



MEMORANDUM

RIVERSIDE COUNTY EXECUTIVE OFFICE

Larry Parrish
County Executive Officer

RECEIVED

October 4, 2004

OCT 07 2004

RIVERSIDE COUNTY FLOOD CONTROL DISTRICT

TO: Stuart McKibbin, Flood Control
Milasol Gaslan, SARWQCB
Dianna Zandebergen, Planning
Keith Gardner, Planning
Jim Fagelson, Planning

FROM: Alex Gann, Riverside County Executive Office *Alex Gann*

RE: New procedures for compliance with SARWQCB Order No. 01-34

The Santa Ana Regional Water Quality Control Board's (SARWQCB) Order No. 01-34 (Order) requires preparation of post-construction management plans for new development proposals located within the San Jacinto River watershed which would result in a "disturbance" of more than five acres. The Executive Office, along with the Riverside County Flood Control and Water Conservation District (District) has worked with SARWQCB staff to ensure that Developer's post-construction stormwater management plans comply with the Order and include a clear statement of responsibilities for the monitoring and maintenance of post-construction stormwater Best Management Practices (BMPs). Guidelines for the review of these post-construction stormwater management plans (SWPPPs) have been in place since July 8, 2002 (see attached memo from Kathy Gifford).

However, the experience of the last two years and the development of District expertise in water quality issues point to needed revisions in the approval process. Moreover, the anticipated implementation of mandatory project specific Water Quality Management Plans (WQMPs) under the provisions of the Santa Ana municipal stormwater permit in 2005 would effectively supersede the need for the additional post-construction monitoring and maintenance provisions presently required within the SWPPPs for the Order.

After discussion with the District and the SARWQCB, it has been agreed that new water quality review procedures are appropriate for projects that are subject to the provisions of the Order. Therefore, the District will no longer review Developers' draft SWPPPs prior to the approval of a land use case by the Planning Commission or Board of Supervisors. Instead, Developers will submit to the District for review a preliminary project specific WQMP.

We believe that this new procedure will be consistent with the anticipated WQMP requirements of the Santa Ana municipal stormwater permit. The WQMP was adopted by the SARWQCB on September 17, 2004 and is slated for implementation on January 1, 2005. The proposed project specific WQMP would include exhibits depicting the proposed structural

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BMPs and identify the entity responsible for maintenance and monitoring, along with supporting calculations regarding the adequacy of the proposed BMPs.

We recommend the guidelines below be implemented **effective October 4, 2004**:

1. The Planning Department will continue to direct applicants with projects that disturb more than five (5) acres in the San Jacinto watershed to work with the SARWQCB in preparing a SWPPP for the project.
2. Developers will submit to the District for review and approval a preliminary project specific Water Quality Management Plan consisting of exhibits showing structural BMPs and proposed maintenance mechanisms along with supporting calculations.
3. During the entitlement process, the District will apply conditions of approval to ensure that Developers will mitigate the water quality impacts associated with their development proposals and meet their post-construction management plan requirements.
4. The SARWQCB will no longer notify the District of its approval of SWPPPs, issuance of Notice of Terminations (NOTs) or the completion of monitoring.

All cases initiated under the previous procedures shall continue as outlined in our office's memo of July 1, 2002. Should you have any questions please contact Stuart McKibbin with the Flood Control District at 951.955.1212.

cc: County Executive Office
Attn: Rhonda King
Transportation and Land Management
Attn: Juan Perez
Building and Safety
Attn: Steve Dondalski
SARWQCB
Attn: Michael Roth
Attn: Keith Elliot
Building Industry Association
Attn: Borre Winckel
Flood Control District
Attn: Steve Stump
Attn: Jason Uhley
Attn: Bob Cullen

AG:jlr

Executive Office
County of Riverside

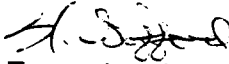


Larry Parrish
County Executive Officer

July 1, 2002

TO: Stuart McKibbin
Riverside County Flood Control District

Milasol Gaslan
Santa Ana Regional Water Quality Control Board

FROM: Katherine Gifford 
Riverside County Executive Office

RE: Post-Construction Management Plans: Transfer of Responsibilities
San Jacinto Watershed Stormwater Pollution Prevention Plans (SWPPPs)

As we have discussed previously, the Santa Ana Regional Water Quality Control Board (SARWQCB) requires that post-construction management plans be included in the San Jacinto watershed, per Santa Ana Order No. 01-34. This office has worked with the SARWQCB staff over the last year to ensure that the post-construction management plans comply with the order and have a clear statement of responsibilities for post-construction facilities. Attached, for your information, are guidelines that have been developed during this period.

Given Flood Control's participation in the Land Division Committee (LDC) process and its engineering expertise, we recommend that the processing of the post-construction management plans be transferred to Flood Control, **effective July 8, 2002**. The procedure, as we have discussed, would be as follows:

1. The Planning Department will continue to direct applicants with projects that disturb more than 5 acres in the San Jacinto watershed to work with the SARWQCB in preparing a SWPPP for the project.
2. The SARWQCB will forward the draft SWPPP to the Riverside County Flood Control District, to Stuart McKibbin's attention. (A copy of the draft SWPPP will no longer be sent to the County Executive Office.)
3. Flood Control will review the post-construction management plan portion of the SWPPP and provide comments to the SARWQCB.

4. During the LDC process, Flood Control will review the draft conditions of approval and ensure that post-construction management plan requirements are addressed, as appropriate.
5. The SARWQCB will notify Flood Control of the following SARWQCB actions:
 - Approval of the SWPPP
 - Issuance of a Notice of Termination
 - Completion of one-year of monitoring
6. After notification that the one-year monitoring has been completed, Flood Control will notify the Executive Office and transfer all related files to the Executive Office for long-term monitoring.

This office will finalize any SWPPPs sent to the CEO prior to July 8. After July 8, the CEO will be responsible for maintaining a log of approved SWPPPs that have been received from Flood Control and the long-term monitoring program.

Thank you, Stuart, for taking on this responsibility. With Flood Control's direct link to the land development process, I am sure that the review of the post-construction plans will continue to improve.

If you have any questions or if issues arise, please call me at 955-1110.

Attachment

Cc: Michael Freitas, Planning
Rick Hoffman, TLMA
Juan Perez, TLMA
Steve Dondalski, Building and Safety
Lisa Brandl, CEO
Craig Manning, CEO
Steve Stump, Flood Control
Michael Roth, SARWQCB
Keith Elliot, SARWQCB
Mary Moreland, Assistant, 3rd District
Ken Graff, Assistant, 3rd District

POST-CONSTRUCTION MANAGEMENT PLAN GUIDELINES

Post Construction Management Plans are required in the San Jacinto Watershed by California Regional Water Quality Control Board, Santa Ana Region, Order No. 01-34, NPDES No. CAG 618005. The objective of the Post-Construction Management Plan is to eliminate and/or control the discharge of pollutants in storm water runoff from the site once the construction activities are complete and the site is fully stabilized. Site-specific and seasonal conditions shall be considered when designing the control practices.

Best Management Practices (BMPs)

BMPs consist of permanent (structural and nonstructural) features designed to minimize pollutant discharges, which includes sediment, from the site after construction has been completed. Post-construction requirements are listed for the developer (Short-term BMPs) and for the Homeowners'/Property Owners' Association or other maintenance organization (Long-term BMPs).¹

SHORT-TERM BMPS: The developer will be responsible for the following:

1. Order No. 01-34 requires that the quality of storm water discharge from the development will be monitored as required by the Santa Ana Regional Water Quality Control Board for one year after completion of the project. Monitoring reports will be filed with the Regional Board by August 1 the year following completion of the project.
2. New residents, occupants or tenants of this site shall receive educational materials on good housekeeping practices that contribute to the protection of storm water quality. These materials will be obtained from the Riverside County Flood Control and Conservation District and shall be distributed by the developer prior to occupancy.
3. Catch basins will be stenciled in accordance with County standards prior to the acceptance of road rights-of-way.
4. The developer will notify the Regional Board and Riverside County Executive Office, or its designee, regarding the transfer of short- or long-term BMP responsibilities. The notification shall include a letter from the responsible party documenting their ability to accept responsibility for the BMP.

¹ A commitment letter from the responsible agency shall be attached and referenced in the Post-Construction Management Plan if BMPs will be maintained by an entity other than a property or homeowners association.

LONG-TERM BMPS:

1. The County of Riverside Transportation Department is responsible for the maintenance of catch basins and curbs and gutter in County accepted public roadways in accordance with the conditions of approval.
2. The County of Riverside Flood Control and Water Conservation District is responsible for the maintenance of its facilities in accordance with the conditions of approval.
3. Property owners are responsible for good housekeeping on their property including the upkeep of landscaping, maintenance of irrigation systems, cleaning of private drainage systems, and removal of litter.
4. The project will participate in the County-administered street sweeping program.
5. Post-construction structural BMPs will be identified on an exhibit with appropriate reference as regards long-term maintenance responsibilities.

If the following BMPs are proposed by the developer, they should be reflected in the conditions of approval of the case.

6. The Coves, Covenants and Restrictions (CC & Rs) identify that the Homeowners' / Property Owners' Association will be responsible for the following:
 - The Association will be responsible for applying pesticide and fertilizer in compliance with the manufacturer's instructions.
 - The Association will be responsible for ensuring that catch basins on non-County maintained roads shall be inspected and, if necessary, cleaned no later than October 1 of each year.
 - The Association will be responsible for ensuring that catch basin labels are inspected no later than October 1 of each year and refurbished as necessary to maintain legibility.
 - The Association shall be responsible for ensuring that trash management and litter control procedures will be implemented and maintained in the common areas. The Association may contract with their landscape maintenance firms to provide this service during regularly scheduled maintenance, which should consist of litter patrol, emptying trash receptacles in common areas, noting trash disposal violations by homeowners or businesses, and reporting the violations to the Association for investigation. Maintenance information will be kept on file for possible review.
 - The Association will ensure that private streets and/or parking lots shall be swept as needed to control any potential discharge into the storm water. These areas will be swept no later than October 1 of each year.
 - The Association will develop a schedule for BMP maintenance and keep records regarding the actual dates when maintenance occurred. The Association will file a report with the Riverside County Executive Office on or before August 1 of each year. The report will include an up-to-date list identifying the party or parties responsible for maintenance of BMPs,

their address, phone number at which the party may be reached 24 hours a day, and a description of the maintenance schedule for each BMP. (A sample reporting form is attached.)

- The Association will ensure that the 'water quality inlet (s), oil/water separator(s) and trash rack(s)', [or other structural facilities] more particularly described on Exhibit "x", is inspected, and if necessary, cleaned no later than October 1 of each year. Maintenance information will be kept on file for possible review.
- The Association will ensure that the screening and walls around trash container areas shall be maintained to prevent offsite transport of trash. Drainage from adjoining roofs and pavements shall be diverted around the areas. The containers shall be leak proof and have attached workable covers.

TO: Riverside County Executive Office
4080 Lemon St., 12th Floor
Riverside, Ca. 92501

RE: Annual Report on Post-Construction Best Management Practices

Case #: _____

WDID #: _____

Project Location:

The following BMPs were maintained during FY ____ (July 1, 200__ through June 30, 200__):

| BMP | Maintained By (Identify with Contact Name and Phone Number) | Maintenance Schedule (Specify Date of Maintenance Work) | Report of Any Non- Compliance |
|-----|--|--|----------------------------------|
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Note: Additional sheets attached.

Prepared by: _____

Date: _____

Title: _____

Telephone Number: _____

Email: _____