Stormwater Program, All Districts. [\$0] (CLERK TO ADVERTISE)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept the Engineer's Report on the National Pollutant Discharge Elimination System Program ("NPDES") for the Santa Ana Watershed Benefit Assessment Area, dated June 2024;
2. Direct the Clerk of the Board to advertise for the public hearing on said report, to be held at 9:30 a.m. on July 9, 2024 at a regular meeting of the Board of Supervisors ("Board"); and
3. Adopt the following entitled resolution: Resolution No. F2024-07 Accepting the Engineer's Report and Setting a Public Hearing for the Santa Ana Watershed Benefit Assessment Area Pursuant to Ordinance No. 14 Providing for the Establishment and Levy of Benefit Assessments for the Nation Pollutant Discharge Elimination System Stormwater Program.

ACTION:Policy

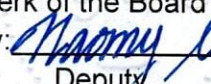
Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG

5/15/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Gutierrez, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday, July 9, 2024, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington and Gutierrez
Nays: None
Absent: Perez
Date: June 11, 2024
xc: Flood, COBcf

Kimberly A. Rector
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:	24/25

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary (Continued)

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 Riverside County Flood Control and Water Conservation District and the Riverside County Flood Control and Water Conservation District Act. Said Ordinance No. 14 requires that the General Manager-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.

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 2024-25 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. SAR BA Engineer's Report FY 2024-25
2. SAR BA Resolution No. F2024-07

CW:mm
P8/255545

 Jason Farin, Principal Management Analyst 6/5/2024


Aaron Gettis, Chief of Deputy County Counsel 5/30/2024

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2024-07

ACCEPTING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR 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 compliance 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

FORM APPROVED COUNTY COUNSEL
BY: AARON C. GETTIS
DATE: 5-15-24

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 NPDES
3 Permit and must be expended in the Benefit Assessment Area in which they are collected; and

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

8 **WHEREAS**, the Chief Engineer has caused a Report to be prepared and filed with the
9 Clerk of the Board of Supervisors regarding the Benefit Assessment to be levied for the 2024-25
10 Fiscal Year for the Santa Ana Watershed Benefit Assessment Area; and

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

13 **WHEREAS**, the voters of California on November 5, 1996 approved Proposition No. 218
14 which added Article XIIIID to the California Constitution ("Article XIIIID") effective November 6,
15 1996; and

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

21 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of
22 Supervisors of the Riverside County Flood Control and Water Conservation District in regular
23 session assembled on the 11 day of June 2024 as follows:

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

25 Section 2. The Report prepared by the Chief Engineer and filed with the Clerk of the
26 Board of Supervisors is accepted.

27 Section 3. The Report proposes that the Benefit Assessment to be levied on all parcels
28 within the Santa Ana Watershed Benefit Assessment Area, as described in Ordinance No. 14, in

1 Fiscal Year 2024-25 is equal to or less than the Benefit Assessment that was enrolled and levied
2 for Fiscal Year 1996-97 and all subsequent years.

3 Section 4. The public hearing on the Report is to be held at 9:30 a.m. or soon thereafter
4 on Tuesday, July 9, 2024 in the meeting room of the District's Board of Supervisors which is
5 located at 4080 Lemon Street, 1st Floor, Riverside, California.

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

8 Clerk of the Board
9 County Administrative Center
10 4080 Lemon Street, 1st Floor
11 Riverside, California

12 Riverside County Flood Control
13 and Water Conservation District
14 1995 Market Street
15 Riverside, California

16 City Clerk's Office
17 City of Hemet
18 445 E. Florida Avenue
19 Hemet, California

20 City Clerk's Office
21 City of Corona
22 400 South Vincentia Avenue, 1st Floor
23 Corona, California

24 City Clerk's Office
25 City of Lake Elsinore
26 130 S. Main Street
27 Lake Elsinore, California

28 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 once a week for two (2) successive
weeks 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 (3) 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.

3
4 **RESOLUTION NO. F2024-07**

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

10
11 **ROLL CALL:**

12
13 **Ayes:** Jeffries, Washington, Spiegel, and Gutierrez
14 **Nays:** None
15 **Absent:** Perez
16

17
18 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
19 Supervisors on the date therein set forth.

20
21 KIMBERLY A. RECTOR, Clerk of said Board

22
23 By: _____

Nancy Li
Deputy

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 9, 2024 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 2024-25.

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 2024-25 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 East Florida Avenue, Hemet, California; the City Clerk's Office at the City of Corona, 400 South 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 2024-25 Benefit Assessment.

NOTICE IS FURTHER GIVEN THAT the proposed benefit assessment rate for Fiscal Year 2024-25 is the same benefit assessment rate as Fiscal Year 1996-97 and all subsequent years.

BY ORDER OF THE BOARD OF SUPERVISORS

Dated:

June 11, 2024

KIMBERLY RECTOR
Clerk of the District's Board

By:

Nancy Li
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
JUNE 2024

Jason E. Uhley
General Manager-Chief Engineer



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- APPENDIX A – Proposed NPDES Program Budget (FY 2024-25)**
- 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 2024-25)**
(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 CSWRCB issues and enforces NPDES MS4 Permits through its nine California Regional Water Quality Control Boards (CRWQCB).

The Riverside County Flood Control and Water Conservation District's (District) service area encompasses portions of three major watersheds: the Santa Ana, Santa Margarita, and Whitewater watersheds. The discharge of stormwater from MS4s within each of these three watersheds is regulated pursuant to an 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 \$25,000¹ 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"² 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 MS4 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 and to reduce the discharge of pollutants from the MS4 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

Permit Term	Order No.	Date Adopted	Date Expired
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. On June 7, 2013, the Regional Board adopted Order No. R8-2013-0024 amending Order No. R8-2010-0033, NPDES No. CAS 618033 to add the newly incorporated cities of Eastvale and Jurupa Valley to the list of Permittees.

¹ <https://www.epa.gov/enforcement/criminal-provisions-water-pollution>

² 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 have 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 NPDES Stormwater 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 Permit³. As such, the costs of the District's various NPDES MS4 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 2024-25 is equal to or less than the assessment rate that has been levied since FY 1996-97.**

³ 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 District Ordinance No. 14. The amount of benefit is computed based upon parcel size (acreage) and land 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 MS4 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 2023-24)

In July 2023, the District's Board of Supervisors confirmed a benefit assessment rate for FY 2023-24 of \$3.75 per BAU. Following is a summary of FY 2023-24 assessments:

Rate	Billed Parcels	BAUs	Assessments	Corrections	Amount Paid⁽²⁾⁽³⁾
\$3.75	411,820	751,670	\$2,816,663 ⁽¹⁾	\$0.00	\$2,695,288

- (1) Amount reflects actual total assessments on all parcels. Total may vary due to rounding.
- (2) Estimated based on FY 2022-23 delinquency percentage.
- (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 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 was one correction processed.

RECOMMENDED BENEFIT ASSESSMENT RATES (FY 2024-25)

The District recommends that for FY 2024-25 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 Classification	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 2024-25 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	411,820	751,670	\$2,816,663 ⁽¹⁾	\$2,675,830

⁽¹⁾ Based on FY 2023-24 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 2023-24 will fund the District's NPDES Stormwater Program activities for the Santa Ana Watershed area in FY 2024-25. The proposed FY 2024-25 budget is presented in Appendix A.

During the early years of the NPDES Program, there were many uncertainties regarding start-up costs (e.g., 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 and this trend is reflected in the Tentative Order R8-2024-0001. Thus, it is expected that the District's NPDES MS4 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 2024-25 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
<https://rcwatershed.org/watersheds/middle-santa-ana-river-watershed/>**

NPDES PROGRAM HIGHLIGHTS (FY 2023-24)

For the year ending June 30, 2024, the following major tasks and activities were accomplished in compliance with the 2010 Santa Ana River MS4 Permit:

- A. The District continued assisting the Permittees with implementing the Drainage Area Management Plan (DAMP), Watershed Action Plan (WAP), Local Implementation Plan (LIP), the Water Quality Management Plan (WQMP) guidelines and template, the Low Impact Development Design Handbook (LID 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, LIP, WQMP, LID Handbook, and CASQA BMP Handbooks assist Permittees and the District in satisfying the Permit requirements. The Permit and links to these documents are available on the District's NPDES website: <https://rcwatershed.org/watersheds/middle-santa-ana-river-watershed/>
- B. The District continued maintaining its Stormwater and Water Conservation Tracking Tool (Geodatabase) and the Hydromodification Susceptibility layers within the database by reviewing updated MS4 facility layers, as-built plans, and field reconnaissance. The District also continued maintaining its Geographical Information System (GIS)-based database to track its facilities.
- C. The District continued participating 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 on-going alum treatment project for Canyon Lake, as well as continued funding for the Lake Elsinore Aeration and Mixing System. The District executed an extension to the LE/CL TMDL agreement to extend the agreement to June 30, 2025. The LE/CL TMDL Task Force received continues collaborating with the Regional Board, State Board, Office of Administrative Law, and the United States Environmental Protection Agency to revise the LE/CL TMDL by this extension date.
- D. The District continued participating in the Middle Santa Ana River Pathogen Indicator TMDL (MSAR TMDL) Task Force. The MSAR TMDL agreement was amended to extend the agreement to June 30, 2027. The Permittees utilized the agreement to aid the implementation of the Comprehensive Bacteria Reduction Plan (CBRP) for those named in the TMDL within Riverside County. The task force is planning on updating CBRP to address compliance with the wet weather waste load allocations once a new MS4 Permit is approved.
- E. Permittees continued assessing previously identified locations to install structural Best Management Practices (BMPs) similar to the award-winning Phoenix Avenue Storm Drain Sewer Diversion project to manage dry weather flows and reduce bacterial indicators in downstream waters as part of the CBRP.
- F. The District continued assessing the Eastvale MDP project (Lines D and E) to further eliminate bacteria contributions to the MSAR by diverting flows to sewer. The District

previously calculated treatment costs, assessed design feasibility, conducted continuous flow monitoring, and decided to fund the treatment of the diverted discharges of the project. The project is planned to be a multi benefit project for both water supply and water quality improvements by reducing bacteria loads to the Santa Ana River. The exact modifications and sponsorship of the project is yet to be determined based on the investigation results and recommendations.

- G. The District is also a stakeholder in the Regional Water Quality Monitoring Task Force which conducts the Regional Bacteria Monitoring Plan (RMP) to support implementation of the MSAR Bacterial Indicator TMDL. 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.
- J. The District continues to provide technical support to SAWPA and the Santa Ana River Bottom Homeless Solutions Collaborative Group pertaining to NPDES compliance obligations.
- 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 providing the Permittees' Management Steering Committee (MSC) with updates regarding the proposed regional MS4 permit. The MSC consists of the Permittee's City Managers, Directors of Public Works, and other essential municipal staff. They facilitate coordination with related water quality management programs and respond to new legislative and regulatory initiatives.
- M. The District continued its 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 prepared and submitted a comprehensive Annual Report on behalf of the entire permittee group as well as a District-specific Annual Progress Report to the Regional Board.
- O. The District continued to utilize its award-winning Low Impact Development (LID) Best Management Practice (BMP) research facility to demonstrate stormwater capture, management, treatment, and sampling. The centralized location of the District's research facility has served as an educational hub on green infrastructure for residents, regulators, developers, municipal employees, engineers, and other interested stakeholders throughout Southern California. The District continued monitoring and sampling its Bioretention

Basin and in collaborations with the Southern California Coastal Water Research Project and the U.S. Environmental Protection Agency completed the rehabilitation and instrument installation of its Planter Boxes.

- P. The District continues to review its LID BMP Design Manual, which is focused on landscape based BMPs and infiltration capable of addressing water quality impairments before discharges can enter the Santa Ana Watershed. The LID BMP Design Manual is available on the District's website.
- Q. The District and Permittees continued meeting with the Land Development Subcommittee to exchange ideas and experiences on various land development topics. The subcommittee met to review proposed land development permit provisions within the Tentative Order (the Regional Board's proposed MS4 permit) through a roundtable discussion to hear comments and concerns.
- R. 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.
- S. The District continued offering online training for permittees covering topics from program management responsibilities to new legislation and the potential impacts to permittees.
- T. The CMP for water quality monitoring describes the monitoring efforts necessary to comply with the County's three MS4 Permits. 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 Regional Watershed Monitoring through membership with the Southern California Stormwater Monitoring Coalition (SMC). These monitoring components along with 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 continued utilizing the GIS field data collection tool called Survey123. The electronic interface allows field crews to record data quickly in the field so that other personnel can efficiently compile, review, filter, and analyze the 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 and

local Water Board representatives 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. The District collaborated with SMC member agencies to share resources for multi-benefit projects that can reduce costs relative to financing alone for large-scale region-wide efforts. To date, the District has served as SMC Chair, as the Vice-Chair, as the Project Manager for the SMC's Streamline Annual Reporting Project, on the Executive Steering Committee, on the Regional Bioassessment Survey Technical Subcommittee, SMC BMP Regional Network Subcommittee, and on the SMC California LID Evaluation and Analysis Network Technical Subcommittee.
- X. The District continued coordinating 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. 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.
- Y. From our collective regional monitoring efforts, a revised study design was 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 initiating the next cycle of regional monitoring which will continue to assess trend and condition sites and may also expand to include wet-dry mapping of areas within the southern California watersheds, a causal assessment, and monitoring targeted underrepresented streams in the regional bioassessment work.
- Z. 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 a network of highly engaged professionals which make up its member association dedicated to CASQA's Strategic Plan and organization goals. 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, Pesticides Subcommittee, and True Source Control Subcommittee.
- 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 addressing Permittee functions such as

development planning, municipal activities, industrial/commercial inspections, and construction inspections. The District continues implementing online training that is cost effective and convenient.

- BB. The District continued providing stormwater pollution prevention education and outreach by supporting area-wide events such as Love Your Neighborhood, implementing social campaigns, as well as 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 industrial/commercial facilities.
- CC. The District continued to chair the Public Education Strategic Taskforce. Quarterly meetings include Permittee representation from the Santa Ana, Santa Margarita, and Whitewater watersheds to review elements of regional public education programs and program materials and communicate ideas on enhancing public education across all three watersheds.
- DD. The District continued implementing its five-year Riverside County Watershed Protection Program Public Education Strategic Plan that applies community based social marketing approaches to the issue of eliminating dry weather runoff arising from excess irrigation. This included, for example, creating a door hanger and maintaining an updated Riverside County Watershed Protection Program website to educate residents, HOA's and businesses about irrigation runoff.
- EE. The District continues to adapt its Watershed Protection website (<http://rcwatershed.org>) to become a "one-stop, one shop" website that contains public education materials, compliance documents, and any other information relevant to Permittees, the development community, regulatory agencies, and the public.
- FF. 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.

PROGRAM/WORK ITEMS (FY 2024-25)

The principal work effort in the Santa Ana River Region in FY 2024-25 is anticipated to be permit renewal, including the continuation of negotiating a fifth-term municipal permit and updating the Program's policies, procedures, and guidance documents to address new permit requirements. Watershed planning and modeling, for the purpose of 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 and the District.

Support of program implementation will continue by improving the training program and 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 technical advisory committee 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 will continue 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 by 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.

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 2024-25 is anticipated to be permit renewal, including the continuation of negotiating a fifth-term municipal permit and updating the programmatic policy and guidance documents to address new permit requirements.

LID Project

Through a partnership with the Santa Ana Watershed Project Authority (SAWPA), the District designed and constructed the existing Low Impact Development (LID) Best Management Practices (BMP) Testing and Demonstration Facility at the District's headquarters in Riverside, California.

The facility implements various LID BMPs to test and demonstrate stormwater capture, management, and treatment. The location of the District's research facility also serves as an educational hub on green infrastructure for residents, regulators, developers, municipal employees, engineers, and other interested stakeholders throughout Southern California. The District will continue to utilize its award-winning LID research facility to test and demonstrate stormwater capture, management, and treatment.

Stormwater and Water Conservation Tracking Tool

The District will continue updating and enhancing its Stormwater and Water Conservation Tracking Tool (Geodatabase) in FY 2024-25.

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 courses are provided to improve understanding of NPDES Permit requirements, the DAMP, and stormwater BMPs. The courses 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. The District will continue to offer and implement 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 will continue conducting wet weather and dry weather water quality sample collection and analysis in accordance with the Permit's latest Monitoring and Reporting Program requirements and the Riverside County Consolidated Monitoring Program. As applicable, the District will continue implementing improvements to the water quality monitoring activities and monitoring program reporting.

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 the Task Force facilitator and consultants. 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

The District will continue implementing the provisions of the NPDES Permit's Municipal Facilities Strategy as described in the DAMP, including any required improvements to the structural facilities at the District's headquarters, municipal employee training activities, and reduction and/or elimination of stormwater pollution sources impacting District 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 between the District, the 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 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:

Continue to 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 2024-25.

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 2024-25)

APPENDIX A
SANTA ANA WATERSHED BENEFIT ASSESSMENT AREA
PROPOSED NPDES PROGRAM BUDGET FOR FY 2024-25

STAFFING

Salaries, Overtime and Benefits **\$1,563,252.00**

OVERHEAD

Administration Support 123,875.00
Bad Debt Expense 1,000
Computer Workstation Usage 155,000.00
Subtotal **\$271,000.00**

CONSULTANT SERVICES

NPDES Permit Administration 1,200,000.00
Public Education & Outreach – Community Outreach 216,150.00
NPDES Stormwater Training Program/BIA Training 134,000.00
Water Quality Monitoring 550,000.00
TMDLs 1,500,000.00
LID Facility 75,000.00
IC/ID Program 150,000.00
Miscellaneous Watershed Protection Projects 200,000.00
District Permit Compliance 635,543.00
Subtotal **\$4,660,693.00**

OTHER MS4 PROGRAM EXPENSES

County Counsel/Vehicle Usage 55,500.00
Public Education & Outreach: Event Sponsorships/Materials/Printing 72,600.00
Photocopying/Duplicating 4,000
Water Quality Monitoring Equipment 44,610.00
Licenses, Permits, Books, Publications 1,600.00
Misc. (utilities, supplies, materials) 4,150.00
Subtotal **\$182,460.00**

REGIONAL PROGRAMS AND MEMBERSHIPS

NPDES Permit Administration: CASQA Membership 25,268.00
NPDES Permit Administration: HHW Program, SMC, LESJWA, RWQMTF 411,600.00
Subtotal **\$436,868.00**

PROGRAM SUBTOTAL

PROGRAM SUBTOTAL **\$7,123,149.00**
CONTINGENCY (10%) \$712,314.90
Assessor's/Treasurer's Office Line-Item Charges (\$0.36)/parcel)* \$148,255.20
County Fee for Annual Submittal* \$87.23

TOTAL EXPENDITURES FOR SANTA ANA RIVER WATERSHED **\$7,983,806.33**

* Based on County's FY 2023-24 collection charges. The County's FY 2024-25 collection charges are not yet available.

APPENDIX B

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

APPENDIX C

Map of Santa Ana Watershed Benefit Assessment Area

APPENDIX D

**SAWBAA Assessment Roll (FY 2024-25)
(Under Separate Cover)**

AFFIDAVIT OF PUBLICATION


RD OF SUP. RIVERSIDE COUNTY-BOA
Riverside County-Board Of Sup.
Po Box 1147
Riverside CA 92502-1147

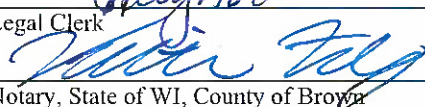
STATE OF WISCONSIN, COUNTY OF BROWN

The Desert Sun, a newspaper published in the city of Palm Springs, Riverside County, State of California, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

06/23/2024, 06/30/2024

and that the fees charged are legal.
Sworn to and subscribed before on 06/30/2024



Legal Clerk


Notary, State of WI, County of Brown
3-7-27

My commission expires

Publication Cost:	\$1218.36	
Tax Amount:	\$0.00	
Payment Cost:	\$1218.36	
Order No:	10282684	# of Copies:
Customer No:	1252599	1
PO #:	F2024-07	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY
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, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, July 9, 2024 at 9:30 a.m., or as soon as possible thereafter, to consider the following:

RESOLUTION NO. F2024-07
ACCEPTING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR 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 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 compliance 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, which formed a Benefit Assessment Area ("Benefit Assessment Area") that encompasses all territory within the District's jurisdiction 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

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 NPDES Permit and must be expended in the Benefit Assessment Area in which they are collected; and

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

WHEREAS, the Chief Engineer has caused a Report to be prepared and filed with the Clerk of the Board of Supervisors regarding the Benefit Assessment to be levied for the 2024-25 Fiscal Year for the Santa Ana Watershed Benefit Assessment Area; and

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY 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, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, July 9, 2024 at 9:30 a.m., or as soon as possible thereafter, to consider the following:

RESOLUTION ACCEPTING THE ENGINEER A PUBLIC HEARING FOR THE BENEFIT ASSESSMENT AREA UNDER ORDINANCE NO. 14 PROVIDING FOR THE LEVY OF BENEFIT ON THE NATIONAL POLLUTANT DISCHARGE SYSTEM STORMWATER PROGRAM. WHEREAS, the California Regional Board - Santa Ana Region, on behalf of the Santa Ana Regional Water Quality Control Board - Santa Ana Region, on behalf of the Federal Environmental Protection Agency ("EPA") under Section 402 of the Federal Clean Water Act, and the regulations promulgated by EPA, has issued an area-wide stormwater discharge permit under the National Pollutant Discharge Elimination System ("NPDES Permit") to the Riverside and Water Conservation Districts and certain Cities within the District's jurisdiction; and WHEREAS, under existing state law, the District must obtain and comply with the NPDES Permit in order to be able to maintain its flood control and stormwater management programs; and WHEREAS, the NPDES Permit requires the District to develop, implement and maintain stormwater management programs dealing with stormwater runoff from property within the Santa Ana Watershed within the District's jurisdiction; and WHEREAS, the District's Board of Supervisors on May 14, 1991 adopted Resolution No. 14, which amended the California Water Code ("CWC") to provide for the District to levy a Benefit Assessment on all property within the District's jurisdiction that is subject to the NPDES Permit as described in Ordinance No. 14, which formed the Benefit Assessment Area; and WHEREAS, the Benefit Assessment is used to finance capital costs of the flood control system as required by the NPDES Permit and must be levied on the Benefit Assessment Area in which they are located; and WHEREAS, pursuant to Article IV, Section 3 of the California Constitution, the General Manager/Chief Engineer ("GM/CE") is to cause to be prepared and filed with the Clerk of the Board of Supervisors a report for each Benefit Assessment Area regarding the Benefit Assessment to be levied and the boundaries thereof; and WHEREAS, the Chief Engineer has prepared and filed with the Clerk of the Board of Supervisors a report regarding the Benefit Assessment for the Santa Ana Watershed; and WHEREAS, Section 3 of Article IV of the California Constitution requires that the Board set a date, time and place for a public hearing on the Report; and WHEREAS, the voters of California approved Proposition No. 218 on November 6, 1996; and WHEREAS, with regard to an assessment in place as of November 6, 1996, 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.

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on the 11 day of June 2024 as follows:
Section 1. Each of the above recitals is true and correct.
Section 2. The Report prepared by the Chief Engineer and filed with the Clerk of the Board of Supervisors is accepted.
Section 3. The Report proposes that the Benefit Assessment to be levied on all parcels within the Santa Ana Watershed Benefit Assessment Area, as described in Ordinance No. 14, in Fiscal Year 2024-25 is equal to or less than the Benefit Assessment that was enrolled for Fiscal Year 1996-97 and all subsequent years.
Section 4. The public hearing on the Report is to be held at 9:30 a.m. or soon thereafter on Tuesday, July 9, 2024 in the meeting room of the District's Board of Supervisors which is located at 4080 Lemon Street, 1st Floor, Riverside, California.
Section 5. The Chief Engineer is to cause copies of the Report to be placed at the following sites for review by the public:
Clerk of the Board
County Administrative Center
4080 Lemon Street, 1st Floor
Riverside, California
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, 1st Floor
Corona, California
City Clerk's Office
City of Lake Elsinore
130 S. Main Street
Lake Elsinore, California

WHEREAS, Section 3 of Article IV of Ordinance No. 14 requires that the Board set a date, time and place for a public hearing on the Report; 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, with regard to an assessment in place as of November 6, 1996, 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.

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City Clerk's Office
City of Corona
400 South Vincentia Avenue, 1st 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 once a week for two (2) successive weeks 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 (3) 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. Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org
Dated: June 11, 2024

Kimberly A. Rector, Clerk of the Board
By: Cindy Fernandez, Clerk of the Board Assistant

Published: 6/23, 6/30/24

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, 1st 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 once a week for two (2) successive weeks 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 (3) 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. Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069. Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org
Dated: June 11, 2024

Kimberly A. Rector, Clerk of the Board
By: Cindy Fernandez, Clerk of the Board Assistant
Published: 6/23, 6/30/24