

CITY OF MURRIETA  
JURISDICTIONAL RUNOFF  
MANAGEMENT PROGRAM  
SANTA MARGARITA REGION  
ORDER No. R9-2010-0016

JUNE 27, 2012

CERTIFICATION



I certify under penalty of law that this document and all attachments including the Watershed Workplan and Water Quality Management Plan, prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signed: Patrick A. Thomas  
Patrick A. Thomas, PE  
Director of Public Works

Date: 6/26/2012

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**Acronyms and Abbreviations**

ABOP	Anti-freeze, Batteries, Oil, and Latex Paint
ASB	Area of Special Biological Significance
AST	Active/Passive Sediment Treatment
BMP	Best Management Practice
Cal-EMA	California Emergency Management Agency
Cal-EPA	California Environmental Protection Agency
CAP	Compliance Assistance Program
CASQA	California Stormwater Quality Association
CEQA	California Environmental Quality Act
CESQG	Conditionally Exempt Small Quantity Generator
CIA	Common Interest Area
CIEP	Compliance Inspection and Enforcement Program
CMP	Consolidated Monitoring Program
Copermittees	District, County, and Cities of Murrieta, Temecula and Wildomar
Construction General Permit	NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
DEH	County Department of Environmental Health
District	Riverside County Flood Control and Water Conservation District
ESA	Environmentally Sensitive Area
FPPP	Facility Pollution Prevention Plan
HHW	Household Hazardous Waste
HMP	Hydromodification Management Plan
HOA	Homeowners Association
IC/ID	Illicit Connection/Illegal Discharge
IDDE	Illicit Discharge Detection and Elimination
Industrial General Permit	NPDES General Permit for Stormwater Discharges Associated with Industrial Activities
IPM	Integrated Pest Management
JRMP	Jurisdictional Runoff Management Plan
LID	Low Impact Development
MEP	Maximum Extent Practicable
MHP	Mobile Home Park
MSHCP	Multi Species Habitat Conservation Plan
MS4	Municipal Separate Storm Sewer System
NAL	Non-Stormwater Dry Weather Action Levels
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
O&M	Operation & Maintenance
SAL	Stormwater Action Level
San Diego Regional Board	San Diego Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SIC	Standard Industrial Classification
SMARTS	Stormwater Multiple Application and Report Tracking System
SMR	Santa Margarita Region

State Board	State Water Resources Control Board
SWPPP	Stormwater Pollution Prevention Plan
SWQPA	State Water Quality Protected Area
TMDL	Total Maximum Daily Load
WDID	Waste Discharge Identification
WQMP	Water Quality Management Plan for the Santa Margarita Region of Riverside County
WQMP Projects	Priority Development Projects with a final approved Project-Specific WQMP
WLA	Waste Load Allocation
2010 SMR MS4 Permit	Order No. R9-2010-0016

## EXECUTIVE SUMMARY

This Jurisdictional Runoff Management Program (JRMP) describes the specific Runoff management programs and activities implemented to comply with the requirements of the Municipal Separate Storm Sewer System (MS4) Permit, Order No. R9-2010-0016, issued to the Riverside County Copermittees in the Santa Margarita Region (SMR) by the San Diego Regional Water Quality Control Board (San Diego Regional Board) on November 10, 2010 (2010 SMR MS4 Permit). This JRMP is the principal document that comprehensively translates the MS4 Permit requirements into actions that the City of Murrieta is implementing to comply with the 2010 SMR MS4 Permit. This JRMP will be reviewed at least annually to incorporate new and revised compliance programs specified in the 2010 SMR MS4 Permit.

This JRMP is based on a SMR-wide template developed jointly by the Copermittees to promote consistency in the compliance programs implemented in the SMR. The JRMP has been customized to describe the City of Murrieta's compliance procedures and requirements. The terms and acronyms used in this JRMP are defined in the glossary (Appendix A) and defined terms are capitalized.

## 2.0 INTRODUCTION TO THE CITY OF MURRIETA JRMP

### 2.1 Program Overview

The Clean Water Act of 1987 (CWA) established requirements for discharges of Urban Runoff from MS4s under the National Pollution Discharge Elimination System (NPDES) program. The 2010 SMR MS4 Permit regulates discharges of Runoff from MS4 facilities in the SMR. The Copermittees covered under the MS4 Permit are the County of Riverside, Riverside County Flood Control and Water Conservation District (District) and the cities within the SMR, including the City of Murrieta. Each Copermittee is responsible for compliance with the 2010 SMR MS4 Permit.

This JRMP is a programmatic document developed by the City to describe its specific internal management of the Runoff management program as well as ordinances, plans, policies and procedures necessary to manage Runoff and comply with the 2010 SMR MS4 Permit. This JRMP comprehensively translates the 2010 SMR MS4 Permit requirements into programs and Implementation Plans for the City of Murrieta.

### 2.2 Description of City of Murrieta MS4 Facilities

The major MS4 facilities owned and operated by the City of Murrieta and regulated under the 2010 SMR MS4 Permit consist of underground storm drains, open channels, retention basins, detention basins, and catch basins. Each year, the City of Murrieta updates a map of the City of Murrieta MS4 facilities with modifications and additions to its major MS4 facilities in the JRMP Annual Report.

Within the jurisdictional boundaries of the City of Murrieta, additional MS4 facilities and discharges may be present that are not owned by the City of Murrieta. These may include MS4 facilities owned/operated by the District, and other non MS4 Copermittee entities, including federal, state, tribal and private entities and discharges otherwise permitted by the San Diego Regional Board or the State Water Resources Control Board (State Board).

Table 2-1 lists the Receiving Waters that may receive discharges from the City of Murrieta's MS4 facilities, and the associated 303(d) listings. It should be noted that the City of Murrieta is not alone responsible for potential or actual water quality problems or 303(d) listings within any of the identified Receiving Waters; however the programs identified within this JRMP are designed to reduce the discharge of Stormwater Pollutants from the MS4 to the MEP, effectively prohibit Non-Stormwater discharges, and prevent Runoff discharges from the City of Murrieta's MS4 from causing or contributing to a violation of Water Quality Standards.

Table 2-1: 303(d) Listed Receiving Waters within and downstream of the City of Murrieta's Jurisdiction

Receiving Water	303(d) Listings
<b>Murrieta Creek</b>	Chlorpyrifos, Copper, Iron, Manganese, Nitrogen, Phosphorus, Toxicity
<b>Warm Springs Creek</b>	Chlorpyrifos, Esherichia Coli, Fecal Coliform, Iron, Manganese, Nitrogen, Phosphorus

## 3.0 PROGRAM MANAGEMENT

### 3.1 Departmental Responsibilities

There are multiple City of Murrieta departments with responsibility to implement elements of this JRMP and to meet the requirements of the 2010 MS4 Permit. An organizational chart depicting the departments involved in implementing the NPDES program is provided in Appendix B. Additionally, key personnel (position title) with implementation responsibilities, and a matrix showing each JRMP element, the departments with implementation responsibilities, the specific responsibilities of each department/organizational unit, and the key personnel by position title are also provided in Appendix B.

### 3.2 Cooperative Activities

#### 3.2.1 Implementation Agreement

The City of Murrieta participates in a cooperative Implementation Agreement with the following Copermittees within the SMR.

- County of Riverside
- Riverside County Flood Control and Water Conservation District
- City of Temecula
- City of Wildomar

Through this agreement, the City of Murrieta and the other listed Copermittees contribute funds to implement various aspects of the 2010 SMR MS4 Permit requirements on a region-wide basis. This approach allows for more consistent compliance with many elements of the 2010 SMR MS4 Permit, implementation of programs, increases cost effectiveness, and provides consistent messages for the public. The regional programs that the City of Murrieta jointly funds and implements regionally through this Implementation Agreement include:

- Joint development of compliance documents required by the 2010 SMR MS4 Permit among the Copermittees
- Funding of the additional responsibilities of the District as Principal Copermittee (Described in Section M of the 2010 SMR MS4 Permit)
- Regional public education activities
- Regional training programs for Copermittee staff
- Water quality monitoring as described in the 2010 SMR MS4 Permit Attachment E, Sections II.A through II.F, exclusive of source identification efforts that may be required of the City of

Murrieta based on an exceedances of an Action Level at a City of Murrieta owned Major MS4 Outfall.

- Joint support for other Regional Programs, including
  - The Compliance Assistance Program (CAP) including Food Service and Hazardous Materials facility inspections
  - Household Hazardous Waste and Antifreeze, Batteries, Oil and Latex Paint (ABOP) collection programs
  - Participation in the California Stormwater Quality Association (CASQA)

Major modifications to the interagency agreements and changes in the cooperative activities are described in Annual Reporting to the Regional Board

### 3.3 Fiscal Analysis {H.}

City of Murrieta makes capital expenditures and incurs operation and maintenance (O&M) costs to implement this JRMP and to meet the requirements of the 2010 MS4 Permit. Each year the capital expenditures and O&M costs incurred during the reporting period and the budgeted capital expenditures and O&M costs planned for the next fiscal year are provided in the Annual Report. Table 3-1 below describes the sources of funding that the City of Murrieta has available to fund these programs.

**Table 3-1. Fiscal Resources**

Program Element	Funding Source(s)
<b>Program Management and Reporting</b>	General Fund / CSA 152
<b>Annual Fee for MS4 NPDES Permit</b>	General Fund / CSA 152
<b>Implementation Agreement Shared Cost</b>	General Fund / CSA 152
<b>Elimination of Illicit Connections &amp; Illegal Discharges</b>	General Fund / CSA 152
<b>Municipal Facilities and Activities</b>	General Fund / CSA 152
<b>Development Planning</b>	General Fund / CSA 152
<b>Private Development Construction (Inspections)</b>	General Fund / CSA 152
<b>Industrial and Commercial Sources (Inspections)</b>	General Fund / CSA 152
<b>Retrofit Program</b>	General Fund / CSA 152
<b>Public Education &amp; Outreach</b>	General Fund / CSA 152
<b>Other</b>	General Fund / CSA 152

Table 3-2 below describes limitations on how the City of Murrieta can use the various sources of funding.

**Table 3-2. Restrictions on Use of Funding Sources**

Source of Funds	Restrictions on Use (if applicable)
-----------------	-------------------------------------

Source of Funds	Restrictions on Use (if applicable)
County Service Area 152	Limited and cannot be increased
General Fund	Limited and subject to economy

### 3.4 Legal Authority {E.}

A certification of the City of Murrieta's adequate legal Authority to comply with 40 CFR 122.26(d)(2)(I)(A-F) and the 2010 MS4 Permit is provided in Appendix B. Table 3-3 lists the ordinances that grant the Authority to implement the requirements of the 2010 MS4 Permit and this JRMP. The Runoff Management and Discharge Controls addressed by these ordinances provide the Authority to:

- ◆ Control the contribution of Pollutants in discharges of Runoff associated with industrial and construction activity to its MS4 facilities and control the quality of Runoff from Industrial and Construction Sites. This requirement applies both to Industrial and Construction Sites which have coverage under the statewide Industrial or Construction General Stormwater Permits, as well as to those sites which do not. Grading ordinances must be updated and enforced as necessary to comply with this Order;
- ◆ Prohibit all identified Illicit Discharges not otherwise allowed pursuant to Section B.2 of the 2010 SMR MS4 Permit;
- ◆ Prohibit and eliminate Illicit Connections to the MS4;
- ◆ Control the discharge of spills, dumping, or disposal of materials other than Stormwater into the MS4;
- ◆ Require compliance with conditions in City of Murrieta's ordinances, permits, contracts or orders (i.e., hold dischargers to its MS4 facilities accountable for their contributions of Pollutants and flows);
- ◆ Utilize enforcement mechanisms to require compliance with City of Murrieta Stormwater Ordinances, permits, contracts, or orders;
- ◆ Control the contribution of Pollutants from one portion of the MS4 to another through interagency agreements with other Copermittees;
- ◆ Carry out all inspections, surveillance, and monitoring necessary to determine compliance and noncompliance with the Stormwater Ordinance and permits and with the 2010 SMR MS4 Permit, including the prohibition on Illicit Discharges to the MS4. The City of Murrieta has authority to enter, monitor, inspect, take measurements, review and copy records, and require regular reports from Industrial Facilities discharging into its MS4 facilities, including Construction Sites;
- ◆ Require the use of BMPs to prevent or reduce the discharge of Pollutants into the MS4 from Stormwater to the MEP;
- ◆ Require documentation on the effectiveness of BMPs implemented to reduce the discharge of Stormwater Pollutants to the MS4 to the MEP; and
- ◆ Implement and enforce its ordinances within CIA/HOA areas and mobile home parks.

Table 3-3 lists the City of Murrieta's ordinances that provide this legal authority. These ordinances (1) can be viewed at <http://www.amlegal.com/library/ca/murrieta.shtml>

1.00	1.00	1.00	1.00	1.00	1.00
2.00	2.00	2.00	2.00	2.00	2.00
3.00	3.00	3.00	3.00	3.00	3.00
4.00	4.00	4.00	4.00	4.00	4.00
5.00	5.00	5.00	5.00	5.00	5.00
6.00	6.00	6.00	6.00	6.00	6.00
7.00	7.00	7.00	7.00	7.00	7.00
8.00	8.00	8.00	8.00	8.00	8.00
9.00	9.00	9.00	9.00	9.00	9.00
10.00	10.00	10.00	10.00	10.00	10.00
11.00	11.00	11.00	11.00	11.00	11.00
12.00	12.00	12.00	12.00	12.00	12.00
13.00	13.00	13.00	13.00	13.00	13.00
14.00	14.00	14.00	14.00	14.00	14.00
15.00	15.00	15.00	15.00	15.00	15.00
16.00	16.00	16.00	16.00	16.00	16.00
17.00	17.00	17.00	17.00	17.00	17.00
18.00	18.00	18.00	18.00	18.00	18.00
19.00	19.00	19.00	19.00	19.00	19.00
20.00	20.00	20.00	20.00	20.00	20.00
21.00	21.00	21.00	21.00	21.00	21.00
22.00	22.00	22.00	22.00	22.00	22.00
23.00	23.00	23.00	23.00	23.00	23.00
24.00	24.00	24.00	24.00	24.00	24.00
25.00	25.00	25.00	25.00	25.00	25.00
26.00	26.00	26.00	26.00	26.00	26.00
27.00	27.00	27.00	27.00	27.00	27.00
28.00	28.00	28.00	28.00	28.00	28.00
29.00	29.00	29.00	29.00	29.00	29.00
30.00	30.00	30.00	30.00	30.00	30.00
31.00	31.00	31.00	31.00	31.00	31.00
32.00	32.00	32.00	32.00	32.00	32.00
33.00	33.00	33.00	33.00	33.00	33.00
34.00	34.00	34.00	34.00	34.00	34.00
35.00	35.00	35.00	35.00	35.00	35.00
36.00	36.00	36.00	36.00	36.00	36.00
37.00	37.00	37.00	37.00	37.00	37.00
38.00	38.00	38.00	38.00	38.00	38.00
39.00	39.00	39.00	39.00	39.00	39.00
40.00	40.00	40.00	40.00	40.00	40.00
41.00	41.00	41.00	41.00	41.00	41.00
42.00	42.00	42.00	42.00	42.00	42.00
43.00	43.00	43.00	43.00	43.00	43.00
44.00	44.00	44.00	44.00	44.00	44.00
45.00	45.00	45.00	45.00	45.00	45.00
46.00	46.00	46.00	46.00	46.00	46.00
47.00	47.00	47.00	47.00	47.00	47.00
48.00	48.00	48.00	48.00	48.00	48.00
49.00	49.00	49.00	49.00	49.00	49.00
50.00	50.00	50.00	50.00	50.00	50.00

City of Murrieta, California

**Table 3-3. Ordinances Providing Legal Authority**

Ordinance No.	Ordinance Short Title	Provision(s) of Ordinance and Description of Authorities Granted	Availability of Ordinance (Online URL or front counter)	Date of last update/status (Pending, draft, or adopted)
<b>Chapter 8.36</b>	Stormwater and Urban Runoff Management and Discharge Controls	Prohibit discharge of any pollutant per the NPDES Clean Water Act Section 402, 33 U.S.C. Section 1342 and prohibits discharges of non-stormwater discharges to the MS4	Online and front counter	1 <sup>st</sup> Reading Approved, 2 <sup>nd</sup> Reading is Pending
<b>Chapter 1.26</b>	Administrative Citations	Alternative method of enforcement for minor violations of the municipal code and applicable state codes.	Online and front counter	Adopted
<b>Chapter 1.32</b>	General Penalties	Administer monetary fines for non-compliance with the municipal code	Online and front counter	Adopted
<b>Chapter 8.20</b>	Summary of Abatement of Nuisances	A procedure for the abatement of nuisances in the interest of the public health, safety, and welfare	Online and front counter	Adopted

### **3.5 Enforcement/Compliance Strategy**

As described within this JRMP, the City of Murrieta implements a variety of programs and has established ordinances that are designed to meet the goals of the 2010 SMR MS4 Permit, however the City of Murrieta must necessarily rely on the actions or inactions of independent third parties such as residents and businesses for the protection of water quality. Accordingly, consistent with the 2010 SMR MS4 Permit and pursuant to the legal authorities described in Section 3.4, compliance with the City of Murrieta's ordinances is mandated through implementation of various enforcement mechanisms.

This section describes a program wide Enforcement / Compliance Strategy that serves as guidance to the various City of Murrieta departments in prioritizing and conducting enforcement activities that are consistent with the 2010 MS4 Permit and appropriate to the severity of the violation. Due to the unique nature of mobile businesses, specific enforcement procedures for Mobile Businesses are described in Section 3.5.3.

#### **3.5.1 Prioritize Violations**

The City of Murrieta's ordinances cover a wide range of prohibited activities with varying magnitudes of potential impact on the Beneficial Uses of Receiving Waters. For example, discharges of either Hazardous Materials (e.g., solvents and pesticides) or Non-Hazardous Materials (e.g., food Wastes, trash, and debris) into the MS4 are violations of Stormwater Ordinance subject to enforcement. Similarly, an accidental spill into a catch basin inlet and an intentional discharge from an Illicit Connection are both violations. Prioritizing violations is important in focusing the City of Murrieta's finite resources on those violations that may have the greatest potential impact on the quality of Receiving Waters.

Prioritizing violations is based on many factors, including the experience and professional judgment of the City of Murrieta's staff. The factors that are commonly considered in prioritizing violations of the City of Murrieta's Stormwater and Urban Runoff Management and Discharge Controls ordinance and Grading, Erosion and Sediment Control ordinance are presented in Table 3-4.

**Table 3-4. Prioritization Factors for Violations**

Prioritization Factor	Description
Characteristics of the Potential Pollutant	Based on chemical characteristics and potential to impact Beneficial Uses of Receiving Waters. The more Toxic, hazardous, or detrimental to the Beneficial Uses of the Receiving Waters a Pollutant, is the higher priority the discharge.
Sensitivity of the Affected Receiving Waters	The sensitivity of the affected Receiving Waters should be considered directly proportional to the priority of the violation because, for example, a more sensitive Receiving Water may suffer severe adverse effects from the discharge of a particular Pollutant whereas a less sensitive Receiving Water may suffer no adverse effects from the same Pollutant discharge. It is also important to consider that a Receiving Water may be highly sensitive to one potential Pollutant discharge while, at the same time, completely insensitive to another potential Pollutant. Examples of Receiving Waters that may be particularly sensitive include those with municipal supply or wildlife habitat designated Beneficial Uses.
Proximity of Receiving Waters	The closer a Receiving Water is to the discharge, the less chance there is for dispersion, dilution, or degradation of the potential Pollutant. Therefore, the closer the discharge is to Receiving Waters, the higher priority of the violation.
Magnitude of Discharge (volume and mass)	A larger Illegal Discharge should be of a higher priority than a smaller Illegal Discharge because as the magnitude of the Pollutant discharge increases, the extent of impact of the discharge on the environment increases as well.
Responsiveness of the Discharger in taking corrective actions	A discharger who is responsive and implements a good faith effort to correct a violation is more likely to minimize adverse impacts to surface water quality than a discharger who takes no action to correct a violation. Therefore, the priority of a violation should decrease as the responsiveness of the discharger increases.
Intent of the Discharger	Is the violation accidental or the result of an accident or a deliberate attempt to circumvent regulations?
Frequency of the Violation	Violations of local Stormwater Ordinances and erosion control ordinances that are continuous or reoccurring should be of a higher priority than isolated occurrences of violations. The more frequent a violation, the more likely it is that the discharge will impact surface water quality.
Previous History of Non-Compliance of the Responsible Party	A poor history of non-compliance of a discharger should result in a higher prioritization of subsequent violations as compared to a discharger with a good history of compliance because a history of non-compliance is evidence of a discharger's lack of concern for complying with local Stormwater and erosion control ordinances.

Table 3-5 provides general guidance for categorizing the relative severity of violations based upon the factors and/or circumstances associated with a violation.

Table 3-5. Relative Severity of Violations

Factors Affecting the Severity of Violations	Severity Priority Level		
	High	Medium	Low
Pollutant characteristics	Hazardous Materials (e.g., pesticides and solvents)	Metals, nutrients, sediment, other non-Hazardous Materials	Trash and debris
Sensitivity of Receiving Waters	Drinking water source, wildlife refuge, Illegal Discharges containing Pollutants identified as Impairing the Receiving Water.	Recreational reservoir, riparian habitat	Dry, ephemeral stream
Proximity of Receiving Waters	Adjacent	Several hundred feet away	Several hundred yards away
Discharge magnitude	1000's gallons	100's gallons	10's gallons
Responsiveness of discharger	No action to contain or mitigate discharge	Reactive to control discharge when requested (i.e., cooperative)	Implements spill control plan at own initiative or shows good faith effort to respond
Intent of violation	Intentional	Discharge due to lack of controls or negligence	Implemented and maintained controls that failed (i.e., accident)
Frequency of violation	Continuous	Intermittent	Isolated incident
Previous history of discharger	Enforcement and cleanup historically resisted and more than one previous violation	Enforcement and cleanup performed when threatened and one or less previous violations	Enforcement and cleanup performed when requested and no previous violations

Because violations may not clearly fall into any single priority level described in Table 3-5, the priority assigned by City of Murrieta staff to particular violations may involve a subjective weighting of various factors.

### 3.5.2 Select Appropriate Enforcement Actions

The City of Murrieta will emphasize and encourage voluntary compliance with its ordinances to the MEP. The enforcement/compliance response should be based on the severity of the violation in consideration of the factors in Table 3-5. The types of enforcement/compliance responses available, depending on the circumstances, and in typical order of increasing severity, are:

- ◆ Education and information,
- ◆ Verbal warning,
- ◆ Written warning,
- ◆ Notice of violation or noncompliance,
- ◆ Stop work order or cease and desist order,
- ◆ Civil citation or injunction,
- ◆ Monetary fine

- ◆ Bonding
- ◆ Administrative fine, and
- ◆ Referral to the Environmental Crimes Strike Force for criminal prosecution (infraction or misdemeanor).

### 3.5.2.1 Administrative Remedies

**Education and Information, and Verbal and Written Warnings.** Education and information should be provided to dischargers as an element of each enforcement action. Verbal and written warnings may also be provided depending on the circumstances of the condition that is causing or threatening to cause a violation of the City of Murrieta's ordinances. However, unless the condition is an initial violation of the Stormwater Ordinance and consists of a low priority and severity violation, additional enforcement action may be appropriate.

**Notice of Noncompliance.** The Notice of Noncompliance constitutes a basic request that the property owner or facility operator rectify the condition causing or threatening to cause noncompliance with the City of Murrieta's ordinances. The Notice of Noncompliance is generally issued when one or more of the following circumstances exist:

- ◆ The violation or threat is not significant and has been short in duration,
- ◆ The responsible party is cooperative and has indicated a willingness to remedy the conditions,
- ◆ The violation or threat is an isolated incident, and
- ◆ The violation or threat does not affect and will not harm human health or the environment.
- ◆ An actual condition of noncompliance exists, but the condition cannot be remedied within a relatively short period of time.
- ◆ The owner of the property or facility operator has indicated willingness to come into compliance by meeting milestones established in a reasonable schedule.
- ◆ The violation does not pose an immediate threat to human health or the environment.

**Stop Work Order or Cease and Desist Order.** The Stop Work Order or Cease and Desist Order are appropriate when the immediate action of the owner of property or operator of a facility is necessary to stop an existing discharge, which is occurring in violation of an ordinance. The Cease and Desist Order may also be appropriately issued as a first step in ordering the removal of nuisance conditions, which threaten to cause an unauthorized discharge of Pollutants if exposed to rain or surface water Runoff. The Cease and Desist Order is generally issued when one or more of the following circumstances exist:

- ◆ The violation or threat is immediate in nature and may require an emergency spill response or immediate nuisance abatement if left unattended.
- ◆ The violation or threat exhibits a potential situation that may harm human health or the environment.
- ◆ Contacts with the property owner or facility operator indicate that further Authority of the Copermittee may need to be demonstrated before remedial action is forthcoming.
- ◆ Prior Notices of Noncompliance have not obtained a favorable response.

Prior to issuance of any Cease and Desist Order or commencement of other civil or criminal enforcement action against any person, the City of Murrieta should deliver to the person a written Notice of Noncompliance, which states the act or acts constituting the violation and directs that the violation be corrected. The Notice of Noncompliance should provide the person with a reasonable time period to correct the violation before further proceedings are brought against the person. However, a Notice of Noncompliance should not be the first enforcement method used if egregious or unusual circumstances indicate that a stronger enforcement method is appropriate.

### **3.5.2.2 Criminal Enforcement**

**Misdemeanors.** Criminal enforcement is appropriate when evidence of noncompliance indicates that the violator of the Ordinance has acted willfully with intent to cause, allow continuing or concealing a discharge in violation of the Ordinance.

**Infractions.** At the discretion of the City of Murrieta's attorneys, misdemeanor acts may be treated as infractions. Factors that the attorney may use in determining whether the misdemeanor is more appropriately treated as an infraction may include the:

- ◆ Duration of the violation or threatened violation.
- ◆ Compliance history of the person, business or entity.
- ◆ Effort made to comply with an established compliance schedule.
- ◆ Existence of prior enforcement actions.
- ◆ Actual harm to human health or the environment from the violation.

**Issuance of Citation.** Where criminal enforcement is indicated, the inspector will issue a citation including the:

- ◆ Name and address of the violator,
- ◆ Provisions of the ordinance violated,
- ◆ Time and place of required appearance before a magistrate.

The offending party must sign the citation thereby promising to appear. If the cited party refuses to sign the citation, the inspector may cause the arrest of the discharger, or may refer the matter to the municipal attorney for issuance of a warrant for arrest. Inspectors should be aware that cited parties have the right to demand the immediate review by a magistrate, and such a request must be granted. Inspectors should respond to such a request by referring the request to the City of Murrieta's Police Department.

### ***Referral to Environmental Crimes Strike Force***

The Riverside County Environmental Crimes Strike Force is a committee designed to pursue enforcement of serious environmental crimes. Referral of a case to the Environmental Crimes Strike Force would occur after repeated attempts at obtaining compliance have failed. The contact for the Environmental Crimes Task Force is Daniel Workman, Senior Investigator, Riverside County District Attorney Office (951.955.0755 [dworkman@rivcodd.org](mailto:dworkman@rivcodd.org)). If Mr. Workman is not available, an Environmental Crimes Investigator can be contacted at 951.955.5430.

**3.5.2.3 Appropriate Enforcement/Compliance Responses**

Table 3-6 provides an example of appropriate enforcement responses that correspond to the severity of a violation as determined from Table 3-5. Recognizing the unique characteristics of mobile businesses, enforcement actions against such businesses will typically follow the procedure described in Section 3.5.3 below.

**Table 3-6. Enforcement Responses for Violations Where Overlapping Authority Exists**

Incident Severity Priority Level	Appropriate Enforcement Responses <sup>1</sup>	Lead Enforcement Agency	
		Copermittee	Regional Board Support
High	Referral to Environmental Crimes Strike Force	X	X
	Citation	X	X
	Infraction	X	X
	Misdemeanor	X	X
Medium	Infraction	X	X
	Misdemeanor	X	X
	Stop work order or cease and desist order	X	
	Notice of non-compliance	X	
Low	Notice of non-compliance	X	
	Written warning	X	
	Verbal warning	X	
	Education and information	X	

<sup>1</sup> Education and information should be incorporated into all enforcement responses.

The City of Murrieta takes the lead in initiating enforcement actions related to violations of its Stormwater Ordinance within its jurisdiction, however the Regional Board may be asked to provide support in enforcement actions related to incidents that are or escalate to a high-priority status. State law limits the Authority of the City of Murrieta to assess significant fines and penalties. However, the Regional Board has substantial abilities to assess fines and penalties under state and federal law that can be used to augment local enforcement where superior regulatory Authority and the ability to assess fines and penalties would be beneficial. Additionally, the Regional Board will be responsible for performing all enforcement actions related to compliance with the Statewide General Permits.

**3.5.3 Enforcement Strategy for Violations Originating from Mobile Businesses {F.3.b.(3)(ii)}**

Predominantly, violations by Mobile Businesses are reported by the public or by City of Murrieta field personnel. Appropriate field personnel are also trained to identify potential Non-Stormwater Discharges and other discharge of Pollutants from Mobile Businesses during the course of their normal duties. Violations originating from Mobile Businesses may be received by the City of Murrieta in the form of complaint calls from the public. For example, the District currently operates, on behalf of the City of Murrieta, a centralized 24-hour hotline (800-506-2556) that may be used by the public to, among other things, report violations into public streets, the MS4 and other water bodies. These calls can be received in English or Spanish and are routed to the appropriate Copermittee departments or contacts. The City of

Murrieta also implements Wet and Dry Weather monitoring programs that may indicate the presence of Non-Stormwater Discharges and other discharges of Pollutants to the MS4.

When put on notice by staff or a third party of a potential violation of City of Murrieta ordinances originating from a Mobile Business that is not already being responded to by another responsible agency (e.g., other Copermittee), the City of Murrieta investigates and take the following actions, as applicable:

- If the reported incident is outside of the City of Murrieta's jurisdiction, referral to the appropriate agency and/or the Regional Board will be made;
- Identify the name and contact information for the Mobile Business;
- The City of Murrieta responds to reported violations originating from a Mobile Business within its jurisdiction within two (2) business days of determining the name and contact information for the Mobile Business;
- Inspections performed in response to a report are documented using the standard complaint reporting forms; and
- When appropriate, samples of Non-Stormwater Discharges originating from Mobile Businesses that enter the MS4 may be collected.

As described in Section 8.5, investigations of Mobile Businesses are performed by the City of Murrieta in response to reports of potential violations originating from Mobile Businesses received from the public, staff and/or other agencies. The City of Murrieta has adopted ordinances prohibiting such discharges and established programs to enforce them.

Where violations that originate from Mobile Businesses are discovered, the City of Murrieta will take appropriate enforcement action. Recognizing the unique characteristics of Mobile Businesses, the typical escalating enforcement protocol includes the following; however steps may be adjusted as appropriate to the nature of the violation:

### Initial Violation

- 1) City of Murrieta staff provides educational materials to the Mobile Business operator informing them of the minimum Source Control and Pollution Prevention BMPs they must implement (refer to Section 8.5.1). This includes a review of applicable BMP fact sheets, and letting the operator know the proper procedures for disposal of Pollutants and Non-Stormwater discharges originating from Mobile Businesses.
- 2) If applicable, the City of Murrieta will require the Mobile Business owner to obtain a local business license.
- 3) The City of Murrieta may give notice that the Mobile Business operator shall cease any activity which causes Non-Stormwater Discharge to the MS4 until they implement the minimum BMPs (see below for list of recommended BMPs).

- 4) If discharge is observed at time of inspection, City of Murrieta staff shall require the Mobile Business operator to immediately contain the discharge and perform any necessary remediation or cleanup from the MS4.

#### Repeat Violations

For repeat violations by the same operator, the City of Murrieta follows the remainder of the Enforcement Compliance strategy in Section 3.5 which may include, as appropriate, issuing written warnings, Notices of Violation, citations, or referrals to the Regional Board.

### **3.5.4 Coordination of Enforcement/Compliance Activities**

Coordination with other Copermitees and government agencies including the Regional Board is essential for successful implementation of an enforcement/compliance program. The entire MS4 is not controlled by a single federal, tribal, state, local or private entity, nor does any single entity have Authority to take enforcement action for violations occurring outside of its jurisdiction. Further, other governmental agencies may have additional enforcement authorities that are appropriate to the situation. The City of Murrieta coordinates its enforcement activities, as practicable, with the appropriate Copermitees and government and agencies and tribes in accordance with the following guidelines:

#### **3.5.4.1 Identify Lead Agency**

- ◆ Enforcement will be coordinated when multiple agencies have jurisdiction and an agency has not been able to obtain compliance by the discharger.
- ◆ Unless otherwise agreed to in writing, the lead enforcement agency role will be assigned on the basis of the origin of the discharge.
- ◆ The Regional Board may be asked to be the lead enforcement agency for higher priority Illegal Discharges in areas of overlapping Authority, such as for discharges to Receiving Waters, and will be the lead enforcement agency for all enforcement actions related to compliance with the State Industrial or Construction General Stormwater Permits.
- ◆ Investigation and other relevant information will be shared between the participating agencies in a timely fashion.

#### **3.5.4.2 Lead Enforcement Agency Responsibilities.**

The lead enforcement agency will assume the following responsibilities:

- ◆ Coordinating activities and assigning responsibilities (e.g., investigations, site visits, etc.) among participating agencies;
- ◆ Maintaining communication and information exchange among participating agencies;
- ◆ Ensuring that follow-up actions are implemented; and
- ◆ Documentation and reporting as required.

#### **3.5.4.3 Coordination with the Regional Board**

Under the Porter-Cologne Water Quality Act, the State has provided the Regional Boards with overriding Authority to manage water quality and administer compliance with state and federal water quality law.

This Authority includes the ability to impose more significant fines and other sanctions than the Copermittees. With this Authority, the Regional Board may be more effective in obtaining the cooperation and compliance from those who violate Stormwater regulations. The Regional Board is notified by the City of Murrieta when findings of potential non-compliance with the State's Industrial and Construction General Stormwater Permits have been identified or when the City of Murrieta has been unable to obtain the compliance of a party responsible for violating its Stormwater Ordinance or erosion control ordinance. The list of contact names maintained by the District identifies the appropriate Regional Board staff to contact to initiate coordination of enforcement activities or to notify the Regional Board of potential findings of non-compliance. Where appropriate, notifications of potential non-compliance should be forwarded to the designated Regional Board contact person by the stormwater compliance coordinator.

#### **3.5.4 Coordination with Other Agencies**

In addition to the Regional Board, the City of Murrieta may also find it useful or necessary to coordinate or report findings of potential non-compliance to other government agencies with jurisdiction over water quality issues including the California Department of Fish and Game and the United States Fish and Wildlife Service. The list of contact names maintained by the District identifies the appropriate staff at these agencies to contact to initiate coordination of enforcement activities or to notify of potential findings of non-compliance. In addition, the City of Murrieta may cooperate with other Copermittees in the Santa Margarita Region in developing and implementing programs for mobile businesses, including sharing of mobile business inventories, BMP requirements, enforcement action information, and education.

#### **3.5.5 Recordkeeping**

Enforcement actions taken, and tools such as citations or tickets utilized, and the discharger's return to compliance are tracked in the databases described in the JRMP. Information to be retained by the City of Murrieta regarding their enforcement program includes:

- ◆ Documentation of staff training;
- ◆ Inspection notes or reports;
- ◆ Warning letters, violation notices, etc.;
- ◆ Documentation of follow-up actions;
- ◆ Contact reports from meetings or conversations with violators, other Copermittees, or other agencies; and
- ◆ Copies of notifications of potential non-compliance.

### **3.6 Receiving Water Limitations {A.3.}**

The 2010 SMR MS4 Permit states that discharges from City of Murrieta MS4 that have been found to cause or contribute to the violation of water quality standards (designated beneficial uses, water quality objectives developed to protect beneficial uses, and the State policy with respect to maintaining high quality waters) are prohibited. The City of Murrieta complies with this prohibition through timely

implementation of control measures and other actions as described in this JRMP to reduce pollutants in stormwater discharges in accordance with the 2010 MS4 Permit.

If it is determined that discharges from City of Murrieta MS4 are causing or contributing to exceedances of Water Quality Standards that persist, notwithstanding implementation of the control measures specified in the JRMP, the City of Murrieta will implement the following procedure:

Notification

If the City of Murrieta determines that discharges from its MS4 are causing or contributing to an exceedance within a receiving water of an applicable Receiving Water Quality Standard, within thirty (30) working days, the City of Murrieta's NPDES Coordinator will provide oral or e-mail notification to the Executive Officer, identifying the pertinent information and data supporting the determination, and commit to submitting a full report in accordance with the reporting procedures below.

If the City of Murrieta's NPDES Coordinator is notified by the Executive Officer of a determination by the Regional Board that discharges from the City of Murrieta's MS4 are causing or contributing to an exceedance within a receiving water of an applicable Receiving Water Quality Standard, within ten (10) working days the City of Murrieta's NPDES Coordinator will via e-mail acknowledge such notification, and formally request any pertinent supporting information and data not included in the original notification. Following receipt and validation of all information supporting such a determination, the City of Murrieta will commit to providing a full report in accordance with the reporting procedures below.

Reporting

If the exceedance documented pursuant to the notification above is solely due to discharges to the MS4 from activities or areas outside the City of Murrieta's jurisdiction or control, within ten (10) working days of becoming aware of the situation, the City of Murrieta will provide documentation of these discharges to the Executive Officer. Subsequently, the City of Murrieta will document the situation within the Annual Report.

Otherwise, following the notifications above the City of Murrieta will, within the annual report covering the date of the notification (unless the Executive Officer directs an earlier submittal), provide a report with:

- 1) A description of the BMPs that are currently being implemented through the JRMP and any additional BMPs that will be implemented to prevent or reduce those Pollutants that are causing or contributing to the exceedance of the applicable Receiving Water Quality Standards. The report may be incorporated in the Annual Report unless the San Diego Regional Board directs an earlier submittal; and
- 2) An implementation schedule for any new/revised BMPs. If the Executive Officer directs any modifications to the report, within thirty (30) days, the City of Murrieta will submit a revised report.

Update Compliance Programs

Within thirty (30) days following approval by the Executive Officer of the report described above, the City of Murrieta will revise the applicable sections of this JRMP and the monitoring program, to incorporate the approved modified BMPs that have been and will be implemented, the implementation schedule, and any additional monitoring required. The City of Murrieta will implement the revised JRMP and monitoring program in accordance with the approved schedule for implementation of any new/revised BMPs

**3.7 Program Reporting, Evaluation, and Revision {K.3}**

The City of Murrieta implements the following Annual Reporting, program evaluation, and program revision requirements described in the 2010 SMR MS4 Permit.

**3.7.1 Annual Reporting {K.3.a.}**

Each year the City of Murrieta prepares a JRMP Annual Report summarizing the implementation of the jurisdictional activities described in the JRMP during the reporting period for submittal to the Regional Board. Each Annual Report must verify and document compliance with the 2010 SMR MS4 Permit. The City of Murrieta retains records in accordance with the Standard Provisions in Attachment B of the 2010 SMR MS4 Permit, available for review, that document compliance with each requirement of the Permit. The City of Murrieta submits the Annual Report including documentation of implementation of the compliance programs utilizing standardized reporting forms. The reporting forms will be amended as needed to facilitate changes in compliance programs or more accurate reporting of compliance programs.

**3.7.2 Program Effectiveness Assessment and Reporting {J.}**

The City of Murrieta regularly assesses its compliance programs described in the JRMP to identify improvements that will promote the reduction of Pollutants in Runoff to the MEP while also supporting the responsible management and allocation of the public resources available for implementation.

The strategy for assessing the effectiveness of the JRMP is described in Appendix B.

**3.7.3 JRMP Revisions {F.}**

As part of the Annual Reporting process, the City of Murrieta will review the JRMP to identify the need, if any, for revisions. The City of Murrieta may propose revisions to the JRMP under the following conditions:

- ◆ Where needed improvements are identified based on staff experience in implementing the JRMP;
- ◆ Upon completion of newly developed program elements;
- ◆ In response to Effectiveness Assessments as described in section 3.7.2;
- ◆ In response to persistent Action Level exceedances.
- ◆ In response to the BMP strategy identified in the Watershed Workplan (see section 3.8)
- ◆ As directed by the Executive Officer to reflect regional and watershed-specific requirements and/or Waste Load Allocations (WLAs) developed and approved pursuant to the Total Maximum Daily Load (TMDL) process for Impaired Waterbodies.

- ◆ As directed by the Executive Officer where the JRMP must be revised in order to address exceedances of Receiving Water Limitations that have been determined to be contributed to or caused by Runoff.

### 3.8 Watershed Workplan {G}

The City of Murrieta participates in the development and updating of a Watershed Water Quality Workplan (Watershed Workplan) that is designed to identify, prioritize, address and mitigate the highest priority water quality issues/pollutants in the Upper Santa Margarita Watershed.

This plan is available at: <http://rcflood.org/NPDES/SantaMargaritaWS.aspx>

## 4.0 ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE){F.4.}

The City of Murrieta implements the following program to actively detect and eliminate Illicit Discharges and disposal into the MS4, in accordance with Provision F.4. of the 2010 SMR MS4 Permit.

### 4.1 Overview

#### 4.1.1 Prohibited Discharges

The City of Murrieta, through its legal Authority (Section 3.4), enforcement mechanisms (Section 3.5), and various other programs summarized in Section 4.2 below, effectively prohibits all types of Non-Stormwater discharges into its MS4 facilities unless such discharge is authorized by a separate NPDES permit or specifically allowed under the 2010 SMR MS4 Permit (summarized in Section 4.1.2 below).

#### 4.1.2 Conditionally Allowed Non-Stormwater Discharges {B.2.}

The City of Murrieta is not required to prohibit the discharges categories identified below.

- ◆ Diverted stream flows;
- ◆ Rising ground waters;
- ◆ Uncontaminated groundwater infiltration (as defined in 40 CFR 35.2005 (20)) to MS4s
- ◆ Uncontaminated pumped groundwater<sup>1</sup>;
- ◆ Foundation drains<sup>2</sup>;
- ◆ Springs;
- ◆ Water from crawl space pumps<sup>3</sup>;
- ◆ Footing drains<sup>4</sup>;
- ◆ Air conditioning condensation;
- ◆ Flows from riparian habitats and wetlands;
- ◆ Water line flushing<sup>5& 6</sup>

<sup>1</sup> Requires enrollment under Order R9-2008-002. Discharges into the MS4 require authorization from the owner and operator of the MS4.

<sup>2</sup> Requires enrollment under Order R9-2008-002. Discharges into the MS4 require authorization from the owner and operator of the MS4.

<sup>3</sup> Requires enrollment under Order R9-2008-002. Discharges into the MS4 require authorization from the owner and operator of the MS4.

<sup>4</sup> Requires enrollment under Order R9-2008-002. Discharges into the MS4 require authorization from the owner and operator of the MS4.

<sup>5</sup> This exemption does not include fire suppression sprinkler system maintenance and testing discharges. Those discharges may be regulated under Section B.3 of the 2010 SMR MS4 Permit

<sup>6</sup> Requires enrollment under Order R9-2002-0020.

- ◆ Discharges from potable water sources not subject to NPDES No. CAG679001, other than water main breaks;
- ◆ Individual residential car washing;
- ◆ Dechlorinated swimming pool discharges;<sup>7</sup> and
- ◆ Emergency fire fighting flows (i.e. flows necessary for the protection of life or property).<sup>8</sup>

## 4.2 IC/ID Prevention {F.4.}

The programs described in Sections 5 through 9 of this JRMP are designed to prevent IC/IDs from occurring. Additionally, Section 11 of this JRMP describes the public education efforts implemented to ensure that the public is informed of these requirements. Below are some highlights of specific elements of the City of Murrieta's programs that help prevent IC/IDs.

### 4.2.1 Legal Authority {F.4.a.(1)}

As described in Section 3.4, the City of Murrieta maintains a Stormwater and Urban Runoff Management and Discharge Controls ordinance prohibiting IC/IDs.

### 4.2.2 Connections to City of Murrieta MS4 Facilities

The City of Murrieta's Public Works Department requires all proposed or detected third party connections to its MS4 facilities to obtain an Encroachment Permit. Through this permit process, the City of Murrieta ensures that the connection is not designed to drain Illegal Discharges into the MS4.

### 4.2.3 Inspections {F.4.a.(2)}

The inspection programs implemented by the City of Murrieta described in Sections 5 through 9 of this JRMP provide an opportunity to identify Illicit Connections and for inspectors to work with the property owner to remedy problems that may potentially result in an Illegal Discharge. If routine inspections or Dry Weather monitoring indicate Illicit Connections or Illegal Discharges, they will be investigated and eliminated or permitted<sup>9</sup> as described in Sections 4.3 and 4.4.

### 4.2.4 Maintain MS4 Map {F.4.b.}

An updated map of MS4 facilities owned by the City of Murrieta is maintained and provided to the Regional Board in the Annual JRMP report. The map includes all segments of the MS4 owned, operated, and maintained by the Copermittee, as well as all known locations of inlets that discharge and/or collect Runoff into the MS4 facilities, all known locations of connections with other MS4s (e.g., Caltrans), and all known locations of all the outfalls that discharge Runoff to Receiving Waters from the City of Murrieta's MS4 facilities. The accuracy of the MS4 map has been confirmed during dry weather field screening and analytical monitoring and will be updated at least annually. The MS4 map including any GIS layers will be submitted annually with the updated JRMP. This map is useful in identifying and narrowing down potential source areas in response to an observed IC/ID or Action Level exceedance.

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<sup>7</sup> Excluding saline swimming pool discharges.

<sup>8</sup> Specifically excluding non-emergency fire fighting flows, i.e. flows from controlled or practice blazes and maintenance activities, and building fire suppression system maintenance discharges, i.e. sprinkler line flushing.

#### **4.2.5 Outfall Monitoring {F.4.d.}**

The City of Murrieta conducts dry weather field screening and analytical monitoring of MS4 outfalls and other portions of its MS4 facilities within its jurisdiction to detect IC/IDs as described in Section 13.

#### **4.2.6 Waste Collection Programs**

##### **4.2.6.1 Household Hazardous Waste (HHW) Collection and Anti-freeze, Batteries, Oil, and Latex Paint (ABOP) Collection Programs**

Through the Implementation Agreement (see Section 3.2) the City of Murrieta participates in the HHW and ABOP collection programs in conjunction with the Riverside County Waste Management Department. Mobile HHW collection events are held at sites in the SMR and are scheduled periodically on weekends from 9:00 a.m. until 2:00 p.m.. Through the Implementation Agreement, the District, on behalf of the City of Murrieta, also supports one permanent ABOP collection site in the SMR, which is located at:

Murrieta Maintenance Yard / Riverside County Transportation Department  
25315 Jefferson Avenue, Murrieta, 92562

The site is open Saturdays from 9:00 a.m. until 2:00 p.m. with the exception of holiday weekends. Mobile and permanent site locations may vary over time. Details, site locations, maps and schedules of operation for both the HHW and ABOP collection events are available on the DEH web site at <http://www.rivcowm.org/opencms/hhw/pdf/HHWEventFlyerPDFs/91709-MASTERHHWSchedule.pdf> or by calling 1-888-722-4234 or 951-358-5055.

Along with materials collected at HHW and ABOP sites, cathode ray tubes can be taken to County landfills for recycling. Used motor oil for recycling may be taken to drop off at certified collection centers throughout Riverside County in addition to the ABOP sites.

##### **4.2.6.2 Conditionally Exempt Small Quantity Generator (CESQG)**

The CESQG Program is a Hazardous Waste pick-up disposal service for eligible businesses/non-profit organizations in Riverside County. This program provides an affordable way to legally dispose of limited quantities of Hazardous Waste.

Businesses that generate 27 gallons or 220 pounds of Hazardous Waste or 2.2 pounds of extremely Hazardous Waste per month can participate in the CESQG program. Businesses are required to use a licensed hauler to manifest and transport their Hazardous Waste. The most common participants in the CESQG program are painters, print shops, auto shops, builders, churches, schools, non-profit groups and property managers. An appointment for pickup of Hazardous Waste or further information on the CESQG program can be obtained by calling 1-800-952-5566.

#### **4.3 IC/ID Detection {F.4}**

In the mid-1990s, the Riverside County Copermittees conducted reconnaissance surveys to identify IC/IDs to the MS4s. The reconnaissance surveys were limited to underground storm drains of 36-inch diameter or larger and open channels and utilized videotaping. Each undocumented connection to the MS4 was traced to its origin. Although 200 undocumented connections to the underground MS4 facilities

were found County-wide, none of the connections were determined to be Illicit Connections with regard to the MS4 NPDES program. As underground facilities are difficult to access and the Copermittees inspect the construction of new underground MS4 facilities to verify that no Illicit Connections are being made, it has been determined that additional inspections of the underground MS4 facilities are not warranted. However, the City of Murrieta conducts inspections of open channel MS4 facilities to identify Illicit Connections as an element of routine facility maintenance. Illicit Connections identified during these surveys are documented and removed where necessary in order to comply with the 2010 MS4 Permit.

Although the overall programs described in this JRMP are designed to help prevent IC/IDs into the MS4, the following summarizes the specific methods implemented by the City of Murrieta to detect and eliminate potential IC/IDs

**4.3.1 MS4 Facility Inspections {F.4.e}**

During the regular maintenance as described in Section 5.3 herein, MS4 facilities are inspected to identify potential Illicit Connections, and evidence of any Illegal Discharges. This is the most direct method to detect IC/IDs. Appropriate field personnel are trained to identify potential IC/IDs during the course of their normal duties. The City of Murrieta staff is familiar with the existing MS4 and the drainage patterns within its jurisdiction and can take steps to identify the source of what appears to be an IC/ID.

**4.3.2 Public IC/ID Reports / Hotline {F.4.c}**

Predominantly, Illegal Discharges are reported by the public or by City of Murrieta field personnel. Third-party notifications are a direct source of IC/ID information. The public is encouraged to call the Police Department/Code Enforcement to report observed spills or Illegal Discharges.

Additionally, as described in Section 11, the Riverside County Copermittees maintain a Public Education and Outreach program that includes education regarding IC/IDs. Procedures to educate the public about Illegal Discharges and Pollution Prevention where problems are found are included in this program. The District operates, on behalf of the Copermittees, a centralized 24-hour hotline (1-800-506-2556) that may be used by the public to, among other things, report Illegal Discharges from urban areas into public streets, the MS4 and other water bodies. These calls can be received in English or Spanish and are routed to the appropriate City of Murrieta departments or contacts.

Upon receiving notification from staff or a third-party, the City of Murrieta staff follows the procedures identified in Section 4.4 below.

**4.3.3 IC/ID: Construction Site Inspections {F.1.e.(6)(d)}**

As described in Section 7 herein, the City of Murrieta implements programs to track and verify that Construction Sites are complying with their ordinances. As part of that program, the City of Murrieta supplements the Illicit Discharge Detection and Elimination (IDDE) program by assuring that appropriate BMPs are being implemented to prevent Illegal Discharges, and that no Illicit Connections occur during the installation phase of new MS4 facilities. Illegal Connections are prohibited by the City of Murrieta and are initially verified during the plan check process. The City of Murrieta verifies conformance with

the approved plans and conducts inspections at Construction Sites. A Stop Work Order is issued if an IC/ID is observed during an inspection, and where applicable City of Murrieta staff will follow the relevant procedures described below. The Stop Work Order will cease after the IC/ID has been removed or eliminated.

#### **4.3.4 IC/ID: Industrial/Commercial Facility Inspections {F.3.b.(4)(vi)}**

As described in Section 8, the City of Murrieta implements programs to track and verify that Industrial and Commercial Facilities are complying with the Stormwater Ordinance. At the time of writing the Compliance Assisted Program (CAP) assists the Copermittees IC/ID elimination efforts through the Stormwater Compliance Surveys completed by Department of Environmental Health and Hazardous Materials Management. These surveys list non-compliance issues that require additional attention, including IC/IDs, and the surveys are forwarded to the District. The District forwards the surveys to the City of Murrieta NPDES Coordinator for follow-up visits, if necessary. If IC/IDs are encountered however, the CAP inspector directly contacts the City of Murrieta, who will investigate as described below. However, the City is exploring opting out of the CAP program so the City can cover the 2010 MS4 Permit requirements in the same inspection.

#### **4.3.5 Monitoring Activities {Attachment E, II.C.}**

The City of Murrieta, in cooperation with the District, implements a Non-Stormwater Dry Weather Action Level (NAL) monitoring program at the Major Outfalls from its MS4 facilities. This monitoring program is intended, in part, to help identify MS4 Outfalls and sub-drainage areas within the City of Murrieta's jurisdiction that may have Illegal Discharges. The monitoring program is described in the CMP <http://rcflood.org/NPDES/Monitoring.aspx>. Where an Action Level exceedance is detected at a Major Outfall, the City of Murrieta, Public Works Department conducts source identification efforts as described in Section 4.4.2

#### **4.3.6 Non-Jurisdictional IC/IDs**

Where Non-Jurisdictional IC/IDs are identified within the City of Murrieta's jurisdiction, the responsible party is notified of the Regional Board requirements and the Executive Officer is notified of the Non-Jurisdictional IC/ID. The City of Murrieta also implements Wet and Dry Weather monitoring programs that may indicate the presence of IC/IDs as described in Section 13.

### **4.4 IC/ID Response and Reporting {F.4.}**

The 2010 SMR MS4 Permit and the Clean Water Act requires the Copermittees to prohibit, consistent with the MEP standard, Illegal Discharges (including the discharge of spills, leaks, or dumping of any materials other than Stormwater and authorized Non-Stormwater) into the MS4.

The City of Murrieta implements the following procedures to investigate and inspect portions of its MS4 that, based on the results of field screening, analytical monitoring, or other appropriate information, indicate a reasonable potential of containing IC/IDs or other sources of Pollutants in Non-Stormwater.

After receiving a notification of a water pollution problem on the area-wide hotline, Code Enforcement Officer of the Code Enforcement Department investigates and notifies the appropriate NPDES Coordinator of the Public Works Department of the City of Murrieta if there is a problem.

#### 4.4.1 Initial Response Timeframe and Requirements

Based on the information reported, the Code Enforcement will assess if the IC/ID is an Emergency Situation that poses an immediate threat to human health or the environment. Any sewage spill over 1,000 gallons or that could impact water contact recreation, any spill that could impact wildlife, any Hazardous Material spill where residents are evacuated, any spill of reportable quantities of Hazardous Waste (as defined by 40 CFR 117 and 40 CFR 302), or any other spill reportable to the California Emergency Management Agency (Cal-EMA, formerly known as the Office of Emergency Services or OES) is classified as a threat to human health or the environment..

- a. If the discharge is a threat to human health or the environment:
  - i. Such discharges must be reported immediately by phone to the Cal-EMA at 1-800-852-7550 and should also be reported to the Executive Officer of the Regional Board by telephone: 858-467-2952. If these reports to these agencies have already been submitted by other parties, this reporting need not be repeated by the City of Murrieta.
  - ii. Investigation (if the source is not immediately known) and elimination activities (as described below) must occur immediately within 24 hours of being put on notice by staff or a third-party.
- b. If there are obvious Illicit Discharges (i.e. color, odor, or significant exceedances of Action Levels (>10x the Action level) investigation as described below must occur within one business day.
- c. If Field Screening Data collected as part of the NAL Monitoring program (as described in Section 4.0 of Volume III of the CMP and Section 13.2 of the JRMP) exceeds Action Levels, the City of Murrieta will either:
  - i. Initiate an investigation (as described below) to identify the source of the discharge within two (2) business days of receiving the data, or
  - ii. Document the rationale for why the discharge does not pose a threat to water quality and does not need further investigation. This documentation will be included in the JRMP Annual Report.
- d. If Analytical Laboratory Results collected as part of the NAL Monitoring program (as described in Section 4.0 of Volume III of the CMP and Section 13.2 of the JRMP) exceeds Action Levels at a City of Murrieta outfall, the City of Murrieta will either:
  - i. Initiate an investigation (as described below) to identify the source of the discharge within five (5) business days of receiving the data, or
  - ii. Document the rationale for why the discharge does not pose a threat to water quality and does not need further investigation. This documentation will be included in the City of Murrieta's JRMP Annual Report.
- e. Other reported potential Illicit Discharges that do not meet the criteria identified above will be responded to in a timely manner. Responses to such reports may be prioritized.

#### 4.4.2 Investigation {F.4.e.}

The City of Murrieta takes action to eliminate all detected IC/IDs. The Department and/or Position Title conducts investigations based on the data or reports as described above. The following investigative steps will be taken by the City of Murrieta:

1. If there is no active discharge, standing water, or other evidence of recent discharges (stains) at the reported location, Outfall or NAL exceedance location, reconnaissance is complete at that location and observations are documented in the City of Murrieta's complaint database. If necessary the location may be marked for future additional follow-up.
2. If there are multiple active discharges at the reported location or outfall, staff will:
  - a. Observe the flows for any odd odors or discoloration
  - b. Take photographs of the discharge and the point of entry to MS4 (if known)
  - c. Attempt to trace the flow/flows to its origin
3. If there is an active discharge or evidence of recent Dry Weather flow at the reported location or Outfall, staff will:
  - a. Take photographs of the discharge and the point of entry to MS4 (if known)
  - b. Attempt to trace the flow/flows to its origin
  - c. Collect the following field parameters – pH, temperature, and specific conductivity.
  - d. If the field parameters exceed follow-up criteria identified in the CMP, or if there is other visible evidence of an Illegal Discharge (e.g., stains), a continued investigation will be necessary, see Step 4.
4. Where the initial investigation identified in Step 3 indicated a potential Illegal Discharge, the City of Murrieta will perform a source investigation as follows:
  - a. If active discharge with flow
    - Trace the source of the discharge as far upstream as possible.
    - Additional field measurements and/or lab analyses may be performed and documented (as outlined above) where there is no other evidence of the IC/ID source.
  - b. If no active discharge but evidence of a recent IC/ID is present at time of investigation, trace the source of the discharge as far upstream as possible.

#### 4.4.3 Elimination {F.4.f}

1. If the source is not identified
  - a. Attempt to narrow down potential source areas, and make note in the investigation file.
  - b. Where appropriate, public education material in area of IC/ID or complaint may be provided.
  - c. Location is marked for future follow-up where appropriate. Follow-up visit(s) will confirm if the IC/ID has recurred and an attempt will be made to locate source. If the IC/ID has not recurred or has been eliminated it is noted and complaint/investigation is closed.
  - d. If the investigation was initiated in response to an Action Level exceedance:
    - i. Additional NAL sampling will occur at the Outfall in subsequent years.

- ii. If the results of the additional sampling indicate recurring exceedances of the same NAL(s) with an unidentified source, then the City of Murrieta will provide an evaluation in the JRMP Annual Report of needed changes to the programs described in this JRMP to address the common contributing sources that may be causing such an exceedance. Applicable updates will be made to the Watershed Water Quality Workplan (G. of the 2010 SMR MS4 Permit), Retrofitting Existing Development (F.3.d. of the 2010 SMR MS4 Permit) and Program Effectiveness Assessment and Reporting (J. 2010 SMR MS4 Permit) work plans.
2. If the source is identified, and if:
- a. The source is natural (non-anthropogenically influenced) in origin and in conveyance into the MS4 then the City of Murrieta need not prohibit the discharge;
    - i. The City of Murrieta will report its findings and documentation of its source investigation to the Regional Board in the JRMP Annual Report covering the period in which the findings were made.
  - b. If the source of the exceedance is an exempted category of Non-Stormwater discharge as described in Section 4.1.2, then the City of Murrieta, Public Works Department will determine if this is an isolated circumstance or if the problem is recurrent to the point that the category of discharges must be addressed through the prohibition of that category of discharge as an Illicit Discharge.
    - i. The City of Murrieta will submit its findings including a description of the steps taken to address the discharge and the category of discharge, to the Regional Board for review in the applicable JRMP Annual Report covering the period in which the findings were made. Such description will include relevant updates to existing ordinances or new ordinances, orders, or other legal means of addressing the category of discharge, and the anticipated schedule for doing so. The City of Murrieta must also submit a summary of its findings with the Report of Waste Discharge.
  - c. The source is in the jurisdiction of another Copermittee, the appropriate Copermittee is notified, and further action is performed by that Copermittee.
  - d. The source is a discharge separately permitted by the Regional Board and/or the State Board that is in violation or potential violation of that permit, then:
    - i. If applicable, a copy of the regulatory permit City of Murrieta Department authorizing the discharge will be obtained.
    - ii. The Copermittee must report, within three business days, the findings to the San Diego Water Board including all pertinent information regarding the discharger and discharge characteristics.
    - iii. The findings of the investigation will be noted in the file and the case will be closed.
    - iv. If a permitted discharge is perceived to be a threat to human health or the environment will be reported to the Regional Board/Cal-EPA.
  - e. The source is an Illegal Discharge within the jurisdiction of the City of Murrieta:
    - i. The source is provided with educational material about IC/IDs, and an attempt is made to have the source resolve the situation immediately.

- ii. Where appropriate, Code Enforcement staff will implement enforcement procedures consistent with Section 3.5 of this JRMP.
  - iii. Follow-up as appropriate to ensure that the IC/ID is eliminated.
  - iv. Report the findings, including any enforcement action(s) taken, and documentation of the source investigation to the San Diego Water Board in the Annual Report.
  - v. If the City of Murrieta is unable to eliminate the source of discharge prior to the Annual Report submittal, then the Copermittee must submit, as part of its JRMP Annual Report, its plan and timeframe to eliminate the source of the exceedance.
  - vi. Those dischargers seeking to continue such a discharge must obtain coverage under a separate NPDES permit prior to continuing any such discharge.
- f. The source is part of a HazMat incident, it is reported to the Incident Commander upon arrival. Coordination with the HazMat team takes place and samples are only collected with approval of the Incident Commander as samples may be done in conjunction with future legal action. Under no circumstances is a site entered or field measurements collected if conditions are unsafe.

#### **4.4.4 Clean-up**

The City of Murrieta ensures that any Illegal Discharge is cleaned up where necessary and that no further environmental degradation occurs and the responsible party restore the area back to its original state to the MEP.

#### **4.4.5 Sanitary Wastes {F.4.h}**

The City of Murrieta implements programs to manage discharges of sewage into its MS4 facilities from various sources including Sanitary Sewer Overflows and private laterals, failing septic systems, and portable toilets.

##### **4.4.5.1 Sanitary Sewer Overflows and Private Laterals**

The City of Murrieta cooperates and coordinates with the local sanitation districts as described in Appendix C to swiftly respond to and contain sewage spills that may discharge into its MS4 facilities.

As part of those efforts, the City of Murrieta allows local sanitation districts immediate 24-hour access to its MS4 facilities to address and contain sewage spills. The City of Murrieta also works cooperatively with the local sanitation districts to determine and control the impact of infiltration from leaking sanitary sewer systems on Runoff quality.

##### **4.4.5.2 Failing Septic Systems**

The City of Murrieta, in conjunction with the County Department of Environmental Health (DEH), implements preventative and management measures for septic systems within their jurisdiction, as applicable, including:

- Inventory: The City of Murrieta and / or Building Department maintains an inventory of septic systems within its jurisdiction, with updates of new septic systems approved since 2008 available from the DEH;

- Ordinance: The City of Murrieta follows the Riverside County ordinance that regulates discharges from failing septic systems.
- Enforcement: Enforcement against failing septic systems is performed by Riverside County Department of Environment Health. And as necessary, in accordance with the enforcement procedures referenced in Section 3.5 of this JRMP.

**4.4.5.3 Portable Sanitary Services (Portable Toilets)**

Further, the Copermittees have added the base of operations for portable toilet suppliers to their Industrial/Commercial Facility inspection lists and prioritized them according to their threat to water quality. The City of Murrieta implements management measures for portable toilet use within their jurisdiction, including:

- Ordinance: The City of Murrieta follows the Riverside County ordinance that regulates portable toilets (Ordinance Number;
- Enforcement: Enforcement against ordinance violations by improper use or deployment of Portable Toilets is performed by Code Enforcement as necessary, in accordance with the enforcement procedures referenced in Section 3.5 of this JRMP; and

## 5.0 MUNICIPAL AREAS AND ACTIVITIES {F.3.A}

The City of Murrieta implements the following Municipal program to meet the requirements of provision F.3.a of the 2010 SMR MS4 Permit, prevent Illicit Discharges into the MS4, reduce municipal discharges of Stormwater Pollutants from the MS4 to the MEP, and prevent municipal discharges from the MS4 from causing or contributing to a violation of Water Quality Standards.

### 5.1 Planning City of Murrieta Facilities {F.1}

The City of Murrieta implements the applicable processes and procedures described in Section 6 of this JRMP in the planning and design of City of Murrieta projects. This includes, where applicable, the development of a Project-Specific WQMP. Depending on the type of project, the following procedures are implemented by the City of Murrieta to ensure that the planning and design of its public agency Priority Development Projects comply with the requirements of the 2010 SMR MS4 Permit:

All City of Murrieta projects will complete a "WQMP Applicability Checklist" (Found in the SMR WQMP) to determine if a WQMP is required.

#### 5.1.1 Public Works Priority Development Projects {F.1.d}

- ◆ If the project meets the definition of Priority Development Project as discussed in Section 6.6.3, a Project-Specific WQMP will be prepared consistent with the requirements of the SMR WQMP;
- ◆ The Preliminary Project-Specific WQMP, whether developed in-house or by a contractor, will be forwarded to the Public Works Department for a thorough review of all items required in the SMR WQMP. The reviewer will use the City of Murrieta "WQMP Review checklist" to determine if the Project-Specific WQMP is complete. The Public Works Department will approve the final Project-Specific WQMP.
- ◆ Prior to initiating grading or construction activities, the City of Murrieta, Public Works Department will ensure that the construction plans for its Priority Development Projects incorporate the BMPs described in the approved final Project-Specific WQMP. Appendix B includes the Position/Title of the reviewers under the respective departments responsible for implementing these reviews and approvals.
- ◆ The O&M Plan described in the Project-Specific WQMP will be integrated into the FPPP (see Section 5.3.4.1).

#### 5.1.2 Public Works Transportation Projects {F.1.i}

The Public Works Department will require a Project-Specific WQMP as described in Section 5.1.1 above for City of Murrieta Transportation Projects that qualify as a Priority Development Project, or design the project to comply with the Transportation Project Guidance is included as Exhibit D to the SMR WQMP.

#### 5.1.3 Public Works Unpaved Roads {F.1.i.}

Public Works projects that construct Unpaved Roads must follow the BMP guidance described in Section 6.6.7 of this JRMP.

**5.1.4 Design of Flood Control Projects {F.3.a.(4)(a)}**

During the design of flood control projects, the City of Murrieta Public Works Department assesses the potential impacts of the project on Receiving Water quality. As they are not Development Projects intended for human use or occupation, typically no additional Runoff or Pollutants will be expected to be discharged into Receiving Waters as a result of the construction of flood control projects.

**5.1.5 Other Public Works Projects**

Other Public Works Projects will comply with Section 6.6.6.

**5.2 City of Murrieta Construction Activities {F.2.}**

The City of Murrieta implements the applicable requirements of Section 7 of this JRMP in the construction of City of Murrieta projects. This includes, where applicable, compliance with the latest version of the Construction General Permit. As described in Section 5.1 above, the City of Murrieta prepares a WQMP for all applicable Public Works Priority Development Projects, which also meets the post-construction requirements in the Construction General Stormwater Permit.

City of Murrieta construction projects one acre or larger or which are part of a construction project one acre or larger must comply with the Construction General Stormwater Permit. Prior to commencement of construction activities, the City of Murrieta Public Works department files Permit Registration Documents by using the State Board's Storm Water Multiple Application and Report Tracking System (SMARTS) and submitting a Notice of Intent (NOI) fee. Upon completion of the construction project, the City of Murrieta files a Notice of Termination (NOT) and other project close-out documentation via the State Board SMARTS. The SMARTS can be accessed at:

<https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp>

During construction closeout the City of Murrieta will assure satisfactory completion of the requirements in a project-specific WQMP by:

- ◆ Verifying that Structural Stormwater BMPs have been constructed and installed in conformance with approved plans and specifications;
- ◆ Assuming responsibility for the long-term funding and implementation, operation, maintenance, repair, and/or replacement of BMPs;
- ◆ Confirming that procedures are in place to implement all Non-Structural BMPs;
- ◆ Verifying that public agency Industrial Facilities that are subject to California's General Permit for Stormwater Discharges Associated with Industrial Activities as defined by Standard Industrial Classification (SIC) code obtain coverage and provide a copy of the NOI submitted to the State Board and/or a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number.

Where applicable, the operation and maintenance procedures for the Treatment Control BMPs included in the project-specific WQMP will be incorporated into a municipal Facility Pollution Prevention Plan (FPPP), as described in Section 5.3.4.1. For City of Murrieta projects, upon completion of construction when contract close-out occurs the responsibility for implementation, operation, and maintenance of

BMPs will transfer from the contractor to the appropriate department and become part of the City of Murrieta's program for operation and maintenance of City of Murrieta's facilities, described in Section 5.3 below.

### **5.3 Operation and Maintenance of City of Murrieta Areas and Activities {F.3.a.}**

The City of Murrieta implements the following measures to ensure that their Municipal Areas and Activities meet the requirements of Section F.3a. of the 2010 SMR MS4 Permit, reduce City of Murrieta discharges of Stormwater Pollutants from its MS4 facilities to the MEP, and prevents discharges from its MS4 facilities from causing or contributing to a violation of Water Quality Standards. This section describes the program implemented by the City of Murrieta for the operation, maintenance and inspection of their Municipal Areas and Activities.

#### **5.3.1 Source Identification / Inventory {F.3.a.(1)}**

The City of Murrieta maintains an inventory of its Municipal Areas and Activities that have the potential to generate Pollutants. This inventory is maintained by the Public Works Department and a copy is included with each JRMP Annual Report to the Regional Board. Linear facilities, such as roads, streets and highways, do not need to be individually inventoried. The City of Murrieta's MS4 Facilities are shown on an MS4 map which is updated and provided in each Annual Report.

This inventory includes the name, address (if applicable), and a description of the area/activity; which Pollutants are potentially generated by the area/activity; whether the area/activity is adjacent to an Environmentally Sensitive Area (ESA); and identification of whether the area/activity is tributary to and within the same hydrologic subarea as a CWA Section 303(d) water body segment and generates Pollutants for which the water body segment is Impaired.

#### **5.3.2 Typical Minimum BMPs {F.3.a.(2)(b)}**

Based on the areas and activities inventoried and the Pollutants of Concern identified, a list of potential minimum Source Control / Pollution Prevention BMPs was developed and appropriate minimum BMPs applicable to specific facilities or activities are identified per 5.3.3. and 5.3.4. below. The BMPs listed are both effective and widely accepted. The City of Murrieta staff consults other sources of BMP information and considers implementation of additional methods and measures as appropriate. Appropriate BMPs for each Municipal Area are incorporated into the FPPPs, as applicable. In addition, minimum BMPs for the City of Murrieta's mobile activities are also incorporated into the FPPPs for the Municipal Facilities that serve as the base of operation for these activities.

#### **5.3.3 BMPs for City of Murrieta Activities**

The Municipal Activities conducted by the City of Murrieta include:

- ◆ Fertilizer application;
- ◆ Pesticide and/or herbicide application;
- ◆ Graffiti removal;

- ◆ Power washing;
- ◆ Landscape maintenance;
- ◆ Swimming pool maintenance;
- ◆ Operation of corporation yards (vehicle and equipment maintenance, storage, etc.);
- ◆ Pavement sawing;
- ◆ Road, sidewalk, and parking lot maintenance;
- ◆ Painting;
- ◆ Vehicle and equipment fueling;
- ◆ Vehicle and equipment cleaning;
- ◆ Vehicle and equipment repair;
- ◆ Outdoor loading/unloading of materials;
- ◆ Outdoor liquid container storage;
- ◆ Outdoor storage of raw materials;
- ◆ Waste handling and disposal;
- ◆ Building and grounds maintenance;
- ◆ Grading;
- ◆ Construction;

Where the above listed activities take place at an inventoried Municipal Facility, the FPPP applicable to that facility will describe the specific BMPs deployed. Also, mobile activities based out of the Municipal Facility and the BMPs that are used in performing those mobile activities are also described in the FPPP.

**5.3.3.1 Special Event BMPs {F.3.a.(2)(c)}**

The City of Murrieta also designates BMPs for special events that the City of Murrieta holds that are expected to generate significant trash and litter. Controls considered, as applicable to each event, include:

- ◆ Temporary screens on catch basins and storm drain inlets;
- ◆ Temporary fencing to prevent windblown trash from entering adjacent water bodies and MS4 channels;
- ◆ Proper management of trash and litter;
- ◆ Catch basin cleaning following the special event and prior to an anticipated rain event;
- ◆ Street sweeping of roads, streets, highways and parking facilities following the special event; and
- ◆ Other equivalent controls.

**5.3.3.2 Fire BMPs {B.3.a.}**

In coordination with the Riverside County Fire Agencies, the Riverside County Permittees developed a list of appropriate BMPs to be implemented to reduce Pollutants from fire training activities, fire hydrant testing or flushing and BMPs feasible for emergency fire fighting flows. These BMPs and the strategy for providing training and updating the list of BMPs are described in Appendix C.

**5.3.4 BMPs for City of Murrieta Areas**

**5.3.4.1 Facility Pollution Prevention Plans (FPPP) {F.3.a.(2)}**

An FPPP is maintained for that covers each Municipal Facility. Each FPPP is designed to identify the minimum Pollution Prevention Methods and BMPs applicable to each Facility and the mobile activities based out of each Facility. The FPPP is typically maintained onsite at each individual facility, however, for facilities (e.g., parks, trails) that do not maintain onsite staff, maintenance equipment or materials, a copy of the FPPP for the applicable category of Municipal Activity is maintained at the centralized maintenance facility (e.g., corporate yard) corresponding to the operations category or where the maintenance contracts are administered (i.e., City of Murrieta main office). The inventory of Municipal Facilities identifies the location of the FPPP for each facility, and staff responsible for implementation and update of the FPPP. Each FPPP also includes a Facility Inspection Form that is used to record inspection findings.

For any City of Murrieta facilities that are tributary to and within the same hydrologic unit as a 303(d) listed waterbody and/or within, adjacent to, or discharging directly to an ESA, the FPPP includes any enhanced measures deemed necessary to mitigate Pollutants shown to be generated by the site, for which the water body segment is Impaired. As TMDLs are developed and/or action level exceedances are detected, the BMPs implemented at these facilities may be revisited to ensure that all appropriate enhanced measures deemed necessary by the Copermittee are implemented.

For other City of Murrieta owned areas that do not have an FPPP (such as vacant land), appropriate BMPs including those identified in the remaining Subsections of 5.3.4. are implemented on an as-needed basis as problems are identified.

**5.3.4.2 BMP Implementation for Management of Pesticides, Herbicides, and Fertilizers {F.3.a.(3)}**

The City of Murrieta implements BMPs to reduce the contribution of Stormwater Pollutants to the MEP associated with the application, storage, and disposal of pesticides, herbicides and fertilizers from its municipal areas and activities to MS4 facilities and Receiving Waters. Such BMPs are described in the FPPP applicable to the facility and generally include:

- (a) Educational activities, permits, certifications and other measures for municipal applicators and distributors;
- (b) Integrated Pest Management (IPM.) measures that rely on non-chemical solutions where possible;
- (c) The use of native vegetation where consistent with the facility's intended use and landscaping plan;

- (d) Schedules for irrigation and chemical application such that they are not applied in advance of anticipated rain events or during rain events ; and
- (e) The collection and proper disposal of unused pesticides, herbicides, and fertilizers.

**5.3.4.3 BMP Implementation for Flood Control Structures {F.3.a.(4)}**

- (a) The City of Murrieta implements procedures to assure that new flood management projects assess the impacts on the water quality of Receiving Waters. See Section 5.1.4.
- (b) The City of Murrieta includes water quality protection measures, where feasible, when retrofitting existing flood control structural devices.
- (c) The City of Murrieta evaluates its existing flood control structures as part of ongoing routine maintenance. For any structures that are found to be causing or contributing to a condition of Pollution, the City of Murrieta implements measures to reduce or eliminate the structure's effect on Pollution, and evaluates the feasibility of retrofitting the structural flood control device. The inventory and evaluation is completed by and submitted to the Regional Board in each JRMP Annual Report.

**5.3.4.4 BMP Implementation for Sweeping of Municipal Areas {F.3.a.(5)}**

Where municipal area sweeping is implemented as a BMP for City of Murrieta owned and maintained roads, streets, highways, and parking facilities, the City of Murrieta designs and implements the program based on the following criteria:

- (a) Roads, streets, highways, and parking facilities identified as consistently generating the highest volumes of trash and/or debris must be swept at least two times per month.
- (b) Roads, streets, highways, and parking facilities identified as consistently generating moderate volumes of trash and/or debris are swept at least monthly.
- (c) Roads, streets, highways, and parking facilities identified as generating low volumes of trash and/or debris must be swept as necessary, but no less than annually.

**5.3.4.5 Copermittee Maintained Unpaved Roads Maintenance {F.3.a.(10)}**

- (a) The City of Murrieta implements or requires implementation of BMPs for Erosion and sediment control measures, and to minimize potential impacts on streams and wetlands during their maintenance activities on City of Murrieta maintained unpaved roads, particularly in or adjacent to Receiving Waters. Such BMPs may include, as applicable to the maintenance activity:

- minimize soil disturbance
- Minimize maintenance during the rainy season
- Compact lose sediment

- Hauls lose sediment away if it cannot be compacted
  - Minimize concentration of flows
  - Temporary diversion of run-on flow
- (b) The City of Murrieta maintains as necessary its unpaved roads adjacent to streams and riparian habitat to reduce Erosion and sediment transport.
- (c) Re-grading of unpaved roads during maintenance is sloped outward where consistent with road engineering safety standards or alternative equally effective BMPs are implemented to minimize Erosion and Sedimentation from unpaved roads; and
- (d) Through maintenance of unpaved roads, the City of Murrieta examines the feasibility of replacing existing culverts or design of new culverts or bridge crossings to reduce Erosion and maintain natural stream geomorphology.

#### **5.3.5 Operation and Maintenance of MS4 Facilities and Treatment Controls {F.3.a.(6)}**

The City of Murrieta's open channels, catch basins, storm drain inlets, and retention/detention basins are inspected, cleaned, and maintained as described below. Wastes and materials removed are disposed of per applicable laws and appropriate BMPs are deployed as necessary to minimize impacts to the Receiving Waters to the MEP. During the annual inspection and maintenance of MS4 facilities, the City of Murrieta inspects for visual evidence of Illegal Discharges, litter and/or debris accumulation, and other maintenance issues.

- (a) Treatment Controls: The City of Murrieta Public Works Maintenance department implements a schedule of inspection and maintenance activities to verify proper operation of all its municipal Structural Treatment Controls BMPs designed to reduce Stormwater Pollutant discharges to or from its MS4 facilities.

For Structural Treatment Control BMPs integrated into a City of Murrieta owned Municipal Facility, the BMPs are integrated and identified within the applicable FPPP (see Section 5.3.4.1), and are inspected as described in Section 5.4 below:

- (b) MS4 Facilities: The City of Murrieta implements a schedule of maintenance activities for its MS4 facilities (including but not limited to catch basins, storm drain inlets, detention basins, etc). The maintenance activities include:
- i. Inspection and removal of accumulated Waste at least annually between May 1<sup>st</sup> and September 30<sup>th</sup> of each year for all MS4 facilities;
  - ii. Additional facility cleaning as necessary between October 1<sup>st</sup> and April 30<sup>th</sup> of each year;
  - iii. Following two years of inspections, any MS4 facility that requires inspection and cleaning less than annually may be inspected as needed, but not less than every other year;

- iv. Open channels and basins are cleaned of observed anthropogenic litter in a timely manner;
  - v. Maintenance activities within open channels must not adversely impact Beneficial Uses;
  - vi. Record keeping of the maintenance and cleaning activities including the overall quantity of waste removed;
  - vii. Proper disposal of Waste removed pursuant to applicable laws; and
  - viii. Measures to eliminate Waste discharges during MS4 maintenance and cleaning activities.
- (c) Low Priority MS4 Facilities: Following two years of inspections, any MS4 facility that requires inspection and cleaning less than annually may be inspected as needed, but not less than every other year. MS4 facilities that have met these criteria and will be inspected every other year are identified below
- None identified at this time

**5.3.5.1 Flood Control Structure Evaluations {F.3.a.(4)(c)}**

The City of Murrieta's Public Works Department evaluates its existing flood control structures as part of the ongoing routine maintenance described above, to identify structures that are causing or contributing to a condition of Pollution. For any such structures, where feasible the City implements measures to reduce or eliminate the structure's effect on Pollution, and evaluates the feasibility of retrofitting the structural flood control device. The inventory and evaluation findings are submitted to the San Diego Regional Board in each JRMP Annual Report.

**5.3.5.2 Infiltration From Sanitary Sewer to MS4/Provide Preventive Maintenance {F.3.a.(7)}**

The City of Murrieta does not own nor operate a municipal sanitary sewer system, however the City of Murrieta does cooperate with Eastern Municipal, Rancho California, Western Municipal, and Elsinore Valley water districts for responding to and addressing any observed infiltration into the City of Murrieta's MS4 facilities. In addition, the City of Murrieta implements the following controls to limit infiltration of seepage from sanitary sewers to MS4 facilities where necessary:

- i. Adequate plan checking for Construction and Development Projects;
- ii. Incident response training for its employees that may identify sanitary sewer spills;
- iii. Code enforcement inspections;
- iv. MS4 maintenance and inspections;
- v. Interagency coordination with sewer agencies; and
- vi. Proper education of its staff and contractors conducting field operations on the MS4.

## 5.4 Inspection of Copermittee Areas and Activities {F.3.A.(8)}

The City of Murrieta inspects the following high priority Copermittee Areas and Activities annually:

- i. Roads, streets, highways, and parking facilities
  - ii. Flood management projects and flood control devices not otherwise inspected per Section F.3.a.(6)(b) of the 2010 SMR MS4 Permit
  - iii. Areas and activities tributary to and within the same hydrologic subarea as a CWA Section 303(d) Impaired water body segment, where an area or activity generates Pollutants for which the water body segment is Impaired
  - iv. Areas and activities within or adjacent to or discharging directly to Receiving Waters within ESAs
  - v. Municipal Facilities:
    - [a] Corporate yards including maintenance and storage yards for materials, waste, equipment and vehicles;
    - [b] City Hall;
    - [c] Library;
    - [d] Senior Center;
    - [e] Police Station;
    - [f] Fire Stations; and
    - [g] Household hazardous waste collection facility
  - vi. Parks and recreation facilities
  - vii. Special event venues following special events (festivals, sporting events, etc.)
  - viii. Power washing activities
  - ix. All City of Murrieta WQMP projects with Structural post-construction BMPs, including verification that the Structural post-construction BMPs on those projects have been appropriately maintained consistent with the WQMP and/or the FPPP. {F.1.f.(2)(b)(iii)}
  - x. Other municipal areas and activities that the City of Murrieta determines may contribute a significant Pollutant load to the MS4
- (a) Inspections of the City of Murrieta's MS4 facilities are performed concurrently with the maintenance schedule described in Section 5.3.5 above.
  - (b) Other Municipal Areas and Activities are inspected as needed and in response to water quality data, valid public complaints, and findings from City of Murrieta or contract staff.
  - (c) Based upon site inspection findings, the City of Murrieta implements all follow-up actions necessary to comply with this Order.

**5.5 Enforcement of Municipal Areas and Activities {F.3.a.(9)}**

The City of Murrieta enforces its Stormwater Ordinance(s) for all its Municipal Areas and Activities as necessary to maintain compliance with the 2010 SMR MS4 Permit.

## 6.0 DEVELOPMENT PLANNING {F.1.}

The City of Murrieta implements the following programs related to the planning and permitting of Development Projects<sup>11</sup> within the City's jurisdiction. This program is designed to:

- ◆ Reduce Development Project discharges of Stormwater Pollutants to the MS4 to the MEP;
- ◆ Prevent Development Project discharges to the MS4 from causing or contributing to a violation of Water Quality Standards;
- ◆ Prevent Illicit Discharges into the MS4; and
- ◆ Manage increases in Runoff discharge rates and durations from Development Projects that are likely to cause increased erosion of stream beds and banks, silt Pollutant generation, or other impacts to Beneficial Uses and stream habitat due to increased erosive force.

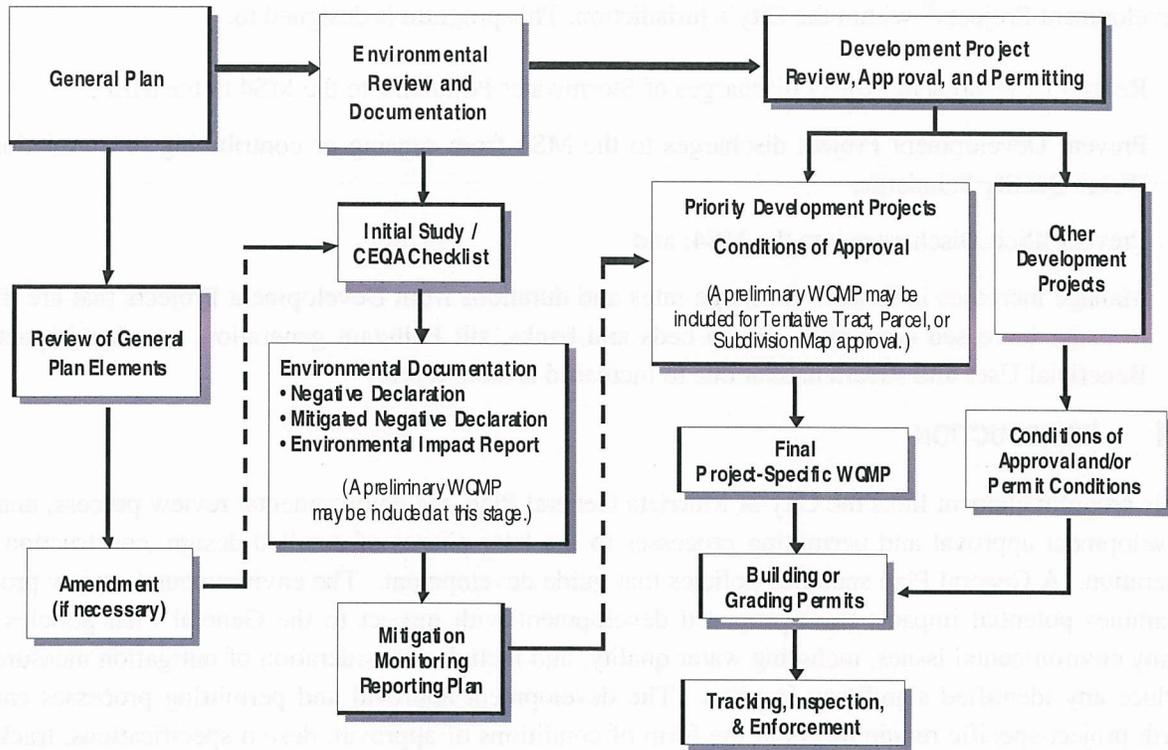
### 6.1 INTRODUCTION

This program element links the City of Murrieta General Plan, the environmental review process, and the development approval and permitting processes to the later phases of detailed design, construction and operation. A General Plan specifies policies that guide development. The environmental review process examines potential impacts from proposed development with respect to the General Plan policies and many environmental issues, including water quality, and includes consideration of mitigation measures to reduce any identified significant impacts. The development approval and permitting processes carries forth project-specific requirements in the form of conditions of approval, design specifications, tracking, inspection, and enforcement actions. Figure 6-1 is a generalized flow diagram that depicts the relationship of the General Plan, environmental review process and development planning and permit process, as well as the project design, construction, and operation phases.

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<sup>11</sup> Construction, rehabilitation, redevelopment, or reconstruction of any public or private residential project, industrial, commercial, or any other projects.

Figure 6-1. Relationship between General Plan, Environmental Review Process and Development Approval & Permitting Process



## 6.2 GENERAL PLAN {F.1.a.}

The City of Murrieta has reviewed its General Plan to ensure that it includes water quality and watershed protection principles and policies as appropriate to allow the City of Murrieta to direct land-use decisions and to require implementation of consistent water quality protection measures for all Development, Redevelopment, and Retrofit projects.

The General Plan allows the City of Murrieta to implement the Water Quality & Watershed Protection Principles & Policies described below. The specific requirements for Development, Redevelopment and Retrofit projects are implemented through the programs described in Sections 6.3 through 6.9.

- Minimize the amount of impervious surfaces and directly connected impervious surfaces in areas of Development and Redevelopment and, where feasible, slow Runoff and maximize on-site infiltration of Runoff.
- Implement Pollution Prevention methods supplemented by Pollutant Source Control and Treatment Control BMPs. Use small collection strategies located at, or as close as

possible to, the source (i.e., the point where water initially meets the ground) to minimize the transport of Runoff and Pollutants offsite and into an MS4.

- Preserve, and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones; and encourage land acquisition of such areas.
- Limit disturbances of natural water bodies and natural drainage systems caused by development including roads, highways, and bridges.
- Prior to making land use decisions, utilize methods available to estimate increases in Pollutant loads and flows resulting from projected future development; require incorporation of BMPs to mitigate the projected increases in Pollutant loads and flows.
- Avoid development of areas that are particularly susceptible to Erosion and sediment loss; or establish development guidance that identifies these areas and protects them from Erosion and sediment loss.
- Reduce Pollutants associated with vehicles and increasing traffic resulting from development.
- Post-development Runoff from a site must not contain Pollutant loads that cause or contribute to an exceedance of Receiving Water Quality Objectives and which have not been reduced to the MEP.

Some of the preceding concepts are addressed as part of the WQMP process or through the conditioning of a project in the development review process, rather than as explicit elements of the General Plan.

Further, the City of Murrieta has incorporated the Multi Species Habitat Conservation Plan (MSHCP) into their General Plan. As of June 2012, approximately 136 square miles, or 25% of the Santa Margarita Region, has been successfully conserved as part of the Copermittees implementation of the MSHCP, including significant lands adjacent to or encompassing Receiving Waters, and addresses many of the water quality and watershed protection concepts identified in the 2010 SMR MS4 Permit. Additionally, through the continued implementation of the MSHCP, much of the remaining non-urbanized area will ultimately be conserved, totaling approximately 43% of the Santa Margarita Region. The MSHCP also finds that the Copermittees' General Plans, zoning ordinances, and policies include measures capable of implementing the following planning concepts, which are consistent with the 2010 SMR MS4 Permit considerations such as:

- ◆ Measures to ensure that the quality and quantity of Runoff discharged to MSHCP conservation areas is not altered in any adverse way when compared to existing drainage conditions;
- ◆ Measures to avoid discharge of untreated surface Runoff from developed and paved areas into MSHCP conservation areas; and
- ◆ Measures to require MS4s to be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within MSHCP conservation areas.

**6.3 ENVIRONMENTAL REVIEW PROCESS {F.1.b.}**

The City of Murrieta prescribes the necessary requirements so that proposed Development Project discharges of Stormwater Pollutants from its MS4 facilities will be reduced to the MEP, and will comply with City ordinances, permits, plans, and requirements, and with the 2010 SMR MS4 Permit.

In addition, the City of Murrieta has reviewed its CEQA processes to ensure that Runoff management is properly considered and addressed. When acting as CEQA Lead Agency for a proposed Development Project at the earliest possible time in the process, the City of Murrieta identifies the resources under the jurisdiction of the Regional Board which may be affected by the project, including the potential need for a CWA §401 water quality certification, NPDES permit, or Waste Discharge Requirements. The City of Murrieta coordinates project review with Regional Board staff pursuant to the requirements of CEQA. Upon request by Regional Board staff, this coordination may include the timely provision of the proposed project applicant's identity and contact information for facilitation of consultation meetings.

**6.3.1 Project Application Form**

A Project Application Form is used by the City of Murrieta requiring the applicant to describe or include the following information in the project application:

- ◆ WQMP Applicability Checklist;
- ◆ Submittal of preliminary Project-Specific WQMP, if applicable; and
- ◆ Where a Project-Specific WQMP is not applicable, descriptions of how the proposed project will incorporate the measures described in Section 6.6.6. {F.1.c.}

The City of Murrieta Project Application Form is included in Appendix D, "Application for Land Use and Development"

**6.3.2 LID Barriers Review {F.1.d.(4)(a)}**

The City of Murrieta Public Works Department has reviewed its local codes, policies and ordinances and identified the potential barriers to the implementation of LID BMPs in Table 6-1. This table also identifies the steps required to remove those barriers, where feasible, by the end of the 2010 SMR MS4 Permit term (i.e., by November 10, 2015):

**Table 6-1 Potential barriers to LID BMPs**

Reference	LID BMP	Potential Barriers identified	Steps required to remove barriers
F.1.c.(2)(a)	Conserve natural areas, including existing trees, other native vegetation, and soils	None – projects must comply with the 2010 MS4 Permit	None

Reference	LID BMP	Potential Barriers identified	Steps required to remove barriers
F.1.c.(2)(b)	Construct streets, sidewalks, or parking lot aisles to the minimum widths necessary, provided that public safety is not compromised	None – projects must comply with the 2010 MS4 Permit	None
F.1.c.(2)(c)	Minimize the impervious footprint of the project	None – projects must comply with the 2010 MS4 Permit	None
F.1.c.(2)(d)	Minimize soil compaction to landscaped areas	None – projects must comply with the 2010 MS4 Permit	None
F.1.c.(2)(e)	Minimize disturbances to natural drainages	None – projects must comply with the 2010 MS4 Permit	None
F.1.c.(2)(f)	Disconnect impervious surfaces through distributed pervious areas	None – projects must comply with the 2010 MS4 Permit	None
F.1.d.(4)(b)(i)	Maintain or restore natural storage reservoirs and drainage corridors (including depressions, areas of permeable soils, swales, and Ephemeral and Intermittent streams)	None – projects must comply with the 2010 MS4 Permit	None
F.1.d.(4)(b)(ii)	Construct pervious areas to effectively receive and infiltrate, retain and/or treat Runoff from impervious areas, and to minimize soil compaction in these areas	None – projects must comply with the 2010 MS4 Permit	None

Reference	LID BMP	Potential Barriers identified	Steps required to remove barriers
F.1.d.(4)(b)(iii)	Construct low-traffic areas with permeable surfaces, where appropriate soil conditions exist	None – projects must comply with the 2010 MS4 Permit	None
F.1.d.(4)(c)(i)	Structural Infiltration BMPs	None – projects must comply with the 2010 MS4 Permit	None
F.1.d.(4)(c)(i)	Structural Harvest and Use BMPs	None – projects must comply with the 2010 MS4 Permit	None
F.1.d.(4)(c)(ii)	Structural Bioretention BMPs	None – projects must comply with the 2010 MS4 Permit	None
F.1.d.(4)(c)(ii)	Other structural LID BMPs (such as vegetated extended detention basins)	None – projects must comply with the 2010 MS4 Permit	None

The City of Murrieta will update the above table as necessary through the implementation of their development planning activities, whether through identification of additional barriers, or as any identified barriers are removed. Any changes to the above table will be conducted and reported in the City of Murrieta's JRMP Annual Report.

**6.4 WATER QUALITY MANAGEMENT PLAN {F.1.d}**

The City of Murrieta, in collaboration with the other SMR Copermittees, has developed a WQMP for the Santa Margarita Region of Riverside County, which describes the process for application of required LID Principles (Site Design), Source Control BMPs, LID BMPs, and Treatment Control BMPs, on Priority Development Projects to ensure that the land use approval and permitting process will:

- ◆ Reduce Priority Development Project discharges of Stormwater Pollutants from the MS4 to the MEP, and
- ◆ Prevent Priority Development Project Runoff discharges to the MS4 from causing or contributing to a violation of Water Quality Standards.

The SMR WQMP and a Project-Specific WQMP are provided on the following website at: <http://www.murrieta.org/cityhall/pwe/water.asp>

## 6.5 HYDROMODIFICATION MANAGEMENT PLAN {F.1.h.}

An updated Hydromodification Management Plan (HMP) is being developed by the Copermittees to manage increases in Runoff discharge rates and duration from Priority Development Projects. The objectives of the HMP are:

- ◆ Estimated proposed project Runoff discharge rates and durations do not exceed the pre-project discharge rates and durations.
- ◆ For proposed projects on an already developed site, the estimated proposed project Runoff discharge rates and durations do not exceed the pre-project discharge rates and durations, where the pre-project discharge rates and durations are that of the pre-development, naturally occurring condition.

Upon completion of the HMP in 2013, the HMP will be incorporated into the SMR WQMP. Until that HMP is developed and approved by the Regional Board, the interim Hydromodification requirements described in the SMR WQMP are in effect.

## 6.6 DEVELOPMENT PROJECT REVIEW, APPROVAL, AND PERMITTING {F.1.D.}

### 6.6.1 Process Overview

The City of Murrieta, during the planning process, and prior to project approval and issuance of local permits, prescribes the necessary requirements so that Development Project discharges of Stormwater Pollutants from the MS4 will be reduced to the MEP, will not cause or contribute to a violation of Water Quality Standards, and will comply with City ordinances, permits, plans, and requirements, and with the 2010 SMR MS4 Permit.

All Development Projects that are submitted to the City of Murrieta for discretionary approval or permitting are required to fill out a Project Application Form. Based on the results of that checklist, each project is categorized as either a "Priority Development Project" or as an "Other Development Project." The requirements for Other Development Projects are described in Section 6.6.6.

The City Planning Department coordinates the land use case processing, which includes compliance with CEQA procedures, general plan conformity, ordinance consistency, and public health and safety requirements. The City Planning Department works closely with many other departments to ensure proper review of these issues. Together, these departments review proposed Development Projects for applicability and compliance with WQMP requirements.

### 6.6.2 Identification of Development Projects Requiring a Project-Specific WQMP {F1.d(1) & (2)}

The Project Application Form includes a WQMP Applicability Checklist as discussed in Section 6.3.1.

In reviewing project applications, the City reviews the WQMP Applicability Checklist and the other information provided in the project application to verify the applicant's determination as a *Priority Development Project* or an *Other Development Project*. If the applicant incorrectly certified that the proposed project did not require a Project-Specific WQMP, the City will notify the project applicant and

effectively place a hold on the project application until a preliminary Project-Specific WQMP is submitted.

If a Project-Specific WQMP is required, the City will require that a preliminary Project-Specific WQMP be included with the project application packet. The Planning Department will then forward copies of the project application, including the Project-Specific WQMP, to Public Works Department for review and as applicable issuance of conditions of approval.

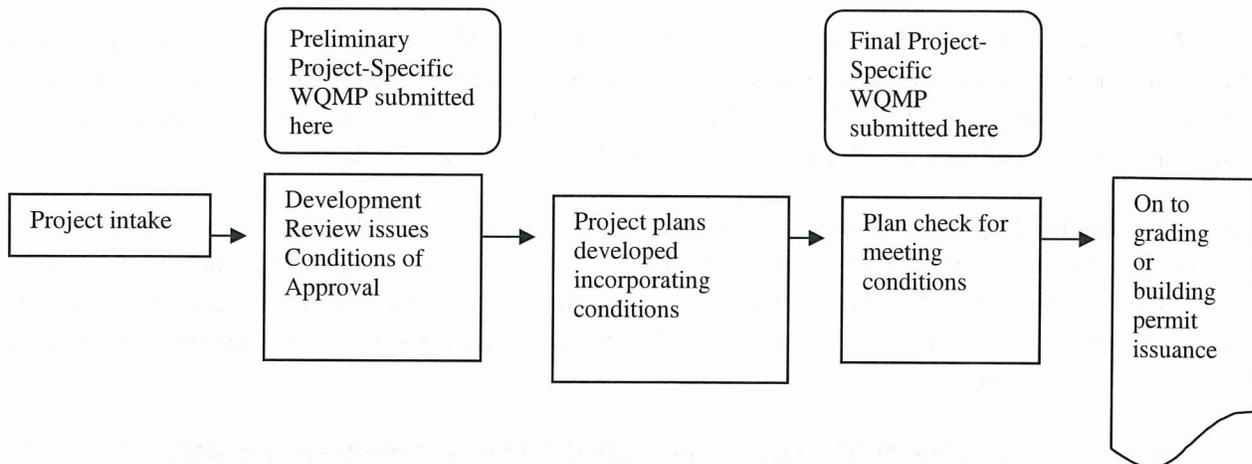
**6.6.3 Conditions of Approval {F.1.c}**

The development review process applies standard conditions of approval to ensure that the requirements of the 2010 SMR MS4 Permit are met. City of Murrieta Department has developed standardized Engineering conditions of approval that may be used and are provided in Appendix D.

**6.6.4 Review of Preliminary Project-Specific WQMPs**

The Planning and Public Works Departments requires preliminary Project-Specific WQMPs to be submitted with the project application for all Priority Development Projects. The level of detail in the preliminary Project-Specific WQMP must be consistent with the level of detail for the overall project design at the time project approval is sought. Prior to issuance of grading or building permits, the project applicant must submit the final Project-Specific WQMP for review and approval. The Public Works Department uses a Checklist for Project Specific WQMP to facilitate thorough and consistent reviews of preliminary and final project-specific WQMPs. The Checklist for Project Specific WQMP is an exhibit to the SMR WQMP. Figure 6-2 shows a typical review and approval process.

**Figure 6-2. Flowchart of Project Review, Approval & Permitting Process**



**6.6.5 Review and Approval of Final Project-Specific WQMPs {F.1.d.(9)(a)}**

Based on the Conditions of Approval and prior to approval of a final Project-Specific WQMP, the Public Works Department will ensure that:

- ◆ The final Project-Specific WQMP is prepared and is consistent with the requirements of the SMR WQMP;

- ◆ LID BMPs have been incorporated into the site to the extent feasible; or if the project proponent has acceptably demonstrated that LID BMPs are technically infeasible for the project, the Public Works Department will document within the project file a finding of technical infeasibility;
- ◆ The entity or entities responsible for BMP implementation and maintenance have been identified; and
- ◆ The mechanism for BMP funding is identified.

The Public Works Department will ensure all requirements have been addressed prior to approval of a final Project-Specific WQMP.

#### **6.6.6 Requirements for Other Development Projects [F.1.c]**

The City requires other Development Projects to incorporate LID Principles (Site Design) and Source Control BMPs, where applicable and feasible, into project plans through conditions of approval or building/grading permit conditions. LID BMPs and Treatment Control BMPs may be required on a case-by-case basis for Other Development Projects that directly discharge Runoff to Receiving Waters listed as Impaired on California's CWA Section 303(d) List of Water Quality Limited Segments.

Discharges from other approved Development Projects are subject to the following management measures:

- (1) Source control BMPs that reduce Stormwater Pollutants of Concern in Runoff; prevent Illicit Discharges into the MS4; prevent irrigation runoff; storm drain system stenciling or signage; properly design outdoor material storage areas; properly design outdoor work areas; and properly design trash storage areas.
- (2) The following LID BMPs listed below must be implemented at all Development Projects where applicable and feasible.
  - (a) Conserve natural areas, including existing trees, other vegetation, and soils;
  - (b) Construct streets, sidewalks, or parking lot aisles to the minimum widths necessary, provided that public safety is not compromised;
  - (c) Minimize the impervious footprint of the project;
  - (d) Minimize soil compaction of landscaped areas;
  - (e) Minimize disturbances to natural drainages (e.g., natural swales, topographic depressions, etc.); and
  - (f) Disconnect impervious surfaces through distributed pervious areas.
- (3) Buffer zones for natural water bodies, where technically feasible. Where buffer zones are technically infeasible, require project proponent to implement other buffers such as trees, access restrictions, etc.
- (4) Other measures necessary so that grading or other construction activities meet the provisions specified in Section 7.0 of this JRMP.
- (5) Submittal of documentation of a mechanism under which ongoing long-term maintenance of all structural post-construction BMPs will be conducted.
- (6) Infiltration and Groundwater Protection

To protect groundwater quality, restrictions are applied to the use of Treatment Control BMPs that are designed to primarily function as large, centralized infiltration devices (such as large infiltration trenches and infiltration basins). Such restrictions are designed so that the use of such infiltration Treatment Control BMPs does not cause or contribute to an exceedance of groundwater quality objectives. At a minimum, each Treatment Control BMP designed to primarily function as a centralized infiltration device is required to meet the restrictions below, unless the Development Project demonstrates that a restriction is not necessary to protect groundwater quality.

1. Infiltration BMPs must not be used for areas of industrial or light industrial activity, and other high threat to water quality land uses and activities as designated by each Copermitttee unless first treated or filtered to remove Pollutants prior to infiltration.
  2. The seasonal high groundwater mark must be at least 10 feet below the invert of the Infiltration BMP.
  3. Infiltration BMPs must be located a minimum of 100 feet horizontally from any water supply wells.
  4. No part of a Infiltration BMP should be within a 2:1 (horizontal:vertical) influence line extending from any septic leach line.
  5. Infiltration BMPs must not be located in soils that, according to a licensed Geotechnical Engineer, do not have adequate physical and chemical characteristics (such as appropriate cation exchange capacity, organic content, clay content, and infiltration rate) for the protection of groundwater.
- (7) Where feasible, landscaping with native or low water species shall be preferred in areas that drain to the MS4 or to Waters of the U.S.
- (8) Rain water harvesting and water reuse, where feasible, must be encouraged as part of the site design and construction to reduce Pollutants in Stormwater discharges to the MEP.

Additionally, where an Other Development Project proposes a new Unpaved Road, the applicant must incorporate the following, or alternative BMPs that are equally effective:

- ◆ Identify practices that will minimize road related Erosion and sediment transport;
- ◆ Grade Unpaved Roads to slope outward where consistent with road engineering safety standards;
- ◆ Incorporate installation of water bars as appropriate; and
- ◆ Provide Unpaved Road and culvert designs that do not impact creek functions.

### **6.6.7 Unpaved Roads Development {F.1.i}**

The City of Murrieta implements or requires the implementation of erosion and sediment control BMPs after construction of new Unpaved Roads. Such BMPs are required for Priority Development Projects in the SMR WQMP and for Other Development Projects as discussed in Section 6.6.6 above.

### **6.6.8 Plan Check: Issuance of Grading or Building Permits**

#### **6.6.8.1 Plan Check for Priority Development Projects**

The Planning and Public Works Departments review the relevant CEQA documentation (including the Mitigation Monitoring and Reporting Program, if applicable), the conditions of approval, and the final

approved Project-Specific WQMP as part of the plan check process. Once a Priority Development Project reaches the plan check phase, the project applicant should have an approved final Project-Specific WQMP in conformance with the SMR WQMP.

Construction plans submitted by the project applicant for plan check are reviewed to verify that they properly incorporate all Site Design, Structural LID and/or Treatment Control BMPs identified in the approved final Project-specific WQMP. The designs of Structural Source Control BMPs, LID BMPs, and Treatment Control BMPs are reviewed to verify inclusion of control measures necessary to effectively minimize the creation of Nuisance or Pollution associated with vectors, such as mosquitoes, rodents, flies, etc. The design review during plan check also verifies that Structural BMPs provide adequate access for ongoing maintenance of the BMP after construction. The construction plans are also reviewed for consistency with the BMP design criteria and guidance provided in the SMR WQMP.

#### **6.6.8.2 Plan Check for Other Development Projects**

For Other Development Projects, the Public Works Department reviews the construction plans submitted for a grading or building permit to ensure that the plans incorporate all applicable and appropriate Site Design, Source Control and LID BMPs as described in Section 6.6.6.

#### **6.6.8.3 Standard Notes for Plans**

Prior to the issuance of a grading or building permit, the City of Murrieta Department requires standard notes to be added to the plan set to address Pollution Prevention during the construction phase of a project. Standardized notes are discussed below:

1. In Case of Emergency, Call: (provide name, work and home phone numbers)
2. Equipment and workers for emergency work shall be made available at all times during the rainy season. Necessary materials shall be available on site and stockpiled at convenient locations to facilitate rapid construction of temporary devices when rain is imminent.
3. Devices shall not be moved or modified without the approval of the engineering department.
4. All removable protective devices shown shall be in place at the end of each working day when the 5-day rain probability forecast exceeds 40%.
5. After a rainstorm, all silt and debris shall be removed from check berms and desilting basins, and the basins pumped dry.
6. Graded areas around the tract perimeter must drain away from the face of slope at the conclusion of each working day.
7. The contractor shall be responsible and shall take necessary precautions to prevent public trespass onto areas where impounded water creates a hazardous condition.
8. Gravel bag layout shall be installed as shown per plan or as directed by the City inspector.

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## 6.7 FIELD VERIFICATION OF BMPs & PERMIT CLOSEOUT{F.1.E.}

### 6.7.1 Release of Conditions of Approval

The end of the construction phase is typically accompanied by the close out of permits and issuance of certificates of use and/or occupancy. The Engineering Department uses this juncture to assure satisfactory completion of all requirements in a Project-Specific WQMP and/or the conditions of approval by verifying that the following items, as applicable, have been completed - prior to granting occupancy:

- ◆ All Site Design, LID, structural Source Control, and Treatment Control BMPs have been constructed and installed in conformance with approved plans and specifications and functional in accordance with the approved Project-Specific WQMP (if applicable); and that they include control measures to effectively minimize the creation of Nuisance or Pollution associated with vectors, such as mosquitoes, rodents, flies, etc.;
- ◆ A mechanism or agreement acceptable to the Public Works Department has been executed for the long-term funding, implementation, operation, maintenance, repair, and where necessary, the replacement of BMPs;
- ◆ The owner/operator is prepared to implement all Non-Structural BMPs, and to implement, operate, and maintain all Site Design, LID, structural Source Control, and Treatment Control BMPs;
- ◆ An adequate number of copies of the Project-Specific WQMP, if applicable, are available onsite; and
- ◆ An Industrial Facility subject to the Industrial General Permit as defined by Standard Industrial Classification (SIC) code has obtained coverage by providing a copy of the NOI with associated WDID number or other proof of filing submitted via the SMARTS to the State Board. Where such an Industrial Facility is identified but coverage cannot be verified, the City of Murrieta notifies the San Diego Regional Board and the owner/operator that the facility may be required to obtain coverage under the Industrial General Permit.

### 6.7.2 Maintenance Responsibility

The responsibility for implementation, operation, and maintenance of BMPs may be with a private entity or by the City under various arrangements and with various funding sources. The responsibility to provide for the long-term implementation, operation, and maintenance of BMPs associated with Priority Development Projects or Other Development Projects may:

- ◆ Remain with a private entity (property owner, home owners association, etc.) for private improvements; or
- ◆ Be transferred to a public entity (e.g., a city, county, special district, etc.) through dedication of the property provide a funding source has been created; or

If a property owner or a private entity retains or assumes responsibility for implementation, operation, and maintenance of BMPs, the Permittees require an agreement that can take the form of:

- ◆ A Restrictive Covenant recorded with the County Recorder;

- ◆ A Homeowners Association or Property Owners Association Covenants, Codes, and Restrictions that are actively enforced and funded ;
- ◆ The formation of, or annexation to, a maintenance district or assessment district; or
- ◆ Other instrument sufficient to guarantee long-term implementation, operation, maintenance, and funding of BMPs.

## **6.8 STRUCTURAL POST-CONSTRUCTION BMP DATABASE AND MAINTENANCE VERIFICATION**

### **{F.1.F}**

The Public Works Department implements a program to verify the maintenance and effectiveness of post construction Structural BMPs constructed pursuant to an approved final Project-Specific WQMP.

#### **6.8.1 Inventory of WQMP Projects {F.1.f.(1)}**

The City of Murrieta maintains a watershed-based database to track and inventory all Priority Development Projects constructed within City jurisdiction that have a final approved Project-Specific WQMP (WQMP Projects) and the post-construction Structural BMPs implemented therein since July 2005. This database does not track nor inventory LID BMPs implemented on a lot by lot basis at single family residential houses – such as rain barrels.

This database includes the following information:

- ◆ WQMP Project Name
- ◆ Map number
- ◆ Priority for Maintenance Verifications (see Section 6.8.2)
- ◆ Watershed where project is located
- ◆ Types of BMPs and location(s)
- ◆ Date of construction or date of initial verification/certification
- ◆ Party responsible for maintenance
- ◆ Dates of maintenance verifications
- ◆ Findings of maintenance verifications
- ◆ Corrective actions identified during maintenance verification, including whether the site was referred to the local vector control agency or department.

#### **6.8.2 Designation of High Priority Projects for Maintenance Verification {F.1.f.(2)(a)}**

The City of Murrieta designates each WQMP project as either High or Standard Priority based on the following considerations:

- ◆ BMP size,
- ◆ Recommended maintenance frequency,

- ◆ Likelihood of operational and maintenance issues,
- ◆ Location,
- ◆ Receiving Water quality,
- ◆ Compliance record,
- ◆ Land use, and
- ◆ Other pertinent factors

At a minimum, High Priority projects include those projects that have been identified by the Copermittee as a facility that:

- Generates Pollutants (prior to treatment) within the tributary area of and within the same hydrologic subarea as a 303(d) listed waterbody Impaired for that Pollutant; or
- Generates Pollutants within the tributary area for and within the same hydrologic subarea as an observed Action Level exceedance of that Pollutant.

**6.8.3 Maintenance Verification of Structural Post-Construction BMPs {F.1.f.(2)(b)}**

The City of Murrieta verifies that the required post-construction Structural BMPs on the inventoried WQMP Projects have been implemented, are maintained, and are operating effectively through inspections, self-certifications, surveys, or other equally effective approaches with the following conditions:

**6.8.3.1 WQMP Structural BMP Inspection Schedule**

**Table 6-2 WQMP Structural BMP Inspection Schedule**

WQMP Project Priority	Verification frequency
Standard	Once every 5 years
High	Annually

In addition to the above table, all City of Murrieta owned projects with post-construction Structural BMPs must be inspected annually as described in Section 5.4.

**6.8.3.2 Verification Methods**

The City of Murrieta conducts direct inspections of WQMP Projects to comply with the BMP verification requirements. The Public Works Department first reviews the approved final Project-Specific WQMP, and verifies that all post-construction Structural BMPs identified in the WQMP are implemented and have been appropriately maintained in accordance with the O&M Plan identified in the Project-Specific WQMP. A standardized inspection / verification form may be utilized and is provided in Appendix E.

And/or

The Public Works Department has established a program for third party verifications and/or self certifications that WQMP projects can utilize. Adequate documentation must be submitted to the Public Works Department to provide assurance that the required maintenance has been completed. These third party verifications / self certifications are required to complete the standardized inspection / verification form provided in Appendix E.

#### **6.8.4 Post Construction BMP Recordation {F.1.d.(9)(b)}**

The City of Murrieta has established a mechanism to ensure that appropriate easements and ownerships are properly recorded in public records and the information is conveyed to all appropriate parties when there is a change in project or site ownership.

#### **6.9 ENFORCEMENT FOR DEVELOPMENT {F.1.g}**

The legal Authority and enforcement policies and procedures of City of Murrieta are described in Section 3 of this JRMP. The City of Murrieta conducts appropriate follow-up measures to ensure the Treatment Control BMPs continue to reduce Stormwater Pollutants as originally designed. These measures include re-inspections, and where necessary enforcement (as described in Section 3.5).

## 7.0 PRIVATE DEVELOPMENT CONSTRUCTION ACTIVITY {F.2.}

The City of Murrieta implements the following program that is designed to meet the requirements of provision F.2. of the 2010 SMR MS4 Permit, require implementation and maintenance of Structural and Non-Structural BMPs to reduce Pollutants in Stormwater Runoff from Construction Sites to the MS4, reduce Construction Site discharges of Stormwater Pollutants from the MS4 to the MEP, and prevent Construction Site discharges from the MS4 from causing or contributing to a violation of Water Quality Standards.

### 7.1 Source Identification / Inventory {F.2.b}

The City of Murrieta's maintains an updated watershed-based inventory database of Construction Sites within its jurisdiction. This inventory is provided in each Annual Report. Construction Sites are any project, including projects requiring coverage under the General Construction Permit, that involves soil disturbing activities including, but not limited to, clearing, grading, disturbances to ground such as stockpiling, and excavation. Construction Sites are included in the inventory regardless of whether the Construction Site is subject to the Construction General Stormwater Permit or other individual construction Stormwater NPDES permits. This database is updated with new projects added when the project is issued a building or grading permit or when the pre-construction meeting has occurred. Projects may be removed from the database when construction is completed and the project's building or grading permit is closed. The City of Murrieta Construction Site database includes the following project information:

- Facility/Project name,
- Facility/Project address,
- Tract number(s) or Assessor Parcel Number (APN),
- Watershed / Sub watershed,
- Project priority,
- Date of inspections performed at each site,
- Site size,
- WDID #,
- Grading Permit #,
- Developer's information,
- Site contact information, and
- Enforcement actions taken.

## 7.2 Construction Site Planning and Project Approval Process {F.2.c}

The City of Murrieta incorporates consideration of potential water quality impacts prior to approval and issuance of construction and grading permits.

Prior to issuance of Building / Grading Permits, the City of Murrieta:

- Requires implementation of the applicable designated BMPs (Section 7.3) and other measures that are selected so that Illicit Discharges into the MS4 are prevented, Stormwater Pollutants discharged from the Construction Site will be reduced to the MEP, and construction activity discharges from the MS4 are prevented from causing or contributing to a violation of Water Quality Standards.
- Ensures that the project proponent's Runoff management plan (or equivalent Construction Site BMP plan) is required to comply, and reviewed by the Public Works Department to verify compliance with the local grading ordinance, other applicable local ordinances, and the 2010 SMR MS4 Permit. This construction site BMP plan does not need to be reviewed to ensure that it complies with the Construction General Permit,.
- Verifies that project proponents subject to the Construction General Permit have existing coverage. Where coverage under the Construction General Permit appears to apply, the City of Murrieta verifies coverage on the State Board's web page at:

[http://www.swrcb.ca.gov/water\\_issues/programs/stormwater/databases.shtml#const\\_db](http://www.swrcb.ca.gov/water_issues/programs/stormwater/databases.shtml#const_db)

For such projects, the Regional and/or the State Board are responsible for conducting inspections and verifying compliance with the Construction General Permit. The City of Murrieta's review of the project's Runoff management plan, as well as the City of Murrieta's inspections conducted as described in Section 7.4 below, are to ensure compliance with the City of Murrieta's ordinances and the 2010 MS4 Permit.

- Categorizes the project as a high, medium, or low threat to water quality for the purposes of inspection, as described in Section 7.4.

## 7.3 Construction Site BMPs {F.2.d}

The City of Murrieta has designated a minimum set of BMPs and other measures to be implemented at all Construction Sites, as applicable to the site and the activities thereon. The City of Murrieta requires implementation of the designated minimum BMPs and any additional measures necessary to comply with the 2010 SMR MS4 Permit at each Construction Site within its jurisdiction year round. BMP implementation requirements, however, can vary based on Rainy and Dry Seasons. Dry Season BMP implementation must plan for and address unseasonal rain events that may occur during the Dry Season (May 1 through September 30).

**7.3.1 Minimum Erosion and Sediment Control Practices {F.2.d(1)(b)}**

- Erosion prevention. Erosion prevention is to be used as the most important measure for keeping sediment on site during construction;
- Sediment controls. Sediment controls are to be used as a supplement to erosion prevention for keeping sediment on-site during construction;
- Slope stabilization must be used on all active slopes during rain events regardless of the season and on all inactive slopes during the Rainy Season and during rain events in the Dry Season;
- Permanent revegetation or landscaping as early as feasible; and
- Erosion and sediment controls must be required during the construction of Unpaved Roads.

7.3.2 Minimum Management Measures {F.2.d(1)(a)}

BMP Name	Stormwater BMP Handbook Portal: Construction	Caltrans Construction Site BMP Manual	MS4 Permit Requirement Reference F.2.d.(1):
<b>Stabilize Exposed Soils (one or more or the methods below will be used as needed)</b>			
Chemical Stabilization (Soil Binders)	EC-5	SS-5	(a): (iv), (vii) (viii) b): (i)
Polyacrylamide	SE-11		(a): (iv), (vii) (viii) b): (i)
Mulching			
Hydraulic Mulch	EC-3	SS-3	(a): (iv), (vii) (viii) b): (i)
Straw Mulch	EC-6	SS-6	(a): (iv), (vii) b): (i),
Wood Mulching	EC-8	SS-8	(a): (iv), (vii) b): (i)
Permanent Seeding			(a): (iv), (vii) b): (i) (iv)
Sodding			(a): (iv), (vii), (viii) b): (i) (iv)
Soil Roughening			
Temporary Seeding/Hydroseeding	EC-4	SS-4	(a): (iv), (vii) (viii) b): (i)
<b>Protect Steep Slopes</b>			
Earth Dikes/Drainage Swales/Lined Ditches	EC-9	SS-9	b): (i), (iii)
Fiber Roll	SE-5	SC-5	b): (i) (iii)
Geotextiles	EC-7	SS-7	b): (i) (iii)
Gradient Terraces			b): (i) (iii)
Soil Retention			b): (i) (iii)
Straw Bale Barrier	SE-9	SC-9	b): (i) (iii)
Temporary Slope Drain	EC-11	SS-11	b): (i) (iii)
<b>Protect Waterways</b>			
Check Dams	SE-4	SC-4	
Outlet Protection/Velocity Dissipation Devices	EC-10	SS-10	(a): (xii) b): (i)
Stream bank Stabilization	EC-12	SS-12	(a): (xii)
Temporary Stream Crossings	NS-4	NS-4	b): (i)
Vegetated Buffer			

<b>Phase Construction</b>			
Construction Sequencing (Scheduling)	EC-1	SS-1	(a): (ii), (iii), (iv), (v), (vi), vii b): (i)
Dust Control (Wind Erosion Control)	WE-1	WE-1	(a): (iv), (viii)
<b>Preserve Site Condition</b>			
Entrance/Outlet Tire Wash	TC-3	TC-3	(a): (ix),
Preservation of Existing Vegetation	EC-2	SS-2	(iii) (iv), (xii) b): (i)
Stabilized Construction Entrance/Exit	TC-1	TC-1	(a): (ix)
Stabilized Construction Roadway	TC-2	TC-2	(a): (ix) b): (i) (iv)
Scheduling			(a): (ii) (iii), (iv), (v), (vi), vii b): (i)
<b>Waste Management</b>			
Waste Handling and Disposal	SC-34		(a): (i), (xi.), (x), (xi)
<b>Pollution Prevention</b>			
Spill prevention, Control and Cleanup	SC-11		(a): (i.), (x)

The City of Murrieta requires project proponents to submit a SWPPP/Erosion Control Plan that identifies each of the BMPs used during the construction phase and their deployment at the Construction Site. The SWPPP:

- Establishes limitations of grading to a maximum disturbed area as determined by City of Murrieta before either temporary or permanent erosion controls are implemented to prevent Stormwater Pollution.

This maximum area is established by the City on a case-by-case basis depending on the specifics of each project, and documented in the grading permit documents.

Since BMP technology is constantly changing, the City of Murrieta may consider other BMPs of equivalent or better performance on a case-by-case basis.

### 7.3.3 Enhanced BMPs {F.2.d.(2)}

The City of Murrieta requires implementation of enhanced measures to address the threat to water quality posed by all Construction Sites tributary to CWA Section 303(d) water body segments Impaired for sediment or turbidity. Currently there are no CWA Section 303(d) water body segments Impaired for sediment or turbidity that the City MS4 facilities discharge into. Where necessary, the City of Murrieta also requires implementation of enhanced measures for Construction Sites within, or adjacent to, or discharging directly to Receiving Waters within an ESA (as defined in Attachment C of the 2010 SMR MS4 Permit).

### 7.3.4 Active/Passive Sediment Treatment (AST) {F.2.d.(3)}:

The City of Murrieta requires implementation of AST for sediment at Construction Sites (or portions thereof) that the City determines to be an exceptional threat to water quality. In evaluating the threat to water quality, the following factors are to be considered by the City of Murrieta:

- (a) Soil erosion potential or soil type;
- (b) The site's slopes;
- (c) Project size and type;
- (d) Sensitivity of Receiving Water bodies;
- (e) Proximity to Receiving Water bodies;
- (f) Non-Stormwater discharges;
- (g) Ineffectiveness of other BMPs;
- (h) Proximity and sensitivity of aquatic threatened and endangered species of concern;
- (i) Known effects of AST chemicals; and
- (j) Any other relevant factors.

As defined in the MS4 Permit, AST is a treatment mechanism that uses mechanical, electrical or chemical means to flocculate or coagulate suspended sediment for removal from runoff from construction sites prior to discharge. Such measures are highly expensive and are expected only to

be required in cases where there is an exceptional threat and/or demonstrable impacts to receiving water quality and all other available BMPs have been ineffective for the site.

#### 7.4 Construction Site Inspection {F.2.E}

The City of Murrieta conducts Construction Site inspections for compliance with its ordinances (grading, stormwater, etc.), permits (construction, grading, etc.), and the 2010 SMR MS4 Permit. When conducting inspections of Construction Sites the City of Murrieta utilizes the inspection form provided in Appendix E. Priorities for inspecting Construction Sites must consider the nature and size of the construction activity, topography, and the characteristics of soils and Receiving Water quality. City of Murrieta inspectors inspect the inventoried Construction Sites according to the schedule below.

7.4.1 Rainy Season<sup>12</sup> Inspection Frequency

Table 7-1: Construction Site Inspection Frequency

Priority	Supporting Criteria <sup>(a)</sup>	Rainy Season Inspection Frequency
High	<ul style="list-style-type: none"> <li>• Sites that disturb an area greater than 30 acres with rough grading or with active, unstabilized slopes occurring during the Rainy Season</li> <li>• Sites disturbing an area greater than one (1) acre within the same hydrologic subarea and tributary to Receiving Waters with CWA Section 303(d) listed waters for sediment or turbidity Impairments or within, directly adjacent to, or discharging directly to a Receiving Water within an ESA.</li> <li>• Other sites determined by the City of Murrieta as a significant threat to water quality, considering the following factors:               <ul style="list-style-type: none"> <li>○ Soil erosion potential (e.g. Hillside sites)</li> <li>○ Project size and type</li> <li>○ Sensitivity of and proximity to Receiving Waters (particularly ESAs since no Receiving Waters are 303(d) listed for sediment or turbidity)</li> <li>○ History or presence of Illegal Non-Stormwater Discharges</li> <li>○ Known past record of non-compliance by the operators of the Construction Site</li> <li>○ Any other relevant factors.</li> </ul> </li> </ul>	Every Two Weeks
Medium	<p><u>Project Size</u> Sites disturbing an area of one acre or more.</p>	Monthly
Low	<p><u>Project Size</u> Sites disturbing less than 1 acre.</p>	As needed

<sup>12</sup> The Rainy Season – (aka Wet Season) is the period of time from October 1 forward to April 30 when the Santa Margarita Region experiences the most rainfall.

#### **7.4.2 Dry Season Inspection Frequency**

The City of Murrieta inspects all Construction Sites as needed during the Dry Season. Sites meeting the criteria in Section F.2.e.(1) of the 2010 SMR MS4 Permit are inspected at least once in August or September each year.

#### **7.4.3 Re-inspections**

Based upon site inspection findings, the City of Murrieta implements all follow-up actions (i.e., re-inspection, enforcement) necessary to comply with the 2010 SMR MS4 Permit. Re-inspection frequencies are determined by the City of Murrieta based upon the severity of deficiencies, the nature of the construction activity, and the characteristics of soils and Receiving Water quality.

#### **7.4.4 Conducting Inspections**

At a minimum, the following items are addressed by City of Murrieta staff during Construction Site inspections:

- Check for coverage under the Construction General Permit NOI and/or WDID No. during initial inspections;
- Assessment of compliance with City of Murrieta ordinances and permits related to Runoff, including the implementation and maintenance of designated minimum BMPs;
- Assessment of BMP effectiveness;
- Visual observations for Non-Stormwater discharges, potential Illicit Connections, and potential discharge of Pollutants in Stormwater Runoff;
- Review of site monitoring data results, if the site monitors its Runoff;
- Education and outreach on Stormwater Pollution prevention, as needed; and
- Creation of a written or electronic inspection report.

The City of Murrieta tracks the number of inspections for each inventoried Construction Site within its jurisdiction throughout the reporting period to verify that each site is inspected at the minimum frequencies required. The Construction Site inspection form is included in Appendix E.

## **7.5 Enforcement {F.2.f }**

The City of Murrieta has developed and implements an escalating enforcement process (Section 3.5) that is designed to achieve prompt corrective actions at Construction Sites for non-compliance with the City of Murrieta's permits, requirements and Ordinances.

The City of Murrieta responds to construction complaints received from third-parties and to ensure the San Diego Regional Board that corrective actions have been implemented, if warranted.

## **7.6 Reporting of Non-Compliant Construction Sites {F.2.g}**

The City of Murrieta will notify the San Diego Regional Board when the City of Murrieta issues high level enforcement (as defined in Section 3.5) to a Construction Site that poses a significant threat to water quality in its jurisdiction as a result of violations of its Stormwater Ordinances.

In addition, the City of Murrieta annually notifies the San Diego Regional Board, prior to the commencement of the Rainy Season (October 1<sup>st</sup>), of all Construction Sites with alleged violations that pose a significant threat to water quality. Information may be provided as part of the JRMP Annual Report if submitted prior to the Rainy Season. Information provided must include, but not be limited to, the following:

- (a) WDID number if enrolled under the Construction General Permit
- (b) Site location, including address
- (c) Current violations or suspected violations

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## 8.0 INDUSTRIAL AND COMMERCIAL SOURCES {F.1.B.}

The City of Murrieta implements the following Industrial and Commercial Program which has been designed to help prevent Illicit Discharges into the MS4, reduce industrial and commercial discharges of Stormwater Pollutants into and from the MS4 to the MEP, and prevent Industrial and Commercial Facility discharges to the MS4 from causing or contributing to a violation of Water Quality Standards in Receiving Waters. The City of Murrieta will continue to review the effectiveness of the Industrial and Commercial Facility inspection program annually and make additional program modifications as necessary.

### 8.1 Industrial/Commercial Source Identification & Inventory {F.1.b.(1)(a)}

The City of Murrieta developed and maintains an updated inventory/database of Industrial and Commercial Facilities within its jurisdiction that could contribute a significant Pollutant load to the MS4, as identified by the 2010 SMR MS4 Permit. Facilities are included in this inventory regardless of whether the facility is subject to the Industrial General Permit, or other individual NPDES permits issued by the State Board or the San Diego Regional Board. This inventory/database is maintained by the Public Works Department and an electronic copy is included as an attachment to each Annual Report.

The Public Works Department regularly updates the inventory/database using information obtained during facility inspections or from any of the following sources: conditional use permits, plot plans, building permits, business licenses, occupancy permits, Hazardous Materials permits, and Hazardous Waste generator permits are approved for the development of a new Industrial Facility. Additional facilities are identified through the CAP and as compliance surveys and inspections are completed and Industrial Facilities are identified.

#### 8.1.1 Facility Categories

The Industrial and Commercial Facilities inventory/database includes the following categories of potential sources:

##### Industrial Sites/Sources

- ◆ Industrial Facilities, as defined at 40 CFR § 122.26(b)(14), including those subject to the General Industrial Permit or other individual NPDES permit;
- ◆ Operating and closed landfills;
- ◆ Facilities subject to SARA Title III; and
- ◆ Hazardous Waste treatment, disposal, storage and recovery facilities.

##### Commercial Sites/Sources

- ◆ Automobile repair, maintenance, fueling, or cleaning;
- ◆ Airplane repair, maintenance, fueling, or cleaning;
- ◆ Boat repair, maintenance, fueling, or cleaning;

- ◆ Equipment repair, maintenance, fueling, or cleaning;
- ◆ Automobile and other vehicle body repair or painting;
- ◆ Mobile automobile or other vehicle washing;
- ◆ Automobile (or other vehicle) parking lots and storage facilities;
- ◆ Retail or wholesale fueling;
- ◆ Pest control services;
- ◆ Eating or drinking establishments, including such retail establishments with food markets;
- ◆ Mobile carpet, drape or furniture cleaning;
- ◆ Cement mixing or cutting;
- ◆ Masonry;
- ◆ Painting and coating;
- ◆ Botanical or zoological gardens and exhibits;
- ◆ Landscaping;
- ◆ Nurseries and greenhouses;
- ◆ Golf courses, parks and other recreational areas/facilities;
- ◆ Cemeteries;
- ◆ Pool and fountain cleaning;
- ◆ Marinas;
- ◆ Portable sanitary services;
- ◆ Building material retailers and storage;
- ◆ Animal boarding facilities and kennels;
- ◆ Mobile pet services;
- ◆ Power washing services;
- ◆ Plumbing services; and
- ◆ Other sites and sources as identified by the Copermittee as having a history of un-authorized discharges to the MS4.

ESAs and 303(d) Listed Waterbodies

All other Industrial or Commercial Sites / sources tributary to and within the same hydrologic subarea as a CWA Section 303(d) Impaired water body segment, where the City of Murrieta has determined that the site/source generates Pollutants for which the water body segment is Impaired. All other Commercial or Industrial Sites/sources within or directly adjacent to or discharging directly to Receiving Waters within ESAs (as defined in Attachment C of the 2010 SMR MS4 Permit) or that the City of Murrieta has

determined generate Pollutants tributary to and within the same hydrologic subarea as an observed exceedance of an Action Level of those Pollutants.

All other Industrial or Commercial Sites/sources that the City of Murrieta determines may contribute a significant Pollutant load to the MS4.

### **8.1.2 Inventory Information**

The information for each facility in the Industrial and Commercial Facility Database includes the following information:

- ◆ Name of facility;
- ◆ Address;
  - ◆ Mailing address (if different)
- ◆ Pollutants potentially generated by the facility;
- ◆ Identification of whether the facility is tributary to a CWA §303(d) water body segment and generates Pollutants for which the water body segment is Impaired;
- ◆ A narrative description including SIC codes which best reflects the principal products or services provided by the facility.
- ◆ Location reference (such as, geographic coordinates, cross streets, etc.)
- ◆ Facility Category (per Section 8.1.1)
- ◆ Hydrologic Unit Code
- ◆ Facility contact
- ◆ Facility contact phone number
- ◆ WDID number associated with the Industrial General Permit (if any)
- ◆ Other NPDES permit or Waste Discharge Requirements
- ◆ Site size

### **8.1.3 Facilities that pose a high threat to water quality**

The City of Murrieta identifies those facilities that pose a high threat to Receiving Water quality.

All inventoried sites are inspected at least once during a five year period. In evaluating threat to water quality, the 2010 SMR MS4 Permit identifies the following factors that are to be considered:

- (i) Type of activity (SIC code);
- (ii) Materials used at the facility;
- (iii) Wastes generated;

- (iv) Pollutant discharge potential, including whether the facility generates a Pollutant that exceeds an Action Level;
- (v) Non-Stormwater discharges;
- (vi) Size of facility;
- (vii) Proximity to Receiving Water bodies;
- (viii) Sensitivity of Receiving Water bodies;
- (ix) Whether the facility is subject to the General Industrial Permit or an individual NPDES permit;
- (x) Whether the facility has filed a No Exposure Certification/Notice of Non-Applicability;
- (xi) Facility design; total area of the site, portion of the site where industrial or commercial activities occur, and area of the site exposed to rainfall and Runoff;
- (xiii) The facility's compliance history; and
- (xiv) Any other relevant factors.

Primarily, the designation of Industrial and Commercial Facilities that are a high threat to Receiving Water quality will be assessed using the monitoring described in the CMP, through the Watershed Water Quality Workplan assessments. As described in the Santa Margarita Watershed Water Quality Workplan, where an MS4 Outfall Action Level exceedance is detected in a Receiving Water with chronic exceedances of Basin Plan Objectives for the same Pollutant, the City of Murrieta will evaluate appropriate response actions to address that Action Level exceedance. Where the appropriate response action is identified as enhanced or focused industrial or commercial inspections, all facilities in the inventory that are tributary to that outfall and are known to generate Pollutants associated with the Action Level exceedance (per the inventoried information about the facility) will be designated as high priority facilities. Further prioritization among inventoried industrial and commercial facilities may be performed by the City of Murrieta using the remaining factors identified above.

## **8.2 General BMP Implementation**

### **8.2.1 Pollution Prevention BMPs {F.1.b.(2)(a)}**

The City of Murrieta has designated the following set of minimum Pollution Prevention BMPs for the Industrial and Commercial Facilities within its jurisdiction to reduce the discharge of Pollutants to the MEP:

- ◆ Good Housekeeping
- ◆ Proper Materials Handling and Storage
- ◆ Proper Waste Handling

- ◆ Preventive Maintenance
- ◆ Spill Prevention and Response Procedures (where applicable)
- ◆ Facility Personnel Training

Through the process of conducting inspections of Industrial and Commercial Facilities, the inspectors make the facilities aware of these minimum BMPs and additional BMPs (when appropriate) and of the City of Murrieta's applicable ordinance(s).

**8.2.2 Minimum BMPs {F.1.b.(2)(b)}**

The City of Murrieta has also designated the following minimum set of BMPs for all applicable inventoried Industrial and Commercial Sites/sources within its jurisdiction that are specific to facility types and Pollutant-generating activities. During the inspection of inventoried Industrial and Commercial facilities, the following minimum BMPs are verified as applicable to the facility. Where applicable, CASQA BMP Fact sheets are noted:

Item #	Minimum BMP	CASQA BMP Fact Sheet
1	Hazardous Waste/Materials storage areas are clean, no signs of leakage, and protected from rainfall and Runoff;	SC-34
2	Trash bin areas are clean, the bin lids are closed, the bins are not filled with liquid, and no signs of leakage from the trash bins	SC-34
3	Aboveground tanks have been properly maintained including no signs of leakage, and secondary containment in good condition	SC-11, SC-31, SC-33
4	Onsite storm drain inlets are protected from inappropriate Non-Stormwater discharges	SC-44
5	Oil/water separators are connected to sanitary sewer	NA
6	Wash water from wash pads (steam cleaning or high pressure cleaning) is directed to the sanitary sewer and does not discharge to the MS4	SC-10
7	Mop bucket wash water is discharged to sanitary sewer via clarifier	SC-10
8	Parking lot areas are free of trash, debris, and fluids other than water	SC-43
9	Facility has coverage under the Industrial General Permit, if appropriate	NA
Item #	Minimum BMP	CASQA BMP Fact Sheet
10	Oil and grease Wastes are not discharged onto a parking lot, street or adjacent catch basin	SC-10
11	Trash bin areas are clean, the bin lids are closed, the bins are not filled with liquid, and the bins have not been washed out into the MS4	SC-43
12	Floor mats, filters and garbage containers are not washed in adjacent parking lots, alleys, sidewalks, or streets and no wash water is discharged to MS4s	SC-10

Item #	Minimum BMP	CASQA Fact Sheet	BMP
13	Parking lot areas are cleaned by sweeping, not by hosing down, and the facility operator uses dry methods for spill cleanup	SC-43	

The City of Murrieta will continue to regularly review and update these designated BMPs for adequacy and subsequently submit any updates in the JRMP Annual Report.

**8.2.3 Enhanced BMPs for ESAs and 303(d) Impairments {F.1.b.(2)(c)}**

The City of Murrieta designates enhanced measures as necessary for inventoried Industrial and Commercial Sites/sources that:

- Are tributary to and within the same hydrologic subarea as CWA Section 303(d) Impaired water body segments (where the City of Murrieta has determined that the site/source generates Pollutants for which the water body segment is Impaired).
- Are within or directly adjacent to or discharging directly to Receiving Waters within ESAs.

**8.2.4 BMP Implementation {F.1.b.(2)(d)}**

The City of Murrieta requires the implementation of the designated minimum and enhanced BMPs and any additional measures necessary based on inspections, incident responses, and water quality data to comply with the 2010 SMR MS4 Permit at each Industrial and Commercial Site/source within its jurisdiction. To ensure that the designated BMPs are implemented by the facility owner/operator, the City of Murrieta implements the following programmatic BMPs:

- Maintain and update Inventory of facilities (Section 8.1)
- Designates appropriate BMPs to be implemented by each facility (Section 8.2)
- Conducts inspections (Section 8.4)
- Enforces City ordinances (Section 3.5)

**8.3 Mobile Businesses Program {F.1.b.(3)}**

The City of Murrieta has developed and is implementing a program to reduce the discharge of Stormwater Pollutants from Mobile Businesses to the MEP and to prohibit Non-Stormwater discharges pursuant to Section B of the 2010 SMR MS4 Permit. The City of Murrieta maintains as part of its commercial source inventory a listing of Mobile Businesses known to operate within its jurisdiction that conduct services listed above in Section 8.1.

**8.3.1 Minimum BMPs for Mobile Businesses {F.1.b.(3)(i)}**

Based on the activities associated with the Mobile Businesses identified in the City of Murrieta's jurisdiction, the following list of potential Source Control BMPs was developed for each of the categories of Mobile Businesses:

Power Washing Activities

- Direct discharge to landscape areas, prevent discharge from leaving site, contain wash water and dispose into sanitary sewer or landscape area

Mobile carpet, drape or furniture cleaning

- Direct discharge to landscape areas, prevent discharge from leaving site, discharge wash water to sanitary sewer, use of environmentally safe products

Mobile equipment repair, maintenance, fueling or cleaning

- contain runoff and vacuum all liquids and debris

Pest control services

- Do not apply pesticide within 24-hours of forecasted rain above 50% chance, try to minimize use, and use products according to their instructions

Cement mixing or cutting

- contain runoff and vacuum all liquids and debris

Masonry

- contain pollutants onsite, cover materials, wash out in landscape areas

Mobile painting and coating

- contain pollutants onsite, cover materials, wash out in landscape areas

Landscaping

- contain fertilizers onsite, cover materials, blow debris back onto landscape areas and not into street

Pool and Fountain Cleaning

- discharge to sanitary sewer or landscape areas, remove chlorine and other pollutants before discharge into MS4

Portable Sanitary Services

- contain runoff and vacuum all liquids and debris

Mobile Pet Services

- disposal of hair and other solids in proper waste containers, dispose of waste water into sanitary sewer

Power Washing Services

- Direct discharge to landscape areas, prevent discharge from leaving site, contain wash water and vacuum all liquids and debris

Plumbing Services

- proper disposal of waste, good house keeping

**8.3.2 Notification and Response {F.1.b.(3)(iii)}**

Each Copermittee notifies all Mobile Businesses based within, or discovered operating within their jurisdiction concerning the minimum Source Control and Pollution Prevention BMPs that they must implement when conducting their activities. The City of Murrieta identifies Mobile Businesses based within, or operating within their jurisdictions by the following methods:

When put on notice by staff or a third-party of a potential violation originating from a Mobile Business that is not already being responded to by another responsible agency (e.g., other Copermittee), the City of Murrieta investigates and take the actions as described in Section 3.5.3.

**8.3.3 Database {F.1.b.(3)(a)}**

The Copermittees maintain a list of known Mobile Businesses and their bases of operation in the Industrial/Commercial Facility Database described in Section 8.1. The database will assist in identifying the information necessary for the Copermittees to take enforcement action.

**8.4 Industrial and Commercial Facility Inspections {F.3.b.}**

The City of Murrieta conducts Industrial and Commercial site inspections for compliance with its ordinances, permits, and the 2010 MS4 Permit.

**8.4.1 Inspection Frequencies {F.1.B.(4)(B)}**

At a minimum all sites determined by the City of Murrieta to pose a high threat to water quality (Section 8.1.3) are inspected annually. All other inventoried sites are inspected at least once during a five year period.

**8.4.2 Inspection Procedures {F.3.b.(4)}**

When conducting facility/business inspections, at a minimum, the following are addressed:

- ◆ Review of BMP implementation plans not including Project-Specific WQMPs required pursuant to Section F.1.d of the 2010 SMR MS4 Permit, if the site uses or is required to use such a plan;
- ◆ Review of facility monitoring data, if the site monitors its Runoff;
- ◆ Check for coverage under the General Industrial Permit NOI and/or WDID, if applicable;
- ◆ Assessment of compliance with City of Murrieta ordinances and City of Murrieta issued permits related to Runoff;

- ◆ Assessment of the implementation, maintenance and effectiveness of the designated minimum and/or enhanced BMPs;
- ◆ Visual observations for Non-Stormwater discharges, potential Illicit Connections, and potential discharge of Pollutants in Stormwater Runoff; and
- ◆ Education and training on Stormwater Pollution prevention, as conditions warrant.

### **8.4.3 Inspection Program Approach**

The City of Murrieta ensures that all inventoried facilities are inspected pursuant to the frequencies and procedures identified in Sections 8.4.1 and 8.4.2, respectively. These requirements are met through a combination of approaches as described below.

#### **8.4.3.1 Compliance Assistance Program (CAP)**

The City will conduct the business inspections program similar to the County's Department of Environmental Health implements the CAP for oversight and inspection of Industrial and Commercial Facilities. This is the baseline inspection program for the SMR.

The CAP involves a detailed Stormwater compliance survey for facilities that must secure a Hazardous Materials permit for storing, handling or generating such materials and for retail food facilities. Many types of Industrial and Commercial Facilities are inspected by the County's Department of Environmental Health Hazardous Materials Management staff including those that conduct automobile mechanical repair, maintenance, fueling, or cleaning operations, automobile or other vehicle body repair or painting operations, and painting or coating operations.

Blank copies of the forms used by the County's Department of Environmental Health when conducting these stormwater compliance surveys are included in Appendix F. Completed survey forms are forwarded to the District and the appropriate Copermittee. The respective jurisdiction's representative identifies those surveys that indicate non-compliance to initiate a follow-up inspection.

The CAP includes educational outreach to the inspected facilities and completion of a detailed Stormwater compliance survey. In conducting a facility inspection, if it appears that the facility may be required to have coverage under the Industrial General Permit and the facility operator indicated that a NOI or SWPPP is not onsite, the inspector provides the facility operator with an informational sheet on the requirements of the Industrial General Permit and makes a note on the compliance survey that the NOI or SWPPP was not available onsite. The City of Murrieta also verifies the SIC codes of each Industrial facility to ensure that the Industrial General Permit is obtained where necessary.

#### **8.4.3.2 Third Party Certifications {F.1.d(4)(c)}**

The City of Murrieta may in the future propose to develop and implement a third party certification program subject to San Diego Regional Board Executive Officer acceptance. This program would verify Industrial and Commercial Site/source compliance with the City of Murrieta's ordinances, permits, and this Order. To the extent that third party certifications are conducted to fulfill the requirements of Section F.3.b.(4) of the 2010 SMR MS4 Permit, the City of Murrieta will retain responsibility for compliance with the 2010 SMR MS4 Permit and will be responsible for conducting and documenting quality assurance and quality control of the third-party certifications.

If the City of Murrieta proposes a third party certification program it will include the following:

- (i) A description of the procedures and measures for quality assurance and quality control;
- (ii) A listing of sites/sources that may and may not participate in the program;
- (iii) The representative percentage of certifications that would qualify to satisfy the inspection requirements in Section F.3.b(4)(c) of the 2010 SMR MS4 Permit;
- (iv) Photo documentation of potential stormwater violations identified during the third party inspection;
- (v) Reporting to the City of Murrieta of identified significant potential violations, including imminent or observed Illegal Discharges, within 24 hours of the third party inspection;
- (vi) Reporting to the City of Murrieta of all findings within one week of the inspection being conducted; and
- (vii) City of Murrieta follow-up and/or enforcement actions for identified potential Stormwater violations within two business days of the potential violation report receipt.

Based upon site inspection findings, the City of Murrieta will implement all follow-up actions and enforcement necessary to comply with the 2010 SMR MS4 Permit.

#### **8.4.4 Regional Board Inspections {F.1.d.(4)(c)}**

To the extent that the San Diego Regional Board has conducted an inspection of an Industrial Site during a particular year, the requirement for the responsible Copermitttee to inspect this facility during the same year is deemed satisfied.

#### **8.4.5 Tracking Inspections**

The City of Murrieta tracks the number of inspections for the inventoried Industrial and Commercial Sites/sources throughout the reporting period to verify that the sites/sources are inspected at the minimum frequencies listed in the 2010 SMR MS4 Permit.

#### **8.4.6 Enforcement of Industrial and Commercial Sites/Sources**

The City of Murrieta enforces its Stormwater Ordinance for all Industrial and Commercial Sites/sources as necessary to maintain compliance with the 2010 SMR MS4 Permit. The Enforcement/Compliance Strategy is described in Section 3.5 of this JRMP.

#### **8.4.7 Reporting of Non-Compliant Sites {F.1.d(6)}**

The City of Murrieta provides annual notification to the San Diego Regional Board, prior to the commencement of the Wet Season, of any unresolved high level enforcement action (as defined in the City of Murrietas' JRMP) that poses a significant threat to water quality in its jurisdiction as a result of violations of the Stormwater Ordinance.

## 9.0 RESIDENTIAL SOURCES {F.C}

The City of Murrieta implements the following residential program, which has been designed to meet the requirements of Section F.3.c. of the 2010 SMR MS4 Permit, help prevent Illicit Discharges into the MS4, reduce residential discharges of Stormwater Pollutants from the MS4 to the MEP, and prevent residential discharges from the MS4 from causing or contributing to a violation of Water Quality Standards.

### 9.1 Program Approach

The City of Murrieta actively encourages the use of Pollution Prevention methods by residents, particularly for those high priority residential areas and activities described above. The following describes the programs implemented by the City of Murrieta:

- ◆ Training City Personnel who have regular contact with residential areas (e.g., park maintenance personnel, street sweepers, code enforcement officers, etc.) to serve as informal inspectors performing field reviews. The training programs are further described in Section 12.
- ◆ Participation in County-wide Public Education Efforts including (as further described in Section 11.
  - ◆ Maintenance of brochures on various topics pertinent to the high priority residential activities described in Section 11.
  - ◆ Maintenance of a public education website
  - ◆ Issuance of quarterly e-newsletters
  - ◆ Outreach at Community events
  - ◆ Outreach at Home Improvement stores
  - ◆ Elementary School assembly presentations
  - ◆ Maintenance of a "1-800" hotline for reporting of complaints or illegal discharges

### 9.2 High Priority Residential Areas and Activities {F.3.c.(1)}

The 2010 SMR MS4 Permit identifies the following residential activities as posing a high threat to water quality:

- ◆ Automobile repair, maintenance, washing and parking.
- ◆ Home and garden care activities and product use (pesticides and fertilizers);
- ◆ Disposal of trash, pet waste, green waste, and household hazardous waste (e.g., paints, cleaning products);
- ◆ Any residential areas tributary to and within the same hydrologic subarea as a CWA Section 303(d) Impaired water body, where the residence generates Pollutants for which the water body is Impaired; and

- ◆ Any residential areas within or directly adjacent to or discharging directly to Receiving Waters within an ESA.

### 9.3 Designated BMPs {F.3.c.(2)(b)}

The City of Murrieta has designated a set of minimum BMPs for high-threat-to-water-quality residential areas and activities within their jurisdiction to reduce the discharge of Pollutants to the MEP. The minimum BMPs, all of which are Pollution Prevention BMPs, are:

**Table 9-1: Designated Residential BMPs**

	Area or Activity	Designated BMPs	Reference Material
A	Residential: Automobile repair, maintenance, washing and parking	<ul style="list-style-type: none"> <li>• Collect and properly dispose of automotive fluids and other waste</li> <li>• Clean up spills using dry cleanup methods where possible</li> <li>• Store Hazardous Materials away from rain and Runoff</li> <li>• Avoid hosing down parking areas</li> <li>• Prevent all leaks and/or spills from entering the street or MS4</li> </ul>	<p><b><u>Brochures (See Section 11):</u></b></p> <ul style="list-style-type: none"> <li>• Automotive Maintenance and Car Care Brochure</li> <li>• Outdoor Cleaning</li> </ul> <p><b><u>CASQA BMP Fact Sheets:</u></b></p> <ul style="list-style-type: none"> <li>• SC-20</li> <li>• SC-21</li> <li>• SC-22</li> <li>• SC-43</li> </ul>
B	Home and garden care activities and product use (pesticides, herbicides and fertilizers)	<ul style="list-style-type: none"> <li>• Prevent irrigation runoff</li> <li>• Store and apply pesticides, fertilizers and other chemicals in accordance with their labeling</li> <li>• Avoid applying pesticides, herbicides and fertilizers before forecasted rain</li> </ul>	<p><b><u>Brochures (See Section 11):</u></b></p> <ul style="list-style-type: none"> <li>• Landscape and Garden</li> <li>• 10 Ways to Save Water Outdoors</li> </ul> <p><b><u>CASQA BMP Fact Sheets:</u></b></p> <ul style="list-style-type: none"> <li>• SC-73</li> <li>• SD-10</li> <li>• SD-12</li> </ul>

<p><b>C</b></p>	<p>Disposal of trash, pet waste, green waste, and Household Hazardous Waste (e.g., paints, cleaning products)</p>	<ul style="list-style-type: none"> <li>• Properly dispose of pet waste</li> <li>• Collect green waste and never blow such waste into the street, gutter or MS4</li> <li>• Never dispose of Waste in a street, gutter or MS4</li> <li>• Take Household Hazardous Waste to a designated collection center</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Brochures (See Section 11):</b></li> <li>• After the Storm</li> <li>• What's the Scoop</li> <li>• Tips for Horse Care</li> <li>• Landscape and Garden</li> <li>• Pools, Spas and Fountains</li> <li>• <b>HHW and ABOP Collection Events</b></li> <li>• <a href="http://www.rivcowm.org/opencms/hhw/index.html">http://www.rivcowm.org/opencms/hhw/index.html</a></li> <li>• <b>Videos:</b></li> <li>• Animal Care</li> <li>• Household Hazardous Waste</li> <li>• Managing your Lawn and Garden</li> <li>• Outdoor Activities</li> </ul>
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The residential activities described in Table 9-1 above are assumed to occur with equal likelihood in all residential areas within the City of Murrieta's jurisdiction. The implementation of the residential program and the minimum BMPs designated above is therefore designed to address these activities on a City wide basis. This includes addressing Pollutants from Residential areas that may be tributary to and potentially impacting a CWA Section 303(d) Impaired water body, and for addressing residential discharges into ESAs.

The above list of residential areas and activities and associated BMPs may be updated by the City of Murrieta in response to the Santa Margarita Watershed Water Quality Workplan assessments.

The City of Murrieta requires implementation of the minimum BMPs and any additional measures necessary to comply with the Prohibitions and Receiving Water Limitations and restrictions on Non-Stormwater discharges as specified in the 2010 SMR MS4 Permit.

**9.4 Hazardous Waste BMPs {F.3.c.(2)(c)}**

The City of Murrieta participates in regional activities to facilitate the proper collection and management of used oil, Toxic and Hazardous materials, and other household Wastes. This includes assisting in the distribution of information regarding the dates and locations of temporary and permanent HHW and ABOP collection events and facilities, financial support of HHW and ABOP collection facilities and events, and curbside or special collection sites managed by the Copermittees or private entities, such as solid waste haulers.

**9.5 Common Interest Areas, Home Owner Associations and Mobile Home Parks {F.3.c.(4)}**

The City of Murrieta requires implementation of effective management measures in CIAs, HOAs and mobile home parks (MHPs) to ensure that Runoff within and from these areas meets the objectives of the

2010 SMR MS4 Permit. The designated BMPs for residential CIAs, HOAs, and MHPs are as described in Section 9.3. Additional BMPs may be required based on a review of pertinent factors, including:

- Maintenance duties and procedures typically used by CIA/HOA maintenance associations within its jurisdiction;
- Whether streets and storm drains are publicly or privately owned within the CIA/HOA or MHP;
- Whether the CIA/HOA or MHP has been identified as a high priority residential area based on an evaluation of the site potential to generate Pollutants contributing to a 303(d) listed waterbody or an observed Action Level exceedance; and
- Other activities conducted or authorized by the HOA that may pose a significant risk to inland Receiving Waters.

Additional BMPs that may be applicable to CIAs, HOAs, and/or MHPs (in addition to those referenced in Section 9.3) are:

**Table 9-2: Additional BMPs for CIAs, HOAs, and MHPs**

Area or Activity		Designated BMPs	Reference Material
<b>A</b>	Outdoor Cleaning Activities	<ul style="list-style-type: none"> <li>• Clean up spills using dry cleanup methods where possible</li> <li>• Avoid hosing down parking areas</li> <li>• Prevent all wash water, leaks and/or spills from entering the street or MS4</li> </ul>	<p><b><u>Brochures (See Section 11):</u></b></p> <ul style="list-style-type: none"> <li>• Outdoor Cleaning</li> </ul> <p><b><u>CASQA BMP Fact Sheets:</u></b></p> <ul style="list-style-type: none"> <li>• SC-43</li> </ul>
<b>B</b>	Community Pools / Fountains	<ul style="list-style-type: none"> <li>• Properly maintain community pools and/or fountains to avoid Illegal Discharges</li> <li>• Properly store all chemicals and equipment used in maintaining the pools/fountains</li> </ul>	<ul style="list-style-type: none"> <li>• <b><u>Brochures (See Section 11):</u></b></li> <li>• Pools, Spas and Fountains</li> </ul> <p><b><u>CASQA BMP Fact Sheets:</u></b></p> <ul style="list-style-type: none"> <li>• SC-72</li> </ul>
<b>C</b>	Community streets, roads and parking lots	<ul style="list-style-type: none"> <li>• Sweep streets/roads as necessary to prevent accumulated trash or debris from entering the MS4</li> <li>• Schedule repairs for Dry Weather, and protect nearby storm drain inlets for repairs that must occur during the Wet Season</li> </ul>	<p><b><u>CASQA BMP Fact Sheets:</u></b></p> <ul style="list-style-type: none"> <li>• SC-43</li> <li>• SC-70</li> </ul>

D	Community-owned MS4	<ul style="list-style-type: none"> <li>• Regularly inspect and remove litter and/or other debris from inlets- before the Wet Season</li> <li>• If there is evidence of Illegal Discharges or dumping, attempt to find and eliminate the source. Refer to the local code enforcement agency if necessary.</li> <li>• Post no-dumping signs in areas where trash or other illegal dumping accumulates</li> </ul>	<p><b>CASQA BMP Fact Sheets:</b></p> <ul style="list-style-type: none"> <li>• SC-10</li> <li>• SC-74</li> </ul>
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**9.6 Enforcement {F.3.c.(3)}**

If during an inspection in response to a complaint, a Code Enforcement inspector observes that a residence or a CIA/HOA/MHP is non-compliant with the City of Murrieta Stormwater Ordinance, (including the prohibition of non-exempt Non-Stormwater discharges), City of Murrieta or Code Enforcement department begins enforcement procedures. Procedures for enforcement of the Stormwater Ordinance is described in Section 3.5 and the process for elimination of IC/IDs is described in Section 4.

## 10.0 RETROFITTING EXISTING DEVELOPMENT {F.3.D.}

The goals of the Existing Development Retrofitting program are to address the impacts of existing development through retrofit projects that reduce impacts from Hydromodification, promote LID, support riparian and aquatic habitat restoration, reduce the discharges of Stormwater Pollutants from the MS4 to the MEP, and prevent discharges from the MS4 from causing or contributing to a violation of Water Quality Standards. Where feasible, at the discretion of the City of Murrieta, the Existing Development Retrofitting Program may be coordinated with flood control projects and other infrastructure improvement programs.

To facilitate consistent implementation of the Existing Retrofit Program in the Santa Margarita Region, the Copermittees prepared the Santa Margarita Region Retrofit Program Study, which is available at <http://rcflood.org/NPDES/SantaMargaritaWS.aspx>. The components of this Retrofit Program Study represent an adaptive approach to meeting the Retrofit requirements of the MS4 Permit.

The Retrofit Program itself consists of a multi-step process to identify and ultimately prioritize the actions and efforts that are best suited to addressing specific water quality issues in the Santa Margarita Region. The steps in this Retrofit Program enable the Copermittees first to identify water quality, watershed, infrastructure, or other issues or Conditions of Concern; second to develop context for the issues; and finally to use a series of tools, called the "Retrofit Program Framework," to identify the best strategy or strategies to address them, up to and including Retrofit projects. The tools can be applied and re-combined as the Copermittees' programs evolve and develop, to identify Retrofit project needs, priorities, and opportunities, and to select and design appropriate Structural or Non-Structural BMPs that may provide the most cost-effective reduction measures for Pollutants or Conditions of Concern.

### 10.1 Identification of Conditions of Concern

The potential issues which may trigger a Retrofit evaluation are listed in Table 10-1 below, and correspond to the "Problem or Condition (NAL/SAL Exceedance)" column headings in the BMP Menu, (Appendix B of the Retrofit Program Study).

**Table 10-1: Observations Potentially Triggering a Retrofit Program Framework Analysis**

Irrigation Runoff	
Hydrologic modification/channel instability	
Illicit Connection/Discharge	
Action Level Exceedances or TMDLs related to:	
Metals	Pesticides
Organics	Nutrients
Oil & grease	Bacteria
Sediment	

## 10.2 Source Assessment & Identification

When the City of Murrieta identifies a problem identified in Table 10-1, Step 2 of the Retrofit Program Framework identifies that the City of Murrieta conduct source identification in an attempt to determine the source and/or areas of development that may potentially be retrofit. To aid in the source identification, the Retrofit Program Study provides land use maps as well as information about Pollutants associated with those land uses, and factors that can be used to help guide a Copermittee to narrow down potential sources.

The procedures for source identification are described in Section 4.4.2 of this JRMP.

One possible outcome of the source assessment could be identification of a single point source. Under this scenario, the City of Murrieta would implement JRMP enforcement programs to eliminate the source of the issue. The other possible outcome is that there is not an identifiable point source of the issue. In this instance, Step 3 of the Retrofit Program Framework is to assess the current JRMP program implementation relative to the Pollutant or condition of concern, its likely source, the land use and management setting, and the Copermittees responsibilities and initiatives that may or should be able to address the issue. The purpose of this step is to assess whether the problem or condition may be mitigated through more effective or aggressive implementation of its existing authorities and programs in the JRMP, or if supplemental actions – such as Retrofit projects (Non-Structural and/or Structural) – may be required. The results of this evaluation may reveal that the existing JRMP program implementation could be enhanced to address the issue; in that case any deficiencies or needed improvements in City of Murrieta programs would be addressed and reported in the JRMP Annual Report.

If the JRMP programs are being adequately implemented the City of Murrieta can use Steps 4 and 5 of the Retrofit Program Framework, to evaluate structural and non-structural Retrofit BMPs. An early step in the evaluation would be to asses if Non-Structural Retrofit BMPs would be an appropriate solution. In instances where a Non Structural Retrofit BMP is not a feasible option to address the identified problem and where the Watershed Workplan has identified the problem as a Priority 1 issue, City of Murrieta can use the BMP menu to evaluate Structural BMPs.

## 10.3 Identification of Candidate Areas for Retrofitting<sup>{F.3.d.1.}</sup>

Existing areas of development (i.e., municipal, industrial, commercial, residential) within the City of Murrieta have been identified and inventoried as candidates for Retrofitting in the Santa Margarita Region Retrofit Program Study. Potential Retrofitting candidates include but are not limited to:

1. Areas of development that generate Pollutants of Concern to a TMDL or an ESA;
2. Receiving Waters that are channelized or otherwise hardened;
3. Areas of development tributary to Receiving Waters that are channelized or otherwise hardened;
4. Areas of development tributary to Receiving Waters that are significantly eroded; and

5. Areas of development tributary to an Area of Special Biological Significance (ASBS) or SWQPA.

The potential retrofitting candidate areas are identified in Figure 20 of the Santa Margarita Region Retrofit Program Study. When a specific problem has been identified per the Retrofit Program Framework, this initial inventory will be tailored to identify and prioritize focused areas of development as necessary during the source identification process described in Section 10.4.

#### **10.4 Prioritization of Candidate Areas for Retrofitting** {F.3.d.2}

The inventoried areas of existing development that are tributary to the identified Condition of Concern will be evaluated and ranked as part of Step 4 and/or Step 5 of the Retrofit Program Framework, as necessary, to prioritize Retrofit projects. Criteria for evaluation include, but are not limited to:

1. Feasibility;
2. Cost effectiveness;
3. Pollutant removal effectiveness, including reducing Pollutants exceeding Action Levels;
4. Tributary area potentially treated;
5. Maintenance requirements;
6. Landowner cooperation;
7. Neighborhood acceptance;
8. Aesthetic qualities;
9. Efficacy at addressing concern; and
10. Potential improvements on public health and safety.

A prioritized inventory of existing areas of development identified as candidates for retrofitting will be developed and provided in the JRMP Annual Report, as applicable in response to steps 4 and 5 of the Retrofit Program Framework.

#### **10.5 Incorporation into Watershed Workplan** {F.3.d.3}

The City of Murrieta will consider the results of the Retrofit Program Framework, when applicable, in prioritizing Watershed Work Plans for the following year in accordance with Section G.1 of the 2010 SMR MS4 Permit and in assessing the JRMP program effectiveness in accordance with Section J of the Permit.

Evaluation of Retrofit BMP options will consider program jurisdiction (e.g., regulated construction sites vs. agricultural operations with waivers), evaluation of whether Non-Structural Retrofit BMP approaches are sufficient to address the problem, and, if necessary, evaluation of sites and BMPs for structural

Retrofit projects. As noted above, the methodology in the Retrofit Program Framework prioritizes the use of Non-Structural BMPs, which can be implemented far more quickly and often at a much lower cost.

Structural BMPs are assessed where the identified issue is identified as a priority 1 issue in the Watershed Workplan, and the Non-Structural BMPs are insufficient to address the problem. Highly feasible projects expected to benefit water quality will be given a high priority to implement Source Control and Treatment Control BMPs. Where Structural BMPs are proposed and where feasible, the Retrofit projects may be designed in accordance with the WQMP requirements within Sections F.1.d.(3) through F.1.d.(8) and the Hydromodification requirements in Section F.1.h. of the 2010 SMR MS4 Permit.

### **10.6 Encouraging Private Retrofitting Projects {F.3.d.4.}**

The City of Murrieta will cooperate with private landowners to encourage site specific Retrofitting projects, where identified as necessary to address a pollutant or condition of concern pursuant to steps 4 and 5 of the Retrofit Program Framework, or where deemed appropriate by the City of Murrieta as part of enforcement measures where a source is found. The following practices will be considered in cooperating and encouraging private landowners to Retrofit their existing development, which are included in the BMP Menu, (Appendix B of the Retrofit Program Study):

1. Demonstration Retrofit projects; Retrofits on public land and easements that treat Runoff from private developments;
2. Education and outreach;
3. Subsidies for Retrofit projects;
4. Requiring Retrofit projects as enforcement, mitigation or ordinance compliance;
5. Public and private partnerships; and
6. Fees for existing discharges to the MS4 and reduction of fees for Retrofit implementation.

### **10.7 Tracking Retrofit BMPs{F.3.d.(5)}**

The known completed Retrofit BMPs will be maintained in the watershed-based database established to track and inventory post-construction Structural BMPs in accordance with Section F.1.f. of the 2010 SMR MS4 Permit. Retrofit BMPs on publicly owned properties will be inspected to verify that they are operating effectively and have been adequately maintained per Section F.1.f of the 2010 SMR MS4 Permit. Privately owned Retrofit BMPs will be inspected as needed.

### **10.8 Regional Mitigation Projects{F.3.d.(6)}**

Where constraints on Retrofitting preclude effective BMP deployment on existing developments at locations critical to protect Receiving Waters pursuant to Step 5 of the Retrofit Program Framework, a regional mitigation project may be proposed to improve water quality. Such regional projects may include but are not limited to:

1. Regional water quality treatment BMPs;

2. Urban creek or wetlands restoration and preservation;
3. Daylighting and restoring underground creeks;
4. Localized rainfall storage and reuse to the extent such projects are fully protective of downstream water rights;
5. Hydromodification projects; and
6. Removal of invasive plant species.

## 11.0 PUBLIC EDUCATION COMPONENT {F.6.}

Developing programs to increase public awareness and to involve the public can be an effective method for controlling Pollution associated with Runoff. Emphasizing the relevant impact of Runoff to target audiences increases the likelihood that the messages will be noticed and that the audience will support and participate in program implementation. The Riverside County Permittees have developed a County-wide Public Education and Outreach Program that is implemented by the District.

To leverage Copermittee resources, the Public Education and Outreach Program may partner with other entities including Riverside County's Waste Management Department, Western Riverside Council of Governments, and other County-wide Stormwater public education programs in Southern California, the Riverside-Corona Resource Conservation District, and others to promote conservation, Pollution Prevention and environmental awareness. The public education program may also expand outreach opportunities by collaborating with entities such as Riverside County's Agricultural Commissioner and University California Cooperative Extension to promote proper use of pesticides and herbicides to specific target groups such as pesticide applicators and home gardeners.

The Public Education and Outreach Program maintains an Internet website that provides information to residents and businesses about Stormwater management and offers Stormwater Pollution Prevention activities. The website also provides a materials order form for educational materials, and has a tracking mechanism for the number of queries. The website address is <http://rcflood.org/stormwater/>.

### 11.1 Target Audiences

The City of Murrieta ensures that appropriate education and outreach is available to the following target audiences:

- Copermittee departments and personnel
- New Development / Redevelopment Project Applicants, Developers, Contractors, property owners, and other responsible parties
- Construction Site owners and operators
- Commercial Facility owners and operators
- Industrial Facility owners and operators
- Residential community and general public

### 11.2 Education of Public Audiences

#### 11.2.1 General Education

The City of Murrieta, through the Implementation Agreement described in Section 3.2.1, coordinates with the other Copermittees to develop and implement County-wide educational activities through the regional 'Only Rain Down the Storm Drain' program implemented by the District. Where necessary those regional

activities are supplemented by the City of Murrieta with additional localized educational / outreach activities.

In general, these education programs educate each target audience on the following topics, as appropriate and applicable to the target audience's potential Stormwater and Non-Stormwater discharges to the MS4:

- (a) Applicable water quality laws, regulations, permits, and requirements;
- (b) BMPs;
- (c) General Runoff concepts;
- (d) Existing water quality, including local water quality conditions, Impaired waterbodies and ESAs; and
- (e) Other topics, as determined by the Copermittee(s), such as public reporting mechanisms, water conservation, LID techniques, and public health and vector issues associated with Runoff.

In addition, the City of Murrieta implements educational activities, public information activities, and other appropriate activities to facilitate the proper management and disposal of used oil and toxic materials.

### **11.2.2 Target Audience Topics**

The City of Murrieta ensures that their education program provides the following information

#### New Development / Redevelopment and Construction Sites {F.6.b.(2)}

As early in the planning and development process as possible and all through the permitting and construction process, the City of Murrieta notifies parties responsible for the construction project about the importance of educating all construction workers in the field about Stormwater issues and BMPs, in addition to the general topics under Section F.6.a.(1) of the 2010 SMR MS4 Permit.

#### Commercial and Industrial Sites / Sources {F.6.b.(3)}

At least once during the five-year period of this Order, the City of Murrieta will notify the owner/operator of each of its inventoried commercial and industrial site/source of the BMP requirements applicable to the site/source.

#### Residential and General Public {F.6.b.(4)}

The City of Murrieta, through the implementation agreement, collaborates with the other Copermittees to fund the development and implementation of the regional 'Only Rain Down the Storm Drain' public education program. One of the goals of this program is to educate residential and general public target communities on potential Pollutant generating activities (e.g., car washing, mobile operations, yard maintenance) and Pollutant generating products (e.g., pesticides, fertilizers, household chemicals). The target audiences of the residential and general public education programs include underserved target

audiences (e.g., disadvantaged communities), residents and managers of CIA/HOA areas, and owners and residents of MHPs.

**11.2.1 Methods**

The Table 11-1 describes the public education and outreach methods that target public audiences:

**Table 11-1: Public Education Education/Outreach Methods**

Target Audience	JRMP Program Areas Addressed	Education / Outreach Methods
New Development / Redevelopment Project Applicants, Developers, Contractors, Property Owners, and other Responsible Parties	<ul style="list-style-type: none"> <li>• F.1</li> <li>• F.6.a</li> <li>• F.6.b.(2)</li> </ul>	<p><b><u>Training</u></b></p> <ul style="list-style-type: none"> <li>• Regional SMR WQMP Launch Training (upon approval of revised SMR WQMP)</li> <li>• Regional HMP Launch Training (upon approval of HMP)</li> </ul> <p><b><u>Guidance Documents</u></b></p> <ul style="list-style-type: none"> <li>• SMR WQMP and HMP Guidance</li> <li>• Regional LID BMP Design Handbook (<a href="http://rcflood.org/npdes/lidbmp.aspx">http://rcflood.org/npdes/lidbmp.aspx</a>)</li> <li>• CASQA Low Impact Development Manual for Southern California (<a href="https://www.casqa.org/LID/tabid/240/Default.aspx">https://www.casqa.org/LID/tabid/240/Default.aspx</a>)</li> <li>• CASQA Stormwater BMP Handbooks (<a href="http://www.cabmphandbooks.com/">http://www.cabmphandbooks.com/</a>)</li> </ul> <p><b><u>Applications / Forms</u></b></p> <ul style="list-style-type: none"> <li>• Project Application form</li> <li>• WQMP Applicability Checklist</li> <li>•</li> </ul> <p><b><u>Electronic Outreach</u></b></p> <ul style="list-style-type: none"> <li>• Regional Quarterly E-newsletters</li> <li>• Website</li> </ul> <p><b><u>Other</u></b></p> <ul style="list-style-type: none"> <li>• Regional Quarterly E-newsletters</li> </ul>

Target Audience	JRMP Program Areas Addressed	Education / Outreach Methods
Construction Site Owners and Operators	<ul style="list-style-type: none"> <li>• F.2.</li> <li>• F.6.a.</li> <li>• F.6.b.(2)</li> </ul>	<p><b><u>Applications / Forms</u></b></p> <ul style="list-style-type: none"> <li>• Grading Permit Application form</li> <li>• Construction Checklist (a sample is provided in WQMP Chapter 5)</li> <li>• Other</li> </ul> <p><b><u>Print Material</u></b></p> <ul style="list-style-type: none"> <li>• After the Storm</li> <li>• General Construction site supervision</li> <li>• Outdoor Cleaning Activities</li> <li>• Construction Poster</li> <li>• others</li> </ul> <p><b><u>Electronic Outreach</u></b></p> <ul style="list-style-type: none"> <li>• Regional Quarterly E-newsletters</li> <li>• Website</li> <li>• Other</li> </ul> <p><b><u>Other</u></b></p> <ul style="list-style-type: none"> <li>• Other</li> </ul>
Commercial / Industrial Owners and Operators	<ul style="list-style-type: none"> <li>• F.3.b.</li> <li>• F.6.a.</li> <li>• F.6.b.(3)</li> </ul>	<p><b><u>Applications / Forms</u></b></p> <ul style="list-style-type: none"> <li>• Business Registration form</li> <li>• Other</li> </ul> <p><b><u>Direct Outreach</u></b></p> <ul style="list-style-type: none"> <li>• Business Partnerships with garden centers / nurseries, paint stores, hardware stores, home improvement stores, and pet facilities, including training for store staff on specific stormwater / BMP issues</li> <li>• Other</li> </ul> <p><b><u>Print Material</u></b></p> <ul style="list-style-type: none"> <li>• After the Storm</li> <li>• Did you know your facility may need a stormwater permit?</li> <li>• Automotive Maintenance and Car Care</li> <li>• Outdoor Cleaning Activities</li> <li>• Food Service Industry</li> <li>• Industrial / Commercial Facilities</li> <li>• Landscape and Garden</li> <li>• Pools, Spas and Fountains</li> <li>• Others</li> </ul> <p><b><u>Electronic Outreach</u></b></p> <ul style="list-style-type: none"> <li>• Regional Quarterly E-newsletters</li> <li>• E-blasts to mobile service providers</li> <li>• Website</li> <li>• Other</li> </ul> <p><b><u>Other</u></b></p> <ul style="list-style-type: none"> <li>• Other</li> </ul>

Target Audience	JRMP Program Areas Addressed	Education / Outreach Methods
Residential Community and General Public	<ul style="list-style-type: none"> <li>• F.3.c.</li> <li>• F.6.a.</li> <li>• F.6.b.(4)</li> </ul>	<p><b><u>Direct Outreach</u></b></p> <ul style="list-style-type: none"> <li>• Attendance at region-wide community events</li> <li>• Attendance at local community events</li> <li>• Elementary School Presentations</li> <li>• Outreach at Home Improvement Stores</li> <li>• Other</li> </ul> <p><b><u>Print Material</u></b></p> <ul style="list-style-type: none"> <li>• After the Storm</li> <li>• 10 Ways to Save Water Outdoors</li> <li>• Landscape and Garden</li> <li>• Living on the Edge</li> <li>• Stream Stabilization Fact Sheet</li> <li>• Tips for Horse Care</li> <li>• Septic Tank Systems</li> <li>• Automotive Maintenance and Car Care</li> <li>• Outdoor Cleaning Activities</li> <li>• Pools, Spas and Fountains</li> <li>• What's the Scoop?</li> <li>• Tear sheets on various BMP topics placed in stores as part of Commercial / Industrial outreach</li> <li>• others</li> </ul> <p><b><u>Electronic Outreach</u></b></p> <ul style="list-style-type: none"> <li>• Regional Quarterly E-newsletters</li> <li>• Website</li> <li>• Other</li> </ul> <p><b><u>Other</u></b> Other</p>

## 12.0 CITY OF MURRIETA STAFF TRAINING {F.6.}

The City of Murrieta's education program ensures that City of Murrieta staff and contractors (and Planning Boards and Elected Officials, if applicable) responsible for implementing the requirements of the 2010 SMR MS4 Permit have an understanding of the following topics as applicable to their responsibilities.

- (i) Applicable water quality laws and regulations;
- (ii) The potential effects and impacts that Copermittee departments and personnel activities related to their job duties can have on water quality);
- (iii) Plan review policies and procedures to verify consistent application;
- (iv) Methods of minimizing impacts to receiving water quality resulting from development, construction, and other potential Pollutant generating activities;
- (v) Proper implementation of erosion and sediment control, Source Control, Treatment Control, and other BMPs to minimize the impacts to Receiving Water quality resulting from development, construction, and other potential Pollutant generating activities;
- (vi) Applicable recordkeeping and tracking mechanisms; and
- (vii) Inspection and enforcement procedures, BMP implementation, and review of monitoring data

### 12.1 Methods

The following table describes the educational activities conducted that target City of Murrieta staff:

**Table 12-1: City of Murrieta Staff Education/Outreach Methods**

Target Audience	JRMP Program Area Addressed	Education / Outreach Methods
Management	All	<ul style="list-style-type: none"> <li>• Staff Meetings</li> <li>• Regional City Manager coordination meetings</li> <li>• other</li> </ul>
NPDES Coordinator	All	<ul style="list-style-type: none"> <li>• SMR Technical Advisory Committee (TAC) Meetings</li> <li>• SMR Copermittee staff meetings</li> <li>• Regional NPDES training (all applicable modules)</li> <li>• others</li> </ul>

Target Audience	JRMP Program Area Addressed	Education / Outreach Methods
Development Planning Staff	<ul style="list-style-type: none"> <li>• F.1.</li> <li>• F.6.a.</li> <li>• F.6.b.(1)</li> </ul>	<ul style="list-style-type: none"> <li>• Regional WQMP Training</li> <li>• HMP Training (to be developed upon approval of HMP)</li> <li>• Copermittee staff training</li> <li>• others</li> </ul>
Construction Site Approval, Inspection and Enforcement	<ul style="list-style-type: none"> <li>• F.2.</li> <li>• F.4.</li> <li>• F.6.a.</li> <li>• F.6.b.(1)</li> </ul>	<ul style="list-style-type: none"> <li>• Regional Construction Inspection Training</li> <li>• Copermittee staff training</li> <li>• others</li> </ul>
Municipal Maintenance	<ul style="list-style-type: none"> <li>• F.3.a.</li> <li>• F.4.</li> <li>• F.6.a.</li> <li>• F.6.b.(1)</li> </ul>	<ul style="list-style-type: none"> <li>• Regional Municipal Maintenance Training</li> <li>• Pesticide applicator certification</li> <li>• Copermittee staff training</li> <li>• others</li> </ul>
Code Enforcement	<ul style="list-style-type: none"> <li>• F.3.b.</li> <li>• F.4.</li> <li>• F.6.a.</li> <li>• F.6.b.(1)</li> </ul>	<ul style="list-style-type: none"> <li>• Regional Commercial / Industrial Inspection Training</li> <li>• Copermittee staff training</li> <li>• others</li> </ul>

**12.2 Frequency {F.6.b.(1)(b)(2)}**

The City of Murrieta trains its staff responsible for oversight and conducting storm water compliance inspections and enforcement of construction activities (e.g. construction, building, code enforcement, grading review staffs, inspectors, and other responsible construction staff) annually prior to the rainy season.

The City of Murrieta trains its staff responsible for conducting stormwater compliance inspections and enforcement of Industrial and Commercial Facilities at least once a year.

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## 13.0 MONITORING PROGRAM {N.}

### 13.1 Overview

The District, through the Implementation Agreement (Section 3.2.1), implements the Santa Margarita Monitoring Plan on behalf of the City of Murrieta. The Monitoring Plan, available at: <http://rcflood.org/NPDES/Monitoring.aspx>, addresses the City of Murrieta's responsibilities in the Receiving Waters, MS4 Discharge and Reporting Program No. R9-2010-0016 (MRP, Attachment E to the 2010 SMR MS4 Permit).

Additionally, the City of Murrieta conducts source identification monitoring as required per Section II.B.2. and II.C.2. of the MRP, in response to an exceedance of an Action Level.

The Major MS4 Outfalls will be tested in accordance to the 2010 SMR MS4 Permit. A list will be created and tracked as part of the monitoring program.

### 13.2 Non-Stormwater Dry Weather Action Levels {C.}

The District will notify the City of Murrieta of exceedances of Analytical results (either laboratory or field screening) that exceed the NALs presented in Table 3 of the 2010 SMR MS4 Permit. In response to such an exceedance, the City of Murrieta will investigate and seek to identify the source of the exceedance in a timely manner following the procedures described in Section 4.4.2 and 4.4.3. However, if the City of Murrieta identifies a number of NAL exceedances that prevents it from adequately conducting source investigations at all sites in a timely manner, then the City of Murrieta will submit a prioritization plan and timeline that identifies the timeframe and planned actions to investigate and report its findings on all of the exceedances to the Regional Board.

The 2010 MS4 Permit notes that neither the absence of exceedances of NALs nor compliance with required actions following observed exceedances, excuses any non-compliance with the requirement to effectively prohibit all types of unauthorized Non-Stormwater discharges into the MS4 or any non-compliance with the prohibitions in the MS4 Permit.

During any Annual Reporting period in which one or more exceedances of NALs have been documented the City of Murrieta will report a description of whether and how the observed exceedances did or did not result in a discharge from the MS4 that caused, or threatened to cause or contribute to a condition of Pollution, Contamination, or Nuisance in the Receiving Waters.

### 13.3 Stormwater Action Levels {D.}

The District implements the Wet Weather MS4 Discharge Monitoring program and annually evaluates the data compared to the Stormwater Action Levels (SALs) identified in Table 4 of the 2010 SMR MS4 Permit. At each monitoring station, a running average of 20% or greater of exceedances of any discharge of stormwater from the MS4 to Waters of the U.S. that exceed the SALs for each of the Pollutants listed in Table 4 (below) in Receiving Waters receiving discharges from the City of Murrieta's MS4 facilities requires the City of Murrieta to affirmatively augment and implement all necessary stormwater controls and measures described in this JRMP to reduce the discharge of the associated class of Pollutants(s) to the

MEP. The City of Murrieta will utilize the exceedance information when adjusting and executing its annual work plans. The magnitude, frequency, and number of constituents exceeding the SAL(s), in addition to Receiving Water quality data and other information, will be considered when prioritizing and reacting to SAL exceedances in an iterative manner.

# Glossary

Name	Definition
<b>2010 SMR MS4 Permit</b>	Order R9-2010-0016, an NPDES MS4 Permit issued by the San Diego Regional Board.
<b>Action Level</b>	See Non-Stormwater Action Levels and Stormwater Action Levels
<b>Beneficial Use</b>	The uses of water necessary for the survival or well being of man, plants and wildlife. These uses of water serve to promote the tangible and intangible economic, social and environmental goals. "Beneficial Uses" of the waters of the State that may be protected include, but are not limited to, domestic; municipal; agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves. Existing Beneficial Uses are uses that were attained in the surface or groundwater on or after November 28, 1975; and potential Beneficial Uses are uses that would probably develop in future years through the implementation of various control measures. "Beneficial Uses" are equivalent to "Designated Uses" under Federal law. [California Water Code Section 13050(f)].
<b>Best Management Practice (BMP)</b>	Any procedure or device designed to minimize the quantity of Pollutants that enter the MS4 or to control stormwater flow. See Chapter Two.
<b>Bioretention BMP</b>	A type of LID Retention BMP that is designed to capture the Design Capture Volume and absorb that volume entirely into a biologically active soil media. Water retained in this soil media is then evapotranspired by plants in the BMP, or slowly allowed to infiltrate into the underlying soils. This BMP inherently maximizes both Infiltration and Evapotranspiration of Runoff based on the actual limitations of the soil and environment.
<b>Biotreatment BMP</b>	A type of <b>LID BMP</b> that can be used in certain circumstances when LID Retention BMPs are not feasible. These BMPs provide similar functions and benefits as LID Bioretention BMPs, such as inclusion of natural biological processes and maximizing opportunities for Infiltration and Evapotranspiration, however, they are not designed to retain the Design Capture Volume in an engineered soil media. Examples of Biotreatment BMPs include extended detention basins, bioswales and constructed wetlands.
<b>California Stormwater Quality Association (CASQA)</b>	Publisher of the California Stormwater Best Management Practices Handbooks, available at <a href="http://www.cabmphandbooks.com">www.cabmphandbooks.com</a>
<b>Cease and Desist Order</b>	See Stop Work Order
<b>CEQA</b>	California Environmental Quality Act
<b>Citation</b>	An official summons to appear (as before a court)
<b>Condition of Concern</b>	Conditions that may affect the designated Beneficial Uses of a Receiving Water

# Glossary

Name	Definition
<b>Condition(s) of Approval (COA)</b>	Requirements a Copermittee may adopt for a project in connection with a discretionary action (e.g., approval of a subdivision map or issuance of a use permit). COAs may specify features required to be incorporated into the final plans for the project and may also specify uses, activities, and operational measures that must be observed over the life of the project.
<b>Construction Site</b>	Any project, including projects requiring coverage under the General Construction Permit, that involves soil disturbing activities including, but not limited to clearing, grading, disturbances to ground such as stockpiling, and excavation.
<b>Copermittee</b>	District, County and Cities of Murrieta, Temecula and Wildomar. The terms ' <i>local Copermittee</i> ' and ' <i>your Copermittee</i> ' refers to the Copermittee that has jurisdiction over the proposed <b>Priority Development Project</b> .
<b>CWA</b>	The Federal Clean Water Act
<b>Design Capture Volume (VBMP)</b>	The volume of runoff from the <b>Design Storm</b> . This is design sizing standard for LID BMPs, as well as for conventional Treatment Control BMPs whose design is based on treating a particular volume of runoff.
<b>Design Flow Rate (QBMP)</b>	The flow rate resulting from an hourly rainfall intensity of 0.2 inch per hour. The Design Flow Rate will depend on the types of post-development surfaces on the site. Flow-based BMP designs can only be used when implementing conventional Treatment Control BMPs.
<b>Design Storm</b>	The 85 <sup>th</sup> percentile 24-hour storm depth, based on local historical rainfall records. See Exhibit A of the SMR WQMP.
<b>Development Project</b>	Any project that proposes construction, rehabilitation, redevelopment, or reconstruction of any public or private residential, industrial or commercial facility, or any other projects designed for post-construction human activity or occupation.
<b>Directly Connected</b>	Any impervious surface which drains into a catch basin, area drain, or other conveyance structure (such as a street) without first directing the flow across pervious areas (e.g., lawns).
<b>Discretionary Approval</b>	A project which requires the exercise of judgment or deliberation by the public agency or body when they decide to approve or disapprove a particular activity. Discretionary approvals are distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances or regulations. <b>Check with the Copermittee to determine if a particular action is considered Discretionary.</b>
<b>Drainage Management Area (DMA)</b>	Individual, discrete drainage areas that typically follow grade breaks and roof ridge lines

# Glossary

Name	Definition
<b>Drawdown Time</b>	The time required for a detention or retention BMP to drain and return to the dry-weather condition. For detention BMPs, Drawdown Time is a function of basin volume and outlet orifice size. For infiltration BMPs, Drawdown Time is a function of basin volume and infiltration rate. For Harvest and use BMPs, Drawdown Time is a function of the cistern volume and the demand for use of captured stormwater.
<b>Dry Season</b>	May 1 <sup>st</sup> through September 30 <sup>th</sup>
<b>Dry Weather</b>	Weather is considered dry if the preceding 72 hours has been without precipitation.
<b>DU</b>	Dwelling Unit
<b>EIATIA</b>	Effective Impervious Area To Irrigated Area that would be required to achieve the minimum 40% long-term retention of runoff when harvesting stormwater runoff for outdoor irrigation. See Section 2 of the SMR WQMP.
<b>EIR</b>	Environmental Impact Report
<b>Emergency Situation</b>	IC/IDs that pose an immediate threat to human health or the environment. Any sewage spill over 1,000 gallons or that could impact water recreation, any spill that could impact wildlife, any Hazardous Material spill where residents are evacuated, any spill of reportable quantities of Hazardous Waste (as defined by 40 CFR 117 and 40 CFR 302), or any other spill reportable to the California Emergency Management Agency (Cal-EMA, formerly known as the Office of Emergency Services or OES) is classified as a threat to human health or the environment.
<b>Ephemeral</b>	Water bodies, or segments thereof, that contain water only for a short period following precipitation events.
<b>Erosion</b>	When land is diminished or worn away due to wind, water or glacial ice. Often the eroded debris (silt or sediment) becomes a Pollutant via Stormwater Runoff. Erosion occurs naturally but can be intensified by land clearing activities such as farming, development, road building and timber harvesting.
<b>ESA</b>	Environmentally Sensitive Area. At minimum, as defined in the 2010 MS4 Permit, all Receiving Waters are considered ESAs.
<b>Evapotranspiration</b>	The process of transferring moisture from the earth to the atmosphere by evaporation of water and transpiration from plants.
<b>Facility Pollution Prevention Plan (FPPP)</b>	A plan that the Copermittee maintains that describes the BMPs that are implemented at their municipal facilities to reduce stormwater pollution to the MEP and prohibit illegal discharges.
<b>Final Project-Specific WQMP</b>	A fully completed version of the Water Quality Management Plan that must be submitted and approved prior to recordation of the final map, parcel map or issuance of building permit. See also Preliminary Project-Specific WQMP.

# Glossary

Name	Definition
<b>General Plan</b>	Document that specifies policies that guide development.
<b>Harvest and Use BMPs</b>	Stormwater BMPs that capture stormwater runoff in a vault or cistern, and stores that water for later use, such as for irrigation.
<b>Hazardous Materials</b>	Any substance that poses a threat to human health or the environment due to its toxicity, corrosiveness, ignitability, explosive nature or chemical reactivity. These also include materials named by the USEPA in 40 CFR 116 to be reported if a designated quantity of the material is spilled into the Waters of the U.S. or emitted into the environment.
<b>Hazardous Waste</b>	As defined by 40 CFR 117 and 40 CFR 302
<b>Head</b>	In hydraulics, energy represented as a difference in elevation. In slow-flowing open systems, such as most stormwater BMPs, this is the difference in water surface elevation, e.g., between an inlet and outlet.
<b>Hydrograph</b>	Runoff flow rate graphed as a function of time.
<b>Hydrologic Soil Group (HSG)</b>	Classification of soils by the NRCS into A, B, C and D groups according to infiltration characteristics.
<b>Hydromodification</b>	The change in the natural watershed hydrologic processes and runoff characteristics (i.e., interception, infiltration, overland flow, interflow and groundwater flow) caused by urbanization or other land use changes that result in increased stream flows and sediment transport.
<b>Hydromodification Management Plan (HMP)</b>	A Plan that, once developed by the Copermittees, will specify requirements that must be implemented so that projects will not cause Hydromodification.
<b>Illegal Discharge</b>	Defined in 40 CFR 122.26(b)(2) as any discharge to the MS4 that is not composed entirely of stormwater, except discharges pursuant to an NPDES permit, discharges that are identified in Section 4.1.2 of the JRMP, and other discharges authorized by the Executive Officer of the Regional Board.
<b>Illicit Connection</b>	Any unauthorized connection to the MS4 that conveys an Illicit Discharge
<b>Impairment</b>	Describes a condition where a waterbody is presumed by the Regional Board to not be supporting its Beneficial Uses, based on exceedances of certain water quality objectives..
<b>Impervious Area</b>	
<b>Impervious surface</b>	Any surface in the landscape that cannot effectively absorb or infiltrate urban runoff; for example, conventionally paved: sidewalks, rooftops, roads and parking areas.
<b>Implementation Agreement</b>	An agreement among the Copermittees that establishes the responsibilities of each Copermittee and a procedure for funding the shared costs.

# Glossary

Name	Definition
<b>Industrial Facility</b>	Industrial Facilities, as defined at 40 CFR § 122.26(b)(14), including: those subject to the General Industrial Permit or other individual NPDES permit; Operating and closed landfills; Facilities subject to SARA Title III; and Hazardous waste treatment, disposal, storage and recovery facilities.
<b>Infiltration BMPs</b>	A type of LID Retention BMP where the primary treatment mechanism is through seepage of runoff into a site's underlying soil.
<b>Infiltration Rate</b>	Rate at which water can be added to a soil without creating runoff (in/hr).
<b>Infraction</b>	Violation
<b>Integrated Pest Management (IPM)</b>	A decision-making process for managing pests that combines biological, cultural, mechanical, physical and chemical tools, and other management practices to control pests in a safe, cost effective and environmentally sound manner that contributes to the protection of public health
<b>Intermittent</b>	Waterbodies, or segments thereof, that contain water for extended periods during the year, but not at all times.
<b>JRMP</b>	Jurisdictional Runoff Management Plan
<b>JRMP Annual Report</b>	Report summarizing a Copermittee's compliance information to be submitted annually to the Regional Board on or before each October 31 <sup>st</sup> of each year, beginning on October 31, 2013. The reporting period for these JRMP Annual Reports must be the previous fiscal year.
<b>LID BMPs</b>	LID BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the Pollution of Waters of the United states through Stormwater management and land development strategies that emphasize conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-development hydrologic functions. LID BMPs include retention practices that do not allow Runoff, such as infiltration, rain water harvesting and reuse, and evapotranspiration. LID BMPs also include flow-through practices such as biofiltration that may have some discharge of Stormwater following Pollutant reduction.
<b>LID Principles</b>	LID Principles are Site Design concepts that help prevent or minimize the causes (or drivers) of project impacts, and help mimic the pre-development hydrology. Implementing LID Principles will help minimize the need for specific Stormwater BMPs on a project.

# Glossary

Name	Definition
<b>LID Retention BMP</b>	A type of Stormwater BMP that is designed to store the Design Capture Volume, and avoid any discharge to downstream systems in storms up to the Design Storm. For the purposes of this WQMP, LID Retention BMPs include Infiltration BMPs, Harvest and Use BMPs, Pervious Pavement BMPs and Bioretention BMPs. See also Other LID BMPs
<b>Low Impact Development (LID)</b>	A stormwater management and land development strategy that emphasizes conservation and the use of onsite natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-development hydrologic functions.
<b>Major Outfall</b>	Outfalls owned by a Copermittee with a pipe diameter of 36 inches or greater or drainage areas draining 50 acres or more. See also <b>Outfall</b> .
<b>Maximum Extent Practicable (MEP)</b>	Standard, established by the 1987 amendments to the Clean Water Act, for the reduction of Pollutant discharges from MS4s.
<b>Misdemeanor</b>	A crime less serious than a felony.
<b>Mobile Business</b>	Businesses that conduct services listed in section 8.1.1 but do not operate out of a fixed location.
<b>Municipal Facility</b>	A facility owned by a Copermittee
<b>Municipal Separate Storm Sewer System (MS4)</b>	A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains) as defined in 40 CFR 122.26(b)(8).
<b>National Pollutant Discharge Elimination System (NPDES)</b>	As part of the 1972 Clean Water Act, Congress established the NPDES permitting system to regulate the discharge of Pollutants from municipal sanitary sewers and industries. The NPDES was expanded in 1987 to incorporate permits for discharges from MS4s as well (aka MS4 Permits).
<b>Non-Hazardous Materials</b>	For example, food wastes, trash and debris
<b>Non-Jurisdictional IC/ID</b>	An IC/ID originating from a property over which the Copermittee has no applicable jurisdictional authority such as a special district (e.g., school, water, wastewater), federal, state, or tribal property.
<b>Non-Stormwater</b>	All discharges to and from an MS4 that do not originate from precipitation events (i.e., all discharges from an MS4 other than Stormwater). Non-Stormwater includes Illicit Discharges, non-prohibited discharges, and NPDES permitted discharges.

# Glossary

Name	Definition
<b>Non-Stormwater Action Levels</b>	This Order includes action levels for pollutants in non-stormwater, dry weather discharges from the MS4. The non-stormwater action levels are designed to ensure that the Order's requirement to effectively prohibit all types of unauthorized discharges of non-stormwater into the MS4 is being complied with. Non-stormwater action levels in the Order are based upon numeric or narrative water quality objectives and criteria as defined in the Basin Plan, the State Water Board's Water Quality Control Plan for Ocean Waters of California (Ocean Plan), and the State Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California (State Implementation Policy or SIP). An exceedance of an action level requires specified responsive action by the Copermittees. This Order describes what actions the Copermittees must take when an exceedance of an action level is observed. Exceedances of non-stormwater action levels do not alone constitute a violation of this Order but could indicate non-compliance with the requirement to effectively prohibit all types of unauthorized non-stormwater discharges into the MS4 or other prohibitions established in this Order. Failure to undertake required source investigation and elimination action following an
<b>Non-Structural BMPs</b>	See LID Principles
<b>Notice of Noncompliance</b>	The Notice of Noncompliance constitutes a basic request that the property owner or facility operator rectify the condition causing or threatening to cause noncompliance
<b>NRCS</b>	Natural Resources Conservation Service
<b>O&amp;M</b>	Operation and Maintenance. All BMPs implemented as part of a WQMP must continue to be operational and must be maintained throughout the life of the project.
<b>Operational Source Control BMPs</b>	Source Control programs or activities implemented by a site operator to prevent pollution. Examples include regular sweeping of parking lots and other 'housekeeping' efforts.
<b>Other Development Projects</b>	All Discretionary Development Projects that are not categorized as Priority Development Projects.
<b>Other LID BMPs</b>	Stormwater BMPs that incorporate features that provide for natural biological processes while maximizing opportunities for Infiltration and Evapotranspiration. These are distinguished from <b>LID Retention BMPs</b> , with the latter being BMPs that, in addition to the above features, are also designed to retain stormwater runoff.
<b>Outfall</b>	Means a Point Source as defined by 40 CFR 122.2.a, the point where a municipal separate storm sewer discharges to Waters of the U.S. and does not include open conveyances connecting two municipal separate storm sewers, pipes, tunnels or other conveyances which connect segments of the same stream or other Waters of the U.S. and are used to convey waters of the U.S. [40 CFR 122.26(b)(9)].
<b>Permanent Source Control BMP</b>	A type of source control BMP that is a structural part of the site, such as roofs and berms over and around trash and recycling areas.

# Glossary

Name	Definition
<b>Permeable or Pervious or Porous Pavements</b>	Pavements for roadways, sidewalks, or plazas that are designed to infiltrate runoff <i>through</i> the pavement. Types of Permeable Pavements include pervious concrete, pervious asphalt, porous pavers and granular materials.
<b>Pollutant</b>	Any agent that may cause or contribute to the degradation of water quality such that a condition of Pollution or Contamination is created or aggravated.
<b>Pollutant of Concern</b>	Pollutants for which water bodies are listed as impaired under CWA Section 303(d), pollutants associated with the land use type of a development, and/or pollutants commonly associated with runoff.
<b>Pollution Prevention BMP</b>	Practices that reduce or eliminate the generation of Pollutants.
<b>Pre-Development</b>	Conditions that would exist naturally.
<b>Preliminary Project-Specific WQMP</b>	A preliminary project-specific WQMP is commonly required to be submitted with an application for entitlements and development approvals and must be approved by the Copermittee before any approvals or entitlements will be granted.
<b>Priority Development Project</b>	Development Projects that meet the categories and criteria identified in Table 1-1 (see 2010 SMR MS4 Permit, item F.1.d.).
<b>Priority Pollutant of Concern</b>	Pollutants that are associated with a proposed project and are listed as impaired under CWA Section 303(d).
<b>Project-Specific WQMP</b>	A plan specifying and documenting permanent LID Principles and Stormwater BMPs to control post-construction Pollutants and stormwater runoff for the life of the project, and to maintain Stormwater BMPs for the life of the project. Copermittees may require a preliminary Project-Specific WQMP submittal, to be followed by a final Project-Specific WQMP.
<b>Proprietary Stormwater BMPs</b>	Products designed and marketed by private businesses for treatment of stormwater.
<b>Rainy Season</b>	October 1 <sup>st</sup> through April 30 <sup>th</sup>
<b>Rational Method</b>	A method of calculating runoff flows based on rainfall intensity, tributary area, and a coefficient representing the proportion of rainfall that runs off. In the Rational Method $Q=C*I*A$ as further described in Section 2 of the WQMP.
<b>Receiving Water</b>	Any water body that is identified in the San Diego Basin Plan. The San Diego Basin Plan is available from the San Diego Regional Board's website at <a href="http://www.waterboards.ca.gov/sandiego">www.waterboards.ca.gov/sandiego</a> .

# Glossary

Name	Definition
<b>Redevelopment</b>	A Development Project that involves the creation, addition and/or replacement of impervious surface on an already developed site. Examples include the expansion of a building footprint, road widening, the addition to or replacement of a structure, and creation or addition of impervious surfaces. Replacement of impervious surfaces includes any activity that is not part of a routine maintenance activity where impervious material(s) are removed, exposing underlying soil during construction. Redevelopment does not include trenching and resurfacing associated with utility work; resurfacing existing roadways; new sidewalk construction, pedestrian ramps, or bikelane on existing roads; and routine replacement of damaged pavement, such as pothole repair.
<b>Regional Water Quality Control Board (or Regional Board)</b>	Regional Boards are responsible for implementing Pollution control provisions of the CWA and California Water Code within their jurisdiction. There are nine Regional Boards in California. The Regional Boards issued the 2010 MS4 Permit to the Copermittees on November 10, 2010.
<b>Retrofit</b>	Programs and projects to address the impacts of existing development through reducing the impacts from hydromodification, promote LID, support riparian and aquatic habitat restoration, reduce the discharges of Stormwater Pollutants from the MS4 to the MEP, and prevent discharges from the MS4 from causing or contributing to a violation of Water Quality Standards.
<b>Runoff</b>	All flows in a stormwater conveyance system that consists of the following components: (1) stormwater (wet weather flows) and (2) non-stormwater including dry weather flows.
<b>Runoff Management Plan</b>	A site-specific plan identifying BMPs to manage the quality and quantity of runoff from a project site.
<b>Santa Margarita Region (SMR)</b>	The portion of Riverside County covered by Order R9-2010-0016, an NPDES MS4 Permit issued by the Santa Diego Regional Board.
<b>Sedimentation</b>	The action or process of forming or depositing sediment.
<b>Self-treating area</b>	Natural or landscaped area (as described in Section 3.3 of the WQMP) that drains offsite without comingling with developed portions of the site.
<b>Site Design</b>	See LID Principles.
<b>Source Control BMP</b>	A facility or procedure to prevent Pollutants from coming into contact with rainfall and/or runoff.
<b>Stop Work Order or Cease and Desist Order</b>	As used in the JRMP, an order from a Copermittee to stop a particular activity.
<b>Stormwater</b>	Per 40 CFR 122.26(b)(13), means stormwater runoff, snowmelt runoff, and surface runoff and drainage. Surface runoff and drainage pertains to runoff and drainage resulting from precipitation events.

# Glossary

Name	Definition
<b>Stormwater Action Level</b>	SALs were computed as the 90th percentile of the data set, utilizing the statistical based population approach, one of three approaches recommended by the State Water Board's Storm Water Panel in its report "The Feasibility of Numerical Effluent Limits Applicable to Discharges of Storm Water Associated with Municipal, Industrial and Construction Activities (June 2006)". SALs are identified in Section D of the 2010 SMR MS4 Permit. Copermittees must implement a timely, comprehensive, cost-effective stormwater pollution control program to reduce the discharge of pollutants in stormwater from the permitted areas so as not to exceed the SALs. Exceedance of SALs may indicate inadequacy of programmatic measures and BMPs required in this Order.
<b>Stormwater Ordinance</b>	The ordinance or set of ordinances that are consistent with the Legal Authorities described in section 3.4 of this JRMP.
<b>Stormwater Pollutant</b>	A Pollutant associated with Stormwater.
<b>Stormwater Pollution Prevention Plan (SWPPP)</b>	A plan providing for temporary measures to control sediment and other Pollutants <i>during</i> construction. In contrast with the WQMP which is a plan to reduce pollutant in runoff during the post-construction use and life of the project.
<b>Structural Stormwater BMPs</b>	Structural Post-Construction BMPs that are designed to address stormwater runoff impacts from the completed site, and throughout the use and life of the project.. Stormwater BMPs consist of LID Principles, LID BMPs, Conventional Treatment BMPs, Hydromodification BMPs, and Permanent Source Control BMPs.
<b>Total Maximum Daily Load (TMDL)</b>	A TMDL is the maximum amount of a Pollutant that can be discharged into a waterbody from all sources (point and non-point) and still maintain Water Quality Standards. Under CWA Section 303(d), TMDLs must be developed for all waterbodies that do not meet Water Quality Standards after application of technology-based controls.
<b>Toxicity</b>	Adverse responses of organisms to chemicals or physical agents ranging from mortality to physiological responses such as impaired reproduction or growth anomalies.
<b>Treatment Control BMP</b>	Any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media absorption or any other physical, biological or chemical process.
<b>TUTIA</b>	Toilet Users To Impervious Area ratio, that would be required to achieve the minimum 40% long-term retention of runoff when harvesting stormwater runoff for toilet use. See Chapter 2 of the WQMP.
<b>Unpaved Road</b>	A long, narrow stretch without pavement used for traveling by motor passenger vehicles between two or more points. Unpaved roads are generally constructed of dirt, gravel, aggregate or macadam and may be improved or unimproved.

# Glossary

Name	Definition
<b>Waste</b>	As defined in CWC Section 13050(d), "waste includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal."
<b>Waste Discharge Requirements</b>	As defined in Section 13374 of the California Water Code, the term "Waste Discharge Requirements" is the equivalent of the term "permits" as used in the Federal Water Pollution Control Act, as amended. The Regional Board usually reserves reference to the term "permit" to Waste Discharge Requirements for discharges to surface Waters of the U.S.
<b>Water Quality Management Plan (WQMP, or SMR MS4 Permit)</b>	Referred to as a Standard Stormwater Mitigation Plan (SSMP) in the 2010 SMR MS4 Permit. This is a plan to reduce the discharge of pollutants to the MEP WQMP from the post-construction use and life of a project.
<b>Water Quality Objectives</b>	Numerical or narrative limits on constituents or characteristics of water designated to protect designated beneficial uses of the water. [California Water Code Section 13050 (h)]. California's water quality objectives are established by the State and Regional Water Boards in the Water Quality Control Plans. Numeric or narrative limits for pollutants or characteristics of water designed to protect the beneficial uses of the water. In other words, a water quality objective is the maximum concentration of a pollutant that can exist in a receiving water and still generally ensure that the beneficial uses of the receiving water remain protected (i.e., not impaired). Since water quality objectives are designed specifically to protect the beneficial uses, when the objectives are violated the beneficial uses are, by definition, no longer protected and become impaired. This is a fundamental concept under the Porter Cologne Act. Equally fundamental is Porter Cologne's definition of pollution. A condition of pollution exists when the water quality needed to support designated beneficial uses has become unreasonably affected or impaired; in other words, when the water quality objectives have been violated. These underlying definitions (regarding beneficial use protection) are
<b>Water Quality Standards</b>	The beneficial uses (e.g., swimming, fishing, municipal drinking water supply, etc.) of water and the Water Quality Objectives necessary to protect those uses.

# Glossary

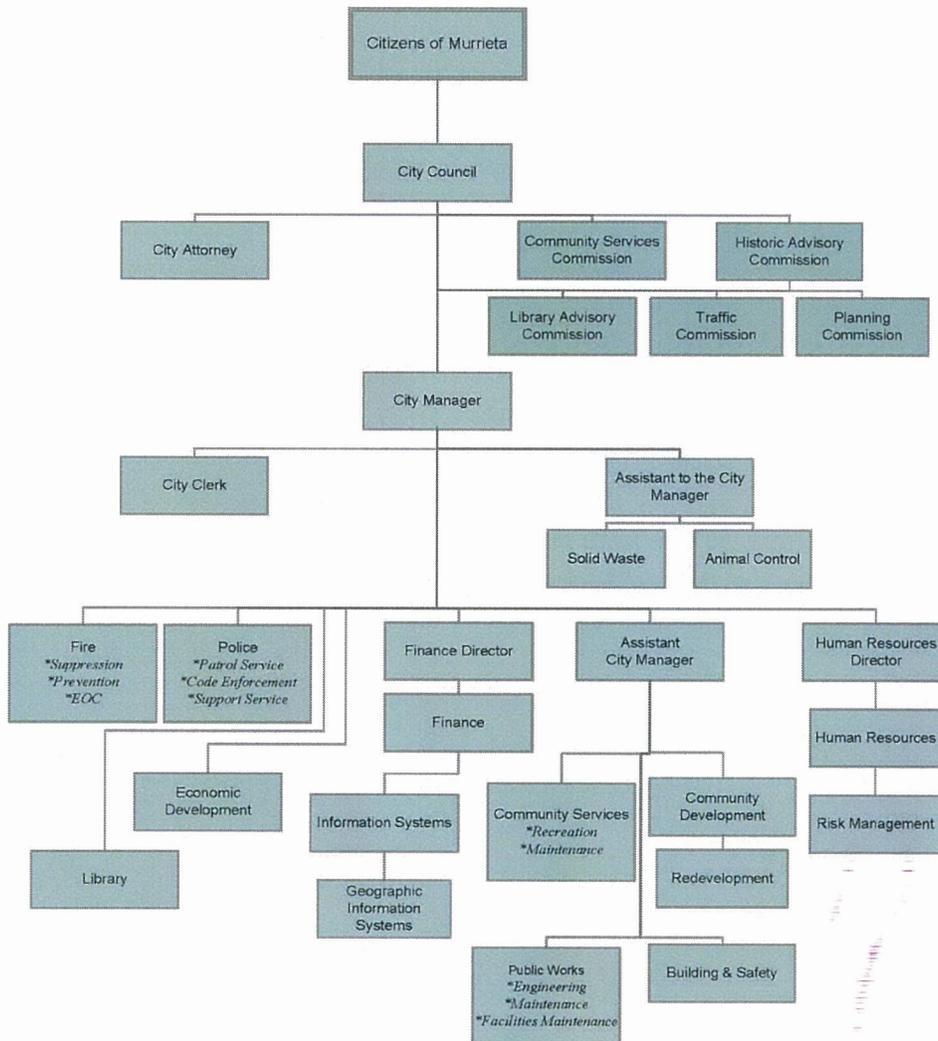
Name	Definition
<b>Waters of the U.S.</b>	As defined in the 40 CFR 122.2, the Waters of the U.S. are defined as: "(a) All waters, which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (b) All interstate waters, including interstate "wetlands;" (c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation or destruction of which would affect or could affect interstate or foreign commerce including any such waters: (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes; (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or (3) Which are used or could be used for industrial purposes by industries in interstate commerce; (d) All impoundments of waters otherwise defined as waters of the United States under this definition; (e) Tributaries of waters identified in paragraphs (a) through (d) of this definition; (f) The territorial seas; and (g) "Wetlands" adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this
<b>Wet Season</b>	October 1 <sup>st</sup> to April 30 <sup>th</sup>
<b>Wet Weather</b>	Weather is considered wet if precipitation measuring over 0.10 inches has been received during the preceding 72 hours.

## APPENDIX B

### Permittee Departmental Responsibilities

There are multiple departments with responsibility to implement elements of the JRMP and to meet the requirements of the 2010 MS4 Permit. An organizational chart depicting the departments and key personnel (positions title) with implementation responsibilities is shown below. Additionally, Table 3-1 is a matrix showing each JRMP element, the departments with implementation responsibilities, the specific responsibilities of each department/organizational unit, and the key personnel by position title.

City of Murrieta Organizational Chart



**Table B-1. JRMP Departmental Responsibilities**

Program Element	JRMP Section {Permit reference}	Primary Responsible Department	Responsible Staff Title
<b>3.0 Program Management</b>	3.1 – Departmental Responsibilities – Maintain matrix	Public Works Department	NPDES Coordinator
	3.2 – Cooperative Activities	City Manager	NPDES Coordinator
	3.3 – Fiscal Analysis {H}	City Manager	NPDES Coordinator
	3.4 – Legal Authority {E.}	City Attorney	NPDES Coordinator
	3.5 – Enforcement/Compliance Strategy	(see individual program sections)	(see individual program sections)
	3.6 – Receiving Water Limitations {A.}	Public Works Department	NPDES Coordinator
	3.7 – Program Reporting, Evaluation and Revision {J., K., L}	Public Works Department	NPDES Coordinator
<b>4.0 Elimination of Illicit Connections and Illegal Discharges {F.4}</b>	4. 1.1 Prohibited Discharges {A.1., 2}	Public Works Department	NPDES Coordinator
	4.2.1 Legal Authority {E.}	City Attorney	City Attorney
	4.2.2 Connections to MS4 Facilities	Maintain Inventory & Map - Public Works Department	Encroachment Permit Coordinator
	4.2.3 Inspections	(see individual program sections)	(see individual program sections)
	4.2.4 Maintain MS4 Facility Map {F.4.b.}	Public Works Department	NPDES Coordinator
	4.2.5 Public Reporting of IC/IDs	RCFC for regional 1-800 hotline Department for locally reported IC/IDs	N/A Code Enforcement

Program Element	JRMP Section {Permit reference}	Primary Responsible Department	Responsible Staff Title
	4.2.6 Dry Weather Field Screening	Public Works Department	NPDES Coordinator
	4.2.7 Waste Collection Programs	RCFC administers contract with Riverside County Waste Management	N/A
	4.3.1 MS4 Facility Inspections {F.4.e}	As described for Section 5	As described for section 5
	4.3.2 Public IC/ID Reports {F.4.c}	Public Works Department	NPDES Coordinator
	4.3.3 IC/ID Construction Site Inspections {F.1.e.(6)(d); F.2.e}	Building Department & Public Works Department See Section 7.4	Construction Inspector
	4.3.4 IC/ID Industrial / Commercial Facilities Inspections {F.3.b.(4)(vi)}	DEH/HAZMAT & Public Works Department See Section 8.4 herein	NPDES Coordinator
	4.3.5 IC/ID Monitoring Activities {Attachment E. II.C}	Public Works Department	NPDES Coordinator
	4.3.6 Non-Jurisdictional IC/IDs	Public Works Department	NPDES Coordinator (for notifications)
	4.4 IC/ID Response and Reporting {F.4}	Initial Investigation – Public Works Department	NPDES Coordinator
		Source Investigation – Public Works Department	NPDES Coordinator
		Elimination – Code Enforcement	Code Enforcement Staff
	4.4.5 Sanitary Wastes F.4.h}	Portable Toilets – Building & Public Works Department	Construction Inspector
		Failing Septic Systems – Building & Public Works Department	Construction Inspector
<b>5.0 Permittee Facilities and Activities {F.3.a}</b>	5.1 Planning Facilities {F.1}	Planning Projects – Planning & Public Works Departments	Planning Supervisor, NPDES Coordinator
	5.1.1 - Public Works Priority	Review WQMP Applicability Checklist -	NPDES Coordinator

Program Element	JRMP Section {Permit reference}	Primary Responsible Department	Responsible Staff Title
	Development Projects {F.1.d}	Public Works Department	
	5.1.2 – Public Works Transportation Projects F.1.d.(2)(g)}	Public Works Department	Project Manager
	5.1.3 Public Works Unpaved Roads {F.1.i}	Public Works Department	PW Maintenance Manager
	5.1.4 Design of Flood Control Projects {F.3.a.(4)(a)}	Public Works Department	Project Manager
	5.1.5 Other public works projects {	Public Works Department	Project Manager
	5.2 – Permittee Construction Activities {F.2.}	Submit PRDs - Public Works Department	Project Manager
		Prepare Construction SWPPP – Public Works Department	Project Manager
		Notify Executive Officer of Non Compliance – Public Works Department	Project Manager
		Conduct monitoring – Public Works Department	Project Manager
		Submit NOT – Public Works Department	Project Manager
	5.3 – Operation & Maintenance of Permittee Areas & Activities {F.3.a.}	Public Works Department, Community Service District, Fire Department, Police Department	PW Maintenance Manager, Parks Maintenance Manager, Fire Chief, Police Chief
	5.3.1 Source Identification/ Inventory {F.3.a.(1)}	Public Works Department	NPDES Coordinator
	5.3.2 Typical Minimum BMPs {F.3.a.(2)(b)}	Public Works Department	NPDES Coordinator
	5.3.3.1 Special Event BMPs {F.e.a(2)(c)}	Public Works Department	NPDES Coordinator
	5.3.3.2 Fire BMPs {B.3.a.}	Non-emergency BMPs - Fire Department	Fire Chief
		NOI for De Minimus Permit – Fire Department	Fire Chief
	5.3.3 BMPs for City Activities {F.3.a.(a)(2)(b)}	Public Works Department, Community Service District, Fire Department, Police	PW Maintenance Manager, Parks Maintenance Manager, Fire Chief,

Program Element	JRMP Section {Permit reference}	Primary Responsible Department	Responsible Staff Title
		Department	Police Chief
	5.3.5 Maintenance of MS4 facilities and treatment control BMPs {F.3.a.(6)}	Public Works Department	PW Maintenance Manager
	5.4 Annual Inspection {F.3.A.(8)}	Public Works Department	NPDES Coordinator
	5.5 Enforcement of Municipal Areas and Activities {F.3.a.(9)}	Public Works Department	NPDES Coordinator
<b>6.0 Development Planning {F.1}</b>			
	6.2 General Plan {F.1.a}	Planning Department	Planning Director
	6.3.2 LID Barriers Review {{F.1.d.(4)(a)}	Public Works Department	NPDES Coordinator
	6.6.2 Approval Process Criteria and Requirements for All Development ProjectsI {F.1.c.}	Planning Department	Planning Supervisor
	6.6.3 Identify Priority Development Projects {F.1.d.(1) & (2)}	Planning Department	Planning Supervisor
	6.6.4 Conditions of Approval	Public Works Department	NPDES Coordinator
	6.6.5 Review Preliminary Project-Specific WQMPs{F.1.d.(9)(a)}	Public Works Department	NPDES Coordinator
	6.6.6 Review and Approval of Final Project-Specific WQMPs {F.1.d.(9)(a)}	Public Works Department	NPDES Coordinator
	6.6.7 Requirements for Other Development Projects	Public Works Department	NPDES Coordinator
	6.6.8 Unpaved Roads Development	Public Works Department	NPDES Coordinator
	6.6.9 Plan Check: Issuance of Grading or Building Permits	Planning Department	Planning Director
	6.7 Field Verify BMPs & Permit Closeout {F.1.e.}	Public Works Department	Construction Inspector

Program Element	JRMP Section {Permit reference}	Primary Responsible Department	Responsible Staff Title
	6.7.2 BMP Maintenance Tracking {F.1.f.}	Public Works Department	Maintenance Supervisor
	6.8 Structural Post-Construction BMP Database and Maintenance Verification {F.1.f}	Public Works Department	Maintenance Supervisor NPDES Coordinator
	6.8.4 Change of Ownership Recordation {F.1.d.(9)(b)}	Public Works Department	NPDES Coordinator
	6.9 Enforcement for Development {F.1.g}	Public Works & Code Enforcement Departments	NPDES Coordinator & Code Enforcement Officer
<b>7.0 Private Development Construction {F.2.}</b>			
	7.1 Source Identification/Inventory {F.2.b}	Public Work Department	NPDES Coordinator
	7.2 Construction Site Planning and Project Approval Process {F.2.c.}	Public Work Department	NPDES Coordinator
	7.3 Construction Site BMP Implementation {F.2.d.}	Public Work Department	NPDES Coordinator
	7.4 Construction Site Inspection {F.2.e.}	Public Work Department	NPDES Coordinator
	7.5 Construction Enforcement {F.2.f.}	Public Work Department	NPDES Coordinator
	7.6 Reporting of Non-Compliant Sites {F.2.g.}	Public Work Department	NPDES Coordinator
<b>8.0 Industrial and Commercial Sources {F.3.b.}</b>			
	8.1 Industrial/Commercial Database {F.3.b.(1)}	Public Works Department	NPDES Coordinator

Program Element	JRMP Section {Permit reference}	Primary Responsible Department	Responsible Staff Title
	8.2 General BMP Implementation {F.3.b.(2)}	Public Work Department	NPDES Coordinator
	8.3 Mobile Business Program {F.1.b.(3)}	Public Works Department	NPDES Coordinator
	8.4 Industrial/Commercial Inspections {F.3.b.}	DEH/HAZMAT & Public Works Department	NPDES Coordinator
	8.4.6 Industrial/Commercial Enforcement {F.1.d.(5)}	Public Works Department	NPDES Coordinator
	8.4.7 Reporting of Non-Compliant Sites {F.1.d.(6)}	Public Works Department	NPDES Coordinator
<b>9.0 Residential Sources {F.1.c.}</b>			
	9.3 Designated BMPs {F.3.c.(2)(b)}	Public Works Department	NPDES Coordinator
	9.4 Household Waste Management {F.3.c.(2)(c)}	Public Works Department	NPDES Coordinator
	9.5 Common Interest Areas/ Homeowner Association Areas / and Mobile Home Parks {F.3.c.(4)}	Public Works Department	NPDES Coordinator
	9.6 Residential Enforcement {F.3.c.(3)}	Public Works Department	NPDES Coordinator
<b>10.0 Retrofitting Existing Development {F.3.d.}</b>			
	10.1 Identification of Conditions of Concern {{F.3.d.(1)}	Public Works Department	NPDES Coordinator
	10.2 Source Assessment & Identification {F.3.d.(2)}	Public Works Department	NPDES Coordinator
	10.3 Identification of Candidate Areas for Retrofitting {F.3.d.(2)}	Public Works Department	NPDES Coordinator

Program Element	JRMP Section {Permit reference}	Primary Responsible Department	Responsible Staff Title
	10.4 Prioritization of Candidate Areas for Retrofitting {F.3.d.(2)}	Public Works Department	NPDES Coordinator
	10.5 Prioritizing Retrofitting Work Plans 10.3 {F.3.d.(3)}	Public Works Department	NPDES Coordinator
	10.6 Private Retrofitting Projects {F.3.d.(4)}	Public Works Department	NPDES Coordinator
	10.7 Tracking Retrofit BMPs {F.3.d.(5)}	Public Works Department	NPDES Coordinator
	10.8 Regional Mitigation Projects {F.3.d.(7)}	Public Works Department	NPDES Coordinator
<b>11.0 Education {F.6.}</b>			
	11.1 Target Audiences	Public Works Department	NPDES Coordinator
	11.2 Residential and General Public F.6.b.(4)}	Public Works Department	NPDES Coordinator
<b>12.0 Copermittee Staff Training</b>	Copermittee Staff	RCFC&WCD	NPDES Coordinator
<b>13.0 Monitoring Program {N}</b>			
	13.2 NALs {C}	Public Works Department	NPDES Coordinator
	13.3 SALs {D}	Public Works Department	NPDES Coordinator



# California Regional Water Quality Control Board

## San Diego Region



Linda S. Adams  
Secretary for  
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Arnold Schwarzenegger  
Governor

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(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

Supporting Document No. 6  
Item No. 5  
October 13, 2010

September 28, 2010

Patrick A. Thomas  
Director of Public Works  
City of Murrieta  
1 Town Square  
24601 Jefferson Avenue  
Murrieta, CA 92562

Frank Oviedo  
City Manager  
City of Wildomar  
23873 Clinton Keith Road, Suite 201  
Wildomar, CA 92595

Donald Allison, P.E.  
City Engineer/Public Works Director  
City of Menifee  
29714 Haun Road  
Menifee, CA 92586

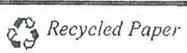
Dear Messrs. Thomas, Oviedo and Allison:

**SUBJECT: DESIGNATIONS OF SAN DIEGO WATER BOARD AND SANTA ANA WATER BOARD FOR PURPOSES OF REGULATION OF MUNICIPAL SEPARATE STORM SEWER SYSTEMS - CITIES OF MENIFEE, MURRIETA AND WILDOMAR, RIVERSIDE COUNTY**

This letter constitutes the California Regional Water Quality Control Board, San Diego Region's (San Diego Water Board, San Diego Regional Board, or Region 9) written agreement pursuant to Water Code section 13228, subdivision (a) to designate the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board or Region 8) as the regulator of the City of Menifee within Region 9's geographic jurisdiction for municipal separate storm sewer system (MS4) permit purposes<sup>1</sup>, and further constitutes the San Diego Water Board's written agreement to accept designation from the Santa Ana Water Board to regulate the Cities of Murrieta and Wildomar, including those portions of each city that fall within Region 8's geographic jurisdiction, for MS4 permit purposes.<sup>2</sup> As discussed below, this agreement is subject to several important limitations recognized by the Cities.

<sup>1</sup> The San Diego Water Board intends to consider the adoption of a new MS4 permit (Tentative Order No. R9-2010-0016) that would regulate the relevant portions of Murrieta and Wildomar on October 13, 2010.

<sup>2</sup> Until the new San Diego Water Board MS4 permit is adopted, including regulation of the Cities of Murrieta and Wildomar for MS4 purposes regardless of geographic boundaries, portions of Murrieta and Wildomar remain regulated in part by Order No. R8-2010-0033. Murrieta and Wildomar would become regulated by the San Diego Water Board, with certain limitations described below, when the San Diego Water Board adopts tentative Order No. R9-2010-0016, scheduled for consideration on October 13, 2010.



## Background

The Cities each lay partially within both the San Diego and Santa Ana Water Boards' geographic jurisdictional boundaries. Portions of the Cities are currently regulated by the Santa Ana Water Board under Order No. R8-2010-0033 for MS4 discharges. Because the Cities of Wildomar and Menifee were incorporated after 2004, the San Diego Water Board's existing MS4 permit, Order No. R9-2004-001, regulates portions of Murrieta, but does not regulate Wildomar or Menifee. On July 20, 21 and 22, 2010, Murrieta, Wildomar and Menifee, respectively, submitted letters addressed jointly to the Executive Officers of the San Diego Water Board and the Santa Ana Water Board requesting that they each be regulated by one MS4 permit, pursuant to Water Code section 13228. (The Cities' letters, which include maps provided by the Cities depicting their respective geographic locations, are attached to this letter as Exhibits 1-3.) Murrieta and Wildomar requested that the Santa Ana Water Board designate the San Diego Water Board as the regulator for all portions of their respective cities, including those portions within Region 8's geographic boundary, for their MS4-related discharges. Likewise, the City of Menifee requested that the San Diego Water Board designate the Santa Ana Water Board as the regulator for all portions of Menifee, including those portions of the city that fall within Region 9's jurisdictional boundary, for matters pertaining to MS4 discharges. As the basis for their requests, the Cities cite the desire to reduce the complexities associated with being regulated by two separate MS4 permits and a desire to increase effectiveness and efficiencies in using city resources to benefit water quality. As described below, each city recognizes appropriate and important limitations to this agreement.

## Limitations on San Diego Water Board Designation Agreement

As explained in their respective letters, each city recognizes the following common limitations to this agreement: (1) the requested designation applies only to MS4 permitting so that each city is subject to a single MS4 permit; (2) the Cities of Murrieta and Wildomar recognize that other waste discharge requirements (WDRs) or orders issued and/or enforced by the San Diego Water Board remain wholly under the San Diego Water Board's jurisdiction; likewise, the City of Menifee recognizes that WDRs and/or other orders issued or enforced by the Santa Ana Water Board remain wholly under the Santa Ana Water Board's jurisdiction; and (3) each Water Board retains the authority to enforce provisions of the MS4 permit issued to each city<sup>3</sup> but compliance

---

The Santa Ana Water Board may amend its order to remove Murrieta and Wildomar after the San Diego Water Board's adoption of Tentative Order No. R9-2010-0016, but this designation becomes effective upon the San Diego water Board's action.

<sup>3</sup> Primary enforcement responsibility lies with the permitting Water Board.

will be determined based upon the MS4 permit in which a particular city is regulated as a co-permittee (see Wat. Code § 13228, subd. (b)).

The Cities also expressly acknowledged the following reciprocal limitation concerning Total Maximum Daily Loads (TMDLs). Murrieta and Wildomar understand and agree that "[a]ny TMDLs and associated MS4 permit requirements issued by the Santa Ana Regional Board, which include [Murrieta and Wildomar] as responsible part[ies], will be incorporated into the MS4 permit issued by the San Diego Regional Board by reference, including reference to any associated provisions, findings or elements of the fact sheet." (City of Murrieta, Letter to Kurt Berchtold and David Gibson, July 20, 2010, p. 2; City of Wildomar, Letter to Kurt Berchtold and David Gibson, July 21, 2010, p. 2.) Similarly, the City of Menifee understands that "[a]ny TMDLs and associated MS4 permit requirements issued by the San Diego Regional Board, which include the City of Menifee as a responsible party, will be incorporated into the MS4 permit issued by the Santa Ana Regional Board by reference, including reference to any associated provisions, findings or elements of the fact sheet." (City of Menifee, Letter to Kurt Berchtold and David Gibson, July 22, 2010, p. 2.)

The Cities further recognize they will be subject to different processes for submitting Permit Registration Documents (PRDs) for municipal construction projects subject to the State Water Resources Control Board's (State Water Board's) Construction General Storm Water Permit. Under the Santa Ana Water Board's MS4 permit, Order No. R8-2010-0033, PRDs for municipal construction projects are submitted to the State Water Board through the Stormwater Multi-Application Reporting and Tracking System (SMARTS) without the filing fee. The City of Menifee will follow the process set forth by the Santa Ana Water Board under Order No. R8-2010-0033 for construction PRDs for all municipal construction projects within the City of Menifee. In contrast, the San Diego Water Board's existing (R9-2004-0001) and proposed (R9-2010-0016) MS4 permits include no similar process. Therefore, the Cities of Murrieta and Wildomar will submit PRDs<sup>4</sup> in accordance with the manner prescribed in State Water Board's Construction General Storm Water Permit, including appropriate fees.

Similarly, Region 8 MS4 requirements do not require separate coverage under the General Industrial Storm Water Permit (97-03-DWQ) for municipal yards. As such, the City of Menifee need not get coverage under the State Water Board's General Industrial Storm Water Permit for its corporate yards. Murrieta and Wildomar shall get coverage under the General Industrial Storm Water Permit for all their corporate yards.

Complaints received for discharges flowing from municipal, construction, industrial, and commercial sites to MS4s within the Cities of Murrieta and Wildomar will be forwarded to the San Diego Water Board for review. Complaints regarding discharges from

<sup>4</sup> In the form of a Notice of Intent (NOI).

Messrs. Thomas,  
Oviedo and Allison

- 4 -

September 28, 2010

municipal, construction, industrial, and commercial sites to MS4s within the City of Menifee will be referred to the Santa Ana Water Board for review.

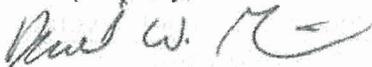
Each Water Board remains responsible for overseeing construction and industrial sites under the statewide General Permits for Construction and Industrial Activities (State Water Board Orders No. 2009-0009 DWQ and No. 97-03 DWQ, respectively) based on the Water Board's geographic jurisdictional boundary. The Santa Ana Water Board shall notify the San Diego Water Board of any non-compliance found during routine inspections of sites within the Santa Ana Water Board boundary that discharge into the MS4s for the Cities of Murrieta and Wildomar. The San Diego Water Board shall notify the Santa Ana Water Board of any non-compliance found during routine inspections of sites within the San Diego Water Board boundary that discharge into the City of Menifee's MS4.

For de minimus types of discharges listed in the Region 8 MS4 Permit, the City of Menifee does not have to get separate coverage under Region 8's General De Minimus Permit (R8-2009-0003). De minimus types of discharges to Region 8's jurisdiction from the Cities of Wildomar and Murrieta shall be regulated under Region 8's General De Minimus Permit, R8-2009-0003.

Finally, the City of Murrieta notes that its annual report under the San Diego MS4 permit will include the 375 acres currently within the Santa Ana watershed. While not noted by the Cities of Wildomar and Menifee, the San Diego Water Board expects that the annual report filed by each city would be a single report covering the entire geographic area of the city, regardless of geographic jurisdiction, using the format prescribed in its respective permit and submitted to the appropriate regulating board.

For the reasons outlined above, the San Diego Water Board agrees to the Cities' regulatory designation requests and notes that tentative Order No. R9-2010-0016 will be revised to reflect this agreement. This agreement shall become effective with the adoption of tentative Order No. R9-2010-0016. The San Diego Water Board does not anticipate the need, but reserves the right, to modify or terminate this agreement in the future, upon sufficient notice, and for good cause.

Respectfully,



DAVID W. GIBSON  
Executive Officer

Enclosure

cc: Kurt Berchtold, Executive Officer, Santa Ana Water Board

*California Environmental Protection Agency*



# California Regional Water Quality Control Board

## Santa Ana Region



 Linda S. Adams  
Secretary for  
Environmental Protection

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Arnold Schwarzenegger  
Governor

September 28, 2010

Patrick A. Thomas  
Director of Public Works  
City of Murrieta  
1 Town Square  
24601 Jefferson Avenue  
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City Engineer/Public Works Director  
City of Menifee  
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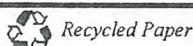
### **DESIGNATIONS OF SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD AND SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD FOR PURPOSES OF REGULATION OF MUNICIPAL SEPARATE STORM SEWER SYSTEMS - CITIES OF MENIFEE, MURRIETA AND WILDOMAR, RIVERSIDE COUNTY**

This letter constitutes the Santa Ana Regional Water Quality Control Board's (Santa Ana Water Board's or Region 8's) written agreement pursuant to Water Code section 13228, subdivision (a), to designate the San Diego Regional Water Quality Control Board (San Diego Water Board or Region 9) as the regulator of the Cities of Murrieta and Wildomar, including those portions of each city that fall within Region 8's geographic jurisdiction, for municipal separate storm sewer system (MS4) permit purposes<sup>1</sup>, and further constitutes the Santa Ana Water Board's written agreement to accept designation from the San Diego Water Board to regulate the City of Menifee within Region 9's geographic jurisdiction for MS4 permit purposes under Order No. R8-2010-0033.<sup>2</sup>

<sup>1</sup> At the time this letter was signed, the San Diego Water Board intended to consider the adoption of a new MS4 permit (Tentative Order No. R9-2010-0016) that would regulate the relevant portions of Murrieta and Wildomar.

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*California Environmental Protection Agency*



As discussed below, this agreement is subject to several important limitations recognized by the Cities of Menifee, Wildomar, and Murrieta (collectively, the Cities).

## **Background**

The Cities each lay partially within both the San Diego and Santa Ana Water Boards' geographic jurisdictional boundaries. Portions of the Cities are currently regulated by the Santa Ana Water Board under Order No. R8-2010-0033 for MS4 discharges. Because the Cities of Wildomar and Menifee were incorporated after 2004, the San Diego Water Board's existing MS4 permit, Order No. R9-2004-0001, only regulates portions of Murrieta. On July 20, 21 and 22, 2010, Murrieta, Wildomar and Menifee, respectively, submitted letters addressed jointly to the Executive Officers of the San Diego Water Board and the Santa Ana Water Board requesting that they each be regulated by one MS4 permit, pursuant to Water Code section 13228. (The Cities' letters, which include maps provided by the Cities depicting their respective geographic locations, are attached to this letter as Exhibits 1-3.) Murrieta and Wildomar requested that the Santa Ana Water Board designate the San Diego Water Board as the regulator for all portions of their respective cities, including those portions within Region 8's geographic boundary, for their MS4-related discharges. Likewise, the City of Menifee requested that the San Diego Water Board designate the Santa Ana Water Board as the regulator for all portions of Menifee, including those portions of the city that fall within Region 9's jurisdictional boundary, for matters pertaining to MS4 discharges. As the basis for their requests, the Cities cite the desire to reduce the complexities associated with being regulated by two separate MS4 permits and a desire to increase effectiveness and efficiencies in using city resources to benefit water quality. As described below, each city recognizes appropriate and important limitations to this agreement.

## **Limitations on the Santa Ana Water Board Designation Agreement**

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The Santa Ana Water Board intends to amend Order No. R8-2010-033 to remove Murrieta and Wildomar after the San Diego Water Board's adoption of Tentative Order No. R9-2010-0016. This designation becomes effective upon the San Diego Water Board's action.

*California Environmental Protection Agency*



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<sup>3</sup> The PRDs include a Notice of Intent (NOI).

Menifee will be referred to the Santa Ana Water Board for review. Each Water Board remains responsible for overseeing construction and industrial sites under the statewide General Permits for Construction and Industrial Activities (State Water Board Orders No. 2009-0009 DWQ and No. 97-03 DWQ, respectively) based on the Water Board's geographic jurisdictional boundary. The Santa Ana Water Board shall notify the San Diego Water Board of any non-compliance found during routine inspections of sites within the Santa Ana Water Board boundary that discharge into the MS4s for the Cities of Murrieta and Wildomar. The San Diego Water Board shall notify the Santa Ana Water Board of any non-compliance found during routine inspections of sites within the San Diego Water Board boundary that discharge into the City of Menifee's MS4.

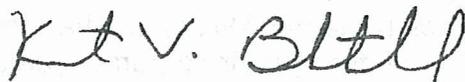
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For the reasons outlined above, the Santa Ana Water Board agrees to the Cities' regulatory designation requests and notes that Order No. R8-2010-0033 will be revised to reflect this agreement. This agreement shall become effective with the adoption of tentative Order No. R9-2010-0016.

The Santa Ana Water Board does not anticipate the need, but reserves the right, to modify or terminate this agreement in the future, upon sufficient notice, and for good cause.

Respectfully,



Kurt V. Berchtold  
Executive Officer

Enclosure

cc: David Gibson, Executive Officer, San Diego Regional Water Quality Control Board  
Jason Uhley, Riverside County Flood Control and Water Conservation District

*California Environmental Protection Agency*



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**AGREEMENT**

National Pollutant Discharge Elimination System  
 Stormwater Discharge Permit  
**Implementation Agreement**  
 San Diego Region

(Santa Margarita Drainage Area)

This Implementation Agreement ("Agreement"), entered into by the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (the "DISTRICT"), the COUNTY OF RIVERSIDE (the "COUNTY"), and the CITIES OF MURRIETA, TEMECULA and WILDOMAR (the "CITIES"), collectively referred to as "COPERMITTEES" and sometimes also referred to as "Parties", individually each as "Party", establishes the responsibilities of each Party concerning the implementation of and compliance with the National Pollutant Discharge Elimination System ("NPDES") Municipal Separate Storm Sewer System ("MS4") Discharge Permit issued by the California Regional Water Quality Control Board – San Diego Region (CRWQCB-SDR) pursuant to Order No. R9-2010-0016 (the "NPDES Permit").

RECITALS

WHEREAS, Congress in 1987 added Section 402(p) to the Federal Clean Water Act ("CWA") (33 U.S.C. §1342(p)); and

WHEREAS, Section 402(p) of the CWA requires certain municipalities to obtain NPDES Permits in order to discharge stormwater from MS4s to waters of the United States; and

WHEREAS, Section 402(p) of the CWA requires operators of certain industrial facilities to obtain NPDES permits for stormwater discharges associated with designated industrial activities, including construction activities; and

WHEREAS, Section 402(p) further requires the United States Environmental Protection Agency ("EPA") to promulgate regulations for NPDES permit applications; and

WHEREAS, EPA adopted such regulations in November 1990; and

WHEREAS, EPA delegated authority to the California State Water Resources Control Board ("SWRCB") to administer the NPDES permit process within the boundaries of the State of California; and

WHEREAS, SWRCB has in turn delegated its NPDES permitting authority to the California Regional Water Quality Control Boards to administer the NPDES permit process within the boundaries of their respective regions; and

WHEREAS, the jurisdiction of the CRWQCB-SDR includes that portion of Riverside County known as the Santa Margarita Region; and

WHEREAS, DISTRICT was created to provide for, among other things, the control of flood and stormwaters within the County of Riverside and is empowered to investigate, examine, measure, analyze, study and inspect matters pertaining to flood and stormwaters; and

WHEREAS, on January 15, 2009, DISTRICT, COUNTY and CITIES submitted a Report of Waste Discharge as an application to renew NPDES Permit No. CAS0108766; and

WHEREAS, the application for renewal of the NPDES Permit was submitted in accordance with the provisions of the previous NPDES permit (Order No. R9-2004-001) which expired on July 14, 2009; and

WHEREAS, on November 10, 2010, the CRWQCB-SDR adopted Order No. J 2010-0016 to serve as Waste Discharge Requirements in accordance with Section 13263(a) of the California Water Code and as an NPDES permit pursuant to Section 402(p) of the CWA; and

WHEREAS, the NPDES Permit meets or exceeds the requirements of Section 402(p)(3)(B) of the CWA; and

WHEREAS, the NPDES Permit designates the DISTRICT, COUNTY and CITIES as COPERMITTEES; and

WHEREAS, the NPDES Permit requires designation of a "Principal Copermittee", and DISTRICT, COUNTY and CITIES have agreed that DISTRICT will serve as Principal Copermittee for the term of the NPDES Permit; and

WHEREAS, the Parties believe that cooperation between COPERMITTEES in the administration and implementation of the NPDES Permit is in the best interest of COPERMITTEES; and

WHEREAS, the NPDES Permit provides that the COPERMITTEES collaborate

in the development and implementation of various requirements of the NPDES Permit; and

WHEREAS, DISTRICT is willing to utilize its staff to coordinate the activities of COPERMITTEES to facilitate compliance with the NPDES Permit and CWA requirements; and

WHEREAS, DISTRICT established the Santa Margarita Watershed Benefit Assessment Area (the "BENEFIT ASSESSMENT") pursuant to District Ordinance 14 on May 14, 1991 to offset the DISTRICT'S program and administrative costs associated with the development, implementation and management of the Federally-mandated NPDES Program and DISTRICT is willing to use BENEFIT ASSESSMENT funds to support the DISTRICT's role as Principal Permittee and to support regional program costs to the extent that BENEFIT ASSESSMENT funds are available and can be used for regional programs; and

WHEREAS, COPERMITTEES are to perform and/or execute certain activities prescribed in the NPDES Permit that will benefit all COPERMITTEES.

NOW, THEREFORE, the Parties do mutually agree as follows:

1. Incorporation of the NPDES Permit. The NPDES Permit is hereby incorporated by reference in its entirety and made a part of this Agreement as Exhibit "A".

2. Delegation of Responsibilities. The responsibilities of each of the COPERMITTEES under the NPDES Permit are reiterated below in subsections 2.a. and 2.b. Additional delegated responsibilities of the Parties under this Agreement to implement and/or comply with the NPDES Permit are set forth below in subsections 2.c. through 2.h.:

a. DISTRICT shall:

- (1) Comply with Section M (Principal Copermitttee Responsibilities), including coordinating the development of updates and reports on programs required under the NPDES Permit that are jointly required of each COPERMITTEE, including the Watershed Water Quality Workplan ("Watershed Workplan"), Standard Storm Water Mitigation Plan ("SSMP"), Hydromodification Management Plan ("HMP"), a model Jurisdictional Runoff

Management Plan ("JRMP"), the Receiving Waters and MS4 Discharge Monitoring and Reporting Program No. R9-2010-0016, and any other reports prepared by the DISTRICT on behalf of the COPERMITTEES as required by Sections K.1 and K.2 of the NPDES Permit. DISTRICT will provide COUNTY and CITIES an opportunity to participate in the development and review of, and comment on, such programs, plans and reports prior to submittal to the CRWQCB-SDR.

- (2) Comply with Sections A through P (Prohibitions and Receiving Water Limitations, Non-Stormwater Discharges, Non-Stormwater Dry Weather Action Levels, Stormwater Action Levels, Legal Authority, JRMP, Watershed Workplan, Fiscal Analysis, Total Maximum Daily Loads ("TMDLs"), Program Effectiveness Assessment and Reporting, Reporting, Modifications of Programs, Receiving Waters and MS4 Discharge Monitoring and Reporting Program, Standard Provisions, Reporting Requirements and Notifications, as well as Additional Provisions, respectively), as they pertain to pollutant discharges from DISTRICT owned and operated MS4 which are generated directly from or by DISTRICT facilities and operations, at no cost to COUNTY and CITIES.

b. COUNTY and CITIES, at no cost to DISTRICT, shall, for land area within their individual jurisdictions:

- (1) Comply with Sections A through P (Prohibitions and Receiving Water Limitations, Non-Stormwater Discharges,

Non-Stormwater Dry Weather Action Levels, Stormwater Action Levels, Legal Authority, JRMP, Watershed Workplan, Fiscal Analysis, TMDLs, Program Effectiveness Assessment and Reporting, Reporting, Modifications of Programs, Receiving Waters and MS4 Discharge Monitoring and Reporting Program, Standard Provisions, Reporting Requirements and Notifications, as well as Additional Provisions, respectively), as they pertain to pollutant discharges from COUNTY/CITY owned and operated MS4, which are generated by jurisdictional land uses, facilities, and operations of the respective COUNTY and CITIES.

- (2) Demonstrate compliance with NPDES Permit requirements through timely implementation of the JRMPs; any COPERMITTEE-specific elements of the Watershed Workplan and Monitoring and Reporting Program; and any approved modifications, revisions or amendments thereto.
- (3) Provide to DISTRICT (on DISTRICT-provided forms) information needed to satisfy the reporting requirements as described in Sections G, N, and Provision III of Attachment E, or to respond to information requests from the CRWQCB-SDR. COUNTY and CITIES shall specifically:
  - (a) Submit data necessary to prepare updates to the Watershed Workplan to the DISTRICT no later than August 31<sup>st</sup> of each year.
  - (b) Submit any monitoring and sampling data individually collected pursuant to the MS4 Permit, to the DISTRICT at least quarterly as necessary for

DISTRICT to track and prepare reports under the Monitoring and Reporting Program. All applicable monitoring and sampling data individually collected within each fiscal year must be received by DISTRICT no later than August 15<sup>th</sup> of each year, for inclusion in the monitoring annual report that will be prepared and submitted by the District, pursuant to Section 2.e. herein.

(c) Provide one completed bound hard copy, and two electronic copies (PDF preferred) on CD or DVD, of the completed JRMP annual report to the DISTRICT no later than October 15<sup>th</sup> of each year.

(d) Provide information on existing MS4 facilities, "major outfalls" (as defined in the NPDES Permit) and/or other data as it pertains to facilities of COUNTY or CITIES when requested by DISTRICT.

c. Public Education Program. On behalf of COPERMITTEES, DISTRICT shall conduct public education activities on a regional basis that focus on reducing pollution of urban runoff within the Santa Margarita Region, including, as appropriate, developing and disseminating broadcast, online and/or print outreach and advertising, developing brochures, and attending public events. DISTRICT shall also develop and implement mechanisms to determine the effectiveness of the regional public education program. The COUNTY and CITIES shall be individually responsible for developing and implementing any supplemental public education programs that may be necessary to target

individual communities or stakeholders within their respective jurisdictions, pursuant to Section F.6. of the NPDES Permit.

- d. **COPERMITTEE Training Program.** On behalf of COPERMITTEES, and as requested by the COPERMITTEES, DISTRICT shall develop and conduct regional training sessions for COPERMITTEE personnel, covering the aspects of the programs developed by DISTRICT pursuant to Section 2.a.(1) of this AGREEMENT that are regionally uniform among COPERMITTEES. The COUNTY and CITIES shall be individually responsible for developing and implementing and reporting upon any supplemental training that may be necessary to ensure that their personnel are trained adequately regarding local policies and procedures for implementing the requirements of the NPDES Permit, pursuant to section F.6. of the NPDES Permit.
- e. **Monitoring Program.** On behalf of the COPERMITTEES, DISTRICT shall perform sampling of surface water and urban runoff in accordance with the provisions of the NPDES Permit Monitoring and Reporting Program ("MRP"), Attachment E Provisions II.A and II.D-II.F, and prepare and submit Monitoring Reports in accordance with Provision III of Attachment E. The location of the sampling sites shall be determined by COPERMITTEES, subject to approval by CRWQCB-SDR. For Provision II.B. and II.C of the MRP, DISTRICT will coordinate with COPERMITTEES in developing a plan for identifying the list of outfalls to be sampled each year in accordance with the NPDES Permit, and COPERMITTEES shall be individually responsible for conducting outfall sampling, source identifications, and enforcement as necessary for their outfalls. The COPERMITTEES

may, subject to Section 3 herein, request the DISTRICT to conduct the initial outfall sampling required in Provisions II.B. and II.C. on behalf of the COPERMITTEES, however, all source identifications (including any follow-up sampling) and enforcement that may be required will remain the individual responsibility of the respective COPERMITTEES. The DISTRICT shall also enter into a contract with a local lab to provide analysis of water quality samples collected under the MRP. The contract shall be used strictly for water quality samples collected to comply with Provision II of the MRP. DISTRICT shall prepare and submit Monitoring Reports, as required by Provision III of Attachment E, based on data collected by the DISTRICT on behalf of the COPERMITTEES, and data provided to the DISTRICT by the COPERMITTEES in accordance with Section 2.b.(3)(b) of this Agreement.

- f. Consultant Services. In the event DISTRICT requires the services of a consultant(s) to assist in performing duties conducted on behalf of the COPERMITTEES pursuant to Section 2 of this Agreement, the cost of said consultant(s) services shall be shared by COPERMITTEES in accordance with the cost sharing provisions set forth in Section 3 of this Agreement. COUNTY and CITIES shall be notified in writing of DISTRICTS request for proposals from one or more consultants, selection of a consultant, consultant's fee, contract timetable and payment schedule, and be allowed the opportunity to participate in decisions related to consultant's services. All consultant agreements are contingent upon the consulting firm's ability to meet DISTRICT standards and requirements, and where applicable approval by the DISTRICTS

Board of Supervisors.

- g. Support for Regional Programs. The COPERMITTEES shall jointly provide funding for certain regional efforts that benefit the Santa Margarita Region, including but not limited to: County Environmental Health's Compliance Assistance Program; the County Fire Department's Hazardous Materials Team; County Environmental Health's Household Hazardous Waste and Antifreeze, Batteries, Oil and Paint collection program; the DISTRICT'S membership with the California Stormwater Quality Association on behalf of COPERMITTEES; the DISTRICT'S administration of Principal Permittee duties, and other NPDES support activities as described in this Agreement, or as needed and agreed to by the COPERMITTEES. Where these programs are implemented countywide in support of other NPDES permit regions, the DISTRICT shall estimate the portion of the total cost of these regional programs that benefits the Santa Margarita Region.
- h. Regulation and Enforcement. COUNTY and CITIES shall be responsible for the regulation and enforcement of local ordinances and regulations within their respective jurisdictions to ensure compliance with the NPDES Permit, and to prevent pollutants originating from within their respective jurisdictions from being discharged into the jurisdiction of another Party in a manner which could cause that Party to violate the NPDES Permit. This includes the exercise of police powers and land use controls and the enforcement of ordinances that COUNTY or CITIES presently have adopted or may adopt in the future.

3. Shared Costs. Costs for services to be performed in accordance with Sections 2.c., 2.d., 2.e. and 2.f. of this Agreement shall be shared by the Parties in accordance with the procedure specified below. In December of each year of this Agreement the DISTRICT shall:

- a. Estimate the costs of services specified in Sections 2.c., 2.d., 2.e. of this Agreement and 2.f. for the upcoming fiscal year ("ESTIMATED COSTS");
- b. Estimate the DISTRICT'S internal costs for developing, implementing and administering the NPDES program in the Santa Margarita Region as specified in 2.a. ("INTERNAL COSTS");
- c. Estimate the revenues expected from the BENEFIT ASSESSMENT program ("ASSESSMENT REVENUES");
- d. Determine actual costs for NPDES programs administered in the previous fiscal year; and
- e. Determine Credits or Debits ("CREDITS" or "DEBITS") due COUNTY and CITIES based on the difference of the actual contributions from the previous fiscal year with the actual contributions provided by the COUNTY and CITIES for that fiscal year.

By February 1<sup>st</sup> of each year of this Agreement, the DISTRICT, CITIES and COUNTY, through a NPDES representative assigned by the General Manager-Chief Engineer, City Managers, and County Executive Office, respectively, shall approve, by majority vote, ESTIMATED COSTS for the upcoming fiscal year.

### 3.1 DISTRICT Contribution

The DISTRICT contribution ("DISTRICT CONTRIBUTION") to programs specified in Sections 2.c., 2.d., 2.e., and 2.f. for the upcoming fiscal year shall be determined using the following formula:

$$\text{DISTRICT CONTRIBUTION} = \text{ASSESSMENT REVENUES}$$

**INTERNAL COSTS - 20% ASSESSMENT REVENUE.<sup>1</sup>**

If the calculation yields a negative result, the DISTRICT shall have no contribution for the upcoming fiscal year other than the INTERNAL COSTS it has incurred.

**3.2 COUNTY and CITIES Contribution**

The total shared COUNTY and CITIES contribution (the "COMBINED CONTRIBUTION") shall be determined using the following formula:

**COMBINED CONTRIBUTION = ESTIMATED COSTS - DISTRICT CONTRIBUTION.**

The COUNTY'S and individual CITIES' respective pro rata share of the COMBINED CONTRIBUTION ("INDIVIDUAL CONTRIBUTION") shall be determined on the basis of an equally weighted average of population and Benefit Assessment Units within the Santa Margarita Region of Riverside County. More specifically, such percentage contribution shall be calculated as the equally weighted average of:

- (a) The population of COUNTY or individual CITIES within the Santa Margarita Region, divided by the total population of the COUNTY and CITIES in the Santa Margarita Region and;
- (b) The calculated number of Benefit Assessment Units ("BAU") for COUNTY or individual CITIES, divided by the total BAU for COUNTY and individual CITIES.

The INDIVIDUAL CONTRIBUTION shall be further adjusted by any CREDITS or DEBITS due from the previous fiscal year.

The population of CITIES shall be determined by the latest California State Department of Finance population figures issued in May of each year. COUNTY population shall be based on the most current Tax Rate Area ("TRA") information best fitting the Santa Margarita Region.

The BAU count of COUNTY and CITIES shall be estimated by comparing the most current TRA information best fitting the Santa Margarita Region with the Assessment

---

<sup>1</sup> District retains 20% of assessment revenue as a reserve for District's administrative and program costs associated with the NPDES Permit pursuant to RCFC&WCD Ordinance No. 14.

Rolls from the current fiscal year's BENEFIT ASSESSMENT Engineer's Report.

COUNTY and CITIES may generate credits toward payments due by providing labor or services in lieu of cash payments. DISTRICT shall determine value of labor or services based on ESTIMATED COSTS for the fiscal year.

DISTRICT shall invoice COUNTY and CITIES for INDIVIDUAL CONTRIBUTION at the beginning of each fiscal year and said invoice shall be due and payable by COUNTY and CITIES within 60 days of receipt of invoice from DISTRICT. The COMBINED CONTRIBUTION for COUNTY and CITIES shall not exceed \$2,200,000 (two million, two hundred thousand dollars) annually under this Agreement.

4. Term of the Agreement. The term of this Agreement shall commence on the date of execution by the duly authorized representative of at least three of the five COPERMITTEES. The term of this Agreement shall extend for up to eighteen (18) months beyond the period of time in which the term of the NPDES Permit remains in valid force and effect, unless terminated prior to that date by agreement by all the Parties or withdrawal of all of the Parties in accordance with the terms of this Agreement.

5. Additional Parties. Any City which incorporates after the date of issuance of the NPDES Permit and/or after the commencement of this Agreement ("Prospective City") may file a written request with DISTRICT asking to be added as a Party. Upon receipt of such a request, DISTRICT shall solicit the approval or denial of the Parties. If a majority of the Parties, each having one, co-equal vote, approves the addition of the Prospective City, this Agreement shall be amended to reflect the addition, and the Prospective City shall thereafter become a Party under this Agreement. Upon execution of the Amended Agreement, the Prospective City shall be responsible for the shared costs discussed in Section 3 of this Agreement for the then-current budget year and any subsequent budget year.

6. Withdrawal from the Agreement. Any Party shall be eligible to withdraw from this Agreement after first giving 60 days written notice to the DISTRICT and the CRWQCB-SDR. The withdrawing Party shall agree in such notice to apply with the CRWQCB-SDR for a separate NPDES permit and to comply with all of the requirements established by

CRWQCB-SDR. In addition, withdrawal shall constitute forfeiture of all of the withdrawing Party's already-paid share of the costs allocated pursuant to Section 3. The withdrawing Party shall be responsible for any lawfully assessed penalties as a consequence of its withdrawal. In addition, the withdrawing Party shall remain liable as an Indemnitor Party after the effective date of its withdrawal as described in Section 7 below. The cost allocations to the remaining Parties shall be recalculated in the following budget year.

7. Mutual Indemnification. Each Party (hereafter "Indemnitor Party") shall indemnify, defend and hold harmless any other Party, together with that Party's employees, officers, managers, governing board members, counsel, representatives and agents (collectively "Indemnitee Parties"), from and against any and all damages, liabilities, losses, demands, lawsuits, orders, actions, causes of action, penalties, judgments, claims, costs and expenses (including reasonable attorneys' fees, including through all appeals) arising from or related to any violation of the NPDES Permit or this Agreement (collectively "Losses") to the extent caused by (i) by the acts or omissions of the Indemnitor Party and its employees, agents and representatives, (ii) discharges from the Indemnitor Party's jurisdictional area or facilities, and/or (iii) discharges from any MS4 owned or operated by the Indemnitor Party. The obligations of the Indemnitor Party set forth in this Section 7 are non-exclusive and are in addition to, and do not replace or modify, any other rights of action, whether at law or in equity, that any Party may have against another Party. Nothing in this Agreement shall limit the ability of any Party to seek any relief, legal or equitable, against any non-Party. The obligations set forth in this Section 7 shall survive the termination of this Agreement as to all such acts, omissions or discharges as described in subparts (i) through (iii) hereinabove that occurred, or are alleged to have occurred, while a Party during the term of the Agreement up until such time that it is terminated.

8. Amendments to the Agreement. Except as provided in Section 5, this Agreement may only be amended by consent of all Parties. No amendment to this Agreement shall be effective unless it is in writing and signed by the duly authorized representatives of all Parties.

9. Authorized Signatories. The General Manager-Chief Engineer of DISTRICT, the Chief Executive Officer of COUNTY and the City Managers of CITIES (or their designees) shall be authorized to execute all documents and take all other procedural steps necessary to file for and obtain an NPDES permit(s) or amendments thereto.

10. Notices. All notices shall be deemed duly given when delivered by hand; or three (3) days after deposit in the U.S. Mail, postage prepaid. Notice to the Parties shall be sent to the publically advertised mailing address for the Party.

11. Governing Law and Severability. This Agreement shall be governed and construed in accordance with the laws of the State of California. If any provision or provisions of this Agreement shall be determined to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired hereby.

12. Consent to Waiver and Breach. No term or provision hereof shall be deemed waived and no breach excused, unless the waiver or breach is consented to in writing, and signed by the Party or Parties affected. Consent by any Party to a waiver or breach by other Party shall not constitute consent to any different or subsequent waiver or breach.

13. Entire Agreement. This Agreement and the exhibits attached hereto constitute the entire agreement between the Parties with respect to the subject matter therein; all prior agreements, representations, statements, negotiations and undertakings are superseded hereby.

14. Execution in Counterparts. This Agreement may be executed and delivered in any number of counterparts or copies (counterparts) by the Parties. As each Party has signed and delivered at least one counterpart to the other Parties, each counterpart shall be deemed an original and, taken together, shall constitute one and the same Agreement, which shall be binding and effective as to the Parties.

15. Non-Waiver of Objections. The entry into, and the performance of this Agreement by the Parties shall not constitute, nor be construed as, any waiver of the COPERMITTEES' objection to any provisions of the NPDES Permit including, without

limitation, any provisions identified in the Petition for Review filed by the COPERMITTEES with the SWRCB, or that provisions of the NPDES Permit constitute an unfunded State mandate without subvention of State funds.

///

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the dates set forth below.

RECOMMENDED FOR APPROVAL:

**RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

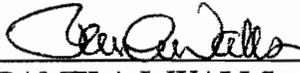
By \_\_\_\_\_  
WARREN D. WILLIAMS  
General Manager-Chief Engineer

By \_\_\_\_\_  
MARION ASHLEY, Chairman  
Riverside County Flood Control and Water Conservation District Board of Supervisors

Dated: \_\_\_\_\_

APPROVED AS TO FORM:

ATTEST:

By   
PAMELA J. WALLS  
County Counsel

KECIA HARPER-IHEM  
Clerk to the Board

By \_\_\_\_\_  
Deputy

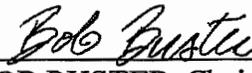
Dated: \_\_\_\_\_

(SEAL)

RECOMMENDED FOR APPROVAL:

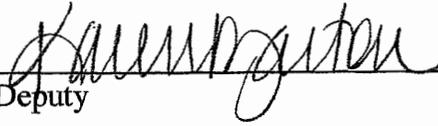
**COUNTY OF RIVERSIDE**

Dated: \_\_\_\_\_

By   
BOB BUSTER, Chairman  
Riverside County Board of Supervisors

ATTEST:

KECIA HARPER-IHEM  
Clerk to the Board

By   
Deputy

(SEAL)

WHEN DOCUMENT IS FULLY EXECUTED RETURN  
CLERK'S COPY  
to Riverside County Clerk of the Board, Stop 1010  
Post Office Box 1147, Riverside, Ca 92502-1147  
Thank you.

JU:AMM:cw  
11/03/11

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed  
as of the dates set forth below.

RECOMMENDED FOR APPROVAL:  
By [Signature]  
WARREN D. WILLIAMS  
General Manager-Chief Engineer

**RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT**  
By [Signature]  
MARION ASHLEY, Chairman  
Riverside County Flood Control and Water  
Conservation District Board of Supervisors

Dated: 11/22/11

APPROVED AS TO FORM:  
PAMELA J. WALLS  
County Counsel  
By [Signature]  
KARIN WATTS-BAZAN  
Principal Deputy County Counsel

ATTEST:  
KECIA HARPER-IHEM  
Clerk to the Board  
By [Signature]  
Deputy

Dated: November 21, 2011

(SEAL)

RECOMMENDED FOR APPROVAL:  
By \_\_\_\_\_  
LARRY PARRISH  
Interim County Executive Officer

**COUNTY OF RIVERSIDE**  
By \_\_\_\_\_  
BOB BUSTER, Chairman  
Riverside County Board of Supervisors

Dated: \_\_\_\_\_

ATTEST:  
KECIA HARPER-IHEM  
Clerk to the Board  
By \_\_\_\_\_  
Deputy

(SEAL)

JU:AMM:cw  
11/03/11

DEC 06 2011 11.1

APPROVED AS TO FORM:

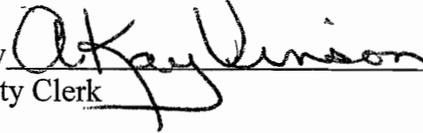
CITY OF MURRIETA

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By   
 City Attorney

By   
 Mayor

ATTEST:

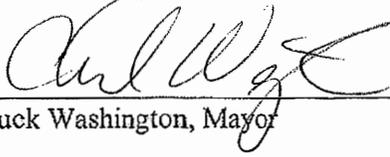
By   
 City Clerk

Dated: January 17, 2012

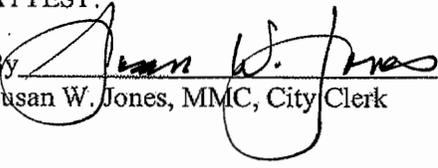
APPROVED AS TO FORM:

CITY OF TEMECULA

By   
Peter M. Thorson, City Attorney

By   
Chuck Washington, Mayor

ATTEST:

By   
Susan W. Jones, MMC, City Clerk

Dated: 1/10/12



APPROVED AS TO FORM:

CITY OF WILDOMAR

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By *Tom Serf*  
City Attorney  
ASSISTANT

By *[Signature]*  
Mayor

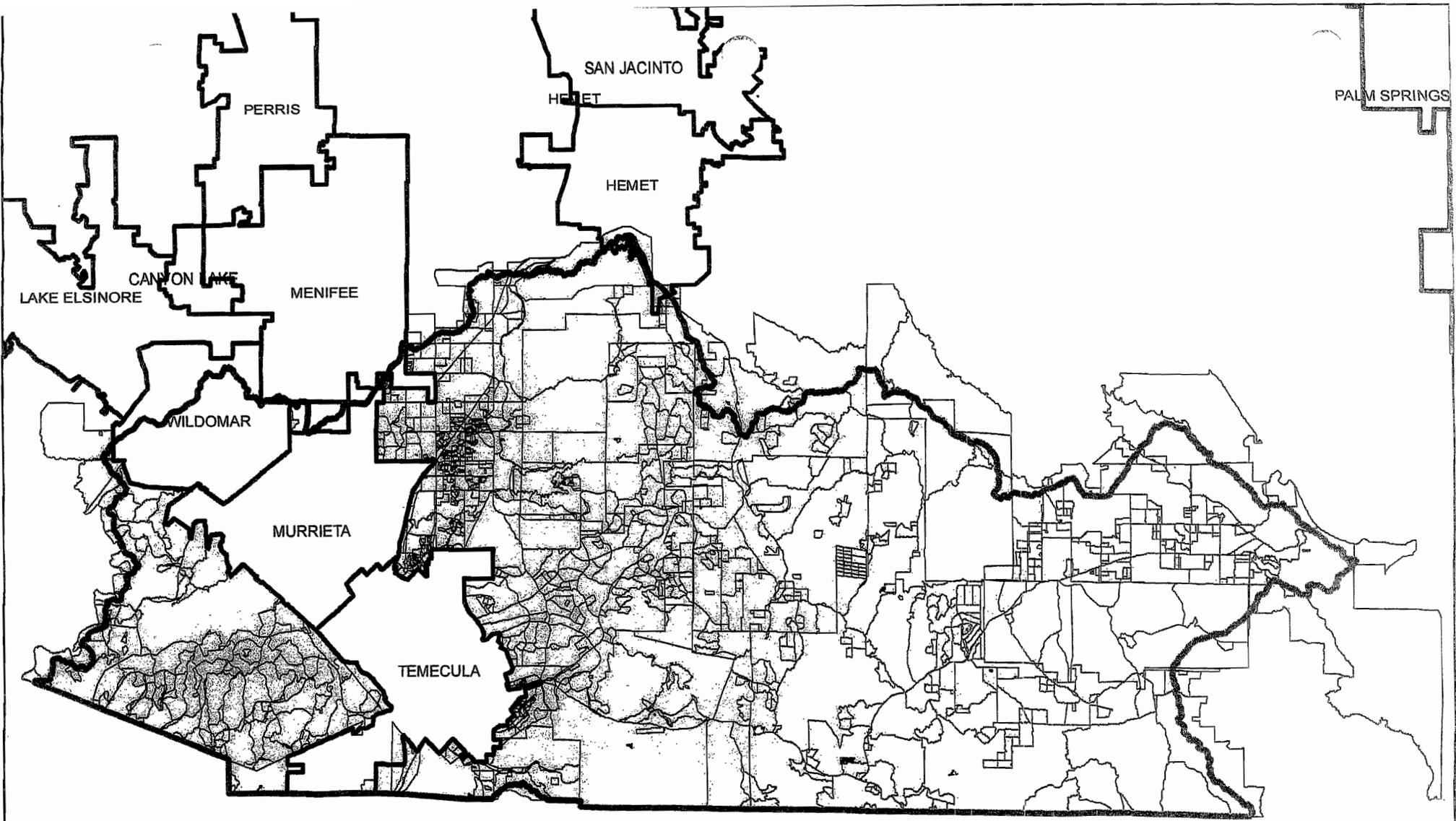
ATTEST:

By *Alvin A. Lee*  
City Clerk

Dated: *01-19-12*

**2011-2012 NPDES Cooperative Agreement Cost Sharing Estimates**  
**Approximate Numbers for Budgeting Consideration**

<b>Municipality</b>	<b>Population</b>	<b>SMR</b>
<b>Riverside County</b>	<b>42,621</b>	<b>\$288,052</b>
<b>Murrieta</b>	<b>101,487</b>	<b>\$527,612</b>
<b>Temecula</b>	<b>105,029</b>	<b>\$581,716</b>
<b>Wildomar</b>	<b>31,907</b>	<b>\$146,637</b>
<b>Total</b>	<b>281,044</b>	<b>\$1,543,017</b>



-  Santa Margarita River Watershed
-  Unincorporated Santa Margarita Population (2010) 42,621

California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016

County of Riverside

Name of Local Agency or School District

Larry Parrish

Claimant Contact

Interim Chief Executive Officer

Title

4080 Lemon Street, Suite 400

Street Address

Riverside, CA 95201

City, State, Zip

951-955-1110

Telephone Number

951-955-1105

Fax Number

ceo@rceo.org

E-Mail Address

Claimant designates the following person to act as its sole representative in this test claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

David W. Burhenn

Claimant Representative Name

Attorney

Title

Burhenn & Gest LLP

Organization

624 S. Grand Avenue, Suite 2200

Street Address

Los Angeles, CA 90017

City, State, Zip

213-629-8788

Telephone Number

213-688-7716

Fax Number

dburhenn@burhennigest.com

E-Mail Address

For CSM Use Only

Filing Date:

Test Claim #:

Please identify all code sections, statutes, bill numbers, regulations, and/or executive orders that impose the alleged mandate (e.g., Penal Code Section 2045, Statutes 2004, Chapter 54 [AB 290]). When alleging regulations or executive orders, please include the effective date of each one.

California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016 (adopted November 10, 2010)

Copies of all statutes and executive orders cited are attached.

Sections 5, 6, and 7 are attached as follows:

5. Written Narrative: pages \_\_\_\_ to \_\_\_\_.

6. Declarations: pages \_\_\_\_ to \_\_\_\_.

7. Documentation: pages \_\_\_\_ to \_\_\_\_.

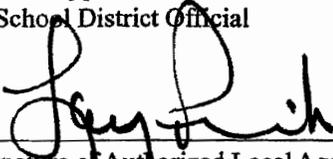
**8. CLAIM CERTIFICATION**

*Read, sign, and date this section and insert at the end of the test claim submission.\**

This test claim alleges the existence of a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim submission is true and complete to the best of my own knowledge or information or belief.

**Larry Parrish**

Print or Type Name of Authorized Local Agency  
or School District Official



Signature of Authorized Local Agency or  
School District Official

**Interim Chief Executive Officer**

Print or Type Title

**November 7, 2011**

Date

*\* If the declarant for this Claim Certification is different from the Claimant contact identified in section 2 of the test claim form, please provide the declarant's address, telephone number, fax number, and e-mail address below.*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURRIETA,  
CALIFORNIA, AMENDING CHAPTER 8.36 OF THE MURRIETA MUNICIPAL CODE  
TO ENACT CHANGES TO THE CITY'S REGULATIONS OF DISCHARGES TO ITS  
STORM DRAIN SYSTEM MANDATED BY ORDER R9-2010-0016 OF THE  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO  
REGION

WHEREAS, the federal Clean Water Act ("CWA") was amended in 1987 to address stormwater runoff from municipal and industrial dischargers. One requirement of the amendment was that many municipalities throughout the United States were obligated to obtain National Pollutant Discharge Elimination System ("NPDES") permits for discharges of stormwater runoff; and

WHEREAS, In response to the CWA, the San Diego Regional Board (Regional Board) issued a municipal stormwater first term permit, Order No. 90-46, in July 1990 that applied to the City's municipal separate storm sewer system ("MS4") discharges; and

WHEREAS, the City previously adopted ordinances, codified at chapter 8.36 of the City's Municipal Code, to enact requirements for the enforcement of three previous NPDES permits issued by the Regional Board that were applicable to the City; and

WHEREAS, on November 10, 2010, the Regional Board adopted the fourth term permit, Order R9-2010-0016 regulating discharges from the MS4's draining the County of Riverside, the Cities of Murrieta, Temecula, Wildomar, and the Riverside County Flood Control and Water Conservation District within the San Diego Region ("NPDES Permit"); and

WHEREAS, the NPDES Permit mandates that the City update its laws to ensure to implement and enforce each of the NPDES permit requirements; and

WHEREAS, substantial changes to the current regulations codified at chapter 8.36 are required to reflect all of the requirements of the NPDES Permit,

NOW, THEREFORE, the City Council of Murrieta, California does amend chapter 8.36 of its Municipal Code and does ordain as follows:

SECTION 1.            AMENDMENTS TO CHAPTER 8.36.

Current chapter 8.36 of the Murrieta Municipal Code is hereby deleted in its entirety and hereby amended to read as follows:

## **Article 1. General Provisions**

### **8.36.100 Title.**

This chapter shall be known as the "City of Murrieta Stormwater and Runoff Management and Discharge Controls Ordinance" and may be so cited.

### **8.36.110 Purpose and intent.**

The Purpose of this chapter is to implement the Federal Water Pollution Control Act (the "Clean Water Act" or "CWA"), 33 U.S.C. Sections 1251—1387, and the California Water Code by prohibiting the discharge of any pollutant to navigable waters of the United States from a point source unless the discharge is authorized by a permit issued pursuant to the National Pollutant Discharge Elimination System ("NPDES") required by CWA Section 402, 33 U.S.C. Section 1342, and prohibits non-stormwater discharges into the municipal separate storm sewer system ("MS4").

### **8.36.120 Administration.**

The chapter shall be administered for the City of Murrieta by the city engineer or his or her designee.

### **8.36.130 Definitions.**

A. The terms as used in this chapter or in any resolution or standard adopted by the city council pursuant to this chapter, shall have the following meanings:

"Authorized inspector" shall mean the city engineer and all persons designated by him or her and under his or her instruction and supervision, who are assigned to investigate compliance with, detect violations of, and/or take actions pursuant to this chapter.

"Best Management Practices" or "BMPs" shall mean, as defined in 40 C.F.R. 122.2, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include site design, source control, treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

"City engineer" shall mean the director of public works/city engineer of the City of Murrieta or his or her designee.

"Co-NPDES permittee" shall mean the County of Riverside, the Riverside County Flood Control and Water Conservation District and the City of Temecula, City of Wildomar and City of Murrieta which are responsible for compliance with the terms of the NPDES permit.

"CWA" shall mean the Clean Water Act.

"Discharge" shall mean any release, spill, leak, flow, escape, leaching (including subsurface migration or deposition to groundwater), dumping or disposal of any liquid, semi-solid or solid substance.

"Discharge exception" shall mean those activities not restricted or prohibited by this chapter or exempted in the NPDES permit or a subsequent NPDES permit.

"Discharger" shall mean any person, any property owner, or any occupant of any unit, building, premises or lot within the city, who either discharges or causes to discharge any of the substances listed under "discharge," above, either directly or indirectly into the city's storm drain system.

"Existing Development and Operations," shall mean existing fixed or mobile industrial and commercial business facilities and non-commercial facilities that are not residential in nature (such as not-for-profit entities,) facilities in the City operated by other governmental entities, common interest areas, homeowners' associations, and property management organizations.

"Illicit connection" shall mean any physical connection to the storm drain system that conveys an illicit discharge.

"Illegal discharge" shall mean any discharge to the storm drain system that is not composed entirely of stormwater runoff except discharges made pursuant to a NPDES permit and discharges resulting from fire fighting activities (40 C.F.R. 122.26(b)(2)).

"Invoice for costs" shall mean the actual costs and expenses of the city, including but not limited to administrative overhead, salaries and other expenses recoverable under California law, incurred during any inspection conducted pursuant to this chapter or where a notice of noncompliance, administrative compliance order or other enforcement option under this chapter is utilized to ensure compliance with this chapter or the NPDES permit.

"JRMP" or "jurisdictional runoff management plan" shall mean a written description of the specific jurisdictional runoff management measures and programs that the city will implement to comply with the NPDES permit and to ensure that stormwater pollutant discharges in runoff are reduced to the MEP and do not cause or contribute to a violation of water quality standards.

"Maximum extent practicable" ("MEP") shall mean the technology-based standard established by Congress in CWA section 402(p)(3)(B)(iii) for stormwater that operators of MS4s must meet as contained within the most-current NPDES permit. Technology-based standards establish the level of pollutant reductions that dischargers must achieve, typically by treatment or by a combination of source control and treatment

control BMPs. MEP generally emphasizes pollution prevention and source control BMPs primarily (as the first line of defense) in combination with treatment methods serving as a backup (additional line of defense). MEP considers economics and is generally, but not necessarily, less stringent than best available technology economically achievable. A definition for MEP is not provided either in the statute or in the regulations. Instead the definition of MEP is dynamic and will be defined by the following process over time: municipalities propose their definition of MEP by way of their runoff management programs. Their total collective and individual activities conducted pursuant to the runoff management programs becomes their proposal for MEP as it applies both to their overall effort, as well as to specific activities (e.g., MEP for street sweeping, or MEP for MS4 maintenance). In the absence of a proposal acceptable to the Regional Board, the Regional Board defines MEP.

“Modifications to existing development” shall mean the creation or addition of impervious surfaces or the making of improvements to an existing structure on an already developed site; replacement of impervious surfaces that are not part of a routine maintenance activity; and land-disturbing activities related to structural or impervious surfaces. Modifications to existing development does not include trenching and resurfacing associated with utility work; resurfacing existing roadways; new sidewalk construction, pedestrian ramps, or bikelane on existing roads; and routine replacement of damaged pavement, such as pothole repair. This definition is consistent with the term “redevelopment” as referenced in the NPDES permit.

“New development” shall mean all public and private residential (whether single-family, multi-unit or planned unit development), industrial, commercial, retail, and other non-residential construction projects, or grading for future construction, for which a land use approval, grading permit, building permit or nonresidential plumbing permit is required.

“Non-Stormwater” shall mean all discharges to and from a MS4 that do not originate from precipitation events (i.e., all discharges from a MS4 other than Stormwater). Non-Stormwater includes illicit discharges, non-prohibited discharges, and NPDES permitted discharges.

“NPDES” or “National Pollution Discharge Elimination System” shall mean the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing NPDES permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the CWA.

“NPDES permit” shall mean any NPDES permit setting waste discharge requirements for discharges from the MS4s draining the County of Riverside, the incorporated cities of Riverside County, and the Riverside County Flood Control and Water Conservation District within the San Diego Region and which also includes the City of Murrieta.

"Owner or operator" shall mean the owner or operator of any facility or activity subject to regulation under the NPDES permit.

"Permittee" shall mean any person, property owner, contractor, or authorized agent to whom a NPDES permit is issued pursuant to this chapter.

"Person" shall mean an individual, association, partnership, corporation, municipality, state or federal agency, or any agent or employee thereof (40 C.F.R. 122.2).

"Pollutant" shall mean anything that causes the deterioration of water quality such that it impairs subsequent and/or competing uses of the water. Pollutants may include but are not limited to paints, oil and other automotive fluids, soil, rubbish, trash, garbage, debris, refuse, waste, fecal coliform, fecal streptococcus, enterococcus, heavy metals, hazardous waste, chemicals, fresh concrete, yard waste from commercial landscaping operations, animal waste, materials that result from the process of constructing a building or structure, nauseous or offensive matter of any kind.

"Prohibited discharge" shall mean any discharge which contains any pollutant, from public or private property to: (i) the storm drain system; (ii) any upstream flow, which is tributary to the storm drain system; (iii) any groundwater, river, stream, creek, wash or dry weather arroyo, wetlands area, or marsh; or (iv) which is otherwise prohibited by the NPDES permit. The term "prohibited discharge" shall not include discharges allowable under the discharge exception.

"Receiving waters" shall mean the waters of the United States. This applies to natural drainage channels, active or not, including all tributaries leading to streams, creeks, rivers, and other water bodies.

"Regional board" or "SDRWQCB" shall mean the San Diego Regional Water Quality Control Board which has jurisdiction over the city.

"Runoff" shall mean all flows in a stormwater conveyance system, including the city's storm drain system, that consists of the following components: (1) stormwater (wet weather flows) and (2) non-stormwater including dry weather flows.

"Site" shall mean the real property on which activities subject to this chapter may occur.

"State Board" or "SWRCB" shall mean the State Water Resources Control Board.

"State general NPDES permit" shall mean either the State General Industrial Stormwater NPDES permit or the State General Construction NPDES permit, as the same may be amended from time to time, and the terms and requirements of either or both NPDES permits. In the event the Environmental Protection Agency (EPA) revokes the in-lieu NPDES permitting authority of the state board, then the term state general

NPDES permit shall also refer to any EPA-administered stormwater control program for industrial activities, construction activities, or any other type of activity that is subsequently regulated through a state general NPDES permit.

“Storm drain system” or “MS4” (municipal separate storm sewer system) shall mean any facility within the city limits by which stormwater may be conveyed to waters of the United States. “Storm drain system” includes but is not limited to any roads with drainage systems, streets, gutters, catch basins, natural and artificial channels, ditches, aqueducts, storm drains, inlets, conduit, lined diversion structures, streams, creeks, or other drainage structures within the city limits, which is a part of or tributary to the county-wide stormwater runoff system and owned, operated, maintained or controlled by the City, the County of Riverside, the Riverside County Water Conservation and Flood Control District or any co-NPDES permittee, and used for the purpose of collecting, storing, transporting, or disposing of stormwater.

“Stormwater” shall mean stormwater runoff, snowmelt runoff and surface runoff and drainage. Surface runoff and drainage pertains to runoff and drainage resulting from precipitation events.

“WQMP” means a water quality management plan and is also known as the standard stormwater mitigation plan (“SSMP”); it shall be prepared by a professional civil engineer licensed in the State of California

B. To the extent any defined term in this chapter conflicts with the meaning of the same term in the NPDES permit, the definition provided by the NPDES permit shall govern.

C. This chapter is to be construed and interpreted to be consistent with the NPDES permit. The NPDES permit shall be used to further construe any term or requirement contained in this chapter.

#### **8.36.140 Jurisdictional runoff management program.**

The city engineer shall adopt a specific jurisdictional runoff management program (“JRMP”) to comply with the NPDES permit and ensure that stormwater pollutant discharges in runoff are reduced to the MEP and do not cause or contribute to a violation of water quality standards. The city engineer shall have the authority to change, update or revise the JRMP as necessary in order to implement the provisions of this chapter and the NPDES permit and all revisions thereto arising from time to time.

#### **8.36.150 Regulatory consistency.**

This chapter shall be construed to assure consistency with the requirements of the Clean Water Act and any amendments thereof, and all applicable implementing regulations, and any existing or future NPDES permit and any amendments or revisions thereto or re-issuance thereof. If there is any conflict between the NPDES permit and

this chapter or between the NPDES permit and any city policy adopted pursuant to the chapter, the NPDES permit shall apply.

**8.36.160 Compliance disclaimer.**

Full compliance by any person or entity with the provisions of this chapter shall not preclude the need to comply with other local, state or federal statutory or regulatory requirements, which may be required for the control of the discharge of pollutants into Runoff and/or the protection of stormwater and non-stormwater runoff quality.

**8.36.170 City cooperation.**

The city intends to cooperate with other agencies with jurisdiction over regulated discharges to its MS4 to ensure that the regulatory purposes underlying the NPDES permit promulgated pursuant to the Clean Water Act (33 U.S.C. 1251 et. seq.) are met.

**8.36.180 Contracting for services.**

The city may, to the extent authorized by law, elect to contract for the services of any public agency or private enterprise to carry out the planning approvals, inspections, permits and enforcement authorized by this chapter.

**Article 2. Prohibited Discharges and Illicit Connections**

**8.36.200 Prohibited discharges.**

All discharges to the city's MS4 prohibited pursuant to the NPDES permit are prohibited.

**8.36.210 Prohibited illicit connections.**

Any connection to the city's MS4 deemed to be an "illicit connection" pursuant to the NPDES permit is prohibited. The prohibition against illicit connections shall apply regardless of whether the connection was established prior to the date on which this chapter was enacted.

**Article 3. Control of Discharges and Runoff**

**8.36.300 New development projects and modifications to existing development.**

A. General Requirements. New development or modifications to existing development shall be designed to control discharges and pollutants in runoff pursuant to the requirements of the NPDES permit. The city engineer shall approve the WQMP and BMPs that may be implemented to achieve compliance with the NPDES permit and shall approve the manner of implementation.

B. Construction Discharge and Runoff Compliance. All individual grading and building project permits shall conform to the State General Construction NPDES permit requirements and implement measures, including adherence to their stormwater pollution prevention plan, to ensure that all pollutants from the site will be either eliminated or reduced to the maximum extent practicable, and will not cause or contribute to an exceedance of water quality objectives as described in the San Diego Regional Water Quality Control Board Basin Plan. All grading and building activities will be in compliance with the Grading, Erosion and Sediment Control Ordinance at chapter 15.52 of this Code; the Grading Manual; other applicable ordinances; federal, state, and local permits; and other applicable requirements.

**8.36.310 Permit requirements for all construction and for industrial/commercial activities.**

A. State-issued Permits. Each person associated with any individual NPDES permit (whether or not the NPDES permit) or State general construction NPDES permit shall comply with all the requirements of such permits. Each person identified in these permits shall comply with and undertake all activities required by such permits. The city engineer may require any person to which such a permit has been issued to provide proof of compliance, in a form acceptable to the city engineer or his or her designated representative, prior to the issuance of any grading, building or occupancy permit, or any other type of permit or license issued by the city.

B. City-issued Permits. An application for any of the following permits or approvals shall demonstrate how the requirements of this chapter will be met, and the permit or approval shall not be issued unless the city engineer determines that the application complies with the requirements of this chapter:

1. Commercial development plan
2. Residential development plan
3. Industrial development plan
4. Grading plan
5. Building permit
6. Improvement plan
7. Conditional use permit
8. Temporary use permit
9. Tentative map modifications
10. Map modifications

C. Permit Suspensions or Revocations. The city engineer may suspend or revoke any permit issued by the city when it is determined that:

1. The permittee has violated any term, condition, or requirement of the permit or any applicable provision of this chapter;

2. The circumstances have changed so that it is no longer appropriate to accept the discharge;

3. The permittee fails to comply with any schedule for compliance issued pursuant to this chapter; or

4. Any regulatory agency, including the EPA, the State Board or a regional water quality control board having jurisdiction over the discharge, notifies the city that the discharge should be terminated.

D. Permit Modifications. The city engineer may modify any permit when it is determined that:

1. Federal or state law requirements have changed in a manner that necessitates a change in the permit;

2. The permittee's discharge or the circumstances under which the discharge occurs have changed; or

3. A change to the permit is necessary to ensure compliance with the objectives of this chapter or to protect the quality of receiving waters.

E. Compliance with the terms, conditions and requirements of a permit issued by the city shall not relieve the permittee from compliance with all federal, state and local laws, regulations, the NPDES permit and local permit requirements, applicable to the activity for which the permit is issued.

#### **8.36.320 Water quality management plan.**

A. All new development or modifications to existing development projects that meet the specified categories listed in the NPDES permit shall prepare a preliminary WQMP. The permittee shall submit the preliminary WQMP during the planning application submittal process and a final WQMP during final engineering.

B. The city engineer or his or her designated representative shall review all required WQMPs and impose terms, conditions and requirements on the projects in accordance with this chapter prior to the city's issuance of permits (grading and building), discretionary land use approvals or recordation of maps. The city engineer shall approve all final WQMPs and evidence of this approval shall be submitted prior to the issuance of permits, discretionary land use approvals or recordation of maps.

C. The city engineer shall require that the WQMP, or components within the WQMP, be recorded with the county recorder's office. The signature of the property owner, or successor in interest, shall be sufficient for the recording of the plan or any revised plan. A signature on behalf of the city shall not be required for recordation.

D. New development projects or a modification to existing development which do not require a WQMP, will be required to implement minimum BMPs designated by the city according to conditions and requirements established by the city engineer which must be consistent with the NPDES permit.

E. A WQMP shall be required if the city engineer determines one is required by the NPDES permit.

F. Contents of a WQMP shall comply with the Riverside County WQMP Guidance and Template for the Santa Margarita Region. The BMPs identified in the WQMP shall include site design, source controls and treatment controls consistent with the NPDES permit.

G. The costs and expenses of the city incurred in the review, approval, or revision of any water quality management plan are assessed to the property owner or responsible party and are due and payable to the city. The city engineer or his or her designee may elect to require a deposit of estimated costs and expenses, and the actual costs and expenses shall be deducted from the deposit, and the balance, if any, refunded to the property owner or responsible party.

### **8.36.330 Expiration of, adherence to and continuation of WQMPs.**

#### **A. Expiration of final WQMPs.**

1. Approved plans for a WQMP shall expire 12 months following the date of approval unless project construction has begun and may be returned to the applicant or may be destroyed by the city engineer without additional notice to the applicant.

2. The city engineer may extend the time for action by the applicant upon an approved plan for a WQMP for a period not exceeding twelve months upon written request by the applicant showing that circumstances beyond the reasonable control of the applicant have prevented action from being taken.

3. If a final WQMP issued pursuant to this chapter has expired without first being extended by the city engineer, in order to renew the WQMP, the applicant shall resubmit the plans and pay the most current plan review fee.

#### **B. Adherence to WQMP Requirements.**

All new development and modifications to existing development projects shall adhere to the terms, conditions and requirements of the approved final WQMP.

C. Continuation of Terms, Conditions and Requirements for New Development and Modifications to Existing Development Projects. All terms, conditions and requirements which the city planning and public works departments have initially imposed pursuant to this chapter shall remain in effect upon the transfer of the property. Any owner of the property, or any successors, or assigns, shall be in violation of this chapter if they fail to implement and/or adhere to the terms, conditions and requirements imposed on the property pursuant to this chapter.

#### **8.36.340 Jurisdictional runoff management plan.**

All new development and modifications to existing development projects shall be undertaken and implemented in a manner that is consistent with the JRMP and NPDES permit. Any conditions and requirements established by the city's planning and public works departments which are related to the reduction or elimination of pollutants in runoff from the project site, shall be fulfilled by the permitted person.

### **Article 4. Existing Development and Litter Control**

#### **8.36.400 Existing development and operations.**

A. General Requirements. In a manner consistent with the NPDES permit, existing development and operations (whether fixed or mobile) shall prevent pollutants from entering runoff and shall control runoff so as to prevent any deterioration of water quality that would impair subsequent or competing uses of the water.

B. Existing Development and Operations. Each person in charge of day-to-day operations of an existing development and operations facility in the city shall implement minimum BMPs as necessary to comply with the NPDES permit. For those existing development and operations that are tributary to impaired water bodies and/or are directly adjacent to or discharging directly to receiving waters, BMPs shall include additional controls as required by the NPDES permit.

C. Common Interest Areas, Homeowners' Associations, Property Management Organizations and Mobil Home Parks. Each person who owns, operates, or is in charge of day-to-day activities of common interest areas on private property in the city shall ensure that runoff from within common interest areas, including private roads, drainage facilities, and other components of the stormwater conveyance system, meets the objectives of the NPDES permit and this chapter.

#### **8.36.410 Litter control.**

A. No person shall dump, dispose, or stockpile any waste material, including but not limited to common household rubbish or garbage of any kind (whether generated or accumulated at a residence, business or other location), upon any public or private property, whether occupied, open or vacant, including but not limited to, any street, sidewalk, alley, right-of-way, open area or point of entry to the storm drain system, except in trash containers with closed lids, or at a lawfully established waste disposal facility.

B. Any person who owns or occupies a property on which a prohibited disposal of waste materials occurs shall ensure that all such waste materials are properly collected and disposed of within a reasonable period of time.

C. Any person who either owns or occupies property and who fails to comply with the requirements of this chapter may be charged with creating a nuisance upon the property.

## **Article 5. Inspections and Enforcement**

### **8.36.500 Inspections.**

A. Right to Inspect. Prior to commencing any regular monitoring inspection as herein below authorized, the authorized inspector shall obtain either the consent of the owner or occupant of the private property or shall obtain an administrative inspection warrant or criminal search warrant.

B. Entry to Inspect. The authorized inspector may enter private property to investigate the source of any discharge to any public street, inlet, gutter, storm drain, or the storm drain system located within the jurisdiction of the city.

C. Exigent Conditions. If the city engineer has reasonable cause to believe that non-storwater runoff is actively discharging from the property onto any public street, inlet, gutter, or any other storm drain system, the city engineer shall have the right to immediately enter and inspect said property, regardless of whether said property is occupied or unoccupied, and regardless of whether formal permission to inspect said property has been obtained in order to protect the public health, safety and welfare from imminent harm.

D. Compliance Assessments. The authorized inspector may inspect private property for the purpose of verifying compliance with this chapter, including but not limited to (1) identifying products produced, processes conducted, chemicals used, and materials stored on or contained within the property; (2) identifying point(s) of discharge of all wastewater, process water systems, pollutants and prohibited runoff; (3) investigating the natural slope at the location, including drainage patterns and manmade conveyance systems; (4) establishing the location of all points of discharge from the private property, whether by surface runoff or through a storm drain system; (5) locating any illicit connection or the source of prohibited discharge; (6) evaluating compliance with any BMP or WQMP; (7) evaluating compliance with any permit issued pursuant to this chapter; and (8) investigating the condition of any legal nonconforming connection.

E. New BMPs. When a BMP is installed on private property as part of a project that requires a city permit or business license, in order to comply with this chapter, the property owner, occupant or operator shall provide the city access for inspection of BMPs to ensure that the BMP is working properly. This includes the right to enter the property without prior notice, as needed, when the city has a reasonable basis to believe that the BMP is not working properly, to enter for any follow-up

inspections, or to enter when necessary for abatement of a nuisance or correction of a violation of this chapter.

F. **Portable Equipment.** For purposes of verifying compliance with this chapter, the authorized inspector may inspect any vehicle, truck, trailer, tank truck or other mobile equipment.

G. **Records Review.** The authorized inspector may inspect all records of the owner or occupant of private property relating to chemicals or processes presently or previously occurring on site, including material and/or chemical inventories, facilities maps, or schematics and diagrams, material safety data sheets, hazardous waste manifests, business plans, pollution prevention plans, state general permits, stormwater pollution prevention plans, monitoring program plans, and any other record(s) relating to illicit connections, prohibited discharges, a legal nonconforming connection, operations or maintenance records related to compliance with a final WQMP or any other source of contribution or potential contribution of pollutants to the storm drain system.

H. **Sample and Test.** The authorized inspector may inspect, sample, and test any area runoff, soils area (including groundwater testing), process discharge, materials within any waste storage area (including any container contents), and/or treatment system discharge for the purpose of determining the potential for contribution of pollutants to the storm drain system. The authorized inspector may investigate the integrity of all storm drain and sanitary sewer systems, any legal nonconforming connection, or other pipelines on the property using appropriate tests, including but not limited to smoke and dye tests or video surveys. The authorized inspector may take photographs or video tape, make measurements or drawings, and create any other record reasonably necessary to document conditions on the property.

I. **Monitoring.** The authorized inspector may erect and maintain monitoring devices for the purpose of measuring any discharge or potential source of discharge to the storm drain system.

J. **Test Results.** Upon submission of a written request by the owner or occupant of the property subject to inspection, the city engineer shall provide copies of all monitoring and test results conducted at the owner or occupant's property.

K. **Cost Recovery.** When any city inspection, monitoring, laboratory testing or other action undertaken to enforce the provisions of this chapter or the NPDES permit or to comply with the requirements of the same, the city engineer shall collect a fee from the inspected or monitored person in an amount not greater than the costs to the city of the inspection and monitoring in an amount to be established by the city council for the recovery of such costs generally.

#### **8.36.510 Violation.**

It shall be unlawful for any person to conduct any work or business, or cause the same to be done, contrary to or in violation of any of the provisions of this chapter, the NPDES permit, state or federal laws.

**8.36.520 Liability.**

A. Liability for any prohibited discharge or runoff or illicit connection prohibited by this chapter or the NPDES permit shall be the responsibility of the person(s) causing or responsible for the discharge, and such persons shall defend, indemnify and hold harmless the city in any administrative or judicial enforcement action relating to such discharge.

B. A civil or administrative violation of this chapter shall occur, regardless of a person's negligence or their intent to construct, maintain, operate or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge into the city's MS4.

**8.36.530 City-issued permits, enforcement.**

A. Construction and Occupancy Permits.

1. The issuance of a grading or building permit, performance of permit inspections, or issuance of a certificate of occupancy may be withheld, revoked or suspended on property on which a violation of the provisions of this chapter exist, including work not performed in accordance with the approved plans, until such violation(s) has been corrected to the satisfaction of the city engineer.

2. Any permit applicant or holder may appeal a determination of the city engineer made pursuant to this subsection pursuant to procedures for appeal established elsewhere in this Code applicable to the specific permit(s) at issue. A permittee may request a temporary variance to continue to discharge pending issuance of a final decision through the appeal process.

B. Business Licenses. Violations of this chapter may be grounds for the suspension or revocation of a city business license in accordance with chapter 5.04 of this Code.

**8.36.540 Violation a nuisance.**

Any condition in violation of the prohibitions of this chapter, including but not limited to the maintenance or use of any illicit connection or the occurrence of any prohibited discharge, shall constitute a threat to the public health, safety, and welfare, and is declared and deemed a nuisance pursuant to Government Code section 38771.

**8.36.550 Enforcement of violations.**

A. Violations. Violations of the provisions of this chapter shall be prosecuted pursuant to any or all of the following provisions of this code:

1. Chapter 1.26, administrative citations. The city's authorized inspector shall be deemed an enforcement officer as that term is defined at Code section 1.26.020 for the purpose of enforcing any provision of this chapter or the

NPDES permit and he or she may also utilize any of the administrative citation procedures set forth at chapter 1.26;

2. Chapter 1.32, general penalties;

3. Chapter 1.32, specifically, as a misdemeanor and any violation of this chapter or the NPDES permit shall constitute a misdemeanor; or

4. Chapter 8.20, for the summary abatement of nuisances.

B. Notwithstanding any notice provisions contained at chapters 1.26, 1.32 or 8.20, where the owner or occupant of any private property cannot be located after the reasonable efforts of the authorized inspector, any notice required to enforce any provision of this chapter shall be deemed delivered after posting on the property for a period of ten business days.

C. Emergency Abatement.

1. In the event that the city manager, city engineer or a designee of either determines that any violation of the provisions of this chapter or the NPDES permit constitutes an imminent danger to public safety or the environment, the city manager, or his or her designee, may enter the property from which the violation emanates and abate the condition as public nuisance, and restore any affected property prior to notice to or consent from the owner or occupant thereof and without judicial warrant by following the applicable procedures set forth at chapter 8.20 of this Code.

2. An imminent danger created by a violation of this chapter or the NPDES permit may be subject to an immediate order by the city engineer or his or her designee to immediately cease such conduct. The city attorney is authorized to immediately seek a court order to enforce an order of the city engineer issued pursuant to this sub-section, according to the procedures provided at chapter 1.32 of this code. The city shall be entitled to recover the costs incurred enforcing the city engineer's order including any reasonable and necessary legal fees.

3. An imminent danger includes, but is not limited to, exigent circumstances created by the dispersal of pollutants, where the same presents a significant and immediate threat to the public safety or the environment.

4. Notwithstanding the authority of the city to conduct an emergency abatement action or order immediate cessation of a violation of this chapter or NPDES permit, an administrative hearing and right to appeal pursuant to chapter 1.26 of this code will be available after an emergency abatement or order to immediately cease violation has occurred.

D. Recovery of Costs.

1. Administrative enforcement costs. The authorized inspector may deliver to the owner or occupant of any private property or any responsible party, or any

other person who becomes subject to a notice of noncompliance with this chapter or administrative order, an invoice for costs. An invoice for costs is delivered and is appealable in accordance with the notice provisions established by chapter 1.26 for notice of an administrative citation. An invoice for costs is immediately due and payable to the city for the actual costs incurred by the city in issuing and enforcing any notice or order.

2. Abatement costs. In addition to any right provided by chapter 8.20, in order to recover the costs incurred by the city to abate a violation of this chapter or the NPDES permit, the city is entitled to recover the city's abatement costs, including its reasonably-incurred attorneys fees, from the owner or occupant of any private property or any responsible party, or any other person who becomes subject to a city abatement. The city may recover such costs through any means authorized for cost recovery contained in this code, including chapter 1.32.

E. Nonexclusive Remedies. Each and every remedy available for the enforcement of this chapter shall be nonexclusive, and it is within the discretion of the authorized inspector or enforcing attorney to seek cumulative remedies, except that multiple monetary fines or penalties are not available for any single violation of this chapter. The remedies available to the city pursuant to the provisions of this chapter shall not limit the right of the city to seek any other remedy that may be available by law.

F. Procedures and Right of Appeal. The procedures and right to appeal any action to enforce this chapter or the NPDES permit shall be governed by the specific chapter of this code pursuant to which the city undertakes its enforcement action.

### **8.36.560 Administrative compliance order.**

A. Administrative Compliance Order. In addition to anything provided at chapter 1.26, the authorized inspector may issue an administrative compliance order which may be issued to any of the following:

1. Any owner or occupant of any private property requiring abatement of conditions on the property that cause or may cause a prohibited discharge or an illicit connection in violation of this chapter or the NPDES permit;

2. The owner of private property or a responsible party subject to the requirements of any WQMP to ensure implementation of and adherence to the terms, conditions and requirements of the plan; or

3. Any person responsible for an illicit connection or prohibited discharge pursuant to this chapter or the NPDES permit.

B. Contents. The administrative compliance order may include any terms and requirements necessary to remedy any violation of this chapter or the NPDES permit, including but not limited to,

1. Specific steps and time schedules for compliance as reasonably necessary to prevent threatened or future unauthorized discharges, including but not limited to the threat of a prohibited discharge from any pond, pit, well, surface impoundment, holding, or storage area;

2. Specific steps and time schedules for compliance as reasonably necessary to discontinue any illicit connection;

3. Specific requirements for containment, cleanup, removal, storage, installation of overhead covering, or proper disposal of any pollutant having the potential to contact stormwater runoff;

4. Any other terms or requirements reasonably calculated to achieve full compliance with the terms, conditions, and requirements of any WQMP; and

5. Any other terms or requirements reasonably calculated to prevent continued or threatened violations of this chapter, including, but not limited to, requirements for compliance with best management practices guidance documents promulgated by any federal, state, or regional agency.

C. Applicable Procedures. Notice, enforcement and appeal of an administrative compliance order pursuant to this chapter shall occur pursuant to the procedures established at chapter 1.26 of this Code for administrative citations, generally.

## SECTION 2. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

## SECTION 3. EFFECTIVE DATE.

This Ordinance shall take effect and be enforced thirty (30) days following its adoption.

## SECTION 4. NOTICE OF ADOPTION.

The City Clerk shall certify to the adoption of this Ordinance and shall publish a summary of this Ordinance and post a certified copy of the full Ordinance in the office of the City Clerk at least five (5) days prior to the adoption of the proposed Ordinance; and within fifteen (15) days after adoption of the Ordinance, the City Clerk shall publish a summary of the Ordinance with the names of the council members voting for and against the Ordinance.

ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk  
this \_\_\_ day of July, 2012.

PASSED, APPROVED AND ADOPTED this \_\_\_ day of July, 2012.

\_\_\_\_\_  
Douglas R. McAllister, Mayor

ATTEST:

\_\_\_\_\_  
A. Kay Vinson, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Leslie E. Devaney, City Attorney

I, A. Kay Vinson, City Clerk of the City of Murrieta, California, hereby certify under penalty of perjury that the foregoing Ordinance was duly and regularly introduced at a meeting of the City Council on the \_\_\_ day of June, 2012, and that thereafter the said Ordinance was duly and regularly adopted at a regular meeting of the City Council on the \_\_\_<sup>th</sup> day of July, 2012, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

City Clerk

David W. Gibson, Executive Officer  
California Regional Water Quality Control Board  
San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

Re: Legal Authority of the City of Murrieta to Implement and Enforce the Requirements of 40 CFR 122.26(d)(2)(i)(A-F) and RWQCB Order R9-2010-0016

Dear Mr. Gibson:

The City of Murrieta (the "City"), by and through its City Attorney, hereby submits the following certification, pursuant to Section E.2 of Order No. R9-2010-0016, [NPDES Permit No. CASO108766], issued by the California Regional Water Quality Control Board, San Diego Region ("RWQCB") on November 10, 2010 and entitled "Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the County of Riverside, the Incorporated Cities of Riverside County, and the Riverside County Flood Control and Water Conservation District within the San Diego Region." (the "Permit").

The City is one of the co-permittees under the Permit. Section E.2 of the Permit requires the City to provide the RWQCB with a statement by its legal counsel, certifying that the City has adequate legal authority to implement and enforce each of the current requirements set forth in 40 CFR 122.26(d)(2)(i)(A-F) and the Permit. The purpose of this letter is to comply with Section E.2 of the Permit. It is our opinion that the City has the necessary legal authority to implement, comply with and enforce the requirements of the Permit and 40 CFR 122.26(d)(2)(i)(A-F) to the extent permitted by State and Federal law and subject to the limitations on municipal action under the California and United States Constitutions.

#### 1. Citation of Runoff Related Ordinances

Presently, the City has in force Chapter 8.36 of its municipal code, entitled "City of Murrieta Stormwater and Urban Runoff Management and Discharge Controls Ordinance" regulating runoff in the City. At the date this letter is written, the chapter applies and enforces the standards of the previous NPDES permit.

On June 19, 2012, the City Council approved the first reading of a replacement for chapter 8.36 entitled, "City of Murrieta Stormwater and Runoff Management and Discharge Controls Ordinance" ("new chapter 8.36") which implements the requirements necessary to enforce the current Permit. Upon second reading, which will take place as soon as legally allowed pursuant to California law, it is anticipated that new chapter 8.36

will be adopted by the City Council. This letter describes the City's ordinances related to the Permit that will be in place when new chapter 8.36 is legally in force.

Additional provisions regarding runoff contained within the City's ordinances are found at: (1) Chapter 15.52, Grading, Erosion and Sediment Control; (2) chapter 15.54, Encroachment Permits Generally; and (3) chapter 16.108, Improvements, section 070, Erosion Control and Grading. These provisions are currently in force and do not require updating to mandate compliance with the current Permit.

2. Local administrative and legal enforcement procedures

The local administrative and legal procedures available to the City to mandate compliance with the City's runoff related ordinances in new chapter 8.36 are located at article 5, Inspections and Enforcement and also reference and incorporate enforcement provisions with the City's Municipal Code located at chapter 1.26, administrative citation; chapter 1.32, general penalties; and chapter 8.20, for summary abatement of nuisances. Enforcement actions may be completed either administratively or they may be commenced and completed in the judicial system as the City deems most appropriate for the control of runoff consistent with the Permit.

3. Runoff ordinance adoption procedure

City staff in coordination with the office of City Attorney draft and propose ordinances to the City related to runoff. They are presented to the City Council for consideration and adoption pursuant to the requirements of California law. After proper public notice and any required public participation, Counsel considers proposed runoff ordinances, makes any changes it deems appropriate, and then approves a first reading of an ordinance. California law requires a second reading of all ordinances before they can be adopted by the Council, a process which occurs for runoff ordinances.

Once adopted, the City's ordinances become effective pursuant to California law. Facial challenges to the City's ordinances, as specified by California law, must be taken pursuant to writ in a court of law. Challenges to the City's runoff ordinances as applied in a particular circumstance must be addressed in the first instance administratively pursuant to the City's Municipal Code with an ultimate challenge available to a court of law should the challenging party properly exhaust administrative remedies.

To the best of our ability, on behalf of the City of Murrieta, the above information has intended to address all of the requirements of section E.2 of the Permit. If you require additional information, please contact our offices.

# Appendix B-5

## Performance Evaluation Assessment

### Compliance with Section J.1

Section J.1 of the 2010 SMR MS4 Permit requires each Copermittee to annually assess and report upon the effectiveness of the JRMP and Watershed Workplan implementation to (1) reduce the discharge of Storm Water Pollutants from its MS4 facilities to the MEP; (2) prohibit Non-Stormwater discharges; and (3) prevent runoff discharges from the MS4 from causing or contributing to a violation of Water Quality Standards. With submittal of the Report of Waste Discharge, the Copermittees will determine whether their program implementation is resulting in the protection and/or improvement of water quality through an integrated assessment.

### Overview

The purpose of the overall program assessment is to ensure that the Copermittee's programs continue to be effective at managing the effects of Runoff on Receiving Water quality as required under section J.1 of the 2010 SMR MS4 Permit. To achieve this objective, the Copermittees have developed an overall program effectiveness assessment strategy. The overall program effectiveness assessment is an iterative process as depicted in Figure 1.

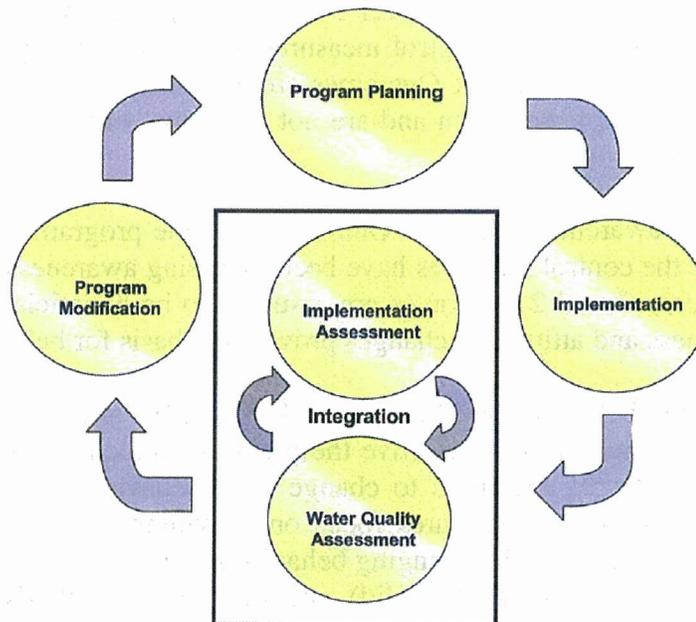


Figure 1

**Measurable metrics** that will be collected annually. These metrics generally involve: Confirmation of activities, Tabulation of data, Surveys of the public, results from Inspections or site visits, Quantification, and information from the Monitoring program.

# Appendix B-5

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**CASQA Outcome Levels** for each metric; to indicate how each metric can demonstrate the effectiveness of the Permittee's programs (as described below). Data collected through program implementation will be used to assess Level 1 – 4/5 outcomes. The results from the monitoring program will be used to identify water quality trends to evaluate Level 5 & 6 Outcomes

**Assessment Intervals** at which the Copermittees will evaluate the measurable metrics to determine the applicable CASQA Outcome Levels.

**Timeframes** in which the Copermittees expect to be able to achieve the desired CASQA Outcome Level. If a desired outcome is not attained within the specified timeframe, the Copermittee(s) will re-assess the BMP to identify any improvements that may be needed to improve their ability to detect and attain the outcome.

## CASQA Outcome Levels

CASQA has established six effectiveness assessment levels which are described below. Generally lower level outcomes must be achieved before the higher level outcomes can be expected.

Level 1 – Documenting activities. Level 1 Outcomes provide the program managers with direct feedback on whether the control measures are being developed and implemented as planned and on schedule. Level 1 Outcomes are assumed to be beneficial to water quality and reflect program implementation and are not indicators of the impact of implementation on the environment.

Level 2 – Raising awareness. Level 2 Outcomes provide program managers with feedback on how effective the control measures have been in raising awareness and changing attitudes of target audiences. Level 2 Outcomes are assumed to be beneficial to the environment as increased awareness and attitudinal changes provide the basis for behavioral change.

Level 3 – Changing behavior. By building on Level 2, Level 3 Outcomes provide program managers with feedback on how effective the program elements and control measures have been in motivating target audiences to change their behaviors and implement appropriate BMPs. At Level 3, control measures focus on providing information and incentives for target audiences to take action by changing behavior and implementing recommended BMPs. Both quantitative (i.e., statistically valid) and qualitative methods are used to measure behavior changes. Methods used to measure behavior changes include those used for Level 2 Outcomes as well as direct observation via site visits. Level 3 Outcomes may take the form of a percent and/or change in the percentage of the target audience demonstrating that a behavior change has occurred such as an increase in number of BMPs implemented and maintained at construction sites.

Level 4 – Reducing loads from sources. Level 4 Outcomes provide program managers with feedback regarding reductions in the amounts of pollutants associated with specific sources

# Appendix B-5

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resulting from the implementation or enhancement of a BMP. If a large enough portion of the target audience is moved to take action (Level 3), loads into the MS4 are prevented. At Level 4, programs collect data to allow estimation of loads from Pollutant sources that are prevented from being either generated or discharged into the MS4.

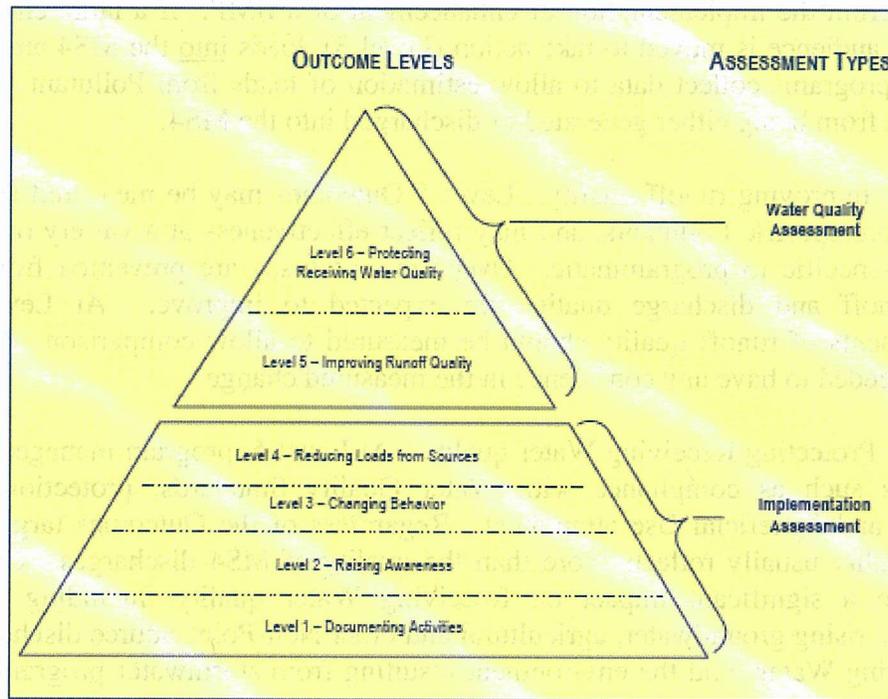
Level 5 – Improving runoff quality. Level 5 Outcomes may be measured as reductions in one or more specific Pollutants, and may reflect effectiveness at a variety of scales ranging from site-specific to programmatic. Over time, as loads are prevented from entering the MS4, runoff and discharge quality are expected to improve. At Level 5, baseline measurements of runoff quality should be measured to allow comparison. Multi-year data sets are needed to have any confidence in the measured change.

Level 6 – Protecting Receiving Water quality. At Level 6, program managers will focus on Outcomes such as compliance with Water Quality Standards, protection of biological integrity, and Beneficial Use attainment. Regardless of the Outcomes targeted, Receiving Water quality usually reflects more than the quality of MS4 discharges. Other influences may have a significant impact on Receiving Water quality, including sanitary sewer overflows, rising groundwater, agricultural and other Non-Point Source discharges. Changes in Receiving Waters and the environment resulting from stormwater programs may only be seen over long periods of time that allow the cumulative impacts of multiple control measures and program elements to result in measurable change in water quality.

## Categories of Assessments

The program elements addressed in the overall program effectiveness assessment can generally be broken down into two categories, implementation assessments, and water quality assessments, as shown in the figure below:

# Appendix B-5



## Assessment Strategy

### JRMP Implementation Assessments

The Copermittees have identified implementation assessment metrics for each compliance program area which can potentially demonstrate multiple outcome levels, as summarized below:

JRMP Program	Table #	Potential Outcome Levels					
		1	2	3	4	5	6
IC/ID	1	X		X	X	X	
Permittee Facilities	2	X	X	X	X		
Development Planning	3	X		X		X	
Construction	4	X		X			
Industrial / Commercial	5	X		X			
Residential	6			X	X		
Retrofit	7	X			X	X	
Public Education	8	X	X	X	X		

The specific metrics and associated CASQA Effectiveness Metrics are shown in Tables 1-8 of the Performance Evaluation Assessment.

### Water Quality Assessments

In addition to the implementation assessments identified above, data from the Monitoring program will be used to perform Water Quality Assessments, as summarized below:

# Appendix B-5

Monitoring Program Element	Potential Outcome Levels					
	1	2	3	4	5	6
Outfalls – Dry Weather				X	X	
Outfalls – Wet Weather				X	X	
Outfalls – High Priority Inland Aquatic Habitat				X	X	
Receiving Waters - Stream Assessment Monitoring				X	X	X
Receiving Waters – MLS Dry Weather				X	X	X
Receiving Waters – MLS Dry Weather				X	X	X

The specific metrics and associated CASQA Effectiveness Metrics for the Monitoring Program Element are shown in Table 9 of the Performance Evaluation Assessment. The revised Santa Margarita Monitoring Program (Volume III of the CMP) describes the monitoring program that will collect the necessary data.

The specific metrics and associated CASQA Effectiveness Metrics for the Watershed Workplan Program Element are shown in Table 10 of the Performance Evaluation Assessment. The Watershed Workplan is discussed in section 3.8 of the JRMP.

## Reporting of Effectiveness Assessments

The continued implementation of the BMPs required in the 2010 SMR MS4 Permit are anticipated to result in incremental, but overall improvement in the metrics that may or may not be discernible within the term of the 2010 SMR MS4 Permit, however this assessment program is intended to be an iterative process that can transcend MS4 Permit terms, to ensure that improvements are made consistent with the MEP standard.

Beginning with the FY 2012-2013 Annual Reports, a summary of the Implementation Assessments will be provided within each JRMP Annual Report, and a summary of the Water Quality Assessments will be provided within each Monitoring Annual Report.

These effectiveness summaries will include:

- a. The data collected for each of the measurable metrics identified in tables 1-10.
- b. A determination of the applicable CASQA outcome level(s) for each metric, upon completion or the applicable assessment interval.
- c. Responses to effectiveness assessments: Where the assessments indicate that the desired outcome level has not been achieved at the end of the projected timeframe, the Copermitttee(s) will review its(their) applicable activities and BMPs to identify any modifications and improvements needed to maximize effectiveness, as necessary to comply with the 2010 SMR MS4 Permit. If the Copermitttee(s) determines that the existing activities/BMPs are adequate, or that the projected timeframe should be

# Appendix B-5

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extended, justification and an updated timeframe for attainment of the outcome level will be provided in the Annual Report.

- d. A work plan and schedule to address any program modifications and improvements in response to the findings of the assessments will be developed and implemented. The work plan and schedule will be provided and updated with the applicable Annual Report. The work plans will include, at a minimum, the following:
- 1) The problems and priorities identified during the assessment;
  - 2) A list of Priority Pollutants and known or suspected sources;
  - 3) A brief description of the strategy employed to reduce, eliminate or mitigate the negative impacts;
  - 4) A description and schedule for new and/or modified BMPs. The schedule will include dates for significant milestones;
  - 5) A description of how the selected activities will address an identified high priority problem. This will include a description of the expected effectiveness and benefits of the new and/or modified BMPs;
  - 6) A description of implementation effectiveness metrics;
  - 7) A description of how efficacy results will be used to modify priorities and implementation; and
  - 8) A review of past activities implemented, progress in meeting Water Quality Standards, and planned program adjustments.

Table 10: Watershed Workplan

<p><b>Measurable Metrics Collected</b> <i>(Data Compiled <u>Annually</u>)</i></p>	<p><b>Highest Potential CASQA Outcome Level</b>                      1 - Documenting Activities                      2 - Raising Awareness                      3 - Changing Behavior                      4 - Reducing Loads                      5 - Improving Runoff Quality                      6 - Protecting Receiving Water Quality</p>	<p><b>Assessment Interval</b> <i>(how frequently the annually collected data will be assessed for meeting potential CASQA Outcome Levels)</i></p>	<p><b>Outcome Timeframe</b> <i>(time at which program will be reassessed if desired outcome has not been achieved)</i></p>
Annual Public Review Meeting conducted	1	Annual	Annual
Updated Characterization of Receiving Water Quality	1	Annual	Annual
Updated prioritization of water quality problems	1	Annual	Annual
Descriptions of likely sources updated	1	Annual	Annual
Updated BMP Implementation Strategy	1	Annual	Annual
BMPs implemented according to schedule	1	Annual	Annual
Number of Collaborative Meetings Attended	1	Annual	Annual
Numeric Nutrient Endpoints Study	6	ROWD	5+ Years
Brake Pad Legislation	3	ROWD	5+ years
Pyrethroid Toxicity Reduction Evaluation plan implemented	3	ROWD	5+ Years

# BEST MANAGEMENT PRACTICES Plan for FIRE FIGHTING ACTIVITIES

Initially Prepared in Consultation with the  
Following Fire Fighting Agencies:

City of Corona Fire Department  
City of Hemet Fire Department  
City of Norco Fire Department  
City of Riverside Fire Department  
County of Riverside Fire Department/CDF  
Idyllwild Fire Protection District  
Murrieta Fire Protection District

Revised in compliance with  
Order No. R9-2010-0016 (NPDES No. CAS0108766)  
Covering the Santa Margarita Region

June 2012

## **INTENT**

The purpose of this plan is to identify Best Management Practices (BMPs) used by fire fighting agencies for Runoff management in the Santa Margarita Region of Riverside County. Section B.3 of the 2010 SMR MS Permit adopted by the San Diego Regional Water Quality Control Board (Regional Board) requires each Copermittee to develop and implement a program to address Pollutants from non-emergency fire fighting flows (i.e., flows from controlled or practice blazes and maintenance activities) identified as significant sources of Pollutants to Waters of the U.S.

The Riverside County MS4 Permittees in cooperation with the Riverside County Fire Agencies have developed fire department activity procedures to provide guidance to Fire Prevention and Firefighting personnel for management of Runoff. Guidance is provided in the form of recommended BMPs that are incorporated as part of the individual Jurisdictional Runoff Management Plans (JRMP), and as applicable into Facility Pollution Prevention Plans.

When followed, implementation of the BMPs will minimize discharges of Runoff to the municipal separate storm sewer system (MS4) associated with non-emergency fire fighting activities.

## **PROHIBITIONS**

Building fire suppression system maintenance discharges (e.g., sprinkler line flushing) and vehicle washing contain Waste. Therefore, the Copermittees are required to prohibit such discharges as Illegal Discharges through ordinance, order, or similar means.

## **PROCEDURE**

### **Fire Prevention Activities**

#### **1. Fire Sprinkler Acceptance and Testing BMPs**

- As noted above, discharges associated with fire suppression systems are prohibited. Such discharges must not be allowed to reach any MS4, Receiving Water, or other conveyance such as a street with curb and gutter.
- Flows from fire sprinkler acceptance and testing must be contained onsite and/or direct the water flows to landscaped or green areas whenever possible and safe to do so without causing damage or erosion.
- When practicable, divert sprinkler system flushing flows to the sanitary sewer, with the permission of the local sewer agency.
- Conduct fire sprinkler testing on non-rainy days.

#### **2. Fire Hydrant Testing BMPs**

- Obtain coverage under Order R9-2002-0020 ([link](#)) and implement any compliance requirements specified therein. The following are general guidelines that may need to be complied with:
  - Conduct on non-rainy days.
  - Conduct flows for the shortest duration possible.
  - Use a water diffuser as necessary.
  - Remove debris from the affected curb and gutter before initiating flushing.
  - Direct water flows to landscaped or green areas whenever possible and safe to do so without causing damage or erosion.

## Non-emergency Firefighting Activities

### 1. Discharges Associated With Fire Training Activities

Training activities, which simulate emergency responses, must be performed in a manner that reduces or prevents discharges to the MS4 to the maximum extent practicable. In addition, when the elimination of discharges into the MS4 is unavoidable (i.e. equipment failures), measures will be implemented to minimize impacts to water quality:

- Live and simulated fire training should be conducted, where feasible, in facilities where Runoff controls protecting the MS4 have been engineered and built into the facility.
- When conducting Maximum Capability Training (MCT) exercises, potable water sources may be used when Runoff cannot be contained.
- Direct water flows to landscaped or green belt areas whenever possible.
- Survey the area prior to the training exercise to ensure that debris will not enter the MS4 as a result of the flows generated during the drill.
- When practicable, divert flows to the sanitary sewer with the permission of the local sewer agency.
- Use fog streams or straight streams for short durations when practicable.
- Use lower gallon per minute (GPM) nozzle settings.
- Prevent discharge of foam or other additives to the MS4. If training activities involve the use of foam, block off all potentially affected storm drain inlets with plastic sheeting and sandbags or temporary berms.

### 2. Discharges Associated With Post-Emergency Fire Fighting Activities

The post-emergency rehabilitation and maintenance of response equipment must be performed in a manner that avoids unnecessary discharges to the MS4.

### 3. Discharges Associated with Activities Conducted at Fire Facilities

Specific BMPs to be implemented at Copermittee owned Fire Facilities are identified in the Facility Pollution Prevention Plan (FPPP) as described in the JRMP. The following are general BMPs that can be considered for incorporation into the FPPP as determined appropriate and applicable by the Copermittee.

#### A. Vehicles and Equipment Washing and Cleaning

The following BMPs should be considered in order to prevent or reduce the discharge of Pollutants to the MS4 from vehicle and equipment washing and cleaning:

- Use methods of cleaning vehicles that employ the minimal use of water, such as wet chamois or non-water rinses, when applicable.
- Limit the use of all cleaning agents and when feasible only use water.
- Remove debris from any area or facility used for washing and/or cleaning vehicles.
- Prevent Runoff from vehicle and equipment washing and cleaning from entering the MS4 by employing one of the following BMPs.
  - a. Direct water flows to landscaped or green areas or contain the water onsite and allow it to evaporate and infiltrate whenever safe to do so without causing damage or erosion.
  - b. Use designated wash areas (preferably covered and bermed) to contain and/or divert the wash

water to the sanitary sewer either through the use of "wet-vac" or through a plumbed sanitary sewer connection.

- c. Use self-contained water recycling systems.
  - d. Use off-site commercial washing and steam cleaning facilities.
- Prohibit all steam cleaning discharges from entering the MS4. Direct all steam cleaning discharges to the sanitary sewer.

## B. Vehicle Fueling

The following BMPs should be considered in order to prevent or reduce the discharge of Pollutants to the MS4 when fueling fire fighting apparatus:

- Protect the fueling area from Stormwater by installing a canopy.
- Pave fueling area surfaces with Portland cement concrete (or other equivalent smooth impervious surface).
- Keep perimeter drains clear of debris at all times.
- Where a perimeter drain is not installed, install a berm or grade area to prevent run-on of Stormwater and spilled liquids.
- Use a dead-end sump to collect spills or install an oil-water separator.
- Utilize vapor recovery nozzles to help control drips as well as air pollution. Discourage "topping-off" of fuel tanks.
- Maintain a spill control kit at the site. Use absorbent materials on small spills and general cleaning rather than hosing down an area. Remove the absorbent materials promptly and dispose as hazardous waste.
- Keep site Facility Pollution Prevention Plan (FPPP) current.

## C. Vehicles and Equipment Maintenance and Repair

The following BMPs must be implemented in order to prevent or reduce the discharge of Pollutants to the MS4 from vehicle and equipment maintenance and repair:

- Conduct vehicle and equipment maintenance in areas where precautions have been taken to prevent the entry of spills into the MS4.
- Use dry cleaning methods in maintenance and repair areas when practical.

## D. Hose Washing and Cleaning

- Design future facilities used for washing and/or cleaning fire hoses to prevent wash water or other debris from entering the MS4.
- Direct water flows to landscaped or green areas or contain the water onsite and allowing it to percolate through plant material, the landscape, or to evaporate completely, whenever safe to do so without causing damage or erosion.
- Use designated wash areas (preferably covered and bermed) to contain and/or divert the wash water to the sanitary sewer either through the use of a "wet-vac" or through a plumbed sanitary sewer connection.
- Prevent wash water containing detergents, degreasers, or other contaminants from entering the MS4.
- When cleaning the wash area prevent discharge from entering the MS4. Utilize wet mop cleaning methods in small areas, when feasible.
- Use methods of cleaning fire hoses that employ the minimal use of water, such as high-pressure spray

washers, when applicable.

#### E. Facility Maintenance

The following BMPs should be considered in order to prevent or reduce the discharge of Pollutants to the MS4 during facility maintenance:

- Use dry cleaning methods, such as sweeping, to clean impervious areas such as apparatus floors, driveways, patios, and walkways. Place sweepings and debris in receptacles for solid waste disposal.
- Maintain landscaped areas as required, limiting the introduction of leaves and landscape waste into the MS4.
- Monitor and maintain irrigation systems to prevent Runoff.
- Maintain and repair structures in order to prevent the release of water, soils, or waste to the MS4.

#### F. Solid Waste and Hazardous Materials Storage Areas

The following BMPs should be considered in order to prevent or reduce the discharge of Pollutants to the MS4 from solid waste and in hazardous materials storage areas:

- Provide a canopy or roof for solid waste and hazardous materials storage areas.
- Provide secondary containment (i.e. a metal or plastic pan with a raised edge) for hazardous materials storage areas.
- Ensure waste containers and dumpsters are properly secured and sealed. Provide lids for all trash and solid waste receptacles. Keep lids closed to prevent contact with rainfall and to ensure containment of waste within the storage area.

#### **Emergency Fire Fighting Activities**

An "emergency" exists from alarm notification until, in the opinion of the incident commander, the emergency has concluded. Discharges occurring during emergency fire fighting activities (i.e. flows necessary for the protection of life and property) do not require BMPs and are not prohibited under the 2010 SMR MS4 Permit.

### **IMPLEMENTATION STRATEGY**

#### **Education, Training, and Outreach**

##### 1. Stormwater NPDES Training

Copermittee Fire department personnel should receive annual education and training to increase staff awareness and understanding of Stormwater Pollution issues, BMPs, and their compliance obligations.

##### 2. Best Management Practices (BMPs) Update

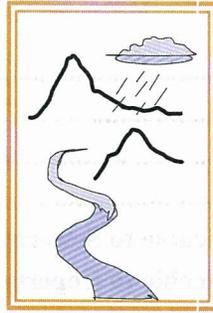
The Copermittees in the Santa Margarita Region will continue to work cooperatively with fire departments to identify, update, and provide guidance on the implementation BMPs, as appropriate, to reduce contaminants in discharges related to fire department agency activities to the maximum extent practicable.

# GLOSSARY

With exception of the following, terms used in this document are defined in the JRMP Glossary,:

## Maximum Capability Training (MCT)

The MCT involves training exercises in which high water flows are generated to ensure operational readiness. Examples may include: Probation preparation and testing, and organized exercises that prepare or test the abilities of long term employees. Water flows into the storm drain are permissible when using potable water sources (hydrants or water tanks) and debris from the effected curb and gutter have been previously removed.



# Unified Sanitary Sewer Spill Response Procedure

Submitted to the  
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

(SDRWQCB ORDER NO. R9-2010-0016)

June 30, 2012

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BY THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT,  
COUNTY OF RIVERSIDE, AND CITIES OF RIVERSIDE COUNTY (SAN DIEGO REGION)

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# **Unified Sanitary Sewer Spill Response Procedure**

## **1.0 Background**

On November 10, 2010, the California Regional Water Quality Control Board – San Diego Region (Regional Board) issued an area-wide Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit (2010 MS4 Permit) to the Riverside County Flood Control and Water Conservation District (District), the County of Riverside (County), and the incorporated cities of Riverside County within the San Diego Region (collectively, Copermittees).

The 2010 MS4 Permit requires the Copermittees to control the discharge of Pollutants into and from the MS4s to Waters of the United States, including from Sewage Spills. The Copermittees however do not own nor operate any portion of the sanitary sewer system nor associated treatment facilities. Sewering agencies that own or operate sanitary sewer collection systems greater than one mile in length are regulated under State Water Resources Control Board Water Quality Order No. 2006-0003 and the accompanying amendment to its monitoring and reporting program (WQ 2008-0002-EXEC). This order, known as the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Sanitary Sewer Order) serves, among other purposes, to prevent and minimize Potential Pollutants from sanitary sewer overflows (SSOs) originating from these sewer collection systems from entering surface waters. Copermittees that own or operate applicable sanitary sewer collection systems are required to obtain coverage under the Sanitary Sewer Order.

The Regional Board has found that effluent from SSOs that may enter the MS4 can ultimately have a negative impact on Beneficial Uses of Receiving Waters. The Copermittees have developed this Sanitary Sewer Spill Response Procedure to prevent, respond to, contain and clean up sewage from SSOs that have or could impact the MS4.

## **2.0 Purpose**

The local Sewering agencies are required to provide notification, documentation, spill response and reporting of SSOs from their sanitary sewer collection systems pursuant to established federal and state regulations (including the Sanitary Sewer Order), and individual NPDES permits. This Sanitary Sewer Spill Response Procedure provides a mechanism to ensure effective coordination between those sewerage agencies and the Copermittees in the event that an SSO threatens to impact, or impacts, the MS4. This procedure will:

- ◆ Enhance communication between the Copermittees, sewerage agencies and the Regional Board;
- ◆ Clarify and streamline interagency SSO response procedures; and
- ◆ Provide additional protection of Receiving Waters.

### 3.0 SSO Response Procedure

Upon determination by a sewerage agency or Copermittee, persons in charge, contractor or field crew that an SSO has occurred that may impact the MS4, the following notification, reporting, response, and sampling procedures will be implemented.

#### 3.1 Notifications

##### 3.1.1 Notification Requirements Applicable to Sewering Agencies:

In compliance with the Sanitary Sewer Order, the following notification requirements are applicable to sanitary sewer collection systems and other facilities owned or operated by sewerage agencies:

- ◆ For any discharges of sewage that result in a discharge to a drainage channel or surface water, the sewerage agency will as soon as possible, but not later than two (2) hours after becoming aware of the discharge, notify the OES, the County Department of Environmental Health, and the Regional Board.
- ◆ As soon as possible, but no later than twenty-four (24) hours after becoming aware of a discharge to a drainage channel or a surface water, the sewerage agency will submit to the Regional Board a certification that the OES and the County Department of Environmental Health have been notified of the discharge.

The sewerage agency with jurisdiction for the spill will provide notification immediately (within 24 hours of becoming aware of the circumstances) for all discharges that endanger human health or the environment as follows:

- ◆ By phone to the OES at 800-582-7550 and to the Regional Board at 858-467-2952
- ◆ At a minimum:
  - Any sewage spill greater than 1,000 gallons
  - Any sewage spill that could impact water contact recreation
  - Any discharge of sewage into or on any Waters of the State (reportable to OES<sup>1</sup>)

In addition, the sewerage agency will notify the Highway Patrol of SSOs affecting a State Highway in accordance with OES guidance<sup>2</sup>.

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1 "California Hazardous Material Spill/Release Notification Guidance." April 2006. California Office of Emergency Services. Page 4. <http://www.oes.ca.gov/>

2 "California Hazardous Material Spill/Release Notification Guidance." April 2006. California Office of Emergency Services. Page 6. <http://www.oes.ca.gov/>

Other spill incidents, including any unauthorized discharges that are not reportable to the OES, are reported to the Regional Board's Executive Officer as part of the Annual Report as described in Section 3.3.

### 3.1.2 Notification Requirements Applicable to Copermittees Not Owning or Operating a Sanitary Sewer Collection System

Should a Copermittee discover an SSO or determine that sewage is entering the MS4, the Copermittee shall immediately notify the appropriate sewerage agency.

1. Where the sewerage agency determines that the SSO originates from its sewer collection system or facilities, the sewerage agency will follow the notification procedures described in Section 3.1.1 and established reporting procedures. No further notification or reporting is required by the Copermittee.
2. Where the sewerage agency determines that the SSO originates from a private lateral or private property, the sewerage agency will contact the property owner for clean up responsibility and will contact the Copermittee with jurisdiction of the spill. For more information on private property SSOs, see Section 6.0. The Copermittee with jurisdiction for the spill will provide notification immediately (within 24 hours of becoming aware of the circumstances) for all discharges that endanger human health or the environment as follows:
  - By phone to the OES at 800-582-7550 and to the Regional Board at 858-467-2952
  - At a minimum:
    - Any sewage spill greater than 1,000 gallons
    - Any sewage spill that could impact water contact recreation
    - Any discharge of sewage into or on any Waters of the State (reportable to OES<sup>3</sup>)
  - In addition, the Copermittee with jurisdiction for the spill will notify the Highway Patrol of SSOs affecting a State Highway in accordance with OES guidance<sup>4</sup>.

Should a Copermittee discover discharges of sewage in an area not served by a sewerage agency, the Copermittee with jurisdiction for the spill will follow the procedures in sections 3.5 and 4.4.5 of the JRMP as applicable.

Other spill incidents, including any unauthorized discharges that are not reportable to the OES, are reported to the Regional Board's Executive Officer as part of the Annual Report as described in Section 3.3.

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<sup>3</sup> "California Hazardous Material Spill/Release Notification Guidance." April 2006. California Office of Emergency Services. Page 6. <http://www.oes.ca.gov/>

<sup>4</sup> "California Hazardous Material Spill/Release Notification Guidance." April 2006. California Office of Emergency Services. Page 6. <http://www.oes.ca.gov/>

### 3.1.3 Agency Contact Information

To identify sewerage agency with jurisdiction in the spill area, **see Attachment A**. A list of the current contact phone numbers for various agencies is provided below:

<b>CONTACT:</b>	<b>PHONE NUMBER:</b>
County Department of Environmental Health / Environmental Resources Management	951-955-8980
Governor's Office of Emergency Services (OES)	800-852-7550
Copermittee Staff (whose MS4 may be affected by spill)	<b>See Attachment B</b>
Regional Water Quality Control Board: San Diego Region	858-467-2952
Riverside County Flood Control and Water Conservation District	951-955-1200
Sewering agency with jurisdiction in spill area	<b>See Attachment A</b>
California Highway Patrol (if highway affected by spill)	<b>911</b>

### 3.2 Minimum Information for Notification

Copermittee staff providing notice should make reasonable attempts to reach sewerage agency contacts during and after normal working hours. In cases where sewerage agency contacts are not available, messages shall be left. The following minimum information should be conveyed by Copermittee staff as appropriate:

- ◆ Identity of caller
- ◆ Location, date and time of SSO, status of the SSO (actual or threatened release)
- ◆ Quantity of sewage released (estimate of flow or volume)
- ◆ Need for public safety or traffic control measures
- ◆ Cause of the SSO, if known
- ◆ Description of immediate measures taken to contain/mitigate SSO
- ◆ Estimate of additional containment and/or clean-up options
- ◆ Determination if sewage was discharged to MS4 or areas otherwise impacting the MS4 (**Refer to Attachment A**)
- ◆ Determination if SSO reached a state highway

A copy of a sample SSO reporting form is included in **Attachment C**.

### 3.3 Reporting Requirements

Each Sewering agency is responsible for filing all SSO reports as required under federal and state law for discharges from their sanitary sewer systems, including any applicable NPDES or other permits. Sewering agencies are required to report any discharges to the Department of Environmental Health immediately, per the requirements of Health and Safety Codes Section 5411.5.

Copermittees shall additionally follow specific reporting requirements as described in Section 4 of the JRMP.

The Person in Charge at the responsible sewerage agency must CC: the final SSO Report provided to the Regional Board to the affected Copermittees via hard copy or electronic means.

### 3.4 Response Requirements

Responsible sewerage agencies will lead response to SSOs and will assume Person in Charge responsibilities in most cases. Person in Charge of spill response:

- Will take all immediate measures necessary to contain release or potential release of sewage and prevent/minimize impacts to water quality and the MS4.

• May cut locks, open manholes, or otherwise enter MS4 as necessary to contain and clean up SSOs.

- Will contact the maintenance/public works department of the appropriate Copermittee as necessary, and as soon as possible, to notify them of actions within their MS4. Contact numbers are included in **Attachment B**. If necessary, Copermittee staff will support spill response by providing MS4 maps or other support if available.

- Will coordinate with Copermittee staff as necessary to ensure that the clean up adequately remedies impacts of the sewage released to the MS4. It should be noted that the Regional Board prefers that MS4 facilities not be sanitized with disinfectant where not immediately impacting public health (i.e. no chlorine shall be used when discharge is within 1,500 feet of a waterway).

- Will coordinate with local fire, police, and traffic departments as necessary to ensure the safety of the response effort, and to manage traffic and local residents.

### 4.0 Training Requirements

Sewering Agencies and Copermittee staff will ensure that training for this procedure is incorporated into appropriate training programs related to SSO response.

## 5.0 Detection Involving Infiltration into MS4

In the event that Copermittees encounter evidence of potential sewage infiltration into the MS4 due to water quality monitoring or field observation, the Copermittees will notify the relevant sewerage agency (**see Attachment A**) to coordinate a response.

## 6.0 Private Property SSOs

Sewering agencies and their contractors will respond to all SSOs within their service area. If a private property is the source of an SSO, agencies and their contractors shall assist in the control and containment to ensure that the sewage does not enter the MS4. If the SSO was a result of a private lateral, the private property owner will be informed of the blockage, and will be responsible to remove the blockage. If the SSO was a result of the sewer trunk line blockage, the response crew will correct the problem.

## Glossary

**Note:** With the exception of the following, most terms used in this document are defined in the glossary to the JRMP.

**Sanitary Sewer Overflow (SSO)** - A sanitary sewer overflow is any overflow, spill, release, discharge or diversion of wastewater from a sanitary sewer system. SSOs include:

- (i) Overflows or releases of wastewater that reach Waters of the U.S.;
- (ii) Overflows or releases of wastewater that do not reach Waters of the U.S.; and
- (iii) Wastewater backups into buildings and on private property that are caused by blockages or flow conditions in a sanitary sewer, other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is an SSO when sewage is discharged off private property into streets, stormdrains, or Waters of the U.S.

**Sanitary Sewer System** - Any system of pipes, pump stations, sewer lines, or other conveyances upstream of a wastewater treatment plant headworks used to collect and convey sewage to a treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, highlines, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not SSOs.

**Sewage** - The waste and wastewater produced by residential and commercial establishments and discharged into sewers.

**Waters of the State** - Any water, surface or underground, including saline waters within the boundaries of the State.

## Attachment A

### Sewering Agency Contact Roster

# Unified Sanitary Sewer Spill Response Procedure

## Attachment A (Sewering Agency Contact Roster)

### **Eastern Municipal Water District**

Integrated Operations Center or

Mr. Mark Chamberlin

Post Office Box 8300

Perris, CA 92572

951.928.3777 ext. 6265 (During & After Work Hours)

Fax: 951.928.6177

[chamberm@emwd.org](mailto:chamberm@emwd.org)

Elsinore Valley Municipal Water District

Ms. Susan Halpin

Post Office Box 3000

Lake Elsinore, CA 925310-3000

951.674.3146 ext. 8203, After hours: 951.258.9299

Fax: 951.245.5946

[shalpin@evmwd.net](mailto:shalpin@evmwd.net)

### **Rancho California Water District**

42135 Winchester Road

Temecula, CA 92590

951.296.6953, Fax: 951.296.6868

951.296.6900 (emergency)

Faint, illegible text at the top of the page, possibly bleed-through from the reverse side.

Faint, illegible text on the right side of the page, possibly bleed-through from the reverse side.

## Attachment B

# MS4 Copermittee Contact Roster



# Unified Sanitary Sewer Spill Response Procedure

## Attachment B (MS4 Copermittee Contact Roster)

### City of Menifee

Mr. Don Allison  
29683 New Hub Drive, Suite C  
Menifee, CA 92586  
951.672.6777  
[dallison@cityofmenifee.us](mailto:dallison@cityofmenifee.us)

### City of Murrieta

Mr. Bill Woolsey  
1 Town Center  
24601 Jefferson Avenue  
951.461.6073, Fax: 951.698.4509  
[wwoolsey@murrieta.org](mailto:wwoolsey@murrieta.org)

### Rancho California Water District

42135 Winchester Road  
Temecula, CA 92590  
951.296.6953, Fax: 951.296.6868  
951.296.6900 (emergency)

### Riverside County Environmental Health

Mr. John Watkins  
4080 Lemon Street, 9th Floor  
Riverside, CA 92501  
951.955.3915, Fax: 951.781.9653  
[Jwatkins@co.riverside.ca.us](mailto:Jwatkins@co.riverside.ca.us)

### Riverside County Executive Office

Mr. Mike Shetler  
4080 Lemon Street, 5<sup>th</sup> Floor  
Riverside, CA 92501  
951.955.1110, Fax: 951.955.1105  
[mshetler@rceo.org](mailto:mshetler@rceo.org)

### Riverside County Flood Control District

Ms. Arlene Chun  
1995 Market Street  
Riverside, CA 92501  
951.955.1330, Fax: 951.788.9965  
[abchun@rcflood.org](mailto:abchun@rcflood.org)

Mark Biloki, Maintenance Superintendent  
[mbiloki@rcflood.org](mailto:mbiloki@rcflood.org)

951.955.1310, Cell: 951.288.5254, Home: 909.877.2716

Zully Smith, Operations & Maint. Division Manager  
[zsmith@rcflood.org](mailto:zsmith@rcflood.org)  
951.955.1280, Cell: 951.318.1445

### City of Temecula

Mr. Aldo Licitra  
43200 Business Park Drive, Temecula, CA 92589-9033  
951.308.6387, Field: 951.541.7850, Fax: 951.694.6475  
[Aldo.licitra@cityoftemecula.org](mailto:Aldo.licitra@cityoftemecula.org)

After Hours: Rodney Tidwell,  
Public Works Maint. Supervisor  
951.302.4102, Field: 951.303.5497  
[Rodney.tidwell@cityoftemecula.org](mailto:Rodney.tidwell@cityoftemecula.org)

### City of Wildomar

Mr. Tim D'Zmura  
23873 Clinton Keith Road, Suite 201  
Wildomar, CA 92595  
951.677.7751, Fax: 951.698.1463  
[tdzmura@cityofwildomar.org](mailto:tdzmura@cityofwildomar.org)

# Attachment C

## Sample SSO Reporting Form

## SANITARY SEWER OVERFLOW REPORT FORM

This report is:       Preliminary                       Final                       Revised Final

Sanitary Sewer Overflow Sequential Tracking Number: \_\_\_\_\_

Reported to: \_\_\_\_\_  
(Enter Fax #, Voicemail #, or Name of Regional Board Staff)

Date Reported: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (MM/DD/YY)

## SANITARY SEWER OVERFLOW REPORT FORM

Sanitary Sewer Overflow Correction - - Description of all Preventative and Corrective Measures Taken or Planned:

\_\_\_\_\_

Was there measurable precipitation during 72-hour period prior to the overflow?

Yes       No

### Initial and Secondary Receiving Waters:

Did the sanitary sewer overflow enter a storm drain?

Yes       No

Did the sanitary sewer overflow reach surface waters other than a storm drain?

Yes       No

Name or description of secondary receiving waters. (If none, state such)

\_\_\_\_\_

If the sanitary sewer overflow did not reach surface waters, describe the final destination of sewage.

\_\_\_\_\_

### Notification:

Was the local health services agency notified?

Yes       No

If the overflow was over 1,000 gallons, was the Office of Emergency Services (OES) notified?

Yes       No       Not applicable

### Affected Area Posting:

Were signs posted to warn of contamination?

Yes       No

Location of Posting (if Posted): \_\_\_\_\_

How many days were the warning signs posted?: \_\_\_\_\_

Remarks:

\_\_\_\_\_



**CITY OF MURRIETA**

Community Development Department  
1 Town Square  
24601 Jefferson Avenue  
Murrieta, CA 92562

---

**Application for Land Use and Development**

Check one as appropriate:

- DEVELOPMENT PLAN     CONDITIONAL USE PERMIT     REVISED PERMIT

For Community Development Office Use Only

Case Number: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Received by: \_\_\_\_\_

---

**PROJECT INFORMATION**

**PROJECT TITLE AND DESCRIPTION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Project Name/Name of Center: \_\_\_\_\_

Related cases filed in conjunction with this request (Is this part of a larger project?): \_\_\_\_\_

**PROPERTY INFORMATION**

Assessor's Parcel Number(s): \_\_\_\_\_

Approximate Gross Acreage/Net Acreage: \_\_\_\_\_ Current Zoning & GP Designation: \_\_\_\_\_

Property Address/Location: \_\_\_\_\_

RDA Project: Yes  No

**APPLICANT/PROJECT MANAGER/OWNER INFORMATION**

PLEASE INDICATE WHICH OF FOLLOWING WILL FUNCTION AS THE CONTACT PERSON FOR THIS PROCESS (SELECT ONLY ONE): Applicant/Developer  Project Manager  Property Owner  Prospective Owner

**APPLICANT/DEVELOPER**

Contact Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Company Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street

City

State

ZIP

Daytime Phone No: ( ) \_\_\_\_\_ Fax No.: ( ) \_\_\_\_\_

**PROJECT MANAGER** (Representative for Developer)

Contact Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Company Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street

City

State

ZIP

Daytime Phone No: ( ) \_\_\_\_\_ Fax No: ( ) \_\_\_\_\_

**PROPERTY OWNER**

Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street

City

State

ZIP

Daytime Phone No: ( ) \_\_\_\_\_ Fax No: ( ) \_\_\_\_\_

If the property is owned by more than one person, attach a separate page that references the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

**PROSPECTIVE PROPERTY OWNER** (If applicable)

Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street

City

State

ZIP

Daytime Phone No: ( ) \_\_\_\_\_ Fax No: ( ) \_\_\_\_\_

**ACKNOWLEDGMENT OF DEPOSIT BASED PROCESSING OF APPLICATIONS**

The signature below acknowledges that the City operates on the basis of full cost recovery for the processing of Planning projects. Deposits made at the time of application may not be sufficient for the processing of the application and additional deposits may be required to cover the cost of reviewing the project. If at any time deposits are insufficient to cover the processing of the application, processing will be stopped until sufficient additional funds are deposited with the City. Lack of sufficient funds on deposit will suspend any required processing time frames.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

\_\_\_\_\_  
PRINTED NAME OF APPLICANT

\_\_\_\_\_  
SIGNATURE OF APPLICANT

**OWNER CERTIFICATION**

I CERTIFY UNDER THE PENALTY OF THE LAWS OF THE STATE OF CALIFORNIA THAT I AM THE PROPERTY OWNER OF THE PROPERTY THAT IS THE SUBJECT MATTER OF THIS APPLICATION AND I AM AUTHORIZING AND DO HEREBY CONSENT TO THE FILING OF THIS APPLICATION AND ACKNOWLEDGE THAT THE FINAL APPROVAL BY THE CITY OF MURRIETA, IF ANY, MAY RESULT IN RESTRICTIONS, LIMITATIONS AND CONSTRUCTION OBLIGATIONS BEING IMPOSED ON THIS REAL PROPERTY.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

\_\_\_\_\_  
PRINTED NAME OF OWNER

\_\_\_\_\_  
SIGNATURE OF OWNER

\_\_\_\_\_  
PRINTED NAME OF OWNER

\_\_\_\_\_  
SIGNATURE OF OWNER

Written authorization from the legal property owner is required. An authorized agent for the owner must attach a notarized letter of authorization from the legal property owner.

If the property is owned by more than one person, attach a separate page that references the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

See attached sheet(s) for other property owner's signatures.

## FILING INSTRUCTIONS FOR LAND USE APPLICATION

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Land Use application. Your cooperation with these instructions will insure that your application can be processed in the most expeditious manner possible.

THE LAND USE AND DEVELOPMENT FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

**PLEASE NOTE:** If you are applying for a use which is completely interior, requiring no revisions to the exterior grounds, building architecture, parking or landscaping, you may not need to provide Grading, Landscaping, or Exterior Elevation plans. Please contact the Planning Department to verify submittal requirements.

### INITIAL SUBMITTAL:

1. One complete and signed application form.
2. One complete and signed Depositor Application (if a depositor ID has not been previously established). To download this form, go to <http://www.murrieta.org/uploads/forms/finance/Depositor%20Application.pdf>.
3. The appropriate deposit fee for the application type or types. To view the Fee Schedule, go to <http://www.murrieta.org/uploads/forms/planning/08-09%20fees.pdf>

This is a deposit based application and is billed on a time worked basis. Additional funds may/will be requested to cover costs of public hearings, staff reports, etc.
4. Complete the "Environmental Setting" section of this application.
5. Other information including technical studies/reports such as biological surveys and delineations studies and/or a cultural resource assessment will be required as determined by the completed "Environmental Setting" section of this application.
6. One 8 ½" x 11" photocopy of a U.S. Geological Survey Quadrangle Map at a 2400 to 1 scale delineating the site's boundaries (Note: each photocopy must not have been enlarged or reduced, have a North arrow, scale, quadrangle name, and Section/Township/Range location of the site.) The site must be clearly identified on the map.

For easy access to U.S.G.S. maps, go to:  
<http://www.usgs.gov/> or <http://www.terraserver.com/?tid=151>.
7. \$60.00 processing fee payable to "UC Regents" for cultural resources review.
8. Two (2) copies of the Preliminary Title Report (must be prepared within the last 6 months).
9. One copy of the current legal description for each property involved as recorded in the Office of the County Recorder. A copy of a grant deed of each property involved will suffice.
10. If any of the properties involved do not abut a public street, a copy of appropriate documentation of legal access (e.g. recorded easement) for said property shall be provided.
11. Ten (10) full size (24"x 36") copies of the following exhibits. The exhibit must include the information described in the "Land Use and Development Matrix" section of this application.
  - a. Site plan.
  - b. Conceptual grading plan.
  - c. Conceptual landscape plan.All exhibits must be folded no larger than 8 ½" x 11".
12. Four (4) full-size (24"x 36") copies and six (6) reduced (11"x 17") of building floor plans and elevations (if any buildings or structures exist and are to remain, or are proposed.) The exhibits shall also include the information described the "Land Use and Development Matrix" section of this application. All exhibits

must be folded no larger than 8 1/2" x 11."

13. One (1) copy of reduced (11" x 17") of the following exhibits.
  - a. Site plan
  - b. Conceptual grading plan
  - c. Conceptual landscaping planAll exhibits must be folded no larger than 8 1/2" x 11"
14. One (1) copy of 24" x 36" and one copy of reduced (11" x 17") colored elevations.
15. One (1) 8 1/2" x 11" color and material board including samples of all proposed colors and materials.
16. Complete the "Water Quality Management Plan (WQMP) Information" section of this application.
17. If determined by the completed WQMP Checklist for either the Santa Ana River or Santa Margarita River region to be required, two (2) completed copies of the Project Specific Preliminary WQMP and the "Summary of Project-Specific Water Quality Management Plan Requirements" section of this application.
18. Complete the "Hazardous Waste Disclosure Statement" section of this application.
19. For applications pertaining to a particular use (Conditional Use Permit), provide a detailed description of the operational characteristics of the business including, but not limited to, hours of operation, activities performed onsite, estimated customer base and employees.
20. Other information that may include biological surveys, delineations study, cultural resource assessment or other items.
21. Three (3) copies of a traffic assessment report signed by a registered Traffic Engineer report shall be submitted to the City. The report shall follow the criteria outlined by the City's Engineering Department.
22. One (1) recent (less than one-year old) aerial photograph of the entire Project Site with the boundary of the site delineated.
23. A minimum of three (3) ground-level panoramic photographs (color prints) clearly showing the whole project site. Include a location map identifying the position from which the photo was taken and the approximate area of coverage of each photograph.

**PRIOR TO SCHEDULING A PUBLIC HEARING:**

1. Project Plans - Twelve (12) copies of:
  - a. Site plan (full size 24" x 36")
  - b. Conceptual grading plan (full size 24" x 36")
  - c. Conceptual landscape plans (full size 24" x 36")
  - d. Building plans (floor plans, roof plans, elevations, appropriate detail and/or sections) (2 copies full size 24" x 36" and 10 copies reduced 11" x 17")
  - e. Colored elevations (10 full size 24" x 36" and 2 reduced 11" x 17")The exhibits shall also include the information described in the Land Use and Development Matrix. All exhibits must be folded no larger than 8 1/2" x 11."
2. 1 set of ALL plans reduced to 8 1/2" x 11" size.
3. Digital images of the aerial photograph, Site Plan, Building Elevations & Building Floor Plans, the U.S.G.S. Map, and the panoramic photographs of the site in a format acceptable to the Planning Department (e.g. TIFF, GIF, JPEG, PDF).
4. In order to facilitate mailing of public hearing notices to affected properties a complete noticing package is required. The required radius is 500 feet from the exterior boundaries of the property for which the application is filed. The Director may require additional noticing if determined necessary or desirable or to comply with the "expanded notice" requirements of the Development Code. **Please Note:** Property owner noticing requirements may vary based on the location of the proposed project site.
  - a. An assessor's Parcel Map(s) illustrating the required radius as measured from the exterior boundaries of the subject site, Include all parcels within the radius and all those that touch the radius line. Preferred scale of the map is 1-200 feet, 300 feet, or 400 feet.

- b. If more than one (1) Assessor's Parcel Map is required to show all of the affected parcels then an index map must be included. The index map must show the entire area affected on ONE SHEET. The required radius boundary line must be drawn on the map and be clearly visible (Preferably in red line). Index map(s) from the Riverside County Tax Assessor's Office may be used for this purpose.
- c. Two (2) sets of gummed or adhesive labels with the name, address and assessor's parcel number for every parcel within the required radius. These labels must be based on the latest equalized tax roll from the Riverside County Tax Assessor's Office.
- d. Include mailing labels for the property owner, applicant, and representative.
- e. A Signed certification letter from the person(s) preparing the list certifying that the information contained therein is accurate and is from the latest Riverside County Tax Assessor's Rolls. A sample "Public Noticing Certified Property Owner's List Affidavit" is included at the back of this application.

**Information to prepare the above may be obtained from the Riverside County Tax Assessor's Office. Also, local Title Companies offer this service.**

- 5. Additional deposit, if necessary. There shall be no outstanding fee balance prior to scheduling a hearing.

**LAND USE AND DEVELOPMENT MATRIX**

The following table lists the minimum information required on the site plan, grading plan, and landscape plan exhibits. IF ANY REQUIRED INFORMATION IS NOT APPLICABLE TO A SPECIFIC PROJECT, A SIGNED LETTER SHALL BE PROVIDED EXPLAINING WHY THE INFORMATION IS NOT NECESSARY. All exhibits must be clearly drawn and legible.

**Note:** Additional information may be required during review of the proposed land use application, including information not specifically required by this checklist.

<b>C</b>	<b>D</b>	<b>R</b>	<b>CUP = Conditional Use Permit</b> <b>DP = Development Plan</b> <b>RP = Revised Permit</b>
<b>ALL PLANS: (SITE, CONCEPTUAL GRADING, CONCEPTUAL LANDSCAPE, FLOOR)</b>			
X	X	X	1. Name, Address, and telephone number of applicant.
X	X	X	2. Name, address, and telephone number of land owner.
X	X	X	3. Name, address, and telephone number of exhibit preparer.
X	X	X	4. Assessor's Parcel Numbers and, if available, address of the property.
X	X	X	5. Scale (number of feet per inch) of 1" = 20' or 1" = 40'. Use Engineer's Scale for all maps/exhibits. Architect's scale is only acceptable for floor plans, elevations, and landscape plans. A smaller scale may be used for purposes of providing a cover sheet showing the entire project boundaries on one sheet.
X	X	X	6. North Arrow
X	X	X	7. Date Exhibit Prepared.
X	X	X	8. Title of Exhibit (i.e. "Development Plan", "Revised Permit", "Landscaping Plan", "Conceptual Landscape plan for Dev. Plan", etc.)
X	X	X	9. A detailed project description, including proposed and existing buildings, structures and uses.
X	X	X	10. Complete legal description of property.
X	X	X	11. Overall dimensions and total net and gross acreage of property.
X	X	X	12. Vicinity map, showing site relationship to major highways and cities, and two access roads. (Proposed and existing paved roads will be indicated by heavy lines or noted as paved).
X	X	X	13. Exhibit revision block.
X	X	X	14. Numbered mobile home or recreational vehicle spaces, dwelling units, or lots, and the total number of each type of space, unit, or lot.
X	X	X	15. Location of adjoining property and lot lines.
X	X	X	16. Existing and proposed zoning and land use of property.
X	X	X	17. Existing use and zoning of property immediately surrounding subject property.
X	X	X	18. If project is within a Specific Plan, indicate the Specific Plan Planning Area number and the land use designation of subject property and all surrounding property.
X	X	X	19. If project is within a Community Services District landscape and lighting area, identify the district.
X	X	X	20. Label and describe any land or right-of-way to be dedicated to public or other uses.
X	X	X	21. Location, dimensions, setbacks, and nature of proposed and existing, fences, gates, walls, free standing signs, driveways, turnout and/or turnarounds and curbs, drainage structures, and above and below ground structures including septic subsurface sewage disposal system.
X	X	X	22. Location, dimensions, arrangement, and numbering of parking spaces for existing and/or proposed parking, loading and unloading facilities, identifying ADA parking spaces.
X	X	X	23. Location, dimensions, and cross section of existing and proposed ingress and egress, and methods of vehicular circulation.
X	X	X	24. Location and dimensions of existing dwellings, buildings or other structures, labeled as existing and indicating whether they are to remain or be removed.
X	X	X	25. Location, dimensions, and height of proposed dwellings, buildings, or other structures, labeled as proposed.
X	X	X	26. Setback dimensions of proposed structures and paved areas.
X	X	X	27. Location of trash enclosures with wall height and type of construction including ADA accessible

C U P	D P	R P	CUP = Conditional Use Permit DP = Development Plan RP = Revised Permit
			compatibility and trellis detail.
X	X	X	28. Path of travel for ADA from public right-of-way, building to building and trash enclosure.
<b>SITE PLAN:</b>			
X	X	X	1. Names, addresses and phone numbers of utility purveyors and school district(s) including providers of water, sewer, gas, electricity, telephone, and cable television.
X	X	X	2. Names, locations, right-of-way widths, and improvements of adjacent existing and proposed streets and the approximate grades of proposed and existing streets and approximate street centerline radii of curbs. If private streets are proposed, they shall be noted on the tentative map.
X	X	X	3. Typical street improvement cross-section and City standard #.
X	X	X	4. Table indicating area and density calculations with percentage breakdowns, including total area involved, total building area divided by uses, (if applicable), total parking or paved area, total landscaped area, total recreation, and/or open space area. Identify proposed parking spaces.
X	X	X	5. Labeled common areas, open space, and recreational areas, with location, dimensions, acreage, any known proposed uses, and name of proposed owner(s) or entity (ies) who will maintain these areas.
X	X	X	6. Labeled landscaped areas with dimensions and spacing of proposed planters.
X	X	X	7. Square footage calculations per floor and total for each building shown, and per dwelling unit, as applicable.
X	X	X	8. Shaded path of travel for Fire/Emergency access.
<b>CONCEPTUAL GRADING:</b>			
X	X	X	1. Names of utility purveyors and school district(s) including providers of water, sewer, gas, electricity, telephone, and cable television.
X	X	X	2. Location, widths, and improvements of existing and proposed public utility, easements, transmission lines, power and telephone poles, and underground utilities on or abutting the property.
X	X	X	3. Names, locations, right-of-way widths, and improvements of adjacent existing and proposed streets and the approximate grades of proposed and existing streets and approximate street centerline radii of curbs. If private streets are proposed, they shall be notes on the tentative map.
X	X	X	4. List and accurately show all easements of record (by map or instrument number).
X	X	X	5. Streets, alleys, and right-of-ways providing legal access to the property.
X	X	X	6. Typical street improvement cross-section.
X	X	X	7. Existing topography of the property, with the source(s) of the contour lines identified. The contour lines shall extend 300 feet beyond the exterior boundaries of the subject property when adjacent property is unimproved or vacant. When adjacent property is improved or not vacant, contour lines shall extend beyond the exterior boundaries of the subject property a distance sufficient to determine compatibility with adjacent property. Maximum contour interval should be five feet. Flood Control District and Transportation department base maps are acceptable sources of information. Topography from U.S.G.S. maps may be used only when more detailed information is not available. Additional topography may be required if deemed necessary.
X	X	X	8. Preliminary grading including all cut/fill, slopes to scale with setbacks from structures and property lines, the elevations of all individual building pads, the elevations at the perimeter of the subject property, conceptual drainage facilities (including the location of terraces, terrace drains, down drains, brow ditches, V-ditches, and lot to lot drainage facilities), existing topography, and the relationship to adjoining land an development, and any existing grading.
X	X	X	9. Spot Elevations (proposed finished elevations) sufficient to demonstrate that streets, driveways, parking lots, and drainage grades meet minimum requirements. Spot elevations may be necessary at street intersections, end, and cul-de-sacs; beginning and end of all driveways, parking lot outer limits, entrance and end points, and at all grade breaks.
X	X	X	10. When subsurface septic sewage disposal is intended, include and identify the primary sewage disposal system and its 100% expansion area. Identify any proposed cuts and/or fills in the areas of the sewage disposal systems, the elevation of the individual building pads such that there will be gravity feed to the sewage disposal system, and statement signed and with seal, as to the appropriateness of the grading plan with regard to the soils percolation engineer's report. Said statement may be attached to the grading plan or placed upon a blue line copy of the grading plan.
X	X	X	11. Note whether or not land is subject to liquefaction or other geologic hazard, or is within a Special Studies Zone.

C U P	D P	R P	CUI = Conditional Use Permit DP = Development Plan RP = Revised Permit
X	X	X	12. Note whether or not land is subject to overflow, inundation, or flood hazard.
X	X	X	13. FEMA mapped floodplains and floodways including zone designation.
X	X	X	14. Drainage Plan. The Conceptual Grading plan shall include a conceptual drainage plan showing how all on-site and off-site storm water will be conveyed through the property. The exhibit shall clearly label points of concentration where flows enter or exit the site and indicate the amount of runoff (cubic feet per second – CFS) and the tributary drainage area (acres) at these points. The drainage plan shall acknowledge offsite construction required to collect flows and to discharge them to an adequate outlet. The exhibit shall also clearly label all watercourses, channels, culverts, brow ditches, or other flood control facilities passing through the site and indicate whether they are proposed or existing. Additionally, all facilities shall be labeled with name, owner, maintenance entity, capacity, grades, and dimensions. All easements or right of way shall be shown and their widths indicated. Where calculated flow rates or hydraulic capacities are supplied or where flood control facilities are proposed, the exhibit shall be signed and sealed by a registered civil engineer.  In cases where it is not feasible to show the required detail on the exhibit or where offsite improvements or analysis are required, the applicant may submit two (2) copies of a drainage report as a supplement to the exhibit.
X	X	X	15. Centerline curve radii and typical sections of all open channels.
X	X	X	16. Setback dimensions of existing structures and paved areas.
X	X	X	17. Location and amount of flammable/combustible liquids and waste oil both above and below ground.
X	X	X	18. Constrained areas including but not limited to, the following resources and hazards; Slopes in excess of 25%, biologically sensitive areas, archeologically sensitive areas, flood hazard areas, ridgelines, hilltops, and geologically hazardous areas. Within constrained areas, proposed pad locations and driveways must be shown.
X	X	X	19. To show compliance with the Water Quality Management Plan, water quality features or a note describing the site's water quality features shall be shown.
<b>CONCEPTUAL LANDSCAPING:</b>			
X	X	X	1. It is highly recommended that plans be prepared by a licensed landscape architect in the state of California.
X	X	X	2. Location, widths, and improvements of existing and proposed public utility, easements, transmission lines, power and telephone poles, and underground utilities on or abutting the property.
X	X	X	3. List and accurately show all easements of record (by map or instrument number).
X	X	X	4. Table indicating area and density calculations with percentage breakdowns, including total area involved, total building area divided by uses, (if applicable), total parking or paved area, total landscaped area, total recreation, and/or open space area. Identify proposed parking spaces.
X	X	X	5. Labeled common areas, open space, and recreational areas, with location, dimensions, acreage, any known proposed uses, and name of proposed owner(s) or entity (ies) who will maintain these areas. Show/Identify Murrieta Community Services Department (MCSD) areas of landscaping.
X	X	X	6. Labeled landscaped areas with dimensions and spacing of proposed planters. Ensure that all planting areas contain 5 feet of planted area, excluding curbs and adjacent concrete step-out where applicable next to parking stalls.
X	X	X	7. Irrigation and landscaping plans, including size, plant species, spacing proposed, planters and irrigation systems. Incorporate drip irrigation, smart irrigation controller, and plant materials with low-water requirements (hydro-zoned).
X	X	X	8. Identify the square footage of landscape: a. Overall b. Within the right-of-way c. Within bumper overhang
X	X	X	9. Label existing trees to be preserved and/or removed under 16.42 Tree Preservation. Provide detailed information regarding site constraints and protection for all trees to be preserved in place or moved.
X	X	X	10. Indicate that the landscape plans shall comply with all applicable codes of the Murrieta Municipal code – Titles 16.27 and 16.28 and other codes required (16.42).
X	X	X	11. To show compliance with the Water Quality Management Plan, water quality features or a note describing the site's water quality features shall be shown.
<b>ELEVATIONS/FLOOR PLANS:</b>			

C U P	D P	R P	CUP = Conditional Use Permit DP = Development Plan RP = Revised Permit
X	X	X	Dimensioned elevations, including details of proposed materials for elevations, type of construction and occupancy classification per the current Uniform Building Code and floor plans for each building. (Attach to site plan).  Architectural elevations shall include scaled drawings of all sides of all buildings with dimensions indicating proposed and existing heights and any proposed or existing wall signs, HVAC equipment, solar equipment or other equipment mounted on exterior walls or roof. Roof plans must include the height of the parapet, roof height, highest roof deck height and lowest parapet height. Also indicate the height of the tallest equipment. Conceptual sign locations, colors & materials should be identified. No landscaping, figures, or other presentation decorations shall be illustrated on the building elevations.

Additional copies of this application may be obtained from the Planning Department's Web Page at <http://www.murrieta.org/dev/planning/index.asp>.

**ENVIRONMENTAL SETTING**

Approximate Gross Acreage/Net Acreage: \_\_\_\_\_

General location (nearby or cross streets): North of \_\_\_\_\_, South of \_\_\_\_\_, East of \_\_\_\_\_, West of \_\_\_\_\_.

Precisely describe the existing use and condition of the site: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Existing zoning of adjacent parcels: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Precisely describe existing uses adjacent to the site: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MSHCP Number (if applicable): \_\_\_\_\_  
Two (2) copies of an MSHCP consistency analyses and appropriate focused surveys are required if the site is in an MSHCP cell.

Describe the plant cover found on the site, including the number and type of all trees: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE: EXPLAIN ANY "YES" RESPONSES IN AN ATTACHMENT.

Is the site on filled land, slopes in excess of 10% or located in a canyon? If yes, a geological and/or soils investigation is to accompany this application. Yes  No

Has the site been surveyed for historical, paleontological, or archaeological resources? If yes, a copy of the survey is to accompany this application. Yes  No

Does the site contain any unique natural, ecological or scenic resources? Yes  No

Do any drainage swales or channels border or cross the site?

Yes  No

Has a traffic study been prepared? If yes, a copy of the study is to accompany this application.

Yes  No

Is the site in a flood plain?

Yes  No

If "Yes", a copy of a drainage plan is to accompany this application.

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes  No

If yes, indicate the type of report(s) and provide a copy: \_\_\_\_\_

RESIDENTIAL PROJECTS:

Number and type of dwelling units proposed: \_\_\_\_\_

\_\_\_\_\_

Density of the proposed project (# of units per net acreage): \_\_\_\_\_

\_\_\_\_\_

Type and size of households expected: \_\_\_\_\_

\_\_\_\_\_

Will any multi-story units be located adjacent to a highway or freeway? \_\_\_\_\_

\_\_\_\_\_

If yes, a noise study is to accompany this application.

COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROJECTS:

Indicate specific type of use proposed: \_\_\_\_\_

\_\_\_\_\_

List the gross square footage by each type of use: \_\_\_\_\_

\_\_\_\_\_

List the gross square footage and number of floors for each building: \_\_\_\_\_

\_\_\_\_\_

Estimate employment by shift: \_\_\_\_\_

\_\_\_\_\_

Identify any planned outdoor activities: \_\_\_\_\_

\_\_\_\_\_

What percentage of the project site will be covered by:

Paving \_\_\_\_\_ % Building \_\_\_\_\_ % Landscaping \_\_\_\_\_ %

ALL PROJECTS

The maximum height of structures \_\_\_\_\_

Describe the amount and type of off-street parking proposed \_\_\_\_\_

\_\_\_\_\_

Describe how drainage will be accommodated \_\_\_\_\_  
\_\_\_\_\_

Identify any off-site construction (public or private) required to support this project \_\_\_\_\_  
\_\_\_\_\_

Preliminary grading plans estimate \_\_\_\_\_ cubic yards of cut and \_\_\_\_\_ yards of fill.

Will the proposal result in cut or fill slopes steeper than 2:1 or higher than 10 feet?  
Yes  No

Does the project need to import or export dirt? Yes  No

Import \_\_\_\_\_ Export \_\_\_\_\_ Neither \_\_\_\_\_

What is the anticipated source/destination of the import/export?  
\_\_\_\_\_

What is the anticipated route of travel for transport of the soil material?  
\_\_\_\_\_

How many anticipated truckloads? \_\_\_\_\_ Truck loads.

What is the square footage of usable pad area? (area excluding all slopes) \_\_\_\_\_ sq. ft.

Give time estimated dates for the following:

- A. Rough Grading \_\_\_\_\_
- B. Final Grading \_\_\_\_\_
- C. Start Construction \_\_\_\_\_
- D. Complete Construction \_\_\_\_\_
- E. Describe any Project Phasing \_\_\_\_\_

List all other permits or public agency approvals required of this project \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE: EXPLAIN ANY "YES" RESPONSES IN ATTACHMENTS:

DURING CONSTRUCTION, WILL THE PROJECT:

- A. Emit dust, ash, smoke, fumes or odors? Yes  No
- B. Alter existing drainage patterns? Yes  No
- C. Create a substantial demand for energy or water? Yes  No
- D. Discharge water of poor quality? Yes  No
- E. Increase noise levels on site or for adjoining areas? Yes  No
- F. Generate abnormally large amounts of solid waste or litter? Yes  No
- G. Use, produce, store, or dispose of potentially hazardous materials such as toxic or radioactive substances, flammables or explosives? Yes  No
- H. Require unusually high demands for services such as police, fire, sewer, schools, water, public, recreation, etc.? Yes  No
- I. Displace any residential occupants? Yes  No

Is water service available at the project site?: Yes  No

If "No", how far must the water line(s) be extended to provide service?  
(No. of feet/miles) \_\_\_\_\_

Is sewer service available at the project site?: Yes  No

If "No", how far must the sewer line(s) be extended to provide service?  
(No. of feet/miles) \_\_\_\_\_

Is a reclaimed water service available at this site? Yes  No

If "No", how far must reclaimed water line(s) be extended to provide service (# of feet) \_\_\_\_\_

### WATER QUALITY MANAGEMENT PLAN (WQMP) INFORMATION

To comply with the WQMP, a developer may be required to submit a "Project Specific" WQMP. This report is intended to, a) identify potential post-project pollutants and hydrologic impacts associated with the development; b) identify proposed mitigation measures (Best Management Practices – BMPs.) for identified impacts including site design, source control and treatment control post-development BMPs; and c) identify sustain able funding and maintenance mechanisms for the aforementioned BMPs. A template for this report is included as an appendix to the WQMP. Projects requiring Project Specific WQMPs will also need to include a PRELIMINARY Project Specific WQMP along with the application package. The format of the PRELIMINARY report would mimic the format/template of the final report but would be at a much lesser level of detail. For example, points a, b & c above would be covered, rough calculations supporting sizing would be included, and footprint/locations for the BMPs would be identified on the tentative exhibit. Detailed drawings will not be required.



**CHECKLIST FOR IDENTIFYING PROJECTS REQUIRING A  
PROJECT-SPECIFIC WQMP WITHIN THE SANTA MARGARITA REGION**

Applicant Name: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Project Location: \_\_\_\_\_  
 Case #: \_\_\_\_\_ Tract #: \_\_\_\_\_ - \_\_\_\_\_ APN: \_\_\_\_\_

Does the proposed project incorporate any of the following items?		YES	NO
1	<p><b>Modification to Existing Development (Significant Redevelopment)</b> - this category includes the addition, creation or replacement of 5,000 sq. ft. or more of impervious surface on an already developed site. This category includes:</p> <p>(a) The expansion of a building footprint or addition or replacement of a structure;</p> <p>(b) Replacement of impervious surface that is not part of routine maintenance activities; and</p> <p><b>Note:</b> Where modification to existing development results in an increase of less than 50% of the impervious surface of a previously existing development, and the existing development was not subject to WQMP requirements, WQMP requirements shall apply only to the addition, and not to the entire development. Otherwise the entire development must be treated.</p>		
2	<p><b>New Development</b> - that creates 10,000 sf or more of impervious surfaces (collectively over the entire site) including commercial, residential, and public projects, on public and private lands.</p>		
3	<p><b>Automotive Repair Shops</b> - as a facility that is categorized in any one of the SIC codes: 5013, 5014, 5541, 7532-7534, or 7536-7539</p>		
4	<p><b>One Acre Threshold</b> - post-construction pollutant-generating new Development Projects that result in the disturbance of one acre or more of land by July 1, 2012.</p>		
5	<p><b>Restaurants</b> - this category includes all eating and drinking establishments where the land area for development is greater than 5,000 sq. ft.</p> <p><b>Note:</b> Restaurants with land area less than 5,000 sq. ft. shall meet modified WQMP requirements that except for structural treatment BMP and peak flow criteria.</p>		
6	<p><b>Hillside development</b> - this category includes any developments that create more than 5,000 sq. ft. of impervious surface located in an area with known erosive soil conditions, and where the project will require grading on natural slopes of 25% or greater.</p>		
7	<p><b>Environmentally sensitive areas (ESAs)</b> - this category includes all development located within or directly adjacent to or discharging directly to an ESA which either creates 2,500 sq. ft. of impervious surface or increases 10% or more of its naturally occurring condition.</p> <p><b>Note:</b> "Directly adjacent" means situated within 200 feet of the ESA. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.</p>		
8	<p><b>Parking lots</b> - this category includes projects that create 5,000 sq. ft. of impervious surface for temporary parking or storage of motor vehicles. This category includes parking lots associated with any of the developments listed above.</p>		
9	<p><b>Streets, roads, highways &amp; freeways</b> - this category includes projects that create 5,000 sq. ft. or more of impervious surface for transportation of motor vehicles.</p>		
10	<p><b>Retail gasoline outlets (RGOs)</b> - this category applies if either the RGO is 5,000 sq. ft or more or with a projected average daily traffic (ADT) of 100 or more vehicles per day.</p>		

**A project-specific WQMP is required if the answer to any of the above questions is "YES."**

WQMP Template can be found at <http://www.murrieta.org/Public Works/Water Quality>

**HAZARDOUS WASTE SITE DISCLOSURE STATEMENT**

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without the signed statement.

To search the hazardous waste list go to [www.geotracker.swrcb.ca.gov](http://www.geotracker.swrcb.ca.gov).

I (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (our) investigation has shown that:

- The project is not located on or near an identified hazardous waste site.
- The project is located on or near an identified hazardous waste site.  
Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1) \_\_\_\_\_ Date \_\_\_\_\_

Owner/Representative (2) \_\_\_\_\_ Date \_\_\_\_\_



# CITY OF MURRIETA

## MEMORANDUM

**TO:** , Project Planner  
**FROM:** Civil Engineer Associate  
**DATE:** Current Date  
**SUBJECT:** <BOILER PLATE> Engineering Conditions of Approval

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### **DEPARTMENT OF PUBLIC WORKS**

The Department of Public Works recommends the following Conditions of Approval for this project. Unless stated otherwise, all conditions shall be completed by the Subdivider at no cost to the City.

#### **General Requirements**

1. It is understood that the Tentative Map / Development Plan correctly shows all existing and proposed easements, traveled ways, grading, drainage courses, and that the omission may require the map or plans associated with this application to be resubmitted for further consideration.
2. A grading permit for either rough or precise grading shall be obtained from the Department of Public Works prior to commencement of any construction outside of the City-maintained road right-of-way.
3. An encroachment permit shall be obtained from the Department of Public Works prior to commencement of any construction within an existing City right-of-way or easement.
4. Subdivider shall coordinate with adjacent property owners affected by grading, street, utility and drainage improvements necessary for the onsite, frontage, and offsite improvements. Subdivider shall be solely responsible for acquisition of any necessary easements and agreements prior to grading permit or improvement approval whichever comes first. If necessary, the agreements shall address maintenance, erosion control, and be notarized in a format acceptable to the City Engineer.
5. All improvement plans, grading plans, landscape and irrigation plans shall be coordinated for consistency with adjacent projects and existing improvements contiguous to the site and shall be submitted on standard 24" x 36" City-formatted mylars.
6. All designs shall conform to the City of Murrieta Municipal Code, Development Code, Standard Drawings, and Circulation Element.
7. Prior to approval of any grading plan, improvement plan, or final map; submit clearances from all applicable agencies, and pay all outstanding plan check and processing fees.

**PRIOR TO ISSUANCE OF ANY GRADING PERMIT, UNLESS OTHER TIMING IS INDICATED, THE SUBDIVIDER SHALL COMPLETE THE FOLLOWING OR HAVE PLANS SUBMITTED AND APPROVED, IMPROVEMENT AGREEMENTS EXECUTED AND SECURITIES POSTED:**

8. Pay to City all County of Riverside Development Impact Fees applicable at time of grading permit issuance or as otherwise approved by ordinance. In the event these fees have been previously paid, the Subdivider shall provide proof of payment. Said fees are included , but not limited to the following:
  - Riverside County Area Drainage Fee
  - Kangaroo Rat Fee
  - MSHCP Fee
  
9. Obtain written clearance, as deemed necessary by the Public Works Department, from the following agencies:
  - a. San Diego Regional Water Quality Control Board
  - b. Department of Fish & Game
  - c. U. S. Army Corps of Engineers
  - d. Planning Department
  - e. Engineering Department
  - f. Community Services Department
  - g. Sewer and Water District(s)
  - h. The Gas Company
  - i. Southern California Edison Company
  - j. Phone and CATV
  
10. A Grading Plan shall be prepared by a registered Civil Engineer in accordance with City standards and approved by the Department of Public Works prior to commencement of any grading. The plan shall incorporate adequate erosion control measures to protect the site and adjoining properties from damage due to erosion.
  
11. Prior to commencing of any clearing, grading in excess of 50 cubic yards, or paving in excess of 3,000 square feet, the Subdivider shall obtain a grading permit and approval prior to issuance of a building permit.
  
12. A comprehensive Geologic and Geotechnical Report shall be prepared by a registered Civil or Soils Engineer and submitted to the Engineering Department with the initial grading plan check. The report shall address in situ soils conditions, identify any geotechnical hazards for the site, provide recommendations for the construction of engineered structures, preliminary pavement sections, slope stability, identify and located faults, and confirm the buildings have sufficient setback from the fault but not be limited to just these items. All recommended measures identified in the report shall be incorporated into the project design. The report may be subject to a third-party review at the discretion of the City Engineer if located in a Geologic Special Study Zone.
  
13. A haul permit is required prior to hauling dirt or construction debris onto or off the site. Submit a proposed haul route plan and comply with all conditions and requirements the City Engineer may impose to the hauling operation.
  
14. Process a Conditional Letter of Map Revision (CLOMR) prior to rough grading plan approval, if a portion of this site resides in a FEMA special flood hazard area. The rough grading plan shall clearly demonstrate that any building finished floor elevations shall be 1' minimum above the 100-year Base Flood Elevation. Provide FEMA Elevation Certificate(s) for all lots within one hundred feet of the 100-year flood plain after grading has been completed. The floodway and floodplain boundary lines shall be shown on the Precise Grading Plan.

15. If blasting of rock is required, the Subdivider shall pull a blasting permit with the Riverside County Sheriff's Department for approval and notify the City of Murrieta Police and Fire Departments prior to blasting.

#### **NOI, SWPPP, WQMP**

16. Prior to issuance of a grading permit or other construction activities, the Subdivider shall provide the following to City staff:
  - a. A copy of the Notice of Intent (NOI) and waste Discharge Identification (WDID) number from the State Water Resources Control Board.
  - b. An adequate Storm Water Pollution Plan (SWPPP) shall be available to State and City Inspectors at the job site prior to commencing construction. The Subdivider shall be responsible for implementation, monitoring, operation and maintenance of the SWPPP until all improvements have been accepted by the City or construction is complete, whichever is later. A Notice of Termination (NOT) can then be filed with the State Water Resources Control Board. Grading during the wet season should identify additional BMP's for rain events that may occur as necessary for compliance with the Santa Margarita Region MS4 Permit.
  - c. A Final project-specific Water Quality Management Plan (WQMP) shall be submitted to the City for approval with the grading plan check application and approved by the Engineering Department prior to issuance of a grading permit. It shall incorporate, but not be limited to, the following: site design BMP's, applicable source control BMP's, treatment control BMP's, long term operation and maintenance requirements, inspection and maintenance checklist; record a restrictive covenant to ensure operation, maintenance, funding, and transfer of requirements. The post-construction best management practices (BMPs) outlined in the approved Final project-specific WQMP shall be incorporated in the improvement plans.
17. A copy of the Final project-specific WQMP shall be kept onsite at all times. The Subdivider shall make the occupants, tenants, staff, employees, and contractors aware of this document and educate them on the contents.
18. The Subdivider, assigns, or heirs shall allow the City to enter the premises to conduct periodic inspections to ensure that the WQMP is being implemented, maintained, and to review the inspection and maintenance records.
19. The Subdivider shall record a restrictive covenant or create some other acceptable mechanism, subject to the approval of the City Engineer, to ensure the ongoing operation, maintenance, and funding of the Final project-specific WQMP.
20. All grading activities shall minimize dust through compliance with AQMD Rule 403 which requires watering during earth moving operations.
21. All open or undeveloped land shall be maintained to prevent wind and or water erosion of such land. All disturbed undeveloped land shall either be planted with interim landscaping or stabilized with such other erosion control measures.
22. Post security and enter into an agreement guaranteeing the grading and erosion control improvements in conformance with applicable City Standards and subject to approval by the

Department of Public Works.

23. Ensure that the Drainage Study and WQMP measures address the proposed commingled flows from the adjacent property, unless procedures are incorporated to otherwise convey and properly dispose of the flows without commingling.

## **DRAINAGE**

24. Provide a hydrologic and hydraulic study prepared by a registered Civil Engineer which identifies storm water runoff quantities from the site and upstream of the site. The study shall show all existing or proposed offsite public or private drainage facilities intended to discharge this runoff. The study shall include a capacity analysis verifying the adequacy of the facilities. Runoff from the development or partial phase of development of the property shall not exceed the existing natural discharge quantities with respect to the following criteria:
  - A. Detention shall not be required for developments of less than one acre if the development uses volume based water quality measures.
  - B. For projects less than 10 acres, including those less than one acre NOT using volume based water quality measures shall analyze and mitigate the difference in developed and undeveloped runoff for a 10-year storm. A simplified hydrograph method shall be used that simulates the hydrograph with a triangle. The Rational method flow rate shall be the top value of the triangle and the base width shall be two times the time of concentration ( $T_c$ ). The difference in area between the developed condition triangle and the existing condition triangle represents the required storage volume. Both triangles shall use time of concentration from the developed condition. Based upon the storage volume head, the outlet structure shall have an outlet flow no larger than the existing flow rate.
  - C. Projects that are 10 acres or greater shall analyze for the 1,3,6 and 24-hour duration for the 2,5 and 10-year frequency storms.

The design of detention basins shall provide for the detention of nuisance flow. Development shall detain the year and duration incremental storm runoff developed and or increased by means of on-site detention. Detention techniques shall include, but not be limited to: Parking lot detention or on-site detention basin or other methods approved by the City Engineer. Evidence of a maintenance mechanism shall be provided for the basins. If project discharges/connects to an off-site detention basin, provide permission to drain/connect correspondence from the owner of basin or system. Off-site detention basins require a Declaration of Dedication. All detention measures shall have positive drainage with a minimum 48hr draw-down time and be empty within 72 hours. Standing water is not permitted.

25. Hydromodification – the project shall conform to the current requirements of the San Diego MS4 permit Order No. R9-2010-0016.
26. Subdivider shall prepare a Storm Drain Improvement Plan shall be prepared by a registered Civil Engineer in accordance with City standards and approved by the Department of Public Works.

27. Street storm flows shall not exceed top of curb for the 10-year storm event and must be contained within the street right-of-way for the 100-year storm event.
28. Alteration to the existing drainage pattern, concentration or diverting flows is not allowed unless letters of permission from the downstream property owners are obtained and adequate drainage improvements are constructed. This includes but is not limited to improving existing facilities, securing drainage easements, notarized letter of permission or agreement, and a maintenance mechanism put in place for any private drainage facilities. A manhole shall be constructed at right of way line where private storm drain facilities connect to the public storm drain facilities.
29. Accept and properly dispose of all offsite drainage flowing onto or through the site.
30. If possible, all drainage shall be conveyed onto public property. Drainage flowing cross lot is not permitted.
31. Record a statement on the final map that each parcel accepts drainage flows from the adjoining parcels as shown on the approved tentative map.
32. If alterations to the flood plain are proposed, the Subdivider shall obtain a CLOMR from FEMA acknowledging that the proposed alterations to the flood plain meet FEMA criteria. A LOMR is required prior to occupancy.
33. If required, environmental maintenance permit(s) in favor of the City shall be obtained by the Subdivider prior to City acceptance of soft bottom drainage facilities.

## **STREET IMPROVEMENTS**

34. Subdivider shall design and guarantee construction of the following public improvements to the current City of Murrieta Circulation Element and corresponding City standards unless otherwise noted:
  - A. Design, dedicate rights of way and improve existing Jefferson Avenue to half 110 foot right of way per modified Arterial Highway City Std. 101 and Circulation Element with raised landscape median and a 14 foot right turn pocket onto Sycamore Street. Access to the project driveway and Sycamore Street shall be limited to right in and right out. Improvements including but not limited to: paving, curb and gutter; sidewalk adjacent to ROW; street lights; drainage facilities; signing and striping; utilities (including sewer and water); raised landscaped median with all improvements subject to the approval of the City Engineer.
  - B. Design, dedicate rights of way and improve existing Village Parkway to the full half width (22 feet centerline to curb on a 33 foot wide ROW) per Collector Street City Std. 105. Improvements including but not limited to: paving, curb and gutter; sidewalk adjacent to ROW; street lights; drainage facilities; signing and striping; utilities (including but not limited to water and sewer); with all improvements subject to the approval of the City Engineer.
  - C. Design, dedicate rights of way and improve Sycamore Street to the full half width + 12 foot (8 foot graded shoulder and 34 feet edge of pavement to curb on a 33 foot wide ROW) per Collector City Std. 105. Improvements including but not limited to: full width paving, curb and gutter; sidewalk adjacent to ROW; street lights; drainage

facilities; signing and striping with left turn lane; utilities (including but not limited to water and sewer); with all improvements subject to the approval of the City Engineer.

35. Subdivider shall prepare a Street Improvement Plan shall be prepared by a registered Civil Engineer in accordance with City standards. The centerline profile shall extend a minimum of 300 feet beyond the project boundaries showing grade and alignment.
36. Subdivider shall prepare a Signing and Striping plan, shall be designed by a registered Civil or Traffic Engineer and be included with the street improvement plans for the project.
37. All street improvement design shall provide adequate right-of-way and transitions to existing improvements.
38. Subdivider shall prepare a construction area Traffic Control Plan, if required by the Traffic Engineer, shall be prepared by a registered Civil or Traffic Engineer in accordance with City standards and approved by the Department of Public Works for work. The Traffic Control Plan shall address street closures, detour or other disruption to traffic circulation as required by the Department of Public Works.
39. Extend full width improvements on Village Parkway offsite to join existing street improvements at Station 27+38.50.
40. Corner property line cut off for vehicular sight distance and installation of pedestrian and traffic control facilities shall be provided at all street intersections and entrances in accordance with City Standards No. 206 and 214.
41. Private Roads shall be designed to meet City standards except when allowed by the City engineer. The private access easement providing the main vehicular access to each created parcel shall be dedicated on the parcel map as a separate lettered lot.
42. Bring any existing access ramps adjacent to and fronting the project to current ADA requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those ramps in that intersection shall be retrofitted to comply with current A.D.A. requirements

#### **SEWER AND WATER**

43. Verify capacity of proposed sewer and water systems and provide approval by the governing Sewer and Water District that the proposed sewer and water system is compliant with the District's master plan.
44. Subdivider shall design and guarantee the construction of all sewer and water improvements necessary to serve this project. Private sewer forcemains are not allowed in the public right of way unless otherwise approved by the City Engineer.

#### **FINAL MAP**

45. Subdivider shall submit a final map prepared in accordance to the City of Murrieta

Development Code and Subdivision Map Act. The final map shall be prepared by a licensed land surveyor or registered civil engineer.

46. Prior to approval of the final map, unless other timing is indicated, the Subdivider shall complete all improvement plans, submit and obtain approval, post securities and execute agreements.
47. Easements, when required for roadway slopes, landscape easements, drainage facilities, utilities, etc., both onsite and offsite shall be shown on the final map. All offers of dedication and conveyances shall be submitted for review and recorded as directed by the Department of Public Works. On-site drainage facilities located outside of road right-of-way shall be contained within private drainage easements as determined to be necessary. A note shall be added to the final map stating, "*Drainage easements shall be kept free of buildings and obstructions.*" The Subdivider shall incur all costs associated with the formation of a suitable maintenance district for all associated slope and drainage easements, including landscaping and access.
48. All easements and/or right-of-way dedications shall be offered for dedication to the public or other appropriate agency and shall continue in force until the City accepts or abandons such offers. All dedications shall be free from all encumbrances as approved by the Department of Public Works.
49. Relinquish and waive abutter's right of access to and from (insert street names) excepting those areas as shown on the approved tentative map.
50. An easement for a joint use driveway shall be provided prior to approval of the final map or issuance of building permit, whichever occurs first. The easement shall provide access to lot/parcel #'s and be noted on the final map.
51. Record a 28' wide minimum (unless otherwise approved by the Fire Department) easement on the final map that provides emergency vehicles and reciprocal access with the purpose of looping all the parcels to the access points on Clinton Keith Road and Private Driveway.
52. CC&R's, if required, shall be submitted with the Final Map for first plan check review.
53. Any proposed vacations or abandonments of existing public right of way or easements shall be shown on the final map.
54. If the subdivider chooses to defer the improvements, subdivider shall prepare a cost estimate and execute a Deferred Improvement Agreement. The cost estimate shall include the all costs, plan preparation, plan check fees, permit fees, bonding and construction costs, etc.
55. Street Names – a minimum of three street names shall be submitted for each street shown on an exhibit of the project. The street names should be listed in the order of preference for each street and shall be submitted to the Community Development Director. Is this more of a Planning condition? I have also seen Cities have you submit a list, they approve the list and the Subdivider can apply them to any streets. I prefer this method better because fewer names are required.
56. All existing street and property monuments within or abutting this project site shall be preserved. If monuments are damaged or destroyed, the Subdivider shall retain a qualified

licensed land surveyor or civil engineer to reset those monuments per City Standards and file the necessary information with the County Recorder's office as required by California Business and Professions Code Section 8771. If damaged, existing monuments that are no longer relevant as a result of the parcel merger / lot line adjustment do not have to be replaced. Existing monuments that are damaged and no longer relevant do not have to be replaced.

57. Submittal of the final map for first plan check review must include two copies of the CC&R's. The City Attorney shall approve the CC&R's prior to approval of the final map by the City Council. The CC&R's shall include language to notify the property owners and occupants of the requirements to implement the approved project-specific WQMP.
58. Provide one hard copy and electronic copy of the final map. The electronic copy shall be in an AutoCAD format to the satisfaction of the City's GIS Department.

### **UTILITIES**

59. Subdivider shall install all existing and proposed utility systems including gas, electric (under 33kv), telephone, water, sewer, and cable TV shall be installed underground, with easements provided as required, and designed and constructed in accordance with City Codes and the utility provider.
60. Subdivider shall install all dry and wet utilities prior to the placement of final cap or lift of asphalt pavement to avoid new street improvements from being marred by saw cuts, pot holes, equipment, etc.

### **PRIOR TO ISSUANCE OF BUILDING PERMITS**

61. All easements, agreements of improvements, offsite construction, and dedication for required rights-of-way shall be approved by the Engineering Department.
62. A Letter or Map Revision (LOMR) is required if, a Conditional Letter of Map Revision (CLOMR) was issued. A Letter of Map revision (LOMR) from FEMA shall be submitted to the City along with FEMA Elevation Certificates for all lots within one hundred feet of the 100-year flood plan.
63. The building pad shall be certified by a registered Civil Engineer for location and elevation, and the Soils Engineer shall issue a Final Soils Report addressing compaction and site conditions.
64. Subdivider shall pay to the City the applicable Development Impact Fees as required by and in accordance with City Ordinance 196-98.
65. Subdivider shall pay to the City the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) based on the applicable rates at time of permit.

### **PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**

66. Secure coverage under the General Construction Permit, Regional Water Quality Control

Board (for Industrial facilities)

67. Final grading of the subject property shall be completed in accordance with the California Building Code, the approved grading plan, the conditions of the grading permit, City Grading Manual and accepted grading construction practices. The final grading shall be in substantial conformance with the approved Development Plan.
68. All improvements, required by the Public Works Department, shall be constructed and completed per the approved plans and City standards to the satisfaction of the City Engineer.
69. All sewer and water improvements shall be constructed and completed in accordance with the Sewer and Water District standards.
70. Final Map shall be recorded.
71. All existing and proposed utility lines have been installed underground with easements provided. Relocate overhead electrical utility lines that are 33kv or higher.
72. Demonstrate that all treatment control BMP's described in the Final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications and the Subdivider is prepared to implement all non-structural BMP's described in the approved Final project-specific WQMP.
73. Subdivider shall prepare and provide an as-built project specific WQMP (approved final WQMP updated to include any changes made during construction) and demonstrate that an adequate number of copies are available for the future owners / occupants.
74. Subdivider shall provide a copy of these free brochures in the new homeowner booklet: "Guidelines for Maintaining Your Swimming Pool, Jacuzzi, and Garden Fountain; Outdoor Cleaning Activities and Professional Mobile Service Providers; and What's the Scoop".
  - a. Cleaning Activities and Professional Mobile Service Providers; and What's the Scoop". Include a copy of the link to the City's website "Trash & Recycling" page that includes information that can help improve the quality of storm water runoff by providing basic information to the new homeowner. [www.murrieta.org/services/waste/wastemgmtdata.asp](http://www.murrieta.org/services/waste/wastemgmtdata.asp)
  - b. Inform the homeowners that Waste Management will pick up bulk items twice per year as part of the trash service the homeowners pay for.
  - c. Inform the homeowners that household hazardous waste products such as used motor oil, paint batteries, fertilizers, pesticides, etc can be dropped off at the County of Riverside facility located at 25315 Jefferson Avenue, Murrieta, Ca 92562. Hours are only from 9am to 2pm on Saturdays and closed on holiday weekends. Provide this contact phone number of (951) 486-3200 & link: [http://www.rivcowm.org/HHW\\_Schedule.htm#\\_Regional\\_Permanent\\_HHW](http://www.rivcowm.org/HHW_Schedule.htm#_Regional_Permanent_HHW)
75. Provide one set of Mylars and electronic copy of "As-Built" drawings of the grading, improvement plans, hydrology map and final map (if applicable). The electronic copy shall be in an AutoCAD format to the satisfaction of the City's GIS Department. File format is AutoCAD DWG or DXF – version 2007 or less. Coordinate system is NAD 1983 State plane California Zone V1 FIPS 0406 Feet.

76. Obtain written clearance, as deemed necessary by the Public Works Department, from the following agencies:
- a. Planning Department
  - b. Engineering Department (a LOMR if, a CLOMR was required and provide Elevation Certificates)
  - c. Building Department
  - d. Fire Department
  - e. Community Services Department
  - f. Sewer and Water District(s)
  - g. Utility Companies



**NPDES Construction Activity Compliance Inspection Notice**

Public Works Department / NPDES  
 26442 Beckman Court  
 Murrieta, CA 92562  
 (951) 304-2489

Page #: \_\_\_\_\_

Tract # / Parcel Map #:	Project Name:	Weather:	Date:
Permit Number:	Developer:	Inspected By:	Date Last Inspected:
Copy of SWPPP onsite: [ ] Yes [ ] No	Copy of NOI onsite: [ ] Yes [ ] No	WDID #:	Routine Inspection: [ ] Yes [ ] No

Project Location:

**NOTICE:** In conformance with the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit for the Santa Margarita and Santa Ana Watersheds, the City of Murrieta is mandated to perform NPDES construction site inspections to determine if the site is in compliance with Storm Water Ordinances, regulations, and codes.

Item Inspected	Yes	No
1 Stabilized construction entrance & tracking controls in place at all exits.	[ ]	[ ]
2 Source Control BMPs in place and maintained.	[ ]	[ ]
3 Perimeter control BMPs are in place and maintained.	[ ]	[ ]
4 Evidence of tracking beyond project perimeter.	[ ]	[ ]
5 Interior and affected exterior streets are clean and free of pollutants.	[ ]	[ ]
6 BMPs at catch basin's and discharge points are in place and maintained.	[ ]	[ ]
7 Sediment discharge in area requiring protection.	[ ]	[ ]
8 Evidence of non-stormwater discharges.	[ ]	[ ]
9 Construction materials stored in designated areas.	[ ]	[ ]
10 Liquid materials stored properly.	[ ]	[ ]
11 Concrete wash-outs in place and maintained.	[ ]	[ ]
12 Construction debris stored properly.	[ ]	[ ]
13 BMPs in place for equipment maintenance activities.	[ ]	[ ]
14 Litter / covered trash enclosures / housekeeping maintained.	[ ]	[ ]

**NOTICE:** The Porter-Cologne Water Quality Control Act of the State of California states in part that persons violating water quality objectives can be held civilly and criminally liable and the Federal Clean Water Act states in part that persons violating the Act may be held civilly and criminally liable.

**COMMENTS:**

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Site Contact:	Received By:	Phone:	Time:
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**ACTION TAKEN:**

Verbal / Written Notification [ ]      Second Written Warning [ ]      Stop Work Notice [ ]  
 Withhold Certificate of Occupancy (C of O) [ ]      Code Enforcement Citation [ ]      Notify SDRWQCB [ ]

# HAZARDOUS WASTE/ HAZARDOUS MATERIALS FACILITY STORM WATER COMPLIANCE SURVEY FORM

FACILITY DBA	TELEPHONE	DATE	
ADDRESS	CITY, ZIP		
MAILING ADDRESS (if different from site address)	MAILING CITY, ZIP		
CONTACT	FACILITY#	SIC CODE	
<b>Compliance Areas</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>*OUTSIDE AREAS (Free of staining &amp; debris; provides good housekeeping; maintained in a manner to prevent runoff.)</b>		<b>Requires follow up</b>	
1. CHEMICAL STORAGE * The outside storage area is kept secure to minimize the possibility of a release. Chemicals / materials are protected from precipitation / stormwater runoff and the containers show no signs of leaking.			
2. DUMPSTER * Lid closed. No liquids are leaking from dumpster; surrounding area is free of trash.			
3. ABOVEGROUND TANKS * No ground staining, no spillage observed and no discharge to storm drain. Tanks are maintained to minimize the possibility of a release (secondary containment).			
4. ONSITE STORM DRAIN* Protected from accidental discharge other than stormwater.			
5. POWER WASH OR STEAM CLEAN* (discharge to sewer) Drains to oil/water separator connected to a sanitary sewer and not a septic system or storm drain. Steam cleaning not discharged to parking lot, storm drain or soil.			
6. PARKING LOT / DRIVEWAY* Free of excess trash, chemical staining or liquids other than water.			
7. OTHER* Non-storm water discharge (i.e. non-hazardous process discharge).			
8. MOP WATER TO SANITARY SEWER VIA CLARIFIER. Mop water is not dumped to the soil, parking lot, gutter, street, or other areas susceptible to storm water runoff and discharge to the storm drain.			
9. STORM WATER EDUCATIONAL BROCHURES GIVEN TO FACILITY OR POSTERS DISPLAYED FOR EMPLOYEES. If no, what informational material should be sent to the facility?			
10. IF A SWPPP IS REQUIRED, WAS IT AVAILABLE FOR REVIEW? See storm water handout for industrial facilities.			
11. NOTICE OF INTENT. Has the site obtained necessary permit coverage under the General Industrial Permit, if appropriate?			
OVERALL EVALUATION/ COMMENTS:			
RECEIVED BY:	HAZ MAT SPEC:	BADGE #	
Agency referred to as indicated on the back of this page.			

If additional information is required, contact the Only Rain Down the Storm Drain Program of the Cities and County of Riverside at (800) 506-2555.



## Local Agency Contacts

For questions about the program in a specific city, contact the local agency.

City of Banning  
Public Works Department  
Banning, CA 92220  
Ph: (909) 922-3130

City of Beaumont  
Beaumont, CA 92223  
Ph: (909) 769-8520

City of Calimesa  
Department of Public Works  
Calimesa, CA 92320  
Ph: (909) 795-9801

City of Canyon Lake  
Canyon Lake, CA 92587  
Ph: (909) 244-2955

City of Cathedral City  
Cathedral City, CA 92234  
Ph: (760) 770-0390

City of Coachella  
Department of Public Works  
Coachella, CA 92236  
Ph: (760) 398-5744

Coachella Valley Water District  
Coachella, CA 92236  
Ph: (760) 398-2651

City of Corona  
Corona, CA 91720  
Ph: (951) 736-2266

City of Desert Hot Springs  
Public Works Department  
Ph: (760) 329-6411, Ex 232

City of Eastvale  
Eastvale, CA 91752  
Ph: (951) 361-0900

City of Hemet  
Hemet, CA 92545  
Ph: (909) 765-3712

City of Indian Wells  
Indian Wells, CA 92210  
Ph: (760) 346-2489

City of Indio  
Indio, CA 92201  
Ph: (760) 342-6530

City of Jurupa Valley  
Jurupa Valley, CA 92509  
Ph: (951) 332-6464

City of La Quinta  
La Quinta, CA 92253  
Ph: (760) 777-7051

City of Lake Elsinore  
Lake Elsinore, CA 92530  
Ph: (909) 674-3124

City of Menifee  
Menifee, CA 92586  
Ph: (951) 672-6777

City of Moreno Valley  
Moreno Valley, CA 92552  
Ph: (909) 413-3120

City of Murrieta  
Murrieta, CA 92562  
Ph: (951) 304-2489

City of Norco  
Engineering Department  
Norco CA 92860-0428  
Ph: (909) 270-5618

City of Palm Desert  
Palm Desert, CA 92260  
Ph: (760) 346-0611 (Main)  
Ph: (760) 776-6450 (Public Works)

City of Palm Springs  
Public Works  
Ph: (760) 323-8253

City of Perris  
Perris, CA 92570  
Ph: (951) 956-2120

City of Rancho Mirage  
Rancho Mirage, CA 92270  
Ph: (760) 770-3224

City of Riverside  
Public Works  
Ph: (951) 826-5341

City of San Jacinto  
San Jacinto, CA 92583  
Ph: (951) 654-4041

City of Temecula  
Temecula, CA 92590  
Ph: (909) 694-6411

City of Wildomar  
Wildomar, CA 92595  
Ph: (951) 677-7751

For questions about the program in the unincorporated area of Riverside County, contact the following:

Riverside County Flood Control  
& Water Conservation District  
Ph: (951) 955-1200

# FOOD FACILITY STORMWATER COMPLIANCE SURVEY

FACILITY DBA	FACILITY #	DATE	
ADDRESS	ACTIVITY	SERVICE CODE: 410	
<b>COMPLIANCE AREAS</b>	YES	NO	N/A
<b>GREASE BARRELS/ INTERCEPTORS</b>			
1. Grease pumped/removed from grease interceptor on a regular basis.			
2. Grease interceptor located outside facility, maintained properly.			
3. Evidence of spillage to ground surface at grease interceptor?			
<b>EQUIPMENT CLEANING</b>			
4. The following items are cleaned in such a manner that all wash water is discharged to the sanitary sewer or is collected for proper disposal:			
a. Grease filters			
b. Floor mats			
c. Floors (mop water and rinse water)			
d. Grills			
<b>OUTSIDE AREAS</b>			
4. The following areas are cleaned in such a manner that all wash water is discharged to the sanitary sewer or is collected for proper disposal:			
a. Sidewalk or outdoor seating			
b. Drive thru and parking lot			
<b>DUMPSTERS AND RECYCLING CONTAINERS</b>			
5. Food/liquid waste bagged and sealed before disposal.			
6. Dumpsters and recycling containers are covered.			
7. Spilled materials around containers are picked up regularly.			
8. Wash water is discharged to the sanitary sewer or is collected for proper disposal.			
<b>EMPLOYEE EDUCATION/ AWARENESS</b>			
9. Brochures or posters displayed.			
10. BMPs observed.			
<b>OVERALL RATING</b>	GOOD	AVERAGE	NEEDS IMPROVEMENT
<b>COMMENTS:</b>			
Received by:		Env. Health Specialist:	Badge #

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City of Calimesa  
Department of Public Works  
Calimesa, CA 92320  
Ph: (909) 795-9801

City of Canyon Lake  
Canyon Lake, CA 92587  
Ph: (909) 244-2955

City of Cathedral City  
Environmental Conservation  
Cathedral City, CA 92234  
Ph: (760) 770-0390

City of Coachella  
Department of Public Works  
Coachella, CA 92236  
Ph: (760) 398-5744

Coachella Valley Water District  
Coachella, CA 92236  
Ph: (760) 398-2651

City of Corona  
Corona, CA 91720  
Ph: (951) 736-2266

City of Desert Hot Springs  
Public Works Department  
Ph: (760) 329-6411

City of Eastvale  
Eastvale, CA 91752  
Ph: (951) 361-0900

City of Hemet  
Hemet, CA 92545  
Ph: (909) 765-3712

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Indian Wells, CA 92210  
Ph: (760) 346-2489

City of Indio  
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Jurupa Valley, CA 92509  
Ph: (951) 332-6464

City of La Quinta  
La Quinta, CA 92253  
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Lake Elsinore, CA 92530  
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City of Menifee  
Menifee, CA 92586  
Ph: (951) 672-6777

City of Moreno Valley  
Moreno Valley, CA 92552  
Ph: (909) 413-3120

City of Murrieta  
Murrieta, CA 92562  
Ph: (951) 304-2489

City of Norco  
Engineering Department  
Norco CA 92860-0428  
Ph: (909) 270-5618

City of Palm Desert  
Palm Desert, CA 92260  
Ph: (760) 346-0611 (Main)  
Ph: (760) 776-6450 (Public Works)

City of Palm Springs  
Palm Springs, CA 92263  
Ph: (760) 323-8253

City of Perris  
Perris, CA 92570  
Ph: (951) 956-2120

City of Rancho Mirage  
Rancho Mirage, CA 92270  
Ph: (760) 770-3224

City of Riverside  
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City of San Jacinto  
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City of Temecula  
Temecula, CA 92590  
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City of Wildomar  
Wildomar, CA 92595  
Ph: (951) 677-7751

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