

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



ITEM: 11.3
(ID # 24698)

MEETING DATE:
Tuesday, June 11, 2024

FROM : FLOOD CONTROL DISTRICT

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution F2024-09 Accepting the Engineer's Report and Setting the Date of the Public Hearing for the National Pollutant Discharge Elimination System Program Whitewater 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, Districts 4 and 5. [\$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 Whitewater 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. July 9, 2024 at a regular meeting of the Board of Supervisors ("Board"); and
3. Adopt the following entitled Resolution: Resolution No. F2024-09 Accepting the Engineer's Report and Setting a Public Hearing for the Whitewater 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.

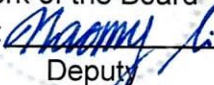
ACTION:Policy


Jason Orley, GENERAL MGR-CHIEF 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 Whitewater Watershed Benefit Assessment Area was established on May 14, 1991 by the adoption of Resolution No. F91-23 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 \$3.63 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. WWR BA Engineer's Report FY 2024-25
2. WWR BA Resolution No. F2024-09

CW:mm
P8/255547


Jason Farin, Principal Management Analyst 6/4/2024


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

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2024-09

ACCEPTING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR THE
WHITEWATER 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 - Colorado River Basin
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
Whitewater 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 Whitewater Watershed that lies within the District's jurisdiction; and

WHEREAS, the District's Board of Supervisors ("Board") on May 14, 1991 adopted
Resolution No. F91-23 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 Whitewater 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: ACG 5-15-24
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 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 Clerk
9 of the Board of Supervisors regarding the Benefit Assessment to be levied for the 2024-25 Fiscal
10 Year for the Whitewater 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 Whitewater 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 of Banning
17 99 East Ramsey Street
18 Banning, California

19 City of Palm Springs
20 3200 East Tahquitz Canyon Way
21 Palm Springs, California

22 Section 6. The Clerk of the Board of Supervisors is to cause a notice to be prepared by
23 the Chief Engineer to be published in The Desert Sun once a week for two (2) successive weeks
24 pursuant to the provisions of Section 6066 of the California Government Code. The Chief
25 Engineer is to cause said notice to be posted in at least three (3) public places within the boundaries
26 of the Whitewater Watershed Benefit Assessment Area at least seven (7) days prior to the date of
27 the hearing.

28 Section 7. This Resolution shall take effect upon its adoption.

3
4 **RESOLUTION NO. F2024-09**

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

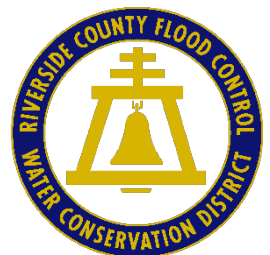
20
21 KIMBERLY A. RECTOR, Clerk of said Board

22
23 By:  _____

24 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
WHITEWATER WATERSHED
BENEFIT ASSESSMENT AREA
JUNE 2024

Jason E. Uhley
General Manager-Chief Engineer



CONTENTS

	<u>Page</u>
INTRODUCTION	1
APPORTIONMENT METHODOLOGY	3
CURRENT YEAR ASSESSMENTS (FY 2023-24)	3
RECOMMENDED BENEFIT ASSESSMENT RATES (FY 2024-25)	4
ASSESSMENT ROLL	5
PROGRAM HIGHLIGHTS (FY 2023-24)	6
PROGRAM WORK ITEMS (FY 2024-25)	9
CONCLUSIONS AND RECOMMENDATIONS	11
GLOSSARY	12

APPENDICES

- APPENDIX A – Proposed NPDES Program Budget (FY 2024-25)**
- APPENDIX B – RCFC&WCD Ordinance No. 14 (May 14, 1991)**
- APPENDIX C – Map of Whitewater Watershed Benefit Assessment Area (WWBAA)**
- APPENDIX D – WWBAA 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, USEPA has delegated its NPDES permitting authority to the State Water Resources Control Board (SWRCB). The SWRCB 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 (Permit) administered by separate CRWQCBs. **The District must comply with the provisions of these Permits in order to legally operate and maintain its flood control and drainage system infrastructure.** The USEPA and the CRWQCBs 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 Whitewater Watershed, the District, in conjunction with the County of Riverside (County), Coachella Valley Water District (CVWD), and the Cities of Banning, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs and Rancho Mirage (Cities) have had to comply with Permit requirements issued by the Colorado River Basin CRWQCB (Regional Board). On June 11, 1992, the District, County, CVWD, and Cities jointly submitted Part 1 of the required Permit application to the Regional Board. This application consisted of a compilation of existing information such as land use, facilities, discharge information, fiscal resources, legal authority, etc. Part 2 of the Permit application was submitted to the Regional Board on May 17, 1994 and outlined the development of the region's first municipal stormwater management program.

The Regional Board adopted the initial (first-term) Permit, Order No. 96-015 (1996 Permit), for the Whitewater Watershed on May 22, 1996, which designated the District and County as Co-Principal Permittees and the CVWD and Cities as Co-Permittees (collectively, the Permittees). This Permit expired on May 22, 2001. In compliance with the Permit renewal requirements, the Permittees submitted a Permit renewal application referred to as the Report of Waste Discharge (ROWD) to the Regional Board. The ROWD subsequently led to the adoption of the region's second-term Permit, Order No. 01-077 (2001 Permit), on September 5, 2001. The Permittees have since then submitted new ROWDs prior to each new Permit.

The second-term Permit incorporated the Permittees' Stormwater Management Plan (SWMP), which was developed during the initial Permit term, and identified additional activities and corresponding compliance schedules that were necessary to achieve compliance with the CWA. On May 21, 2008, the Regional Board adopted the region's third-term Permit, Order No. R7-2008-0001 (2008 Permit), which sought to improve programs established in the previous term, and on June 20, 2013, the fourth-term Permit, Order No. R7-2013-0011 (2013 Permit), was adopted. This latest Permit represents a collaborative effort between the Permittees and Regional Board staff in which local Best Management Practices (BMPs) were analyzed for effectiveness and applicability, and statewide permits were reviewed to develop region-appropriate language and requirements.

From the beginning, the Permittees' stormwater management programs have been guided by the following principles:

1. Utilize existing municipal departments/programs to meet 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 Whitewater Watershed Benefit Assessment Area (WWBAA) was established pursuant to District Ordinance No. 14 on May 14, 1991 (copy attached - see Appendix B). The WWBAA was formed to offset the District's NPDES program and administrative costs associated with the development and implementation of identified stormwater management activities required by the 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 WWBAA is attached hereto as Appendix C.

The District coordinates and implements regional-scale Permit compliance activities of common interest¹. The costs to implement these activities fluctuate year to year. Some expenses do not change significantly on a yearly basis (e.g., the preparation of annual reports), while other expenses vary significantly due to the amount of rainfall occurring each year (e.g., monitoring and sampling) or in. Additionally, there are certain costs (e.g., public education materials, ROWD, Permit renewal, etc.) that 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 continuing topic of increasing interest among the public, municipalities, regulatory authorities, and legislators. Although new laws and regulations could result in changes to the assessment rate in future years, **the proposed assessment rate for FY 2024-25 remains unchanged from last fiscal year and continues to be equal to or less than the assessment rate that has been levied since the adoption of the first-term Permit.**

¹ Section E.2, Order No. R7-2013-0011

APPORTIONMENT METHODOLOGY

WWBAA assessments are apportioned based on 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 on 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 uses 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 than residential parcels. Because agricultural discharges are currently exempt under the NPDES regulations, parcels within the WWBAA 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 forests are excluded from the WWBAA. 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 \$3.63 per BAU. Following is a summary of the FY 2023-24 assessments:

Rate	Billed Parcels	BAUs	Assessments	Corrections	Amount Paid⁽²⁾⁽³⁾
\$3.63	57,867	95,586	\$347,957 ⁽¹⁾	\$0	\$319,073

⁽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 were no corrections processed.

RECOMMENDED BENEFIT ASSESSMENT RATES (FY 2024-25)

The District recommends that for FY 2024-25, the WWBAA assessment rate remain unchanged at \$3.63 per BAU. This BAU rate results in an equivalent charge per acre for the following land uses:

Group	Land Use Category	BAU/Acre	Assessment Rate*
A	Industrial, Commercial	12	\$43.56/acre
B	Apartments/Mobile Home Parks, Churches and Schools	9	\$32.67/acre
C	Single-family Residential	6**	\$21.78/acre
D	Agricultural/Vacant Undeveloped	Exempt	\$0.00/acre
E	Golf Courses	0.10	\$0.36/acre
F	Undeveloped Portions of Parcels	0.05	\$0.18/acre

* Refer to Appendix B for a detailed discussion of the Benefit Assessment methodology.

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

The projected revenue for FY 2024-25, using the proposed benefit assessment rate of \$3.63 per BAU is as follows:

Rate	Parcels⁽¹⁾	BAUs	Assessment⁽¹⁾⁽²⁾	Projected Revenue⁽³⁾
\$3.63	57,867	95,586	\$347,957 ⁽¹⁾	\$330,559

⁽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 Program for the Whitewater Watershed 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 startup costs (e.g., consultant costs, amount of required sampling, overall program scope, etc.) since the program was new for both the regulatory authorities and the Permittees. Consequently, the initial assessment rates were set conservatively to ensure that all Permit obligations could be met. To date, the District has been able to successfully work with the Regional Board and implement its NPDES Program in a manner that has retained a portion of the program's initial budget surpluses. As a result, a modest fund balance has been maintained since the benefit assessments were first levied. However, as the District's NPDES Program expenditures continue to rise, and the assessment rate remains unchanged, the fund balance is gradually being reduced. It should be noted that the current trend in California is toward more stringent regulation of municipal stormwater runoff. Thus, it is expected that the District's Permit compliance costs will continue to rise over the coming years.

ASSESSMENT ROLL

The WWBAA 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 WWBAA. The Assessment Roll is identified as Appendix D and incorporated herein by this reference. This Engineer's Report along with the WWBAA 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 Banning
99 E. Ramsey Street
Banning, CA 92220

City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

This Engineer's Report may also be viewed or downloaded at
<https://rcwatershed.org/watersheds/whitewater-river-watershed/>

PROGRAM HIGHLIGHTS (FY 2023-24)

For the fiscal year ending June 30, 2024, the following tasks were accomplished in compliance with the Permit:

- A. The District continued complying with the local and regional components of the Permit, including administering the regional Monitoring and Reporting Program (MRP), the Public Education and Outreach Program, the Permittee Implementation and Cost-Sharing Agreement (IA), and assisting the Co-Permittees with implementing the SWMP. The Permit and associated compliance documents are available on the District's NPDES website at <https://rcwatershed.org/watersheds/whitewater-river-watershed/>.
- B. The District submitted its Annual Progress Report and the Watershed Annual Progress Report to the Regional Board and USEPA. This effort requires the District to coordinate the submittal of each Permittee's individual annual progress report to the District and combine these reports with the District's into the Watershed Annual Progress Report. The purpose for the Watershed Annual Progress Report is to provide metrics for assessing the effectiveness of the compliance programs prescribed in the NPDES permits issued by the CRWQCB.
- C. The District continued surveying its channels and outfalls for Illicit Connections and Illegal Discharges (IC/ID) to ensure that these facilities are not transporting pollutants that may impact the beneficial uses of the Whitewater River.
- D. The District continued identifying and tracking proposed policies and regulations from USEPA and SWRCB and informed the County and Co-Permittees of potential impacts to the Permit program or to any of its specific components.
- E. The District and Co-Permittees, as stakeholders, continued collaborating with the Coachella Valley Regional Water Management Group (CVRWMG) in support of the Integrated Regional Water Management Plan (IRWMP) and Stormwater Resources Plan (SWRP). This effort enables the Coachella Valley stakeholders (including the WWR Permittees) to apply for grants from the Department of Water Resources, State Water Resources Control Board (SWRCB), and Bureau of Reclamation.
- F. The District continued organizing and chairing the Desert Task Force (DTF) meetings. The DTF is a task force consisting of the Permittees, staff from the Regional Board, and other stakeholders. These meetings provide a forum to effectively disseminate information, discuss state and federal regulations, and coordinate efforts to achieve compliance with the Permit.
- G. The District continued administering interagency cooperative agreements with County agencies that allowed regional components of the Permit to be implemented. These cooperative agreements were administered to maintain collection centers for Household Hazardous Waste (HHW), Antifreeze, Battery, Oil and Latex Paint (ABOP), and waste from Very Small Quantity Generators (VSQG).
- H. The District, in collaboration with the Coachella Valley Water District, continued collecting and analyzing water quality samples in accordance with the Permit's MRP and the District's Consolidated Monitoring Program (CMP) on behalf of the Co-Permittees. The District's CMP includes a WWR Monitoring Plan, detailing the specific procedures for collecting and analyzing water quality samples at MS4 outfalls and from the receiving water station within the Whitewater 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.

- I. The District continued participating in the Stormwater Monitoring Coalition (SMC) on behalf of the Co-Permittees. The SMC is a multi-regional monitoring consortium of southern California agency members. The overall goal of the SMC is to develop effective and meaningful stormwater monitoring techniques, increase the effectiveness of the existing monitoring program, and integrate information among agencies to achieve a large-scale assessment of the watershed condition. 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, most projects often have non-member agency cost matching. 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 current agreement the SMC executive steering committee has developed a forward-looking research agenda that is being used to guide the SMC's priorities and special projects through 2025. To date, District staff has served as SMC Chair, 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, as well as serving as the contract manager for the SMC's new Streamline Annual Reporting Project.
- J. 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 True Source Control Subcommittee.
- K. The District continued administering municipal employee stormwater training programs. These training classes provide municipal staff with the requisite knowledge to comply with the Permit. These courses review the NPDES regulations, proper BMP implementation, identification of violations, etc., and provide overviews of the state's General Permits for industrial and construction activities. The District is implementing an online training program to allow for a more cost effective and convenient training platform for all Permittees.
- L. The District continued providing stormwater pollution prevention education and outreach by conducting educational presentations in local elementary schools throughout the County;

supporting Permittee-sponsored community events such as school presentations. 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 "Dos-and-Don'ts" of outdoor cleaning, and proper housekeeping practices for automotive facilities, restaurants, and commercial/industrial facilities are available to be downloaded at the rcwatershed.org website.

- M. The District continued operating and maintaining the Riverside County Watershed Protection website (www.rcwatershed.org) 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 the contents to be more effective at providing usable and on demand information that ultimately enhances the quality of educational materials.
- N. The District continued to utilize its LID research campus to test and demonstrate stormwater capture, management, and treatment using various LID BMPs. 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 from throughout Southern California. Since its completion, District staff have provided numerous informational project tours and have retrofitted its bioretention basin BMP.

PROGRAM WORK ITEMS (FY 2024-25)

The principal work proposed in the Whitewater Watershed for FY 2024-25 will continue to focus on the Permit renewal, including negotiation of a fifth-term municipal Permit, and updating the Program's compliance documents to address any new Permit requirements. Execution of an amendment to the Implementation Agreement that enables collaboration and cost sharing by the Permittees will also be necessary to implement the new Permit. For the fiscal year beginning July 1, 2024, the following tasks are proposed:

Permit Renewal

In collaboration with the County and Co-Permittees, the District will continue to assist the Regional Board through the renewal process of the impending fifth-term Permit. Review of the Permit language and the renewal process continues with a goal for adoption set for the fourth quarter of 2024. When the process resumes, the Permittees will ensure that the information contained in the new Permit is accurate and applicable to the desert region. Compounding this effort, the Regional Board is proposing inclusion of requirements for cost reporting analysis, asset management planning for stormwater systems, integrated pest management and a shift to e-reporting. Concurrently, the incorporation of the SWRCB approved trash amendments will be integrated into this permit with all Permittees needing to meet the December 2, 2030, compliance deadline.

Permit Implementation

The District will continue coordinating all responsibilities assigned to the Co-Principal Permittees in the impending fifth-term Permit, as well as assisting Co-Permittees with their jurisdictional requirements upon request.

Program Management

The District will continue coordinating the regional requirements of the Permit. These activities include chairing DTF 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 progress reports to the Regional Board and USEPA.

The District will also continue focusing its efforts on identifying and commenting on statewide 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 audit process.

Program Development

The District will coordinate updates to the SWMP to reflect any new Permit requirements. The District will also update and further enhance its Stormwater and Water Conservation Tracking Tool geodatabase and participate in basin plan and water quality standard public reviews as they become available by the Regional Board.

Area-Wide Program Funding

The District will continue administering and/or supporting the following "area-wide" BMP programs implemented on behalf of the Permittees:

Public Education and Outreach

The District provides coordination and oversight of the area-wide public education and outreach efforts, including public outreach events, school presentations, promotional items, printed brochures, and commercial 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 and commercial activities that are potential sources of stormwater pollution.

Training for Municipal Staff

Municipal training programs are provided to improve staff's understanding of the Permit requirements and stormwater BMPs. The classes focus on methods to identify violations, reduce and/or eliminate sources of stormwater pollution from public agency facilities and activities, implement Water Quality Management Plan (WQMP) requirements, and the state-wide General Permit requirements for construction and industrial activities. Training is conducted specifically for construction inspection staff, municipal facilities maintenance staff, and staff responsible for new development/redevelopment project review. The District will continue implementation of online training courses, providing for a more convenient and cost-effective training program.

Household Hazardous Waste and ABOP Collection

The District and Permittees provide financial support to the Riverside County Department of Waste Resources to support the permanent HHW collection site in the City of Palm Springs, 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

In collaboration with the CVWD, the District will continue conducting wet weather and dry weather water quality sample collection and analysis in accordance with the Permit's Monitoring and Reporting Program and the Permittee's CMP. As applicable, the District will also continue implementing improvements to the water quality monitoring activities and monitoring program reporting.

Aquatic Weed Control Permit Compliance

The District will continue complying with the requirements of the Aquatic Weed Control Permit in order to control vegetative growth at District facilities. Weed abatement will continue to be an essential part of the District's routine maintenance activities to ensure continued flood protection and prevention of loss of life and property. Compliance with the Aquatic Weed Control Permit will include, when necessary, updates to the Application Plan, BMP implementation, monitoring water quality, and submitting annual reports to the Regional Board.

CONCLUSIONS AND RECOMMENDATIONS

The Stormwater Management Program for the Whitewater Watershed has been implemented in an efficient, cost-effective manner through the ongoing cooperative efforts of the District, County, 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 WWBAA assessments, are required to comply with the current Permit as well as with enforceable provisions of the California Water Code and the CWA, which regulate the discharge of stormwater from municipally owned storm drains and flood control facilities. These mandatory 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 Whitewater Watershed Benefit Assessment Area at an unchanged rate of \$3.63 per benefit assessment unit for the FY 2024-25.

GLOSSARY

ABOP – Anti-freeze, Batteries, Oil, and Paint

BAU – Benefit Assessment Unit

BMP – Best Management Practice

CASQA - California Stormwater Quality Association

CMP – Consolidated Monitoring Program

CRWQCB - California Regional Water Quality Control Board

CVRWMG – Coachella Valley Regional Water Management Group

CVWD - Coachella Valley Water District

CWA – Clean Water Act

District – Riverside County Flood Control and Water Conservation District

DTF – Desert Task Force

FY – Fiscal Year

HHW – Household Hazardous Waste

IA – Implementation Agreement

IC/ID – Illicit Connection/Illegal Discharge

IRWMP - Integrated Regional Watershed Management Plan

LID – Low Impact Development

MRP – Monitoring and Reporting Program

MS4 – Municipal Separate Storm Sewer System

NPDES – National Pollutant Discharge Elimination System

Order R7-2013-0011 – Colorado River Basin Regional Board Order adopted on June 20, 2013

Regional Board - California Regional Water Quality Control Board – Colorado River Region

ROWD – Report of Waste Discharge

SMC – Southern California Stormwater Monitoring Coalition

GLOSSARY

SWMP – Stormwater Management Plan

SWRP – Stormwater Resources Plan

WWBAA – Whitewater Watershed Benefit Assessment Area

SWRCB – California State Water Resources Control Board

USEPA – United States Environmental Protection Agency

VSQG – Very Small Quantity Generators

WQMP – Water Quality Management Plan

APPENDIX A

Proposed NPDES Program Budget (FY 2024-25)

APPENDIX A

WHITEWATER WATERSHED BENEFIT ASSESSMENT AREA PROPOSED NPDES PROGRAM BUDGET FOR FY 2024-25

STAFFING

Salaries, Overtime and Benefits \$438,691.00

OVERHEAD

Administration Support \$70,125.00

Computer Workstation Usage 40,000.00

Bad Debt Expense (Recovery) 1,000.00

Subtotal \$111,125.00

CONSULTANT SERVICES

NPDES Permit Administration \$220,000.00

Public Education & Outreach – Community Outreach \$28,820.00

NPDES Stormwater Training Program \$5,000.00

Water Quality Monitoring \$125,000.00

District Permit Compliance \$3,369.00

IC/ID Program \$50,000

Subtotal \$432,189.00

OTHER MS4 PROGRAM EXPENSES

County Counsel/Vehicle Usage \$23,500.00

Public Education & Outreach: Event Sponsorships \$1,500.00

Public Education & Outreach: Educational Materials \$14,200.00

Photocopying/Duplicating \$4,000.00

Water Quality Monitoring Equipment \$3,300.00

Licenses, Permits, and Publications \$600.00

Miscellaneous (utilities, supplies, materials) \$200.00

Subtotal \$47,300.00

REGIONAL PROGRAMS AND MEMBERSHIPS

NPDES Permit Administration: CASQA Membership \$3,369.00

NPDES Permit Administration: HHW Program, SMC \$42,800.00

Subtotal \$46,169.00

PROGRAM SUBTOTAL

\$1,075,474.00

CONTINGENCY (10%) \$107,547.40

Assessor's/Treasurer's Office Line-Item Charges (\$0.36/parcel) * \$20,832.12

County Fee for Annual Submittal * \$87.23

TOTAL EXPENDITURES FOR WHITEWATER RIVER WATERSHED

\$1,203,940.75

* 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 Whitewater Watershed Benefit Assessment Area (WWBAA)

APPENDIX D

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



California
GANNETT

PO Box 631437 Cincinnati, OH 45263-1437

AFFIDAVIT OF PUBLICATION

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, 07/01/2024

and that the fees charged are legal.
Sworn to and subscribed before on 07/01/2024

[Signature]

Legal Clerk

[Signature]

Notary, State of WI, County of Brown

3-7-27

My commission expires

Publication Cost:	\$1197.06	
Tax Amount:	\$0.00	
Payment Cost:	\$1197.06	
Order No:	10282923	# of Copies:
Customer No:	1252599	0
PO #:	F2024-09	

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. F2024-09 ACCEPTING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR THE WHITEWATER 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 - Colorado River Basin 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 Whitewater 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 Whitewater Watershed that lies within the District's jurisdiction; and

WHEREAS, the District's Board of Supervisors ("Board") on May 14, 1991 adopted Resolution No. F91-23 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 Whitewater 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

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. F2024-09 ACCEPTING THE ENGI-NEERING REPORT

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 Whitewater Watershed Benefit Assessment Area; and 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. 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 Whitewater 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 and levied 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 of Banning 99 East Ramsey Street Banning, California

City of Palm Springs 3200 East Tahquitz Canyon Way Palm Springs, 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 Desert Sun 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 Whitewater 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 12, 2024 Kimberly A. Rector, Clerk of the Board By: Cindy Fernandez, Clerk of the Board Assistant Published: June 23, July 1, 2024

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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 Whitewater Watershed Benefit Assessment Area; and

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.

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 Whitewater 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 and levied 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.

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Center
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Riverside, California

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

City of Banning
99 East Ramsey Street
Banning, California

City of Palm Springs
3200 East Tahquitz Canyon
Way
Palm Springs, California

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Dated: June 12, 2024

Kimberly A. Rector, Clerk of the Board

By: Cindy Fernandez, Clerk of the Board Assistant

Published: June 23, July 1, 2024