

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

JUNE 30, 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) plan describes the City of Temecula's specific runoff management (water quality) 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 Temecula 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 Temecula'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 TEMECULA 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla (City). Each Copermittee is responsible for compliance with the 2010 SMR MS4 Permit.

This JRMP is a programmatic document developed by the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla to describe its specific internal management of its water quality 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla.

2.2 Description of City of Temecula MS4 Facilities

The major MS4 facilities owned and operated by the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla and regulated under the 2010 SMR MS4 Permit consist of underground storm drains, improved open channels, and detention basins. Each year, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla updates a map of its MS4 facilities with modifications and additions to its major MS4 facilities in the JRMP Annual Report.

Within the jurisdictional boundaries of the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, additional MS4 facilities and discharges may be present that are not owned by the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla. 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's MS4 facilities, and the associated 303(d) listings. It should be noted that the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 Temecula's Jurisdiction

| Receiving Water | 303(d) Listings |
|-----------------|---|
| Empire | Not Listed |
| Long Canyon | Chlorpyrifos, Fecal Coliform, Iron, Manganese |
| Murrieta | Chlorpyrifos, Copper, Iron, Manganese, Nitrogen, Phosphorus, Toxicity |
| Pechanga | Not Listed |
| Redhawk | Chlorpyrifos, Copper, Diazinon, Escherichia coli (E. coli), Fecal Coliform, Iron, Manganese, Nitrogen, Phosphorus, Total Dissolved Solids |
| Santa Gertrudis | Chlorpyrifos, Copper, Escherichia coli (E. coli), Fecal Coliform, Iron, Manganese, Phosphorus |
| Temecula | Chlorpyrifos, Copper, Phosphorus, Total Dissolved Solids, Toxicity |

3.0 PROGRAM MANAGEMENT

3.1 Departmental Responsibilities

There are multiple 11B58BCity 3B73B21Bof Tem163Becu50B80Bla departments that share 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 titles) 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 Murrieta
- City of Wildomar

Through this agreement, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla based on any exceedances of an Action Level at a 11B58BCity 3B73B21Bof Tem163Becu50B80Bla owned Major MS4 Outfall.
- Joint support for other Regional Programs, including
 - The Compliance Assistance Program (CAP) including Food Services and Hazardous Materials facilities 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.}

11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla has available to fund these programs.

Table 3-1. Fiscal Resources

| Program Element | Funding Source(s) |
|---|---------------------|
| Program Management and Reporting | City's General fund |
| Annual Fee for MS4 NPDES Permit | City's General fund |
| Implementation Agreement Shared Cost | City's General fund |
| Elimination of Illicit Connections & Illegal Discharges | City's General Fund |
| Municipal Facilities and Activities | City's General Fund |
| Development Planning | Fees |
| Private Development Construction (Inspections) | Fees |
| Industrial and Commercial Sources (Inspections) | City's General Fund |
| Retrofit Program | City's General Fund |
| Public Education & Outreach | City's General fund |
| Other | City's General fund |

Table 3-2 below describes limitations on how the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla can use the various sources of funding.

Table 3-2. Restrictions on Use of Funding Sources

| Source of Funds | Restrictions on Use (if applicable) |
|-------------------------|--|
| County Service Area 152 | City is not a participant |
| General Fund | Fund is distributed to all departments based on departmental needs |
| Fees | User Fee analysis based on industry standards |

3.4 Legal Authority {E.}

A certification of the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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. Water quality 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla water quality 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 water quality ordinances and permits and with the 2010 SMR MS4 Permit, including the prohibition on Illicit Discharges to the MS4. The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's ordinances that provide this legal authority. These ordinances (1) can be viewed at

<http://www.qcode.us/codes/temecula/>

or

<http://www.cityoftemecula.org/Temecula/Government/CityClerk/MunicipalCode.htm>.

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) |
|------------------------|---|--|---|
| 8.12.020 H, J, P, R | Nuisances | Disposal of pet waste, green waste, Hazardous Waste, Automobile repair and maintenance | http://www.qcode.us/codes/temecula/ |
| 8.20 | Waste Management | Disposal of Non-hazardous Waste, Disposal of Solid Waste, Unlawful Dumping, Spill Clean-up | http://www.qcode.us/codes/temecula/ |
| 8.28 | Stormwater and Urban Runoff Management and Discharge Controls | Prohibitions. Non-Stormwater Discharges . Development Planning. Existing Development. Illicit Discharge Detection. | http://www.qcode.us/codes/temecula/ |
| 10.16.040 | Vehicles and Traffic | Automobile Parking | http://www.qcode.us/codes/temecula/ |
| 10.16.050 | Vehicles and Traffic | Automobile Washing | http://www.qcode.us/codes/temecula/ |
| 12.04.080 | Streets, Sidewalks, and Public Places | Disposal of Pet Waste | http://www.qcode.us/codes/temecula/ |
| 12.04.160 | Streets, Sidewalks, and Public Places | Prohibiting pollutants to waters | http://www.qcode.us/codes/temecula/ |
| 12.04.180 | Streets, Sidewalks, and Public Places | Waste Liquids and Refuse | http://www.qcode.us/codes/temecula/ |
| 17.32.060 | Water Efficient Landscape Design | Landscape Design Requirement | http://www.qcode.us/codes/temecula/ |
| 18.15 | Grading, Erosion and Sediment Control. | Erosion, and sediment controls | http://www.qcode.us/codes/temecula/ |

3.5 Enforcement/Compliance Strategy

As described within this JRMP, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements a variety of programs and has established ordinances that are designed to meet the goals of the 2010 SMR MS4 Permit, however the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's ordinances cover a wide range of prohibited activities with varying magnitudes of potential impacts 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 the City's Ordinance and are 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's staff. The factors that are commonly considered in prioritizing violations of the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's water quality ordinances 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 water quality ordinances and 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla staff to particular violations may involve a subjective weighting of various factors.

3.5.2 Select Appropriate Enforcement Actions

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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,

- ◆ 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's ordinances. However, unless the condition is an initial violation of the water quality ordinances 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 Copermitttee 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 Temecula 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 Temecula'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 Temecula'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@rivcodda.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 ¹ | 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 | |

¹ Education and information should be incorporated into all enforcement responses.

The 11B58BCity 3B21Bof Tem163Becu50B80Bla takes the lead in initiating enforcement actions related to violations of its water quality ordinances 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla in the form of complaint calls from the public. For example, the District currently operates, on behalf of the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, 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 waterbodies. These calls can be received in English or Spanish and are routed to the appropriate Copermittee departments or contacts. The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla ordinances originating from a Mobile Business that is not already being responded to by another responsible agency (e.g., other Copermittee), the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla investigates and takes the following actions, as applicable:

- If the reported incident is outside of the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla in response to reports of potential violations originating from Mobile Businesses received from the public, staff and/or other agencies. The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla has adopted ordinances prohibiting such discharges and established programs to enforce them.

Where violations that originate from Mobile Businesses are discovered, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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) 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla will require the Mobile Business owner to obtain a local business license.
- 3) The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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, 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 Copermittees 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla coordinates its enforcement activities, as practicable, with the appropriate Copermittees 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla when findings of potential non-compliance with the State's Industrial and Construction General Stormwater Permits have been identified or when the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla has been unable to obtain the compliance of a party responsible for violating its water quality ordinances. 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.

3.5.4.4 Coordination with Other Agencies

In addition to the Regional Board, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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, the United States Fish and Wildlife Service, and the Army Corp of Engineers. 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla MS4s 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla MS4s are causing or contributing to exceedances of Water Quality Standards that persist, notwithstanding implementation of the control measures specified in the JRMP, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla will implement the following procedure:

Notification

If the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla determines that discharges from its MS4 are causing or contributing to an exceedance within a receiving water of an applicable Receiving Water Quality Standard, the City of Temecula's NPDES representative will provide oral or e-mail notification to the Regional Board's Executive Officer within thirty (30) working days, 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 Temecula's NPDES representative is notified by the Executive Officer of a determination by the Regional Board that discharges from the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 Temecula's NPDES representative 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's jurisdiction or control, within ten (10) working days of becoming aware of the situation, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla will provide documentation of these discharges to the Executive Officer.

Subsequently, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla will document the situation within the Annual Report.

Otherwise, following the notifications above, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla will submit a revised report.

Update Compliance Programs

Within thirty (30) days following approval by the Executive Officer of the report described above, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla will review the JRMP to identify the need, if any, for revisions. The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 groundwater¹;
- ◆ Foundation drains²;
- ◆ Springs;
- ◆ Water from crawl space pumps³;
- ◆ Footing drains⁴;
- ◆ Air conditioning condensation;
- ◆ Flows from riparian habitats and wetlands;
- ◆ Water line flushing^{5& 6}

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

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

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

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

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

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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's programs that help prevent IC/IDs.

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

As described in Section 3.4, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla maintains water quality ordinances prohibiting IC/IDs.

4.2.2 Connections to City of Temecula MS4 Facilities

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla requires all proposed or detected third party connections to its MS4 facilities to obtain a Grading and/or Encroachment permit. Through this permitting process, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 permitted⁹ 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla is maintained and provided to the Regional Board in the Watershed Annual JRMP report. The map includes all segments of the MS4 owned, operated, and maintained by the Copermittee, as well as all known

⁵ 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

⁶ Requires enrollment under Order R9-2002-0020.

⁷ Excluding saline swimming pool discharges.

⁸ 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.

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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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

4.2.5 Outfall Monitoring {F.4.d.}

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla conducts inspections of its 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla to detect and eliminate potential IC/IDs

4.3.1 MS4 Facility Inspections {F.4.e}

During the regular maintenance as described in Section 5.3herein, 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 waterbodies. These calls can be received in English or Spanish and are routed to the appropriate 11B58BCity 3B73B21Bof Tem163Becu50B80Bla departments or contacts.

Upon receiving notification from staff or a third-party, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements programs to track and verify that Construction Sites are complying with their ordinances. As part of that program, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla and are initially verified during the plan check process. The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla verifies conformance with the approved plans and conducts inspections at Construction Sites. Enforcement actions will be immediately enacted if an IC/ID is observed during an inspection, and where applicable 11B58BCity 3B73B21Bof Tem163Becu50B80Bla staff will follow the relevant procedures described below. Enforcement action 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements programs to track and verify that Industrial and Commercial facilities are complying with the water quality ordinances. The County's CAP assists the Copermittee's IC/ID elimination efforts through the Stormwater Compliance Surveys completed by Department of Environmental Health (Food Services) and Hazardous Materials Management (Haz Mat). 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla NPDES Coordinator for follow-up visits, if necessary. If IC/IDs are encountered however, the CAP inspector directly contacts the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, who will investigate as described below.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 the City of Temecula receives a notification of a water pollution problem from the area-wide hotline, the City's NPDES representative investigates the problem as follows:

4.4.1 Initial Response Timeframe and Requirements

Based on the information reported, the City's NPDES representative 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla.
 - 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla outfall, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla takes action to eliminate all detected IC/IDs and conducts investigations based on the data or reports as described above. The following investigative steps will be taken by the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla:

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 on the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's inspection forms and/or the City's Service Order Request (SOR) 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. If necessary, gather information such as photographs of the discharge and at 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla need not prohibit the discharge;

- i. The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 in potential violation of that permit, then
 - i. If applicable, a copy of the regulatory permit will be obtained.
 - ii. The Copermittee must report, within three business days, the findings to the San Diego Regional Board including all pertinent information regarding the discharger and discharge characteristics.
 - iii. The findings of the investigation will be noted and the case will be closed.
 - iv. If a permitted discharge is perceived to be a threat to human health or the environment, it will be reported to the Regional Board/Cal-EPA.
- e. The source is an Illegal Discharge within the jurisdiction of the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla:
 - 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, City 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 Regional Board in the Annual Report.

- v. If the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla ensures that any Illegal Discharge is cleaned up where necessary and that no further environmental degradation occurs and the responsible party(ies) restore the area as close to its original state to the MEP.

4.4.5 Sanitary Wastes {F.4.h}

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla allows local sanitation districts immediate 24-hour access to its MS4 facilities to address and contain sewage spills originating from their sewage lines. The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla does not own or operate sewer facilities but 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla does not permit nor regulate septic systems. Septic systems are permitted through the County Department of Environmental Health (DEH). DEH implements preventative and management measures for septic systems within the City of Temecula.

- Ordinance: The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla follows the Riverside County's ordinance that regulates discharges from failing septic systems
- Enforcement: Enforcement against failing septic systems is performed by Riverside County 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements management measures for portable toilet use within their jurisdiction, including:

- Ordinance: The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla regulates discharges from portable toilets through its water quality ordinances;
- Enforcement: Enforcement against ordinance violations by improper use or deployment of Portable Toilets is performed as necessary, in accordance with the enforcement procedures referenced in Section 3.5 of this JRMP.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla Facilities {F.1}

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements the applicable processes and procedures described in Section 6 of this JRMP in the planning and design of 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla projects will complete a "WQMP Initial 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, the City or it's contractor will prepare a Project-Specific WQMP, consistent with the requirements of the SMR WQMP;
- ◆ The Conceptual Project-Specific WQMP, whether developed in-house or by a contractor, will be thoroughly reviewed for all items required in the SMR WQMP. The reviewer will use the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla "WQMP Review checklist" to determine if the Project-Specific WQMP is complete and will approve the final Project-Specific WQMP.
- ◆ Prior to initiating grading or construction activities, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 may also be integrated into a municipal Facility Pollution Prevention Plan (FPPP), if applicable.

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

The City of Temecula will either prepare a Project-Specific WQMP as described in Section 5.1.1 above for its Transportation Projects that qualify as a Priority Development Project, or design the project to comply with the Transportation Project Guidance 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla Construction Activities {F.2.}

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements the applicable requirements of Section 7 of this JRMP in the construction of its projects. This includes, where applicable, compliance with the latest version of the Construction General Permit. As described in Section 5.1 above, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla prepares a WQMP for all applicable Public Works Priority Development Projects, which also meets the post-construction requirements in the Construction General Stormwater Permit.

11B58BCity 3B73B21Bof Tem163Becu50B80Bla construction projects that are one acre or larger, or which are part of a construction project of one acre or larger, must comply with the Construction General Stormwater Permit. Prior to commencement of construction activities, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 may be incorporated into a municipal FPPP, if applicable. For 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's program for operation and maintenance of its facilities, described in Section 5.3 below.

5.3 Operation and Maintenance of City of Temecula Areas and Activities {F.3.a.}

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla for the operation, maintenance and inspection of their Municipal Areas and Activities.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla maintains an inventory of its Municipal Areas and Activities that have the potential to generate pollutants. This inventory is maintained by the City's NPDES Program of 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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, such as those listed in 5.3.3, and any Pollutants of Concern identified, a list of potential minimum source control pollution prevention BMPs was generated for each facility or activity category. BMPs for each category are incorporated into category-specific source-control BMP booklets (FPPPs). These source control BMPs were taken directly from the California Stormwater Quality Association (CASQA) BMP Handbook for Municipal Facilities. In addition,

minimum BMPs for mobile activities that serve as the base of operation for these activities are also included.

5.3.3 BMPs for 11B58BCity 3B73B21Bof Tem163Becu50B80Bla Activities

Examples of Municipal Activities conducted by the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla include:

- ◆ Graffiti removal;
- ◆ Herbicide application;
- ◆ Power washing;
- ◆ Landscape maintenance;
- ◆ Swimming pool maintenance;
- ◆ Operation of corporate yard (vehicle, equipment, material storage);
- ◆ Road, sidewalk, and parking lot maintenance;
- ◆ Painting;
- ◆ Fertilizer application;
- ◆ Vehicle and non-motorized equipment cleaning;
- ◆ Outdoor loading/unloading of materials;
- ◆ Non-hazardous waste handling and disposal;
- ◆ Building and grounds maintenance;
- ◆ Grading;
- ◆ Construction.

Where the above listed activities take place at an inventoried Municipal Facility, the category-specific source-control BMP booklet (FPPP) applicable to that facility category will describe the specific BMPs deployed. BMPs that are used when performing the routine activities identified above are provided below {F.3.a.(2)} Also, mobile activities based out of the Municipal Facility and the BMPs that are used in performing those mobile activities are also included in the FPPP.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla also designates BMPs for special events that are expected to generate significant trash and litter. Controls considered, and 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla Areas

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

An FPPP is maintained for each municipal facility category. Each FPPP is designed to identify the minimum Pollution Prevention Methods and BMPs applicable to each facility category and the mobile activities based out of each facility. FPPPs are typically maintained at each individual facility, however, for facilities (e.g., parks, trails) that do not maintain onsite staff, maintenance equipment or materials, a the FPPP will be maintained at the centralized maintenance facility (e.g., corporate yard) corresponding to the category or where the maintenance contracts are administered (i.e., 11B58BCity 3B73B21Bof Tem163Becu50B80Bla main office). The FPPP also identifies staff responsible for implementation and updating the FPPP. Each FPPP may also include a Facility Inspection Form that is used to record inspection findings, if applicable.

For any 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 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 Herbicides and Fertilizers {F.3.a.(3)}

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements BMPs to reduce the contribution of stormwater pollutants to the MEP associated with the application, storage, and disposal of herbicides and fertilizers from its municipal areas and activities to MS4 facilities and Receiving Waters. Such BMPs 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 herbicides and fertilizers.

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

- (a) The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla includes water quality protection measures, where feasible, when retrofitting existing flood control structural devices.
- (c) The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla owned and maintained roads, streets, highways, and parking facilities, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 must be 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) Although the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla does not own any unpaved roads, the City requires implementation of BMPs on privately-owned unpaved roads for erosion and sediment control measures to minimize potential impacts to streams, riparian habitat, and wetlands, particularly in or adjacent to Receiving Waters. Such BMPs may include, as applicable to the maintenance activity:
- 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.
- (b) The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla may examine the feasibility of replacing existing culverts or designing new culverts or other types of 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's improved open channels, catch basins, storm drain inlets, and 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 annual inspections and maintenance of MS4 facilities, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla inspects for visual evidence of illegal discharges, litter and/or debris accumulation, and other maintenance issues.

- (a) Treatment Controls: The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements an annual schedule of inspection and maintenance activities to verify proper operation of all of its municipal Structural Treatment Control BMPs designed to reduce stormwater pollutant discharges to or from its MS4 facilities. The BMPs are listed on an electronic database and inspected as described in Section 5.4 below.
- (b) MS4 Facilities: The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements an annual schedule of inspection and 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 1st and September 30th of each year for all MS4 facilities;
 - ii. Additional facility cleaning as necessary between October 1st and April 30th 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. Improved open channels and detention basins are cleaned of observed anthropogenic litter in a timely manner;
- v. Maintenance activities within improved 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.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla does not own nor operate a municipal sanitary sewer system. However, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla does cooperate with Rancho California Water District, Eastern Municipal Water District, and Western Municipal Water District for responding to and addressing any observed infiltration into the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 's MS4 facilities. In addition, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements the following controls to limit infiltration of seepage from sanitary sewers to MS4 facilities where necessary:

- i. Adequate plan checking for construction of development projects;
- ii. Incident response training for employees to identify sanitary sewer spills;
- iii. Code enforcement inspections;
- iv. MS4 maintenance and inspections;
- v. Interagency coordination with sewer agencies; and

- vi. Proper education of staff and contractors conducting field operations on the MS4.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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] City Hall;
 - [b] Corporate yard;
 - [c] Library;
 - [d] Senior Center;
 - [e] Fire Stations;
 - [f] Swimming Pools;
 - [g] Public parking lots.
 - vi. Parks and recreation facilities
 - vii. Special event venues (festivals, concerts, open-air markets, etc.)
 - viii. Power washing activities
 - ix. All 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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. {F.1.f.(2)(b)(iii)}
 - x. Other municipal areas and activities that the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla determines may contribute a significant pollutant load to the MS4
- (a) Inspections of the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla or contract staff.
- (c) Based upon site inspection findings, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements all follow-up actions necessary to comply with this Order.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla enforces its water quality ordinances 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla implements the following programs related to the planning and permitting of Development Projects¹⁰ within the City's jurisdiction. This program is designed to:

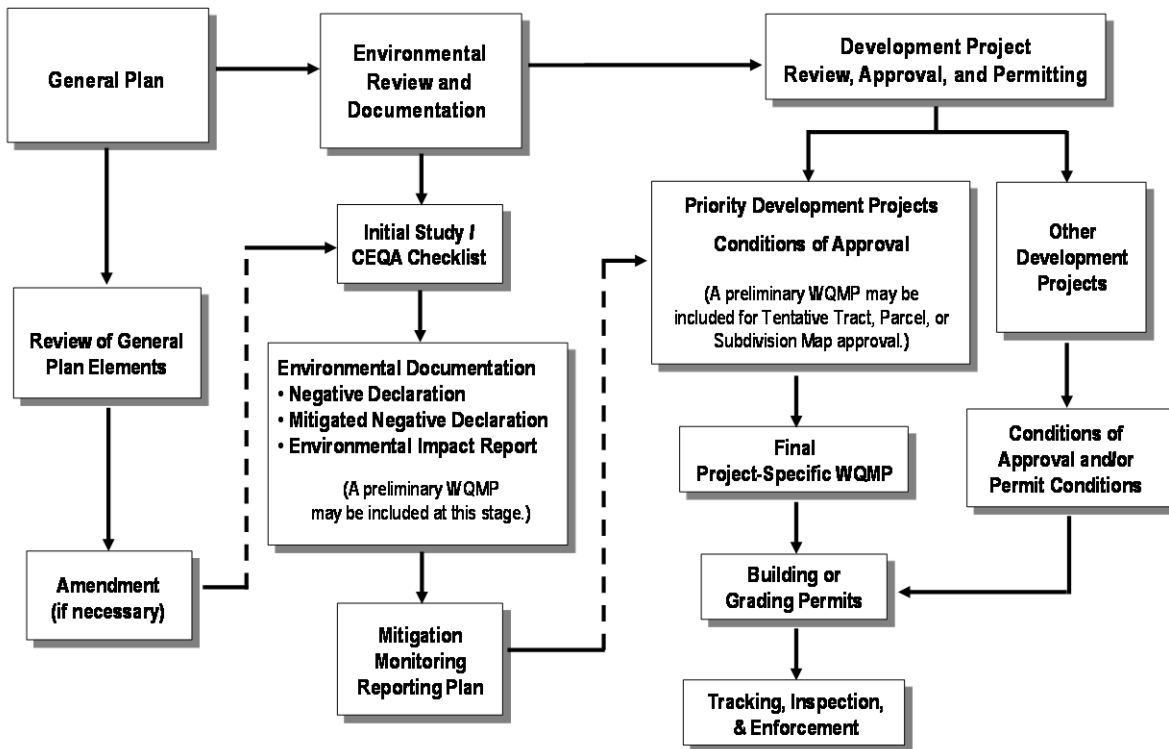
- ◆ Reduce Development Project discharges of stormwater pollutants from the MS4 to the MEP;
- ◆ Prevent Development Project discharges from the MS4 from causing or contributing to a violation of Water Quality Standards;
- ◆ Prevent Illicit Discharges into the MS4; and
- ◆ Manage increases in runoff discharge 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's 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.

¹⁰ 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla has reviewed its General Plan to ensure that it includes water quality and watershed protection principles and policies as appropriate to allow the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla to implement the Water Quality & Watershed Protection Principles & Policies described below. These concepts are addressed as part of the WQMP process during the development review process, rather than as explicit elements of the General Plan.

- 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.

Further, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 Copermittee's 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 the City's ordinances, permits, plans, and requirements, and with the 2010 SMR MS4 Permit.

In addition, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla has reviewed its CEQA processes to ensure that water quality 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla requiring the applicant to describe or include the following information in the project application:

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's Project Application Form is included in Appendix D.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 | Lot size, usable space, subsurface soil conditions, hydrologic conditions, utility easements, topography | None |
| 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 | Lot size, usable space, subsurface soil conditions, hydrologic conditions, utility easements, topography | 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 | Lot size, usable space, subsurface soil conditions, hydrologic conditions, utility easements, topography | None |
| F.1.c.(2)(f) | Disconnect impervious surfaces through distributed pervious areas | Lot size, usable space, subsurface soil conditions, hydrologic conditions, utility easements, topography | 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) | Lot size, usable space, subsurface soil conditions, hydrologic conditions, utility easements, topography | None |

| Reference | LID BMP | Potential Barriers identified | Steps required to remove barriers |
|-------------------|--|--|-----------------------------------|
| 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 |
| 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 | Lot size, usable space, subsurface soil conditions, hydrologic conditions, utility easements, topography | None |
| F.1.d.(4)(c)(i) | Structural Harvest and Use BMPs | Lot size, usable space, subsurface soil conditions, hydrologic conditions, utility easements, topography | None |
| F.1.d.(4)(c)(ii) | Structural Bioretention BMPs | Lot size, usable space, subsurface soil conditions, hydrologic conditions, utility easements, topography | None |
| F.1.d.(4)(c)(ii) | Other structural LID BMPs (such as vegetated extended detention basins) | Lot size, usable space, subsurface soil conditions, hydrologic conditions, utility easements, topography | None |

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla will update the above table as necessary through the implementation of the 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's JRMP Annual Report.

6.4 Water Quality Management Plan {F.1.d}

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, 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 from the MS4 from causing or contributing to a violation of Water Quality Standards.

The SMR WQMP Guidelines and a Project-Specific WQMP template are provided on the City's website at: <http://www.cityoftemecula.org/Temecula/Government/PublicWorks/WQMPandNPDES/WQMP.htm>

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:

- ◆ Ensure that the 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, ensure that 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 the HMP is developed and approved by the Regional Board, the interim Hydromodification requirements described in the SMR WQMP guidelines are in effect.

6.6 Development Project Review, Approval, and Permitting {F.1.d.}

6.6.1 Process Overview

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, 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 the City's ordinances, permits, plans, and requirements, and with the 2010 SMR MS4 Permit.

All Development Projects that are submitted to the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla for discretionary approval or permitting are required to fill out a WQMP Initial Applicability Checklist. Based on the results of that checklist, each project is categorized as either a "Priority Development Project" or as an "Other Development Project." Since July 2005 the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla has required a project applicant to prepare a project-specific WQMP for all Priority Development Projects. The requirements for Other Development Projects are described in Section 6.6.6.

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's 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 Planning Department works closely with

many other departments, such as Public Works, Building and Safety, Fire, etc. to ensure proper review of these issues during the Development Review process. Together, these departments assist in ensuring that Development Projects comply with WQMP requirements.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's Project Application Form includes a WQMP Initial Applicability Checklist as discussed in Section 6.3.1.

In reviewing project applications, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's Public Works Department reviews the WQMP Initial Applicability Checklist and 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 certifies that the proposed project did not require a Project-Specific WQMP, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla will notify the project applicant and effectively place a hold on the project application until a conceptual Project-Specific WQMP is submitted.

If a Project-Specific WQMP is required, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla Planning Department will verify that a conceptual Project-Specific WQMP is included with the project application packet. The Planning Department will then forward the Project-Specific WQMP, to the Public Works Department for review and, as applicable, issuance of conditions of approval.

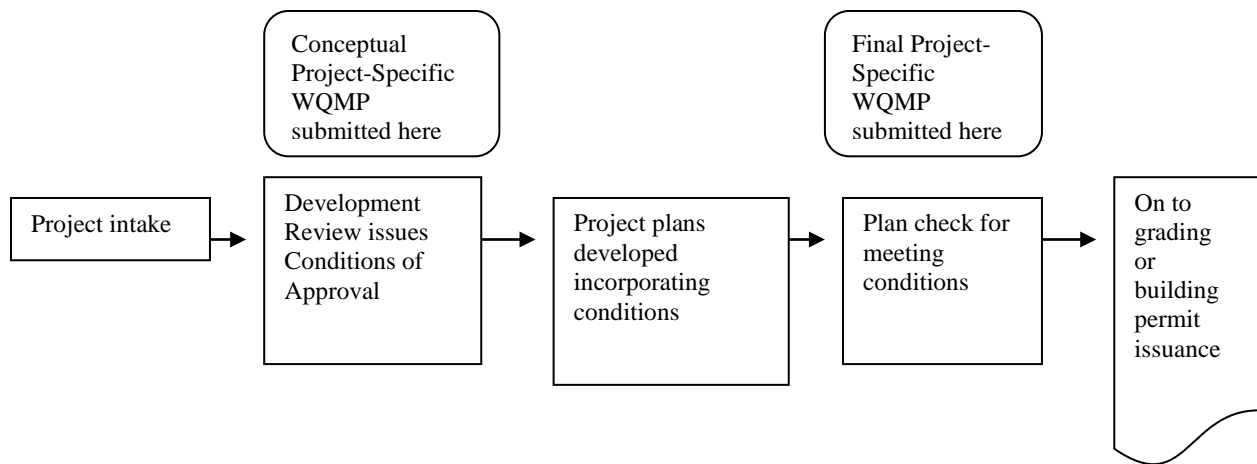
6.6.3 Conditions of Approval {F.1.c}

The City's Development Review Committee (DRC) applies standard conditions of approval to ensure that the requirements of the 2010 SMR MS4 Permit are met. Public Works' Standard Conditions of Approval addressing WQMP requirements are provided in Appendix D.

6.6.4 Review of Conceptual Project-Specific WQMPs

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla requires conceptual Project-Specific WQMPs to be submitted with the project application for all Priority Development Projects. The level of detail in the conceptual 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's uses checklists to facilitate thorough and consistent reviews of conceptual and final project-specific WQMPs. An example checklist 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla will ensure all requirements have been addressed prior to approval of a Final Project-Specific WQMP.

6.6.6 Approval Process Criteria and Requirements for Other Development Projects [F.1.c]

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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.

- (a) 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 Copermittee unless first treated or filtered to remove Pollutants prior to infiltration.
 - (b) The seasonal high groundwater mark must be at least 10 feet below the invert of the Infiltration BMP.
 - (c) Infiltration BMPs must be located a minimum of 100 feet horizontally from any water supply wells.
 - (d) No part of an Infiltration BMP should be within a 2:1 (horizontal:vertical) influence line extending from any septic leach line.
 - (e) 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla does not own unpaved roads. However, implementation of erosion and sediment control BMPs after construction of new private unpaved roads is required. 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla reviews the relevant CEQA documentation (including the Mitigation Monitoring and Reporting Program, if applicable), the conditions of approval, and the approved Final Project-Specific WQMP as part of the plan check process.

Construction plans submitted by the project applicant for plan check are reviewed to verify that they also properly incorporate all Site Design, Structural LID and/or Treatment Control BMPs identified in the final version of the 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.

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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's Public Works Department requires standard erosion and sediment control notes to be added to the plan set to address Pollution Prevention during the construction phase of a project. Standard Erosion and Sediment Control notes are included in Appendix E.

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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 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.); or
- ◆ Be transferred to a public entity (e.g., a city, county, special district, etc.) through dedication of the property; or
- ◆ Be transferred to a public entity, or another private party through a contract.

Following satisfactory inspection, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla may accept Structural BMPs within public right-of-ways, and may accept Structural BMPs on land dedicated to public ownership. Upon acceptance of the BMPs, responsibility for operation and maintenance of Structural BMPs will transfer from the developer or contractor to the appropriate entity, including the funding mechanism identified in the approved final Project-Specific WQMP for Priority Development

Projects or the conditions of approval or building/grading permit conditions for Other Development Projects.

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

- ◆ A Covenant and Agreement recorded with the County Recorder;
- ◆ A Homeowners Association or Property Owners Association Covenants, Codes, and Restrictions;
- ◆ The formation of, or annexation to, a maintenance district or assessment district; or
- ◆ Other instrument sufficient to guarantee long-term implementation, operation, and maintenance of BMPs.

6.8 Structural Post-Construction BMP Database and Maintenance Verification {F.1.f}

The City 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 maintains a watershed-based database to track and inventory all Priority Development Projects constructed within the City's jurisdiction that have an approved Final Project-Specific WQMP and have had post-construction Structural BMPs implemented 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:

- ◆ Project Name
- ◆ Priority for Maintenance Verifications (see Section 6.8.2)
- ◆ Type of project (residential, commercial, industrial, multi-use)
- ◆ Location of the project
- ◆ 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla-owned projects with post-construction Structural BMPs must be inspected annually as described in Section 5.4.

6.8.3.2 Verification Methods

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla Public Works Department 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 is used to document the inspection.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's Public Works Department established a mechanism through a single-party Operation and Maintenance Agreement (O&M Agreement) 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 the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla are described in Section 3 of this JRMP. The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla conducts appropriate follow-up measures to ensure that 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's Public Works Department 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 when new projects are issued a grading permit. Projects may be removed from the database when construction is completed and the project's grading permit is closed. The database includes the following project information:

- Project Identification (i.e. name, tract number, assessor parcel #, grading permit #, etc),
- Project location,
- Watershed / Subwatershed
- Project type,
- Project priority,
- Date of inspections performed at each site,
- WDID # (if applicable),
- Enforcement actions taken.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla incorporates consideration of potential water quality impacts prior to approval and issuance of construction and grading permits.

Prior to issuance of Grading Permits, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla:

- 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 Erosion and Sediment Control Plan (ESC 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,
- Verifies that the project proponent is subject to the Construction General Permit and has existing coverage. Where coverage under the Construction General Permit appears to apply, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla verifies coverage on the State Board's web page at:

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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's review of the project's ESC Plan, as well as the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's inspections conducted as described in Section 7.4 below, are to ensure compliance with the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's ordinances and the 2010 MS4 Permit.

- Categorizes the project according to risk level for the purposes of inspection, as described in Section 7.4.

7.3 Construction Site BMPs {F.2.d}

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla has designated a minimum set of BMPs and other measures to be implemented at all Construction Sites, as applicable to the site and to the activities thereon. The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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. Appendix E includes Temecula's annual letter to project owners, developers, project managers, field superintendents, and contractors that lists many of these minimum BMPs. 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): |
|--|--|---------------------------------------|---|
| Stabilize Exposed Soils (one or more of the methods below will be used as needed) | | | |
| 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) |
| Protect Steep Slopes | | | |
| 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) |
| Protect Waterways | | | |
| Check Dams | SE-4 | SC-4 | |
| Outlet Protection/Velocity Dissipation Devices | EC-10 | SS-10 | (a): (xii) b): (i) |
| Streambank Stabilization | EC-12 | SS-12 | (a): (xii) |
| Temporary Stream Crossings | NS-4 | NS-4 | b): (i) |
| Vegetated Buffer | | | |

| Phase Construction | | | |
|---------------------------------------|-------|------|---|
| 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) |
| Preserve Site Condition | | | |
| 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) |
| Waste Management | | | |
| Waste Handling and Disposal | SC-34 | | (a): (i), (xi.), (x), (xi) |
| Pollution Prevention | | | |
| Spill prevention, Control and Cleanup | SC-11 | | (a): (i.), (x) |

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla requires project proponents to submit for review an Erosion and Sediment Control Plan appropriate to project type/size that identifies each of the BMPs used during the construction phase and their deployment at the Construction Site. This plan:

- Establishes limitations of grading to a maximum disturbed area as determined by 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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.

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla has the option of allowing a temporary increase in the size of disturbed soil areas beyond the maximum if the individual site is in compliance with the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's ordinances and the site has adequate control practices implemented to prevent stormwater pollution;

- Requires preservation of natural hydrologic features where feasible;
- Preservation of riparian buffers and corridors where feasible;
- Evaluation and maintenance of all BMPs, until removed; and
- Retention, reduction, and proper management of all Stormwater Pollutant discharges on site to the MEP standard.

Since BMP technology is constantly changing, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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's MS4 facilities discharge into. Where necessary, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla requires implementation of ASTs 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla:

- (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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity

3B73B21Bof Tem163Becu50B80Bla 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. 11B58BCity 3B73B21Bof Tem163Becu50B80Bla construction inspectors inspect the inventoried Construction Sites according to the schedule below.

7.4.1 Rainy Season¹¹ Inspection Frequency

Table 7-1: Construction Site Inspection Frequency

| Priority | Supporting Criteria ^(a) | Rainy Season Inspection Frequency |
|----------|---|-----------------------------------|
| High | <ul style="list-style-type: none"> • Sites that disturb an area greater than 30 acres with rough grading or with active, unstabilized slopes occurring during the Rainy Season • 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. • Other sites determined by the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla as a significant threat to water quality, considering the following factors: <ul style="list-style-type: none"> ○ Soil erosion potential (e.g. Hillside sites) ○ Project size and type ○ Sensitivity of and proximity to Receiving Waters (particularly ESAs since no Receiving Waters are 303(d) listed for sediment or turbidity) ○ History or presence of Illegal Non-Stormwater Discharges ○ Known past record of non-compliance by the operators of the Construction Site ○ Any other relevant factors. | 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 |

7.4.2 Dry Season Inspection Frequency

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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.

¹¹ 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.

7.4.3 Re-inspections

Based upon site inspection findings, the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's Public Works inspectors track 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's permits, requirements and Ordinances.

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 Temecula will notify the San Diego Regional Board when the City 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 water quality ordinances.

In addition, the City annually notifies the San Diego Regional Board, prior to the commencement of the Rainy Season (October 1st), 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

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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. An electronic copy of this inventory is maintained by the Public Works Department.

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, etc.

8.1.1 Facility Categories

As listed in the 2010 SMR MS4 Permit, the Industrial and Commercial Facilities inventory/database must include 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 Copermitttee 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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;
- ◆ Street Address;
- ◆ 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.
- ◆ Facility Category (per Section 8.1.1)
- ◆ Facility contact
- ◆ Facility contact phone number
- ◆ WDID number associated with the Industrial General Permit (if any)
- ◆ Other NPDES permit or Waste Discharge Requirements

This database will assist in identifying information necessary for the copermitees to take enforcement actions, if required.

8.1.3 Facilities that pose a high threat to water quality

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla using the remaining factors identified above.

8.2 General BMP Implementation

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's applicable ordinance(s).

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 |
| 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity

3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla identifies Mobile Businesses based within, or operating within their jurisdictions based on the City's business license list, word of mouth by other mobile operators, and direct contact when the City comes across an active mobile operator.

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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla investigates and take the actions as described in Section 3.5.3.

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

The copermittees include Mobile Businesses and their bases of operation in the Industrial/Commercial Facility Database described in Section 8.1. This database will assist in identifying information necessary for the copermittees to take enforcement action, if required.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla ordinances and 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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

The County's Department of Environmental Health implements the CAP for oversight and inspection of Industrial and Commercial Facilities within the County's jurisdiction. Until recently, this program served as the baseline inspection program for the City of Temecula.

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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla of identified significant potential violations, including imminent or observed Illegal Discharges, within 24 hours of the third party inspection;
- (vi) Reporting to the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla of all findings within one week of the inspection being conducted; and
- (vii) 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 Copermittee to inspect this facility during the same year is deemed satisfied.

8.4.5 Tracking Inspections

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla enforces its water quality 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80BlaCity's' JRMP) that poses a significant threat to water quality in its jurisdiction as a result of violations of the water quality ordinances.

9.0 RESIDENTIAL SOURCES {F.C}

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla: 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 Temecula 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"> • Collect and properly dispose of automotive fluids and other waste • Clean up spills using dry cleanup methods where possible • Store Hazardous Materials away from rain and Runoff • Avoid hosing down parking areas • Prevent all leaks and/or spills from entering the street or MS4 | <p><u>Brochures (See Section 11):</u></p> <ul style="list-style-type: none"> • Automotive Maintenance and Car Care Brochure • Outdoor Cleaning <p><u>CASQA BMP Fact Sheets:</u></p> <ul style="list-style-type: none"> • SC-20 • SC-21 • SC-22 • SC-43 |
| B | Home and garden care activities and product use (pesticides, herbicides and fertilizers) | <ul style="list-style-type: none"> • Prevent irrigation runoff • Store and apply pesticides, fertilizers and other chemicals in accordance with their labeling • Avoid applying pesticides, herbicides and fertilizers before forecasted rain | <p><u>Brochures (See Section 11):</u></p> <ul style="list-style-type: none"> • Landscape and Garden • 10 Ways to Save Water Outdoors <p><u>CASQA BMP Fact Sheets:</u></p> <ul style="list-style-type: none"> • SC-73 • SD-10 • SD-12 |

| | | | |
|-----------------|---|--|---|
| <p>C</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"> • Properly dispose of pet waste • Collect green waste and never blow such waste into the street, gutter or MS4 • Never dispose of Waste in a street, gutter or MS4 • Take Household Hazardous Waste to a designated collection center | <ul style="list-style-type: none"> • <u>Brochures (See Section 11):</u> • After the Storm • What's the Scoop • Tips for Horse Care • Landscape and Garden • Pools, Spas and Fountains • <u>HHW and ABOP Collection Events</u> • http://www.rivcowm.org/opencms/hhw/index.html • <u>Videos:</u> • Animal Care • Household Hazardous Waste • Managing your Lawn and Garden • Outdoor Activities |
|-----------------|---|--|---|

The residential activities described in Table 9-1 above are assumed to occur with equal likelihood in all residential areas within the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla in response to the Santa Margarita Watershed Water Quality Workplan assessments.

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 |
|------------------|---|--|--|
| A | Outdoor Cleaning Activities | <ul style="list-style-type: none"> • Clean up spills using dry cleanup methods where possible • Avoid hosing down parking areas • Prevent all wash water, leaks and/or spills from entering the street or MS4 | <p><u>Brochures (See Section 11):</u></p> <ul style="list-style-type: none"> • Outdoor Cleaning <p><u>CASQA BMP Fact Sheets:</u></p> <ul style="list-style-type: none"> • SC-43 |
| B | Community Pools / Fountains | <ul style="list-style-type: none"> • Properly maintain community pools and/or fountains to avoid Illegal Discharges • Properly store all chemicals and equipment used in maintaining the pools/fountains | <ul style="list-style-type: none"> • <u>Brochures (See Section 11):</u> • Pools, Spas and Fountains <p><u>CASQA BMP Fact Sheets:</u></p> <ul style="list-style-type: none"> • SC-72 |
| C | Community streets, roads and parking lots | <ul style="list-style-type: none"> • Sweep streets/roads as necessary to prevent accumulated trash or debris from entering the MS4 • Schedule repairs for Dry Weather, and protect nearby storm drain inlets for repairs that must occur during the Wet Season | <p><u>CASQA BMP Fact Sheets:</u></p> <ul style="list-style-type: none"> • SC-43 • SC-70 |

| | | | |
|---|---------------------|--|--|
| D | Community-owned MS4 | <ul style="list-style-type: none"> • Regularly inspect and remove litter and/or other debris from inlets- before the Wet Season • 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. • Post no-dumping signs in areas where trash or other illegal dumping accumulates | <p><u>CASQA BMP Fact Sheets:</u></p> <ul style="list-style-type: none"> • SC-10 • SC-74 |
|---|---------------------|--|--|

9.6 Enforcement {F.3.c.(3)}

If during an inspection in response to a complaint, the City observes that a residence or a CIA/HOA/MHP is non-compliant with the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla’s water quality ordinances, (including the prohibition of non-exempt Non-Stormwater discharges), the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla begins enforcement procedures. Procedures for enforcement of the water quality ordinances 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla identifies a problem identified in Table 10-1, Step 2 of the Retrofit Program Framework identifies that the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla conduct source identification in an attempt to determine the source and/or areas of development that may potentially be retrofitted. 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 Copermittee's 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla programs would be addressed and reported in the JRMP Annual Report.

If the JRMP programs are being adequately implemented the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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, 11B58BCity 3B73B21Bof Tem163Becu50B80Bla can use the BMP menu to evaluate Structural BMPs.

10.3 Identification of Candidate Areas for Retrofitting^{F.3.d.1.}

Existing areas of development (i.e., municipal, industrial, commercial, residential) within the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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). Such practices may include but are not limited to:

1. Education and outreach;
2. Requiring Retrofit projects as enforcement, mitigation or ordinance compliance when a source of discharge is found;
3. Fees for existing discharges to the MS4 and reduction of these fees for Retrofit implementation;
4. Subsidies for Retrofit projects;
5. Public and private partnerships; and
6. Demonstration Retrofit projects on public land and easements.

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, 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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)}

Through the inspection program, the owner/operator of each inventoried commercial and industrial site/source will be notified of the BMP requirements applicable to the site/source at least once during the five-year period of this Order.

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla, 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., herbicides, fertilizers, household chemicals). The target audiences of the residential and general public education programs includes 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 |
|--|---|---|
| <p>New Development / Redevelopment Project Applicants, Developers, Contractors, Property Owners, and other Responsible Parties</p> | <ul style="list-style-type: none"> • F.1 • F.6.a • F.6.b.(2) | <p><u>Training</u></p> <ul style="list-style-type: none"> • Regional SMR WQMP Training (upon approval of revised SMR WQMP) • Regional HMP Training (upon approval of HMP) <p><u>Guidance Documents</u></p> <ul style="list-style-type: none"> • SMR WQMP and HMP Guidance • Regional LID BMP Design Handbook (http://rcflood.org/npdes/lidbmp.aspx) • CASQA Low Impact Development Manual for Southern California (https://www.casqa.org/LID/tabid/240/Default.aspx) • CASQA Stormwater BMP Handbooks (http://www.cabmphandbooks.com/) <p><u>Applications / Forms</u></p> <ul style="list-style-type: none"> • Project Application form • WQMP Initial Applicability Checklist <p><u>Electronic Outreach</u></p> <ul style="list-style-type: none"> • Regional Quarterly E-newsletters • Website <p><u>Other</u></p> <ul style="list-style-type: none"> • Regional Quarterly E-newsletters |

| Target Audience | JRMP Program Areas Addressed | Education / Outreach Methods |
|--|---|--|
| Construction Site Owners and Operators | <ul style="list-style-type: none"> • F.2. • F.6.a. • F.6.b.(2) | <p><u>Applications / Forms</u></p> <ul style="list-style-type: none"> • Grading Permit Application form • Construction Checklist (a sample is provided in WQMP Chapter 5) <p><u>Printed Material</u></p> <ul style="list-style-type: none"> • After the Storm • General Construction site supervision • Outdoor Cleaning Activities • Construction Poster <p><u>Electronic Outreach</u></p> <ul style="list-style-type: none"> • Regional Quarterly E-newsletters • Website |
| Commercial / Industrial Owners and Operators | <ul style="list-style-type: none"> • F.3.b. • F.6.a. • F.6.b.(3) | <p><u>Applications / Forms</u></p> <ul style="list-style-type: none"> • Business Registration form <p><u>Direct Outreach</u></p> <ul style="list-style-type: none"> • 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 <p><u>Printed Material</u></p> <ul style="list-style-type: none"> • After the Storm • Did you know your facility may need a stormwater permit? • Automotive Maintenance and Car Care • Outdoor Cleaning Activities • Food Service Industry • Industrial / Commercial Facilities • Landscape and Garden • Pools, Spas and Fountains <p><u>Electronic Outreach</u></p> <ul style="list-style-type: none"> • Regional Quarterly E-newsletters • E-blasts to mobile service providers • Website |

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

12.0 11B58BCity 3B73B21Bof TEM163Becu50B80BLA STAFF TRAINING{F.6.}

The 11B58BCity 3B73B21Bof TEM163Becu50B80BLA's education program ensures that 11B58BCity 3B73B21Bof TEM163Becu50B80BLA 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 11B58BCity 3B73B21Bof TEM163Becu50B80BLA staff:

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

| Target Audience | JRMP Program Area Addressed | Education / Outreach Methods |
|---------------------|-----------------------------|---|
| Management | All | <ul style="list-style-type: none"> • Staff Meetings |
| NPDES Program Staff | All | <ul style="list-style-type: none"> • SMR Technical Advisory Committee (TAC) Meetings • Regional NPDES training (all applicable modules) |

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

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

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla trains staff responsible for oversight and conducting storm water compliance inspections and enforcement of construction activities (e.g. construction, building, code enforcement, grading review staff, inspectors, and other responsible construction staff) annually.

The 11B58BCity 3B73B21Bof Tem163Becu50B80Bla also provides annual training to staff responsible for conducting stormwater compliance inspections and enforcement of Industrial and Commercial Facilities.

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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla. The Monitoring Plan, available at: <http://rcflood.org/NPDES/Monitoring.aspx>, addresses the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla'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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 with 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla identifies a number of NAL exceedances that prevents it from adequately conducting source investigations at all sites in a timely manner, then the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity 3B73B21Bof Tem163Becu50B80Bla's MS4 facilities requires the 11B58BCity 3B73B21Bof Tem163Becu50B80Bla 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 11B58BCity

3B73B21Bof Tem163Becu50B80Bla 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.

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GLOSSARY

APPENDIX B

PROGRAM MANAGEMENT

B.1

**JRMP ORGANIZATIONAL CHART
AND
DEPARTMENT RESPONSIBILITIES MATRIX**

B.2

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**STANDARD EROSION AND SEDIMENT CONTROL NOTES
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**ANNUAL LETTER TO PROJECT OWNERS, DEVELOPERS, PROJECT MANAGERS,
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CAP SURVEY FORMS

APPENDIX G

RETROFIT PROGRAM STUDY

Glossary

| Name | Definition |
|--|--|
| 2010 SMR MS4 Permit | Order R9-2010-0016, an NPDES MS4 Permit issued by the San Diego Regional Board. |
| Action Level | See Non-Stormwater Action Levels and Stormwater Action Levels |
| Beneficial Use | 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)]. |
| Best Management Practice (BMP) | Any procedure or device designed to minimize the quantity of Pollutants that enter the MS4 or to control stormwater flow. See Chapter Two. |
| Bioretention BMP | 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. |
| Biotreatment BMP | A type of LID BMP 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. |
| California Stormwater Quality Association (CASQA) | Publisher of the California Stormwater Best Management Practices Handbooks, available at www.cabmphandbooks.com |
| Cease and Desist Order | See Stop Work Order |
| CEQA | California Environmental Quality Act |
| Citation | An official summons to appear (as before a court) |
| Condition of Concern | Conditions that may affect the designated Beneficial Uses of a Receiving Water |

Glossary

| Name | Definition |
|---------------------------------------|---|
| Condition(s) of Approval (COA) | 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. |
| Construction Site | 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. |
| Copermittee | 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 Priority Development Project . |
| CWA | The Federal Clean Water Act |
| Design Capture Volume (VBMP) | The volume of runoff from the Design Storm . 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. |
| Design Flow Rate (QBMP) | 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. |
| Design Storm | The 85 th percentile 24-hour storm depth, based on local historical rainfall records. See Exhibit A of the SMR WQMP. |
| Development Project | 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. |
| Directly Connected | 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). |
| Discretionary Approval | 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. Check with the Copermittee to determine if a particular action is considered Discretionary. |
| Drainage Management Area (DMA) | Individual, discrete drainage areas that typically follow grade breaks and roof ridge lines |

Glossary

| Name | Definition |
|--|---|
| Drawdown Time | 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. |
| | Dry Season May 1 st through September 30 th |
| Dry Weather | Weather is considered dry if the preceding 72 hours has been without precipitation. |
| | DU Dwelling Unit |
| EIATIA | 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. |
| | EIR Environmental Impact Report |
| Emergency Situation | 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. |
| Ephemeral | Water bodies, or segments thereof, that contain water only for a short period following precipitation events. |
| Erosion | 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. |
| ESA | Environmentally Sensitive Area. At minimum, as defined in the 2010 MS4 Permit, all Receiving Waters are considered ESAs. |
| Evapotranspiration | The process of transferring moisture from the earth to the atmosphere by evaporation of water and transpiration from plants. |
| Facility Pollution Prevention Plan (FPPP) | 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. |
| Final Project-Specific WQMP | 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 |
|--|---|
| General Plan | Document that specifies policies that guide development. |
| Harvest and Use BMPs | Stormwater BMPs that capture stormwater runoff in a vault or cistern, and stores that water for later use, such as for irrigation. |
| Hazardous Materials | 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. |
| Hazardous Waste | As defined by 40 CFR 117 and 40 CFR 302 |
| Head | 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. |
| Hydrograph | Runoff flow rate graphed as a function of time. |
| Hydrologic Soil Group (HSG) | Classification of soils by the NRCS into A, B, C and D groups according to infiltration characteristics. |
| Hydromodification | 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. |
| Hydromodification Management Plan (HMP) | A Plan that, once developed by the Copermittees, will specify requirements that must be implemented so that projects will not cause Hydromodification. |
| Illegal Discharge | 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. |
| Illicit Connection | Any unauthorized connection to the MS4 that conveys an Illicit Discharge |
| Impairment | 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.. |
| Impervious Area | |
| Impervious surface | Any surface in the landscape that cannot effectively absorb or infiltrate urban runoff; for example, conventionally paved: sidewalks, rooftops, roads and parking areas. |
| Implementation Agreement | An agreement among the Copermittees that establishes the responsibilities of each Copermittee and a procedure for funding the shared costs. |

Glossary

| Name | Definition |
|---|---|
| Industrial Facility | 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. |
| Infiltration BMPs | A type of LID Retention BMP where the primary treatment mechanism is through seepage of runoff into a site's underlying soil. |
| Infiltration Rate | Rate at which water can be added to a soil without creating runoff (in/hr). |
| Infraction | Violation |
| Integrated Pest Management (IPM) | 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 |
| Intermittent | Waterbodies, or segments thereof, that contain water for extended periods during the year, but not at all times. |
| JRMP | Jurisdictional Runoff Management Plan |
| JRMP Annual Report | Report summarizing a Copermittee's compliance information to be submitted annually to the Regional Board on or before each October 31 st of each year, beginning on October 31, 2013. The reporting period for these JRMP Annual Reports must be the previous fiscal year. |
| LID BMPs | 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, suchas 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. |
| LID Principles | 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 |
|--|--|
| LID Retention BMP | 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 |
| Low Impact Development (LID) | 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. |
| Major Outfall | Outfalls owned by a Copermittee with a pipe diameter of 36 inches or greater or drainage areas draining 50 acres or more. See also Outfall . |
| Maximum Extent Practicable (MEP) | Standard, established by the 1987 amendments to the Clean Water Act, for the reduction of Pollutant discharges from MS4s. |
| Misdemeanor | A crime less serious than a felony. |
| Mobile Business | Businesses that conduct services listed in section 8.1.1 but do not operate out of a fixed location. |
| Municipal Facility | A facility owned by a Copermittee |
| Municipal Separate Storm Sewer System (MS4) | 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). |
| National Pollutant Discharge Elimination System (NPDES) | 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). |
| Non-Hazardous Materials | For example, food wastes, trash and debris |
| Non-Jurisdictional IC/ID | 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. |
| Non-Stormwater | 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 |
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| Non-Stormwater Action Levels | <p>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 exceedance of a non-stormwater action level (NAL or action level) is a violation of this Order. The San Diego Water Board recognizes that use of action levels will not necessarily result in detection of all unauthorized sources of non-stormwater discharges because there may be some discharges in which pollutants do not exceed established action levels. However, establishing NALs at levels appropriate to protect water quality standards is expected to lead to the identification of significant sources of pollutants in dry weather non-stormwater discharges.</p> |
| Non-Structural BMPs | <p>See LID Principles</p> |
| Notice of Noncompliance | <p>The Notice of Noncompliance constitutes a basic request that the property owner or facility operator rectify the condition causing or threatening to cause noncompliance</p> |
| NRCS | <p>Natural Resources Conservation Service</p> |
| O&M | <p>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.</p> |
| Operational Source Control BMPs | <p>Source Control programs or activities implemented by a site operator to prevent pollution. Examples include regular sweeping of parking lots and other 'housekeeping' efforts.</p> |
| Other Development Projects | <p>All Discretionary Development Projects that are not categorized as Priority Development Projects.</p> |

Glossary

| Name | Definition |
|--|---|
| Other LID BMPs | Stormwater BMPs that incorporate features that provide for natural biological processes while maximizing opportunities for Infiltration and Evapotranspiration. These are distinguished from LID Retention BMPs , with the latter being BMPs that, in addition to the above features, are also designed to retain stormwater runoff. |
| Outfall | 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)]. |
| Permanent Source Control BMP | 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. |
| Permeable or Pervious or Porous Pavements | 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. |
| Pollutant | 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. |
| Pollutant of Concern | 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. |
| Pollution Prevention BMP | Practices that reduce or eliminate the generation of Pollutants. |
| Pre-Development | Conditions that would exist naturally. |
| Preliminary Project-Specific WQMP | 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. |
| Priority Development Project | Development Projects that meet the categories and criteria identified in Table 1-1 (see 2010 SMR MS4 Permit, item F.1.d.). |
| Priority Pollutant of Concern | Pollutants that are associated with a proposed project and are listed as impaired under CWA Section 303(d). |
| Project-Specific WQMP | 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. |
| Proprietary Stormwater BMPs | Products designed and marketed by private businesses for treatment of stormwater. |
| Rainy Season | October 1 st through April 30 th |

Glossary

| Name | Definition |
|---|---|
| Rational Method | 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. |
| Receiving Water | 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 www.waterboards.ca.gov/sandiego . |
| Redevelopment | 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. |
| Regional Water Quality Control Board (or Regional Board) | 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. |
| Retrofit | 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. |
| Runoff | 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. |
| Runoff Management Plan | A site-specific plan identifying BMPs to manage the quality and quantity of runoff from a project site. |
| Santa Margarita Region (SMR) | The portion of Riverside County covered by Order R9-2010-0016, an NPDES MS4 Permit issued by the Santa Diego Regional Board. |
| Sedimentation | The action or process of forming or depositing sediment. |
| Self-treating area | Natural or landscaped area (as described in Section 3.3 of the WQMP) that drains offsite without comingling with developed portions of the site. |
| Site Design | See LID Principles. |

Glossary

| Name | Definition |
|---|--|
| Source Control BMP | A facility or procedure to prevent Pollutants from coming into contact with rainfall and/or runoff. |
| Stop Work Order or Cease and Desist Order | As used in the JRMP, an order from a Copermittee to stop a particular activity. |
| Stormwater | 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. |
| Stormwater Action Level | 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. |
| Stormwater Ordinance | The ordinance or set of ordinances that are consistent with the Legal Authorities described in section 3.4 of this JRMP. |
| Stormwater Pollutant | A Pollutant associated with Stormwater. |
| Stormwater Pollution Prevention Plan (SWPPP) | 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. |
| Structural Stormwater BMPs | 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. |
| Total Maximum Daily Load (TMDL) | 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. |
| Toxicity | Adverse responses of organisms to chemicals or physical agents ranging from mortality to physiological responses such as impaired reproduction or growth anomalies. |
| Treatment Control BMP | 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. |

Glossary

| Name | Definition |
|---|---|
| | <p>TUTIA 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.</p> |
| <p>Unpaved Road</p> | <p>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.</p> |
| | <p>Waste 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."</p> |
| <p>Waste Discharge Requirements</p> | <p>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.</p> |
| <p>Water Quality Management Plan (WQMP, or SMR WQMP)</p> | <p>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 from the post-construction use and life of a project.</p> |

Glossary

| Name | Definition |
|---------------------------------|---|
| Water Quality Objectives | <p>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 the reasons why all waste discharge requirements implementing the Federal NPDES regulations require compliance with water quality objectives. (Water quality objectives are also called water quality criteria in the CWA.)</p> |
| Water Quality Standards | <p>The beneficial uses (e.g., swimming, fishing, municipal drinking water supply, etc.) of water and the Water Quality Objectives necessary to protect those uses.</p> |

Glossary

| Name | Definition |
|---------------------------|--|
| Waters of the U.S. | 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 definition. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water |
| Wet Season | October 1 st to April 30 th |
| Wet Weather | Weather is considered wet if precipitation measuring over 0.10 inches has been received during the preceding 72 hours. |

Table B-1. JRMP Departmental Responsibilities

| Program Element | JRMP Section {Permit reference} | Primary Responsible Department | Responsible Staff (Name or Title as appropriate) |
|--|--|---|--|
| 3.0 Program Management | 3.1 – Departmental Responsibilities – Maintain matrix | Public Works Department | NPDES Engineer |
| | 3.2 – Cooperative Activities | Public Works Department | NPDES Engineer |
| | 3.3 – Fiscal Analysis {H} | Public Works Department | NPDES Engineer |
| | 3.4 – Legal Authority {E.} | Public Works Department | NPDES Engineer |
| | 3.5 – Enforcement/Compliance Strategy | Public Works Department | NPDES Engineer |
| | 3.6 – Receiving Water Limitations {A.} | Public Works Department | NPDES Engineer |
| | 3.7 – Program Reporting, Evaluation and Revision {J., K., L} | Public Works Department | NPDES Engineer |
| | | | |
| 4.0 Elimination of Illicit Connections and Illegal Discharges {F.4} | 4. 1.1 Prohibited Discharges {A.1., 2} | Public Works Department | NPDES Engineer |
| | 4.2.1 Legal Authority {E.} | Public Works Department | NPDES Engineer |
| | 4.2.2 Connections to MS4 Facilities | Maintain Inventory & Map - Public Works Department | NPDES Engineer |
| | 4.2.3 Inspections | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 4.2.4 Maintain MS4 Facility Map {F.4.b.} | Public Works Department | 1) Senior Land Development Engineer 2) NPDES Engineer |
| | 4.2.5 Public Reporting of IC/IDs | 1) RCFC (1-800 Hotline) 2) Public Works Department | 1) RCFC NPDES Department 2) NPDES Engineer 3) Maintenance Superintendent |

| Program Element | JRMP Section {Permit reference} | Primary Responsible Department | Responsible Staff (Name or Title as appropriate) |
|-----------------|--|---|--|
| | 4.2.6 Dry Weather Field Screening | Public Works Department | NPDES Engineer |
| | 4.2.7 Waste Collection Programs | 1) RCFC (regional collection programs) 2) Temecula Community Services Dept (city-wide collection programs) | 1) RCFC NPDES Department 2) Temecula Community Services Department Director |
| | 4.3.1 MS4 Facility Inspections {F.4.e} | Public Works Department | 1) Maintenance Superintendent 2) Inspectors 3) NPDES Engineer |
| | 4.3.2 Public IC/ID Reports {F.4.c} | Public Works Department | 1) Maintenance Superintendent 2) Inspectors 3) NPDES Engineer |
| | 4.3.3 IC/ID Construction Site Inspections {F.1.e.(6)(d); F.2.e} | 1) Public Works Department 2) Building and Safety Department | 1) Inspectors 2) Building and Safety Inspectors |
| | 4.3.4 IC/ID Industrial / Commercial Facilities Inspections {F.3.b.(4)(vi)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 4.3.5 IC/ID Monitoring Activities {Attachment E. II.C} | Public Works Department | NPDES Engineer |
| | 4.3.6 Non-Jurisdictional IC/IDs | Public Works Department | NPDES Engineer (for notifications) |
| | 4.4 IC/ID Response and Reporting {F.4} | Public Works Department (Initial Investigation) | 1) Inspectors 2) NPDES Engineer 3) Maintenance Superintendent |
| | | Public Works Department (Source Investigation) | 1) Inspectors 2) NPDES Engineer 3) Maintenance Superintendent |
| | | Public Works Department (Elimination) | 1) Inspectors 2) NPDES Engineer 3) Maintenance Superintendent |
| | 4.4.5 Sanitary Wastes F.4.h} | Portable Toilets – Code Enforcement | Code Enforcement Staff |
| | | Failing Septic Systems – Code Enforcement | Code Enforcement Staff |

| Program Element | JRMP Section {Permit reference} | Primary Responsible Department | Responsible Staff (Name or Title as appropriate) | |
|--|--|--|---|--------------------------|
| 5.0 Permittee Facilities and Activities {F.3.a} | 5.1 Planning Facilities {F.1} | Planning Department Public Works Department | Director of Planning Director of Public Works | |
| | 5.1.1 - Public Works Priority Development Projects {F.1.d} | Public Works Department (Review WQMP Applicability Checklist) | Principle Engineer - CIP | |
| | 5.1.2 – Public Works Transportation Projects F.1.d.(2)(g)} | Public Works Department | Principle Engineer - CIP | |
| | 5.1.3 Public Works Unpaved Roads {F.1.i} | Public Works Department | Principle Engineer - CIP | |
| | 5.1.4 Design of Flood Control Projects {F.3.a.(4)(a)} | Public Works Department | Principle Engineer - CIP | |
| | 5.1.5 Other public works projects { | Public Works Department | Principle Engineer – CIP | |
| | 5.2 – Permittee Construction Activities {F.2.} | Submit PRDs - Public Works Department | Public Works Department | Principle Engineer – CIP |
| | | Prepare Construction SWPPP – Public Works Department | Public Works Department | Principle Engineer – CIP |
| | | Notify Executive Officer of Non Compliance – Public Works Department | Public Works Department | Principle Engineer – CIP |
| | | Conduct monitoring – Public Works Department | Public Works Department | Principle Engineer – CIP |
| | | Submit NOT – Public Works Department | Public Works Department | Principle Engineer – CIP |
| | 5.3 – Operation & Maintenance of Permittee Areas & Activities {F.3.a.} | Public Works Department | 1) Maintenance Superintendent 2) Inspectors 3) NPDES Engineer | |
| | 5.3.1 Source Identification/ Inventory {F.3.a.(1)} | Public Works Department | NPDES Engineer | |
| | 5.3.2 Typical Minimum BMPs {F.3.a.(2)(b)} | Public Works Department | NPDES Engineer | |
| | 5.3.3.1 Special Event BMPs {F.e.a(2)(c)} | Public Works Department | 1) Permit Engineer 2) NPDES Engineer | |
| | 5.3.3.2 Fire BMPs {B.3.a.} | Non-emergency BMPs - Fire Department | Fire Marshal | |

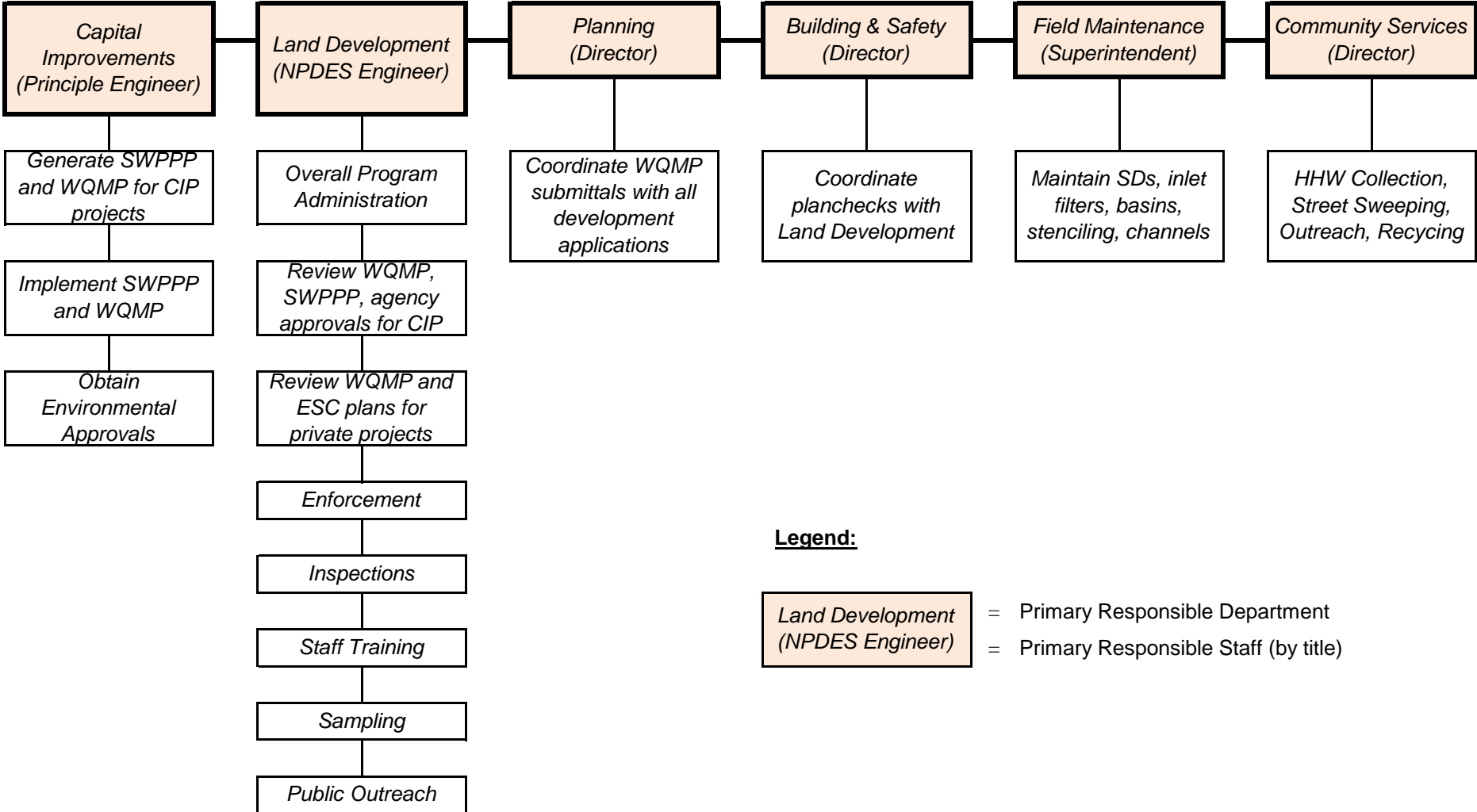
| Program Element | JRMP Section {Permit reference} | Primary Responsible Department | Responsible Staff (Name or Title as appropriate) |
|---------------------------------------|--|---|---|
| | | NOI for De Minimus Permit – Fire Department | N/A |
| | 5.3.3 BMPs for Activities {F.3.a.(a)(2)(b)} | Public Works Department | 1) Maintenance Superintendent 2) Inspectors 3) NPDES Engineer |
| | 5.3.5 Maintenance of MS4 facilities and treatment control BMPs {F.3.a.(6)} | Public Works Department | 1) Maintenance Superintendent 2) Inspectors 3) NPDES Engineer |
| | 5.4 Annual Inspection {F.3.A.(8)} | Public Works Department | 1) Maintenance Superintendent 2) Inspectors 3) NPDES Engineer |
| | 5.5 Enforcement of Municipal Areas and Activities {F.3.a.(9)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | | | |
| 6.0 Development Planning {F.1} | 6.2 General Plan {F.1.a} | Planning Department | Director of Planning |
| | 6.3.2 LID Barriers Review {{F.1.d.(4)(a)} | Public Works Department | NPDES Engineer |
| | 6.6.2 Approval Process Criteria and Requirements for All Development Projects {F.1.c.} | Planning Department | Director of Planning |
| | 6.6.3 Identify Priority Development Projects {F.1.d.(1) & (2)} | Public Works Department | NPDES Engineer |
| | 6.6.4 Conditions of Approval (NPDES COAs) | Public Works Department | NPDES Engineer |
| | 6.6.5 Review Preliminary Project-Specific WQMPs {F.1.d.(9)(a)} | Public Works Department | NPDES Engineer |
| | 6.6.6 Review and Approval of Final Project-Specific WQMPs {F.1.d.(9)(a)} | Public Works Department | NPDES Engineer |
| | 6.6.7 Requirements for Other Development Projects | Planning Department | Director of Planning |

| Program Element | JRMP Section {Permit reference} | Primary Responsible Department | Responsible Staff (Name or Title as appropriate) |
|---|--|--------------------------------|--|
| | 6.6.8 Unpaved Roads Development | Public Works Department | NPDES Engineer |
| | 6.6.9 Plan Check: Issuance of Grading or Building Permits | Public Works Department | Senior Land Development Engineer |
| | 6.7 Field Verify BMPs & Permit Closeout {F.1.e.} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 6.7.2 BMP Maintenance Tracking {F.1.f.} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 6.8 Structural Post-Construction BMP Database and Maintenance Verification {F.1.f} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 6.8.4 Change of Ownership Recordation {F.1.d.(9)(b)} | Public Works Department | NPDES Engineer |
| | 6.9 Enforcement for Development {F.1.g} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | | | |
| 7.0 Private Development Construction {F.2.} | 7.1 Source Identification/Inventory {F.2.b} | Public Work Department | 1) Inspectors 2) NPDES Engineer |
| | 7.2 Construction Site Planning and Project Approval Process {F.2.c.} | Public Work Department | 1) Inspectors 2) NPDES Engineer |
| | 7.3 Construction Site BMP Implementation {F.2.d.} | Public Work Department | 1) Inspectors 2) NPDES Engineer |
| | 7.4 Construction Site Inspection {F.2.e.} | Public Work Department | 1) Inspectors 2) NPDES Engineer |
| | 7.5 Construction Enforcement {F.2.f.} | Public Work Department | 1) Inspectors 2) NPDES Engineer |
| | 7.6 Reporting of Non-Compliant Sites {F.2.g.} | Public Work Department | 1) Inspectors 2) NPDES Engineer |
| 8.0 Industrial and Commercial Sources {F.3.b.} | 8.1 Industrial/Commercial Database {F.3.b.(1)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 8.2 General BMP Implementation {F.3.b.(2)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |

| Program Element | JRMP Section {Permit reference} | Primary Responsible Department | Responsible Staff (Name or Title as appropriate) |
|--|--|--------------------------------|--|
| | 8.3 Mobile Business Program {F.1.b.(3)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 8.4 Industrial/Commercial Inspections {F.3.b.} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 8.4.6 Industrial/Commercial Enforcement {F.1.d.(5)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 8.4.7 Reporting of Non-Compliant Sites {F.1.d.(6)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | | | |
| 9.0 Residential Sources {F.1.c.} | 9.3 Designated BMPs {F.3.c.(2)(b)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 9.4 Household Waste Management {F.3.c.(2)(c)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 9.5 Common Interest Areas/ Homeowner Association Areas / and Mobile Home Parks {F.3.c.(4)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | 9.6 Residential Enforcement {F.3.c.(3)} | Public Works Department | 1) Inspectors 2) NPDES Engineer |
| | | | |
| 10.0 Retrofitting Existing Development {F.3.d.} | 10.1 Identification of Conditions of Concern {{F.3.d.(1)} | Public Works Department | NPDES Engineer |
| | 10.2 Source Assessment & Identification {F.3.d.(2)} | Public Works Department | NPDES Engineer |
| | 10.3 Identification of Candidate Areas for Retrofitting {F.3.d.(2)} | Public Works Department | NPDES Engineer |
| | 10.4 Prioritization of Candidate Areas for Retrofitting {F.3.d.(2)} | Public Works Department | NPDES Engineer |
| | 10.5 Prioritizing Retrofitting Work Plans 10.3 {F.3.d.(3)} | Public Works Department | NPDES Engineer |
| | 10.6 Private Retrofitting Projects {F.3.d.(4)} | Public Works Department | NPDES Engineer |

| Program Element | JRMP Section {Permit reference} | Primary Responsible Department | Responsible Staff (Name or Title as appropriate) |
|--|--|--|--|
| | 10.7 Tracking Retrofit BMPs {F.3.d.(5)} | Public Works Department | NPDES Engineer |
| | 10.8 Regional Mitigation Projects {F.3.d.7)} | Public Works Department | NPDES Engineer |
| | | | |
| 11.0 Education {F.6.} | 11.1 Target Audiences | 1) RCFC (regional) 2) Public Works Department | 1) RCFC NPDES Department 2) NPDES Engineer |
| | 11.2 Residential and General Public F.6.b.(4)} | Public Works Department | NPDES Engineer |
| | | | |
| 12.0 Copermittee Staff Training | Copermittee Staff | RCFC&WCD | NPDES Engineer |
| | | | |
| 13.0 Monitoring Program {N} | 13.2 NALs {C} | Public Works Department | NPDES Engineer |
| | 13.3 SALs {D} | Public Works Department | NPDES Engineer |
| | | | |

City-Wide NPDES Compliance Organizational Chart



Legend:

- Land Development (NPDES Engineer) = Primary Responsible Department
- = Primary Responsible Staff (by title)

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

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

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

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

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

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

15 WHEREAS, on November 10, 2010, the CRWQCB-SDR adopted Order No. R9-
16 2010-0016 to serve as Waste Discharge Requirements in accordance with Section 13263(a) of
17 the California Water Code and as an NPDES permit pursuant to Section 402(p) of the CWA; and

18 WHEREAS, the NPDES Permit meets or exceeds the requirements of Section
19 402(p)(3)(B) of the CWA; and

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

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

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

28 WHEREAS, the NPDES Permit provides that the COPERMITTEES collaborate

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

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

4 WHEREAS, DISTRICT established the Santa Margarita Watershed Benefit
5 Assessment Area (the "BENEFIT ASSESSMENT") pursuant to District Ordinance 14 on May
6 14, 1991 to offset the DISTRICT'S program and administrative costs associated with the
7 development, implementation and management of the Federally-mandated NPDES Program and
8 DISTRICT is willing to use BENEFIT ASSESSMENT funds to support the DISTRICT's role as
9 Principal Permittee and to support regional program costs to the extent that BENEFIT
10 ASSESSMENT funds are available and can be used for regional programs; and

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

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

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

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

20 a. DISTRICT shall:

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

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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,

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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 31st 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

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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 15th 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 15th 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 the 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

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

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

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

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

1 Board of Supervisors.

2 g. Support for Regional Programs. The COPERMITTEES shall
3 jointly provide funding for certain regional efforts that benefit the
4 Santa Margarita Region, including but not limited to: County
5 Environmental Health's Compliance Assistance Program; the
6 County Fire Department's Hazardous Materials Team; County
7 Environmental Health's Household Hazardous Waste and
8 Antifreeze, Batteries, Oil and Paint collection program; the
9 DISTRICT'S membership with the California Stormwater Quality
10 Association on behalf of COPERMITTEES; the DISTRICT'S
11 administration of Principal Permittee duties, and other NPDES
12 support activities as described in this Agreement, or as needed and
13 agreed to by the COPERMITTEES. Where these programs are
14 implemented countywide in support of other NPDES permit
15 regions, the DISTRICT shall estimate the portion of the total cost
16 of these regional programs that benefits the Santa Margarita
17 Region.

18 h. Regulation and Enforcement. COUNTY and CITIES shall be
19 responsible for the regulation and enforcement of local ordinances
20 and regulations within their respective jurisdictions to ensure
21 compliance with the NPDES Permit, and to prevent pollutants
22 originating from within their respective jurisdictions from being
23 discharged into the jurisdiction of another Party in a manner which
24 could cause that Party to violate the NPDES Permit. This includes
25 the exercise of police powers and land use controls and the
26 enforcement of ordinances that COUNTY or CITIES presently
27 have adopted or may adopt in the future.
28

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

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

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

24 3.1 DISTRICT Contribution

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

28 DISTRICT CONTRIBUTION = ASSESSMENT REVENUES -

1 INTERNAL COSTS - 20% ASSESSMENT REVENUE.¹

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

4 3.2 COUNTY and CITIES Contribution

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

7 COMBINED CONTRIBUTION = ESTIMATED COSTS - DISTRICT
8 CONTRIBUTION.

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

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

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

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

26 The BAU count of COUNTY and CITIES shall be estimated by comparing
27 the most current TRA information best fitting the Santa Margarita Region with the Assessment
28

¹ 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.

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

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

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

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

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

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

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

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

24 8. Amendments to the Agreement. Except as provided in Section 5, this
25 Agreement may only be amended by consent of all Parties. No amendment to this Agreement
26 shall be effective unless it is in writing and signed by the duly authorized representatives of all
27 Parties.
28

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

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

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

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

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

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

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

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

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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

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:

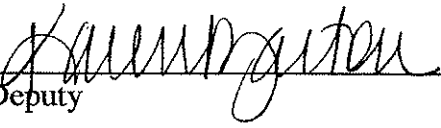
COUNTY OF RIVERSIDE

Dated: _____

By 
BOB BUSTER, Chairman
Riverside County Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk to the Board

By 
Deputy

(SEAL)

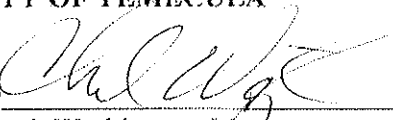
WHEN DOCUMENT IS FULLY EXECUTED RETURN
CLERK'S COPY
to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

JU:AMM:cw
11/03/11

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

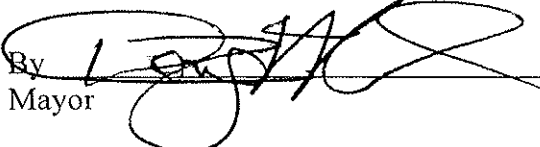


APPROVED AS TO FORM:

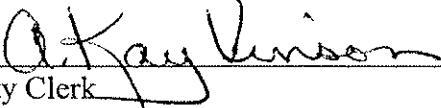
CITY OF MURRIETA

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By 
 City Attorney

By 
 Mayor

ATTEST:

By 
 City Clerk

Dated: January 17, 2012

APPROVED AS TO FORM:

CITY OF WILDOMAR

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By *Tom Jef*
City Attorney
Assistant

By *[Signature]*
Mayor

ATTEST:

By *Annice A. Lu*
City Clerk

Dated: *01-19-12*

| Program Element | Permit Task | SubTask | Completion | Budget | |
|--------------------------------|------------------------------------|---------------------------------|------------------|--------------------|---------------------|
| | | | | FY11/12 | (Projected) FY12/13 |
| Fourth-term Permit Development | Permit Application (ROWD) | | Jan-09 | \$0 | \$0 |
| | Permit Negotiation | | Nov-10 | \$0 | \$0 |
| | | Permit Adoption | Nov-10 | | |
| | Legal Support | General Legal Support Services | Ongoing | \$30,100 | \$30,100 |
| | | Permit Appeal | Dec-10 | \$0 | \$0 |
| | | Mandates Claim | Nov-11 | \$50,000 | \$0 |
| | General Support | | Ongoing | \$70,000 | \$70,000 |
| | JRMP | | Dec-11 | \$75,250 | \$0 |
| | Monitoring Plan | Revised Monitoring Plan | Jun-12 | \$250,000 | \$0 |
| | | Special Studies Round 1 | Apr-12 | | |
| | | Special Studies Round 2 | Sep-12 | | |
| | Retrofit Study | | Jun-12 | \$250,000 | \$50,000 |
| | SSMP | SSMP Development | Jun-12 | \$99,750 | \$0 |
| | | Hydromod Susceptability Mapping | Jun-13 | | \$66,667 |
| | | HMP | Jun-13 | | \$233,333 |
| Road Standards | | Jun-12 | \$24,750 | \$0 | |
| Watershed Workplan | | Jun-12 | \$98,550 | \$20,000 | |
| Subtotal | | | \$948,400 | \$470,100 | |
| District Staff / Admin | General Support | | | \$627,950 | \$627,950 |
| Public Education and Outreach | School/Business/Permittee Training | | | \$109,380 | \$153,333 |
| Water Quality Monitoring | Data Collection and Analysis | | | \$286,540 | \$1,212,676 |
| Regional Cooperative Programs | Pollutant Control Partnerships | | | \$144,340 | \$154,340 |
| Total Budget | | | | \$2,116,610 | \$2,618,399 |

Agency Contributions

| | FY11/12 | FY12/13 |
|---------------------------|--------------------|------------|
| Prior Year Credits Earned | \$56,336 | TBD |
| RCFC&WCD | \$472,475 | TBD |
| County | \$331,834 | TBD |
| Murrieta | \$527,612 | TBD |
| Temecula | \$581,716 | \$788,835 |
| Wildomar | \$146,637 | TBD |
| Total | \$2,116,610 | TBD |

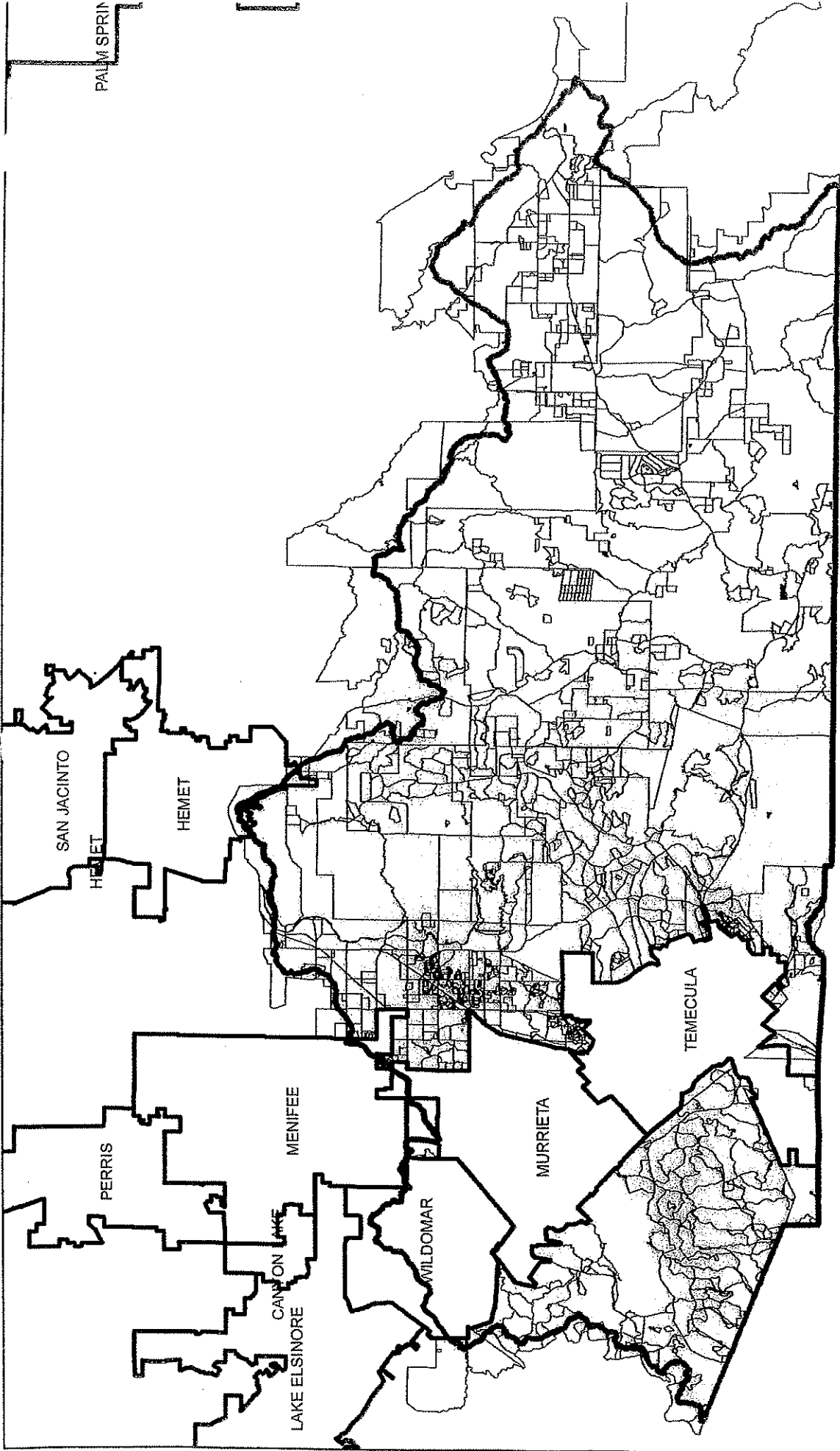
TBD - To Be Determined

Cost Sharing Factors

| AGENCY | POP | BAUs | Weighted% |
|---------------|----------------|----------------|----------------|
| County | 61,446 | 27,885 | 21.04% |
| Murrieta | 101,487 | 42,290 | 33.29% |
| Temecula | 105,029 | 49,741 | 36.76% |
| Wildomar | 31,907 | 9,300 | 8.92% |
| Totals | 299,869 | 129,216 | 100.00% |

Cost Sharing Formula

| | | | | |
|-------------------|--------------------------------|--|------------------|------------------|
| Step 1 | Total Administrative Costs | | \$627,950 | \$627,950 |
| | 80% Benefit Assessment Revenue | | -\$472,475 | -\$472,475 |
| | Regional Administrative Share | | \$155,475 | \$155,475 |
| Step 2 | Regional Administrative Share | | \$155,475 | \$155,475 |
| | Regional Program Share | | \$1,488,660 | \$1,990,449 |
| | Total Regional Share | | \$1,644,135 | \$2,145,924 |
| Step 3 (Temecula) | Gross Share (36.76%) | | \$604,379 | \$788,835 |
| | Estimated Prior Year Credits | | -\$22,663 | \$0 |
| | Net Share | | \$581,716 | \$788,835 |



Legend:
[Thick black line] Santa Margarita River Watershed
[Thin black line] Unincorporated Santa Margarita Population (2010) 42,621

ORDINANCE NO. 04-04

AN ORDINANCE OF THE CITY OF TEMECULA, CALIFORNIA, ADDING TITLE 18 TO THE TEMECULA MUNICIPAL CODE PERTAINING TO GRADING, EROSION AND SEDIMENT CONTROL, AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS/CITY ENGINEER TO PREPARE A GRADING MANUAL SETTING FORTH THE ADMINISTRATIVE PROCEDURES AND TECHNICAL REQUIREMENTS NECESSARY TO IMPLEMENT THIS ORDINANCE

The City Council of the City of Temecula, does ordain as follows:

Section 1: Growth and development have created permanent changes to the City's landscape and its natural resources. Open space and naturally vegetated areas have been permanently altered through clearing and grading activities associated with construction and land development. Loss of ground cover, coupled with grading, excavation, and compaction of the land contributes to decreased groundwater infiltration, increased storm water flow, erosion and increased sediment runoff into streams and other water bodies. Controlling erosion and sedimentation represents a vital component of protecting the water quality of our watercourses, water bodies and wetlands.

Section 2: Grading and land clearing activities also impact the City's aesthetic value and community character. Establishing minimum standards and requirements relating to land grading, clearing, excavations and fills, and procedures by which these standards and requirements may be enforced, will help to ensure soil is not stripped and removed from lands in the City, leaving them unsightly and susceptible to erosion, subsidence, faulty drainage and sediment deposition.

Section 3: It is desirable to adopt regulations for grading private property that will help to ensure that future grading, clearing and development of land within the City occurs in the manner most compatible with surrounding areas, and is paramount to protecting life, limb and property, and promoting and enhancing the general public welfare and a superior community environment.

Section 4: The Temecula Municipal Code is hereby amended by adding Title 18, consisting of Articles 1 through 11, and the various Chapters and Sections within each Article, to read as follows:

Section 5: The provisions of Title 18, Articles 1 through 11, shall apply to all grading permits issued on or after the effective date of this Ordinance.

Section 6: The City Council authorizes and directs the Director of Public Works/City Engineer to prepare and utilize a manual of standards setting forth the administrative procedures and technical requirements necessary to implement the provisions of this Ordinance. Such rules, procedures, and requirements shall be entitled "Administrative and Technical Procedures Manual for Grading, Erosion, and Sediment Control" in substantially the form set forth in Exhibit A.

Section 7: 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 application, and to this end, the provisions of this Ordinance are declared to be severable.

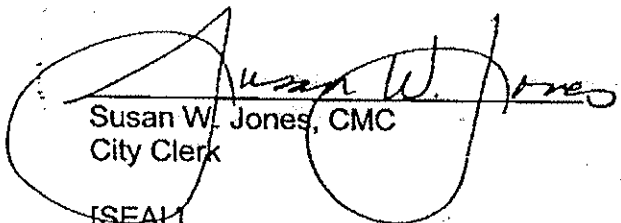
Section 8: The potential grading and land clearing activities regulated by this Ordinance represent components of the adopted General Plan that has already received the appropriate review when the General Plan was approved. Based on this fact, the City Council hereby finds that the adoption of this Ordinance is exempt from further review pursuant to CEQA Guideline Sections 15162(a) and 15061(b)(3) of the CEQA Guidelines. Section 15162 states that when an EIR has been certified for a project, no additional environmental review is required unless there is substantial evidence that the project has changed. The Final EIR for the City General Plan was certified on November 9, 1993.

Section 9: The City Clerk shall certify the Ordinance and cause it to be published as required by law. This Ordinance shall take effect on the 30th day after adoption pursuant to state law.

PASSED, APPROVED AND ADOPTED, by the City Council of the City of Temecula on the 11th day of May, 2004.


Michael S. Naggar, Mayor

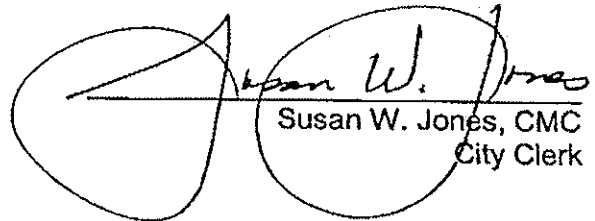
ATTEST:


Susan W. Jones, CMC
City Clerk
[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Susan W. Jones, CMC, City Clerk of the City of Temecula, do certify that the foregoing Ordinance No. 04-04 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 20th day of April, 2004, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 11th day of May, 2004 by the following vote:

- AYES: 5 COUNCILMEMBERS: Comerchero, Roberts, Stone, Washington, Naggar
- NOES: 0 COUNCILMEMBERS: None
- ABSENT: 0 COUNCILMEMBERS: None
- ABSTAIN: 0 COUNCILMEMBERS: None


Susan W. Jones, CMC
City Clerk

ORDINANCE NO. 08-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING PORTIONS OF TITLE 18 OF THE TEMECULA MUNICIPAL CODE FOR GRADING, EROSION, AND SEDIMENT CONTROL TO PROVIDE CONSISTENCY WITH THE ADOPTION OF THE 2007 EDITION OF THE CALIFORNIA BUILDING CODE INCLUDING APPENDIX 'J' AND TO MAKE OTHER MINOR CLARIFICATIONS AND CORRECTIONS

THE CITY COUNCIL OF THE CITY OF TEMECULA, DOES HEREBY ORDAIN AS FOLLOWS:

[CHANGES INCORPORATED INTO ORDINANCE]

Section 75. Environmental Finding. The proposed amendments to Title 18 of the Temecula Municipal Code are determined to be minor clarifications or typographical corrections of the Code. Based on this fact, the City Council hereby finds that the adoption of this Title is exempt from further review pursuant to CEQA Guideline Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the proposed Title may have a significant effect on the environment.

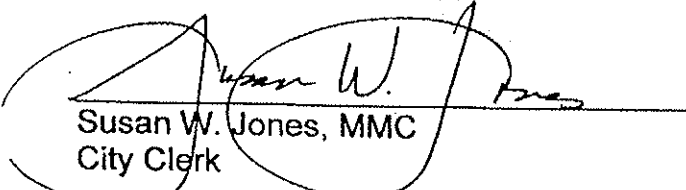
Section 76: If any provision of this Title or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application, and to this end, the provisions of this Title are declared to be severable.

Section 77: The City Clerk shall certify the Title and cause it to be published as required by law. This Title shall take effect on the 30th day after adoption pursuant to state law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula this 26th day of August, 2008.


Michael S. Naggar, Mayor

ATTEST:

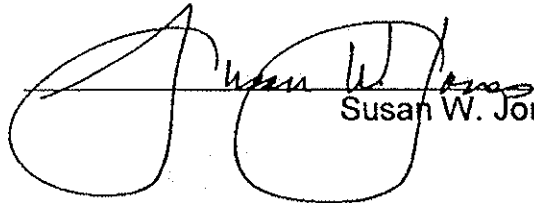

Susan W. Jones, MMC
City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Susan W. Jones, MMC, City Clerk of the City of Temecula, do hereby certify that the foregoing Ordinance No. 08-09 was duly introduced and placed upon its first reading at a meeting of the City Council of the City of Temecula on the 12th day of August, 2008, and that thereafter, said Ordinance was duly adopted by the City Council of the City of Temecula at a meeting thereof held on the 26th day of August, 2008, by the following vote:

| | | | |
|----------|---|------------------|--------------------------------------|
| AYES: | 4 | COUNCIL MEMBERS: | Comerchero, Edwards, Roberts, Naggar |
| NOES: | 0 | COUNCIL MEMBERS: | None |
| ABSENT: | 1 | COUNCIL MEMBERS: | Washington |
| ABSTAIN: | 0 | COUNCIL MEMBERS: | None |



Susan W. Jones, MMC
City Clerk

CITY OF TEMECULA

GRADING, EROSION AND SEDIMENT CONTROL ORDINANCE

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TITLE 18
CITY OF TEMECULA
GRADING, EROSION AND SEDIMENT CONTROL ORDINANCE

Chapter 18.01

ARTICLE 1. GENERAL PROVISIONS

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18.01.020 Title

The Ordinance codified in these chapters shall be known as the "City of Temecula Grading, Erosion, and Sediment Control Ordinance" and will be referred to herein as "this Ordinance."

18.01.040 Grading Manual

The City Engineer shall formulate a manual setting forth the administrative procedures and technical requirements necessary to implement the provisions of this Ordinance. Such rules, procedures, and requirements shall be entitled "The City of Temecula Administrative and Technical Procedures Manual for Grading, Erosion and Sediment Control" ("Grading Manual"). The City Engineer shall have the authority to change, update or revise the Grading Manual as necessary in order to implement the provisions of this Ordinance and all revisions thereto arising from time to time.

In the event of any conflict between the Grading Manual and this Ordinance, the more restrictive provisions shall govern. The provisions of the Grading Manual shall, to the extent they are made conditions of a permit by the City Engineer, be binding upon the permittee and those claiming under said permittee.

18.01.060 Purpose

This Ordinance is enacted for the purpose of regulating grading activity on property within the city limits of the City to safeguard life, limb, health, property and public welfare; to avoid discharges of pollutants such as sediment, hazardous materials, wastes and debris from entering public or private storm water conveyance facilities and surface waters; and to ensure that the intended use of a graded site within the city limits is consistent with the City's General Plan, any specific plans adopted thereto and all applicable City ordinances and zoning regulations.

18.01.080 Scope

This Ordinance sets forth rules and regulations, which reflect the minimum acceptable methods or actions to control land disturbances, landfill, soil storage, pollution and erosion and sedimentation resulting from construction, grading, excavation and land clearing activities. This Ordinance establishes procedures for issuance, administration and enforcement of permits for such activities. Any such grading activities within the city limits of the City shall conform to the provisions of this Ordinance and the Grading Manual and other applicable provisions of the Temecula Municipal Code and the California Building Code, as adopted and amended by the City, together with all other conditions of approval.

In the event that a particular topic is not covered in either this Ordinance or the Grading Manual, the applicable provisions of the Temecula Municipal Code or the California Building Code, as adopted and amended by the City, shall govern. If a conflict arises between the Temecula Municipal Code or the California Building Code, the more restrictive provision shall govern, unless otherwise approved by the City Engineer.

Chapter 18.03

ARTICLE 2. PERMITS

Sections:

- 18.03.020 **Permits Required**
- 18.03.040 **Permit Exemptions**

18.03.020 Permits Required

No person shall conduct any grading, stockpiling, excavating, paving, earth moving, filling, clearing, disking, brushing or grubbing on natural or existing grade or perform work that is preparatory to grading, without first having obtained a permit in accordance with this Ordinance, except as specified in Section 18.03.040, of this Ordinance and without having obtained coverage under the State Water Resources Control Board (SWRCB) National Pollution Discharge Elimination System (NPDES) permit for construction activity (if applicable).

18.03.040 Permit Exemptions

Grading permits are not required for:

- A. An excavation below the existing finished grade for re-compaction within the building zone (within five feet (5') of footings) or for basements and footings for a building, mobile home, retaining wall, septic system, well or structure authorized by a building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than two feet (2') after the completion of such structure. Regardless of exemption, the Public Works Department shall be notified of activity.
- B. Cemetery graves;
- C. Refuse disposal sites controlled by other statutorily authorized regulations or agencies;
- D. Earthwork or construction controlled by the federal, state, county or city governments, or by a local agency as defined by Government Code Section 53090 through 53095 (special districts). This exemption, however, shall apply only when the grading activity takes place on the property, or dedicated rights-of-way or easements of the above agencies;
- E. Excavation and backfill for installation of underground utilities by public utilities or companies operating under the authority of a franchise or public right-of-way permit;
- F. Mining, quarrying, excavating, processing stockpiling of rock, sand, gravel, aggregate or clay for commercial purposes where established and provided for by a conditional use permit, provided such operations do not affect the lateral support of any adjacent or adjoining properties, or alter the direction of, or contribute to, sedimentation to natural watercourses.
- G. Exploratory excavations under the direction of civil engineers, geotechnical engineers, engineering geologists, and/or archaeologists or paleontologists, or pursuant to a well permit, provided all excavations are properly backfilled or otherwise restored. All such elevations and trenches are subject to the applicable sections of Title 8 of the State Orders, Division of Industrial Safety and the following:
 - 1. When such work involves removal of any native vegetation, it shall be accompanied by an administrative clearing permit in accordance with Section 18.09.120 (C), "Administrative Clearing Permit" of this Ordinance. Any access roadways or pads constructed for this work shall only be constructed as approved in the administrative clearing permit and shall be restored as required in the permit.
- H. An excavation not intended to support structures or mobile homes and which (a) is less than two feet (2') in vertical depth or (b) does not create a cut slope greater than three feet (3') in vertical height and steeper than two horizontal to one vertical (2:1). This exemption shall not apply when finish grading is proposed, subsequent to a permit authorizing rough grading in accordance with Section 18.09.120(A), "Types of Grading Permits" of this Ordinance.

- I. A fill less than one foot (1') in vertical depth, placed on natural terrain with a slope flatter than five horizontal to one vertical (5:1), or less than three feet (3') in depth, not intended to support structures or mobile homes, which does not exceed fifty (50) cubic yards on any site and does not obstruct a drainage course. This exemption shall not apply when finish grading is proposed, subsequent to a permit authorizing rough grading in accordance with Section 18.09.120(A), "Types of Grading Permits" of this Ordinance.
- J. The construction or maintenance of roads or facilities for the generation, storage or transmissions of water including floodwaters or electrical energy by public agencies or their agents. Work may be subject to Water Quality Management Plan (WQMP) requirements. A WQMP project includes the construction or reconstruction of 5,000 square feet of impervious surface in a parking lot, street, road or highway.
- K. The maintenance of private roads by private individuals or their agents, but not the construction or widening of such roads.
- L. Clearing and brushing when directed by the Fire Chief to mitigate a potential fire hazard in accordance with Title 8, Chapter 8.16, "Hazardous Vegetation," of the Temecula Municipal Code with the concurrence of the Director of Planning that such clearing and brushing will not cause significant damage to any habitat of any rare, endangered or protected species of wildlife or endanger any archaeological or historical resources, open space areas with biological significance, or transition areas between land to be cleared for fire fuel mitigation and permanent open space.
- M. Clearing and brushing, expressly for the following purposes:
 - 1. Routine landscaping and maintenance of already landscaped areas and the removal of dead or diseased trees or shrubs.
 - 2. Clearing which conforms to the location, extent and purpose authorized explicitly by a construction permit pursuant to a discretionary land use permit or a discretionary development permit. An Administrative Clearing Permit, in accordance with Section 18.09.120(C) of this Ordinance, shall be required for any purpose that is not specifically addressed by the construction permit.
- N. Repaving, resurfacing and maintenance of existing private roads and parking lots and the preparation necessary for that work, provided no grading beyond the limits of other exemptions is performed.
- O. Minor maintenance and alterations to natural drainage areas that do not:
 - 1. Obstruct or redirect drainage from adjacent properties, nor
 - 2. Divert the outflow of drainage from the existing or natural discharge point of the property, nor
 - 3. Concentrate or accelerate the flow of drainage as it leaves the property, nor
 - 4. Create ponding, siltation or erosion in or of the streambed, nor
 - 5. Disturb wetlands

Note: The above listed exemptions do not apply to clearing, grubbing, brushing, disking or grading when:

- 1. Work will occur in, or physically impact, designated or dedicated open space or environmentally sensitive areas designated in the General Plan, or the finally adopted plan of any public agency or governmental office with jurisdiction over the site, or shown on any approved Specific Plan; or
- 2. Work will occur in any waterway or wetland, stream, river, channel, pond, lake, marsh, bog, lagoon, vernal pool or riparian habitat, except as provided in exemption "P", below; or
- 3. Work will occur in any floodway or floodplain as shown on the Federal Emergency Management Agency (FEMA) Flood Plain Maps, or on City revised maps except as provided in subsection "P", below.

Chapter 18.06

ARTICLE 3. GRADING APPLICATION REQUIREMENTS

Sections:

| | |
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| 18.06.020 | Grading Application |
| 18.06.040 | Plans and Specifications |
| 18.06.060 | Geotechnical (Soils) Reports |
| 18.06.080 | Seismicity Reports |
| 18.06.100 | Dust Control and Prevention Plan |
| 18.06.120 | Haul Route Plan |
| 18.06.140 | Erosion and Sediment Control Plan |
| 18.06.160 | Expiration and Renewal of Grading Application Submittals |

18.06.020 Grading Application

To obtain a grading permit, the applicant shall first file an application in writing on a form furnished by the City Engineer for that purpose.

18.06.040 Plans and Specifications

- A. Each application for a grading permit shall be accompanied by plans and specifications, soils engineering and geotechnical reports, hydrology/hydraulic reports, erosion and sediment control plans, proof of coverage under the State General Permit for construction activities and all other information required by the City Engineer as in the Grading Manual, and payment of the appropriate fees. In addition, a conceptual Water Quality Management Plan (WQMP) must be accepted by the City Engineer prior to issuance of final conditions of approval. A final WQMP must be accepted by the City Engineer prior to issuance of a grading permit.
- B. Plans and specifications for grading projects requiring permits as defined in Section 18.03.020, "Permits Required" of this Ordinance shall be prepared and signed by the engineer of record. This requirement may be extended to any project when, in the opinion of the City Engineer, drainage or geologic factors may warrant a need for civil engineering design and control.
- C. Grading plans and specifications shall be prepared in accordance with the Grading Manual.

18.06.060 Geotechnical (Soils) Reports

- A. **Surface and Subsurface Conditions.** The City Engineer shall require a geotechnical report to correlate surface and subsurface conditions with the proposed grading plan. The results of the investigation shall be presented in a report in conformance with the requirements of this Ordinance and the Grading Manual.
- B. **Supplemental Reports/Data.** The City Engineer shall require such supplemental reports and data, as he deems necessary, upon his review of the site and the reports and other data submitted. Such required data may include tests for soil fertility and agricultural suitability to be performed at the conclusion of rough grading by a recognized agronomic soil-testing laboratory, with written analysis and recommendation, to be utilized during any required re-vegetation.
- C. **Waiver of Geotechnical Report Requirements.** For a specific project, the City Engineer may determine that the geological and geotechnical conditions at the site are such that public safety is adequately protected and no mitigation is required. This finding shall be based on a report presenting evaluations of site in the immediate vicinity having similar geologic and geotechnical characteristics. The report shall be prepared by a certified engineering geologist or registered civil engineer, having competence in the field of seismic hazard evaluation and mitigation. The City Engineer shall provide a written commentary that addresses the report conclusions as justification for waiving the requirement of a geotechnical report for the project. All such waivers shall be recorded with the county recorder and a separate copy, together with the report and commentary, shall be filed with the State Geologist within 30 days of the waiver, in accordance with Public Resources Code Section 2697(a).

18.06.080 Seismicity Reports - Alquist-Priolo Earthquake Fault Zoning Act

A seismicity report shall be required as a condition for issuance of a grading permit for all grading applications associated with subdivisions (tracts); all grading projects that propose development with occupancy category II, III, IV structures as shown in table 1604A.5 of the California Building Code; and all real estate development that lies within an earthquake fault zone. Said reports shall comply with the requirements of the Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code, Section 2621, et seq.) and as specified in the Grading Manual.

18.06.100 Dust Control and Prevention Plan

Dust control and prevention procedures shall be employed while construction activity occurs to minimize wind borne particles. At minimum, all grading operations, land clearing, loading, stockpiling, landscaping, vehicular track-out and haul routes shall comply with South Coast Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust Emissions) and the Grading Manual.

18.06.120 Haul Route Plan

Where soil or construction materials are moved on public roadways from or to the site of a grading operation, a haul route plan shall be approved by the City Engineer in accordance with the Grading Manual. Deviation from the designated haul route shall constitute a violation of the conditions of the permit issued under this Ordinance. Vehicular track-out shall be controlled, as directed by the City Engineer, to prevent sediment deposition outside of the project site boundaries.

18.06.140 Erosion and Sediment Control Plan

All grading plans, regardless of the date of submittal, shall include an erosion and sediment control plan designed to limit erosion and sediment discharges of all disturbed portions of the property and to minimize the transport of soil onto adjacent properties or into storm water conveyance systems in accordance with the provisions of Chapter 18.15 of this Ordinance and the Grading Manual.

18.06.160 Expiration and Renewal of Grading Application Submittals

- A. Applications for which no permit is issued within 180 days (6 months) following the date of application shall expire, and plans submitted for checking may thereafter be returned to the applicant or may be destroyed by the City Engineer without additional notice to the applicant.
- B. The City Engineer may extend the time for action by the applicant for a period not exceeding 180 days (6 months) upon written request by the applicant showing that circumstances beyond the reasonable control of the applicant have prevented action from being taken.
- C. In order to renew action for an application after expiration, the applicant shall resubmit grading submittal package and pay the most current plan check fee.
- D. Plan check fees shall be forfeited for all expired permits.

Chapter 18.09

ARTICLE 4. GRADING PERMIT REQUIREMENTS

Sections:

| | |
|-----------|--|
| 18.09.020 | Permit Issuance – Terms and Conditions |
| 18.09.040 | Responsibility of Permittee |
| 18.09.060 | Contractor Qualifications |
| 18.09.080 | Right of Entry |
| 18.09.100 | Tentative Subdivision or Conditional Use Permit Required |
| 18.09.120 | Types of Permits |
| 18.09.140 | Protection of Adjoining Property |
| 18.09.160 | Protection of Utilities |
| 18.09.180 | Maintenance of Protective Devices |
| 18.09.200 | Time of Operations |
| 18.09.220 | Debris on Public Streets |
| 18.09.240 | Disposal of Materials |
| 18.09.260 | Expiration and Renewal of Issued Permits |
| 18.09.280 | Denial of Permit |

18.09.020 Permit Issuance – Terms and Conditions

- A. Upon receipt and approval of the required application, fees, plans, reports, and other requirements of this Ordinance, the City Engineer may issue a permit, subject to any terms and conditions deemed necessary to ensure conformance with the provisions of this Ordinance and the Grading Manual.
- B. The City Engineer shall have the discretion to impose or modify conditions as necessary to prevent a possible nuisance or hazard, or to eliminate a nuisance or hazard, to persons or to public or private property in accordance with Section 18.27.060, “Hazardous Conditions” of this Ordinance.
- C. The issuance of a permit shall constitute an authorization to do only that work which is described or illustrated on the application for the permit, or on the plans and specifications attached to the permit and approved by the City Engineer. A separate permit shall be required for each (noncontiguous) grading project.

18.09.040 Responsibility of Permittee

It shall be the responsibility of the permittee to be knowledgeable of the conditions and/or restrictions placed on the permit as outlined in the applicable sections of this Ordinance, the Grading Manual, and as contained on the approved grading plans and geotechnical reports. The permittee shall also be responsible for maintaining a copy of the permit and approved plans at the work site, and implementing the applicable requirements of the City’s Standard Grading Notes, as identified in the Grading Manual.

18.09.060 Contractor Qualifications

All persons performing work pursuant to this Ordinance shall have all valid licenses and insurance required by the State of California and by the City of Temecula.

18.09.080 Right of Entry

As a prerequisite for issuance of any grading permit, the owner, contractor or authorized agent of the site to be graded acknowledges and grants permission to the City for right of entry into the site for inspection, emergency work or correction of grading not performed in compliance with the terms and conditions of the permit. The owner, contractor or authorized agent shall agree to indemnify the City for any claims or damages, which may result from the City’s entry onto the property including any corrective or emergency action taken pursuant to such right of entry.

18.09.100 Tentative Subdivision or Conditional Use Permit Required

Under either of the following circumstances, a permit shall not be issued unless and until a tentative map or a conditional use permit has been approved by the City:

- A. If the purpose of the proposed grading or clearing is to prepare the land for a subdivision or for some use for which a conditional use permit is required; or
- B. Notwithstanding the purpose of the proposed grading or clearing as stated in the application, if the City Engineer finds that the purpose of the proposed grading or clearing is to prepare the land for subdivision or for some use for which a conditional use permit is required.

18.09.120 Types of Permits

- A. **Mass, Rough or Precise Grading.** The City Engineer may issue a mass, rough or precise grading permit for grading work upon completion of an application in accordance with the Grading Manual. The issuance of building permits shall be determined as follows:
 - 1. Building permits may be issued for a site graded under a precise grading permit or plan upon completion and approval of the rough grade inspection as specified in the Grading Manual.
 - 2. Building permits shall not be issued for a site graded under a rough grading permit unless a precise grading permit or plan has been issued.
- B. **Stockpiling.** Upon approval by the Planning Commission, a stockpile permit may be issued for the stockpile of soil materials on a lot or parcel provided that the soil materials shall be removed from the site or compacted and graded thereon under a subsequently issued mass, rough or precise grading permit within six (6) months of issuance of a stockpile permit, unless modified by the Planning Commission, in accordance with the Grading Manual.
- C. **Administrative Clearing.** No person shall commence any clearing and grubbing operation without first obtaining a grading or administrative clearing permit in accordance with the Grading Manual.
- D. **Borrow Sites.** A grading and/or administrative clearing permit shall not be issued when, in the opinion of the City Engineer, a significant amount of borrow or waste material is to be removed from a grading site for commercial purposes unless a Conditional Use Permit in accordance with Chapter 17.04, "Permits" of the Temecula Municipal Code has been issued for the operation of a borrow pit on the grading site.
- E. **Paving.** No person shall construct concrete or bituminous pavement surfacing on natural or existing grade in excess of five-thousand (5,000) square feet for any commercial, industrial, multi-residential or other parking lot, without a valid grading permit for such paving (this excludes Single Family Residence). Maintenance and repaving of existing paved sections shall be exempt from this requirement.
- F. **Watercourse Alteration.** No person shall alter an existing watercourse, channel, or revetment by excavating, or placing fill, rock protection or structural improvements therein without an applicable state agency approval and a grading permit unless (i) the requirement for a grading permit is waived by the City Engineer, or (ii) the grading is performed as interim protection in an emergency to prevent flooding, or (iii) a separate improvement plan for such alteration is approved by applicable state agencies and the City Engineer.
- G. **Rock Blasting.** No rock blasting shall be permitted until a pre-blast survey of the surrounding property is conducted to the satisfaction of the City Engineer. During rock blasting, seismic recordings shall be taken for all blasts at locations and levels approved by the City Engineer. All blasting shall conform to the requirements of the City Engineer, as specified in the Grading Manual.

18.09.140 Protection of Adjoining Property

Each adjacent owner is entitled to the lateral and subjacent support that his land receives from the adjoining land, subject to the right of the property owner of the adjoining land to make proper and usual excavations on the same for purposes of construction or improvement, as follows:

- A. Any person causing an excavation to be made to a depth of ten feet (10') or more below the grade and within ten feet (10') of the property line(s) shall protect the excavation so that the soil of adjoining property will not cave in or settle. The person making or causing the excavation to be made shall provide written notification to the adjoining property owner(s) no less than ten (10) days before such excavation is to be made, stating the depth for which such excavation is to be made and when the excavation will begin.
- B. If at any time it appears that the excavation is of greater depth than are the walls or foundation of an adjoining building or other structure, and the distance from the edge of the excavation to an adjoining building or other structure is less than the depth of the excavation, the person causing the excavation shall notify the owner of the adjoining building or other structure no less than ten (10) days before such excavation is to be made to protect the same from any damage, or to brace or extend the foundations of the noted building or other structure from possible damage from the excavation.
- C. Excavations shall meet all State and Federal regulations including, but not limited to, any trench greater than five feet (5') deep, obtaining CAL OSHA permits.
- D. No grading shall be approved which, in the opinion of the City Engineer, physically prevents the use of existing legal access to any parcel.

18.09.160 Protection of Utilities

- A. During grading operations, the permittee shall be responsible for the prevention of damage to public utilities or services and for confining grading activities to the area permitted on the approved plans. This responsibility applies within the limits of grading or clearing and along any routes of travel of equipment.
- B. Before starting any excavation work, the permittee shall be responsible to contact Underground Service Alert of Southern California and coordinate the proposed excavation with all interested utility companies, districts and agencies.

18.09.180 Maintenance of Protective Devices

The owner or agent in control of such property on which a grading activity has occurred pursuant to a permit granted under the provisions of this division, shall maintain in good condition and repair all structures, planting and other protective devices as per the approved plans or required by the permit. Any facilities dedicated for public use and accepted by a public agency are exempt.

18.09.200 Time of Operations

- A. Time of any grading, clearing and equipment operations pursuant to this Ordinance shall be consistent with City Ordinance No. 94-25. Grading operations within one-quarter (1/4) mile of an occupied residence shall not be conducted between the hours of 6:30 p.m. and 6:30 a.m., Monday through Friday; or between the hours of 6:30 p.m. and 7:00 a.m. on Saturdays. Further, no such activity shall be undertaken on Sunday or any nationally recognized holiday. The City Engineer may extend the hours permitted for grading or equipment operations if the City Engineer determines that such operations are not detrimental to the health, safety or welfare of the inhabitants of nearby structures. Permitted hours of operation may be shortened by the City Engineer's findings of a previously unforeseen effect on the health, safety or welfare of the surrounding community.
- B. Public Works projects of any Federal, State or local entity or emergency work by public utilities are exempt from the provisions of this Ordinance. Residents working on their property are exempt from the prohibition of construction activities on Sundays and holidays but shall comply with the hourly restrictions set forth for Saturday when working on Sundays and holidays.

18.09.220 Debris on Public and Private Streets

This Ordinance forbids the throwing, leaving, maintaining, keeping, placing, dumping, depositing or spilling soil materials on public and private streets or any portion of the public right-of-way. The permittee shall be responsible

for the complete removal and cleanup of such materials from the street or any portion of the public right-of-way. If the permittee fails to immediately remove said spillage or deposit from the street and/or public right-of-way, and it is necessary for the City to cause such removal to be made, the cost of such removal work shall be the responsibility of the permittee. The City may use the grading deposit in accordance with Section 18.24.120, "Grading and Erosion Control Securities" of this Ordinance for this purpose without notice to the owner. An additional cash deposit may be required prior to resumption of grading activities to insure the cleanup of public streets.

18.09.240 Disposal of Materials

The disposal of all waste and recycling materials removed as part of any grading project shall be in compliance with the City's Solid Waste Franchise Agreement, as specified within the provisions of the Temecula Municipal Code, Title 8, Chapter 8.20, "Waste Management," and the Grading Manual.

18.09.260 Expiration and Renewal of Issued Permits

- A. A grading permit shall be valid for a period of six (6) months from the date of issuance.
- B. The time limitation for all grading permits is also subject to the following provisions:
 - 1. **Change of ownership.** A permit issued in accordance with these requirements shall terminate upon a change of ownership if the work for which said grading permit was issued has not been completed. In such instances, a new permit shall be required for the completion of the work.
 - a. If the time limitations of paragraph (A) of this section are not applicable, and no changes have been made to the plans and specifications last submitted to the City Engineer, no charge shall be made for the issuance of a new permit.
 - b. If changes have been made to the plans and specifications last submitted to the City Engineer, fees based on the valuation of the additional or new work, such as additional earthwork and necessary plan checking, shall be charged to the permit applicant.
 - c. New securities and/or deposits shall be submitted by the new owner in accordance with Section 18.24.100, "Grading, Erosion and Sediment Control Securities" of this Ordinance.
 - 2. **Permit Extensions.** The City Engineer may extend the time limit on permits by one (1) or more successive periods of up to 180 days (6 months) upon written request by the applicant showing to the satisfaction of the City Engineer that circumstances beyond the control of the applicant have prevented, delayed or extended the time required to complete the grading operations.
 - 3. **Weather-related delays.** The City Engineer may require that grading operations and project designs be modified if delays occur which incur weather-related problems not considered at the time the permit was originally issued.
- C. As a condition of the extension of any time period, the City Engineer may require the payment of additional permit, plan checking, inspection, and/or soils review fees required to cover the administration of the extensions and/or increased costs to the City and to bring the project into conformance with any fee schedule in effect at the time of extension.

18.09.280 Denial of Permit

- A. **Hazardous Conditions.** A permit shall not be issued in any case where the City Engineer determines that the work as proposed by the applicant will:
 - 1. Expose any property to landslide or geologic hazard;
 - 2. Adversely interfere with existing drainage courses or patterns;
 - 3. Cause erosion and/or flooding, which could result in the depositing of mud, silt or debris on any other property or public or private street;
 - 4. Create any hazard to person or property; or
 - 5. Damage or endanger any environmentally sensitive species and habitats, rocks and/or archaeological artifacts.

- B. **General Conditions.** A permit shall not be issued if any of the following apply:
1. If the submittal is incomplete;
 2. If the plan as submitted does not comply with the provisions of this Ordinance;
 3. If the required security is not posted;
 4. If the application contains false information.
- C. **Other.** The City Engineer shall deny the issuance of a permit if any of the following apply:
1. If prohibited by a duly elected moratorium, court order, injunction, or other legal order;
 2. If the applicant or owner has failed to comply with the provisions of this Ordinance; or
 3. If the work proposed is not consistent with the City's General Plan, or any element thereof, or any specific plan, conditional use permit, land use ordinance or regulation, zoning ordinance or regulation or permit, or approved subdivision map.

Chapter 18.12

ARTICLE 5. GRADING DESIGN STANDARDS

Sections:

| | |
|-----------|-----------------------------|
| 18.12.020 | Cuts |
| 18.12.040 | Fills |
| 18.12.060 | Setbacks |
| 18.12.080 | Terraces and Terrace Drains |
| 18.12.100 | Subsurface Drainage |
| 18.12.120 | Pad Grading |
| 18.12.140 | Asphalt Concrete Pavement |
| 18.12.160 | Disabled Access |

18.12.020 Cuts

Unless otherwise recommended by the geotechnical engineer or the engineering geology reports, or both, and approved by the City Engineer, cuts slopes shall be no steeper than two horizontal to one vertical (2:1). All cuts and excavations shall conform to the provisions of this Ordinance and the Grading Manual.

Exception: In the absence of an approved geotechnical engineering report, these provisions may be waived by the City Engineer for minor cuts not intended to support structures.

- A. A cut surface may be at a slope of 1.5 horizontal to 1 vertical (67%) provided that all the following are met:
1. It is not intended to support structures or sur-charges;
 2. It is adequately protected against erosion;
 3. It is no more than eight feet (8') in height;
 4. It is approved by the City Engineer;
- B. A cut surface in bedrock shall be permitted to be at a slope of one horizontal and one vertical (100%).

18.12.040 Fills

Unless otherwise recommended by the geotechnical engineer or the engineering geology reports, or both, and approved by the City Engineer, fills shall be in accordance with the Grading Manual.

Exception: In the absence of an approved geotechnical engineering report, these provisions may be waived by the City Engineer for minor fills not intended to support structures.

18.12.060 Setbacks

All setbacks and other restrictions specified in the Grading Manual, pursuant to the recommendation of a civil or geotechnical engineer, and approved by the City Engineer, are to prevent damage to adjacent properties from erosion or to provide access for slope and drainage structure maintenance. Retaining walls may be used to reduce the required setbacks when approved by the City Engineer.

18.12.080 Terraces and Terrace Drains

Drainage facilities and terraces shall be in accordance with the Grading Manual unless otherwise approved by the City Engineer.

18.12.100 Subsurface Drainage

- A. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability and as recommended by the geotechnical engineer and/or engineering geologist.
- B. All canyons and buttress fills shall be provided with sub drains approved by the City Engineer.

18.12.120 Pad Grading

Storm water runoff from lots or adjacent properties shall not be carried over cut or fill slopes steeper than five horizontal to one vertical (5:1). Such runoff shall be in accordance with the Grading Manual.

18.12.140 Asphalt Concrete Pavement

Asphalt concrete pavement for surfacing of parking lots, private streets, driveways or other similar uses shall be in accordance with the Grading Manual unless otherwise approved by the City Engineer.

18.12.160 Disabled Access

All site development and precise grading shall be designed to provide access to all entrances and exterior ground-floor exits and to normal paths of travel in accordance with California Disabled Access Regulations (California Code of Regulations, Title 24, Part 2).

Chapter 18.15

ARTICLE 6. EROSION AND SEDIMENT CONTROL

Sections:

- 18.15.020 Construction Runoff Compliance**
- 18.15.040 Erosion and Sediment Control Plans Required**
- 18.15.060 Erosion and Sediment Control Systems**
- 18.15.080 Temporary Site Vegetation**
- 18.15.100 Erosion and Sediment Control Maintenance**
- 18.15.120 Erosion and Sediment Control – Agricultural**
- 18.15.140 Additional NPDES Requirements**

18.15.020 Construction Runoff Compliance

- A. All individual construction and grading projects shall implement measures to ensure that pollutants are not discharged from the site, will be reduced to the Maximum Extent Practicable (MEP) and will not cause or contribute to an exceedance of water quality objectives in the local natural watercourses. All construction and grading activities will be in compliance with applicable ordinances, permits and other federal, state and local requirements.
- B. The permittee shall adhere to the following requirements:

1. Develop and implement an erosion and sediment control plan to manage storm water and non-storm water discharges from the site at all times in accordance with the Grading Manual. Projects disturbing, exposing or stockpiling one (1) acre or more of soil are also required to have coverage under the State General Construction Permit and generate a Storm Water Pollution Prevention Plan (SWPPP) per the State General Construction Permit;
2. Conduct phased grading operations and minimize grading activities during the rainy season. Coincide grading with dry weather periods to the extent feasible. Implement additional "Best Management Practices" (BMP's) for all rain events;
3. Install a combination of erosion and sediment control measures to effectively prevent erosion and retain sediment on-site throughout the duration of all construction activities.
4. Minimize exposure time of disturbed soil areas;
5. Temporarily stabilize and re-seed disturbed soil areas as rapidly as possible;
6. Permanently re-vegetate or landscape as early as feasible;
7. Stabilize all slopes;
8. The permittee shall abide by all of the provisions set forth in the State Water Resource Control Board (SWRCB) NPDES General Permit for construction activity. The City must be provided with a Waste Discharge Identification (WDID) number issued by the SWRCB prior to an issuance of a grading permit.
9. Implement the applicable requirements of the City's Standard Erosion and Sediment Control Notes, as identified in the Grading Manual.

Note: The above requirements are applicable to all construction sites regardless of whether the construction site is subject to the State General Construction Permit or other individual National Pollutant Discharge Elimination System (NPDES) permit.

18.15.040 Erosion and Sediment Control Plans Required

- A. No grading activity will be allowed on any single grading site under permit unless the City Engineer has approved an erosion and sediment control plan.
- B. All grading plans, regardless of the date of submittal, shall include an erosion and sediment control plan designed to limit erosion of all disturbed portions of the property and to minimize the transport of soil onto downgrade perimeters, private and public storm water conveyance systems, environmentally sensitive areas and adjacent properties in accordance with the provisions of this Chapter and the Grading Manual.
- C. All erosion and sediment control BMP's outlined on the erosion and sediment control plan will be shown on the SWPPP, if applicable, and implemented prior to October 1st of each year.

18.15.060 Erosion and Sediment Control Systems

- A. The permittee shall be responsible for the control of erosion and sediment discharge on and from all disturbed areas of grading until issuance of certificate of occupancy at which time the BMP's of the WQMP shall be in place.
- B. No grading work shall be allowed on any site when the City Engineer determines that erosion, mudflow or sediment discharge may adversely affect downstream properties, drainage courses, storm drains, streets, easements, or public or private facilities or improvements unless an approved erosion and sediment control system has been implemented on the site. If the City determines that it is necessary for the City to cause erosion and sediment control measures to be installed or cleanup to be done, the permittee shall pay all of the City's direct and indirect costs including extra inspection, supervision and reasonable overhead charges in accordance with Section 18.24.100, "Cost Recovery Fees" of this Ordinance.
- C. All protective devices shown on the erosion and sediment control plan and in the SWPPP, if applicable, shall be in place within seven (7) days prior to any forecasted rain. If the permittee does not install or

maintain erosion and sediment controls, the City Engineer may order City crews to do the work or may issue contracts for such work and charge the cost of this work along with reasonable overhead charges to the cash deposits or other instruments implemented for this work without further notification to the owner. No additional work on the project except erosion and sediment control work shall be performed until the full amount drawn from the cash deposit, in accordance with Section 18.24.120, "Grading, Erosion and Sediment Control Securities" of this Ordinance is restored by the permittee.

- D. "Best Management Practices" (BMP's) shall be implemented on a continual basis during construction activities. The following minimum criteria shall be met:
1. An effective combination of erosion and sediment controls shall be implemented within seven (7) working days of clearing or inactivity in construction.
 2. Soil stockpiles must be stabilized with a combination of erosion and sediment controls and have a daily maintenance frequency or as directed by the City Engineer.
 3. Waterway and watercourse protection shall include, but not be limited to, stabilization of the channel before, during and after in-channel work.
 4. Additional erosion and sediment control materials shall be stockpiled at various locations throughout the site for immediate implementation within seven (7) days of a forecasted rain. The developer/contractor shall make available equipment and workers for emergency work to protect the site.
- E. Cut and fill slopes shall be protected to control against erosion and sediment discharge.
- F. Permittee shall implement BMP's year round. Additional site specific BMP's shall also be implemented, as necessary, to comply with this Ordinance which may be more stringent than those required under the General Construction Permit.
- G. Permittee shall implement additional controls for construction sites tributary to Clean Water Act (CWA) section 303(d) water bodies impaired for sediment. Each Permittee shall implement additional controls for construction sites within, adjacent, or discharging directly to receiving waters within environmentally sensitive areas.
- H. Permittee shall conduct construction site inspection for compliance with this Ordinance and all applicable permits.

18.15.080 Temporary Site Vegetation

Temporary site vegetation shall be required, as determined by the City Engineer, on any disturbed soil areas of the site for prolonged periods of grading inactivity or expiration of a grading permit in accordance with Section 18.09.260, "Expiration and Renewal of Issued Permits" of this Ordinance. Temporary vegetation shall not negate any City requirement or condition of approval to install permanent landscaping.

18.15.100 Erosion and Sediment Control Maintenance

- A. Prior to and after each rainstorm, all on-site and off-site flow-lines, storm water conveyance systems, check dams, chevrons, silt fences and desilting basins shall be free of sediment, construction materials, waste, miscellaneous debris and deteriorated erosion and sediment controls at all times.
- B. Prior to and after each rainstorm, the erosion and sediment control system shall be evaluated and revised and repaired as necessary.
- C. The permittee shall be responsible for and shall take necessary precautions to prevent public trespass onto areas where impounded water, due to erosion and sediment control devices, creates a hazardous condition. Signage indicating "ponded water - do not enter" shall be posted.
- D. The permittee shall be responsible for continual maintenance of the devices during all construction activities.

- E. In the event the City Engineer must cause emergency work to be done, he or she may revoke the grading permit. The permit shall not be renewed until an approved erosion and sediment control system has been installed and the owner has paid any applicable fees.
- F. If any grading or clearing subject to Section 18.03.020 "Permits Required" of this Ordinance has commenced on private property without a valid grading permit, the property owner will be required to stop work, prepare and implement an erosion and sediment control plan which has been approved by the City and obtain a valid grading permit.

18.15.120 Erosion and Sediment Control – Agricultural

- A. **Resource Conservation Plans.** For all lands used for agricultural purposes within the City of Temecula, the property owner shall cause to be prepared a resource conservation plan, utilizing the best management practices for the prevention of erosion and sedimentation. The resource conservation plan shall be prepared by the USDA Soil Conservation Services or a registered agricultural engineer consultant.
- B. **Implementation of Resource Conservation Plans.** The resource conservation plans to be prepared for best management practices implementation is to be prioritized based upon the soil conservation service "soil erosion hazard map" with those areas of high erosion hazard receiving top priority. Resource conservation plans for agricultural areas shall be submitted for review and filing by the City after acceptance by the Regional Water Quality Control Board
- C. **Annual Report.** The property owner of agricultural land shall be responsible for the preparation and submittal to the City Engineer an annual report setting forth their progress in the preparation of resource conservation plans and best management practices implementation. Progress reports may be required more frequently if deemed necessary by the City Engineer.

18.15.140 Additional NPDES Requirements

- A. **General Requirements.** All grading activities subject to the regulations of this Ordinance shall be designed and conducted to minimize runoff of all pollutants onto public or private properties and into waters of the United States as required by this section and City Municipal Code, Title 8, Chapter 8.28, Storm Water/Urban Runoff Management and Discharge Control.
- B. **Responsibility.** It shall be the permittee's responsibility to obtain coverage under the SWRCB General Construction Permit, submit a Notice of Intent (NOI) and appropriate fee to the SWRCB, complete all site-specific Storm Water Pollution Prevention Plans (SWPPP), monitoring and reporting program plans, reports, certifications, and other information required by the permit and or requested by the Regional Water Quality Control Board (RWQCB), United States Environmental Protection Agency (USEPA), or the City Engineer. The permittee shall update all plans as construction activities are modified from their original schedule and/or progress as originally planned. The permittee shall also maintain all erosion and sediment control measures at the site throughout the duration of the project as required by the permit. All of the information noted above shall be maintained on-site during construction and shall be presented upon demand by the SWRCB and/or City of Temecula inspectors. NPDES requirements will remain in effect until Notice of Termination (NOT) requirements are fulfilled.

Chapter 18.18

ARTICLE 7. GRADING INSPECTION

Sections:

| | |
|-----------|---------------------------------|
| 18.18.020 | Inspections Required |
| 18.18.040 | Grading Requirements |
| 18.18.060 | Transfer of Responsibility |
| 18.18.080 | Notification of Noncompliance |
| 18.18.100 | Special Inspections |
| 18.18.120 | Stopping and Correction of Work |

18.18.020 Inspections Required

All grading operations for which a permit is issued pursuant to the provisions of this Ordinance shall be subject to inspection by the City Engineer or his or her representative.

18.18.040 Grading Requirements

- A. **Civil Engineer.** It shall be the responsibility of the civil engineer who prepared the grading plans to incorporate the applicable recommendations from the geotechnical engineering and geology reports and to incorporate any City Engineer approved alternatives into the grading plan.
1. The civil engineer shall be responsible for establishing line and grade for the grading and drainage improvements and shall act as the coordinating agent in the event the need arises for liaison between the other professionals, the contractor and the City Engineer.
 2. The civil engineer shall be responsible for the preparation of plan revisions to be approved by the City Engineer prior to implementing the change in the field.
 3. Prior to issuance of building permits for any given lot or lots, the civil engineer shall be responsible for submitting a pad certification letter stating line and grade as evidence that the grading activity has been completed within standard tolerances in accordance with the approved plans and that all embankments and cut slopes and pad sizes are as shown on the approved plans.
- B. **Geotechnical Engineer.** The geotechnical engineer's area of responsibility shall include, but not be limited to, performing the preliminary geotechnical engineering investigation and report, determining the suitability of soils during grading, providing compaction inspection and testing, and preparing the final geotechnical engineering report.
- C. **Engineering Geologist.** The engineering geologist's area of responsibility shall include, but not limited to, professional inspection and approval of the stability of cut slopes with respect to geological matters, and the need for sub-drains or other groundwater drainage devices. He shall report his findings to the geotechnical engineer for engineering analysis.
- D. **Landscape Architect.** The landscape architect shall incorporate applicable recommendations from the geotechnical engineering reports into the landscape and irrigation plans. The landscape architect shall also prepare plan revisions to be approved by the City Engineer prior to implementing the change in the field.
1. All ground cover shall provide one-hundred percent (100%) coverage within nine (9) months of planting, or additional landscaping shall be required in order to meet this standard.

18.18.060 Transfer of Responsibility

If the civil engineer of record, the geotechnical engineer, the engineering geologist, or the grading contractor of record is changed during the course of the work, the project shall be stopped until:

- A. The permittee submits a letter of notification verifying the change of the responsible professional; and

- B. The new responsible professional submits in writing that he has reviewed all prior reports and/or plans (specified by date and title) and work performed by the responsible professional party, and that he concurs with the findings, conclusions and recommendations, and is satisfied with the work performed. He or she must state that they assume all responsibility within his or her purview as of a specified date. All exceptions shall be justified to the satisfaction of the City Engineer.

Exception: Where clearly indicated that the firm, not the individual engineer and/or geologist, is the contracting party, the designated engineer or geologist may be reassigned and another engineer and/or geologist within the firm may assume responsibility.

18.18.080 Notification of Noncompliance

If, in the course of fulfilling their responsibility under this division, the engineer of record, the geotechnical engineer, the engineering geologist, or the testing agency finds that the work is not being performed in accordance with approved plans, specifications, or this Ordinance, the discrepancies shall be reported immediately in writing to the grading contractor, the permittee and the City Engineer. Recommendations for corrective measures shall be submitted for approval to the City Engineer.

18.18.100 Special Inspections

The City Engineer may establish special inspection requirements in accordance with Chapter 17, Section 1704, "Special Inspections", of the California Building Code, amended, for special cases involving grading or paving related operations. Special cases may apply to work where, in the opinion of the City Engineer, it is necessary to supplement the resources or expertise available for inspection.

18.18.120 Stopping and Correction of Work

- A. The provisions of Appendix Chapter 1, Administration, Section 114, "Stop Orders", of the California Building Code shall apply to all grading work. Whenever the City Engineer or his or her representative determines that any work does not comply with the terms and conditions of the permit, or that the work is being done improperly or in a hazardous manner, he or she may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done, and any such persons shall stop conducting such work until authorized by the City Engineer to proceed with the work.
- B. Whenever any work on which inspections are required is covered or concealed by additional work without first having been inspected, the City Engineer may require that such work be exposed for examination. Such work may be subject to additional inspection fees in accordance with Section 18.24.040(D), "Grading Permit and Inspection Fee" of this Ordinance.
- C. If the city inspector finds the soil or other conditions not as stated in the approved plans and geotechnical reports or in additional information which was required for issuance of the grading permit, he may issue a stop work order until a revised grading plan has been approved by the City Engineer.
- D. If, during the course of any clearing, grubbing or grading operations, discovery is made of items of archaeological or paleontological interest, the permittee shall immediately cease operation in the area of discovery and notify the city inspector. Discoveries that may be encountered include, but are not limited to, dwelling sites, stone implements or other artifacts, animal bones, and fossils. The permittee shall obtain the services of a qualified archeologist or paleontologist to investigate the site and assess the significance of the find. Under no circumstances shall anyone remove or disturb any artifacts or remains. Work shall be resumed in the area of discovery at the direction of the City Engineer.
- E. Work may resume and the stop order shall be rescinded upon the City Engineer's determination that conditions have changed, corrections have been made, or the causes or actions which required a stop order have been remedied or alleviated to his or her satisfaction.

Chapter 18.21

ARTICLE 8. COMPLETION OF WORK

Sections:

- 18.21.020 Final Reports
- 18.21.040 Notification of Completion

18.21.020 Final Reports

Upon final completion of the rough grading work, the City Engineer may require the written approvals, reports, plans and supplements specified in the Grading Manual.

18.21.040 Notification of Completion

The permittee or his agent shall notify the City Engineer when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion and sediment control measures, including landscaping and its irrigation system, have been completed in accordance with the approved grading plan, and the required reports have been submitted. Where landscape planting for erosion and sediment control has been installed, final clearance (i.e. release of security deposits) shall not be granted until the planting has been established. The establishment of such erosion and sediment control plantings shall be certified by a licensed Landscape Architect and approved by the City Engineer.

Chapter 18.24

ARTICLE 9. GRADING FEES AND SECURITIES

Sections:

- 18.24.020 Grading, Erosion and Sediment Control Plan Checking Fee
- 18.24.040 Grading Permit and Inspection Fee
- 18.24.060 Review of Geotechnical Reports Fee
- 18.24.080 Refunds
- 18.24.100 Cost Recovery Fees
- 18.24.120 Grading, Erosion and Sediment Control Securities

18.24.020 Grading, Erosion and Sediment Control Plan Checking Fee

Before accepting an application and a set of plans and specifications for review, the City Engineer shall collect all plan-checking fees. Separate permits and fees shall apply to retaining walls or major drainage structures. All applicants submitting plans as required by this Ordinance shall pay all plan check fees and/or deposits as required by this Ordinance and by City Council resolution establishing applicable fees and deposits.

18.24.040 Grading Permit and Inspection Fee

- A. All applicants requesting a mass, rough, precise, stockpile or administrative clearing permit as required by this Ordinance shall pay all fees and/or deposits as required by this Ordinance and by City Council resolution establishing applicable fees and deposits.
- B. The fee for a grading permit authorizing additional work under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project as indicated in the City's fee schedule.
- C. A separate permit shall be required for each separate (noncontiguous) site. One permit may cover both an excavation and a fill on the same site.
- D. Failure to pay fees and obtain a permit before commencing work shall be deemed a violation of this Ordinance, except where it can be proven to the satisfaction of the City Engineer that an emergency existed

that made it impractical to first obtain the permit. A violation shall result in an assessment of double permit fees for work done prior to permit issuance. Payment of a double fee shall not relieve any person from fully complying with the requirements of this Ordinance.

18.24.060 Review of Geotechnical Reports Fee

Before accepting a geotechnical (soils) report for review, the City Engineer shall collect a report review fee. A separate fee will be charged for each individual report submitted for review. The amount shall be as set forth by City Council resolution.

18.24.080 Refunds

After submittal and commencement of processing by the City, no fee collected pursuant to this division, shall be refunded in whole or in part, except as provided as follows:

- A. Inspection fees may be refunded, less any City expenses incurred, including a reasonable overhead charge, at any time prior to the start of the work authorized by the permit, upon the applicant's written request, provided the grading application has expired or has been withdrawn.
- B. No refund shall be made if the applicant or permittee has any outstanding debts owed to the City, or if corrective work remains to be done on the grading work itself.
- C. No refund shall be made pursuant to this section if a request for refund is submitted to the City more than one (1) year from the date of payment of the fee as to which a refund is claimed.

18.24.100 Cost Recovery Fees

If the City Engineer performs emergency work relating to grading and erosion and sediment control on private property, he shall charge the property owner all direct and indirect costs that are necessary to complete the work to his satisfaction. Any costs assessed against the property owner under this section may be appealed to the City Council in accordance with Section 18.27.100, "Appeals" of this Ordinance.

18.24.120 Grading, Erosion and Sediment Control Securities

- A. **Security required.** A grading permit shall not be issued unless the permittee first posts a security with the City comprised of a cash deposit, letter of credit, or a combination cash deposit and a corporate surety bond issued by a surety authorized to do business in the State of California, as specified in the Grading Manual. The security amount is required to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate any deficiency or hazard created by the work or its lack of maintenance, as follows:
 - 1. A cash deposit, in accordance with the Grading Manual, may be required by the City Engineer to ensure the elimination of hazardous conditions, the emergency maintenance of erosion and sediment control systems and to ensure the removal of stockpiles.
 - 2. On developments where progressive individual grading projects or several concurrent projects are being constructed by one owner, a continuing (blanket) bond or other approved security that covers all such projects may be accepted in an amount determined by the City Engineer.
- B. **Failure to Complete the Work.** In the event of failure to complete the work and failure to comply with all of the conditions and terms of the permit, the City Engineer may order work required by the permit to be completed or put in a safe condition to his satisfaction. The surety executing such bond, deposit, instrument of credit, or letter of credit shall continue to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended in causing any and all such required work to be done.
- C. **Default in Performance Conditions.** Whenever the City Engineer finds or determines that a default has occurred in the performance of any requirement of a condition of a permit issued under the provisions of this Ordinance, written notice thereof shall be given to the principal and to the surety named on the bond. Such notice shall specify the work to be done, the estimated cost thereof and the period of time deemed by

the City Engineer to be reasonably necessary for the completion of such work. After receipt of such notice, the surety shall, within the time specified, cause or require the work to be performed, or failing therein, shall pay the estimated cost of doing the work as set forth in the notice. The surety shall pay the City for actual costs in accordance with Section 18.24.100, "Cost Recovery Fees" of this Ordinance.

Chapter 18.27

ARTICLE 10. ORGANIZATION AND ENFORCEMENT

Sections:

| | |
|-----------|---|
| 18.27.020 | Powers and Duties of the City Engineer |
| 18.27.040 | Violations and Penalties |
| 18.27.060 | Hazardous Conditions |
| 18.27.080 | Public Nuisance |
| 18.27.100 | Appeals |

18.27.020 Powers and Duties of the City Engineer

The provisions of Appendix Chapter 1, Administration, Section 104, Duties and Powers of Building Official, of the California Building Code shall apply to the City Engineer and his or her representative for all grading construction and earthwork to be done as required by any conditions of a permit issued pursuant to this Ordinance.

18.27.040 Violations and Penalties

- A. It shall be unlawful for any person, firm or corporation to do grading work in the City of Temecula, or cause the same to be done, contrary to or in violation of any of the provisions of this Ordinance or State or Federal Law.
- B. The issuance of a building permit, performance of building permit inspections, or issuance of a certificate of occupancy may be withheld on property on which a violation of the provisions of this Ordinance 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.
- C. Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor. Each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violations of any provisions of this Ordinance are permitted, continued or committed by such person, firm or corporation and shall be punishable as provided for in Chapter 1.20, "General Penalty" of the Temecula Municipal Code.

18.27.060 Hazardous Conditions

- A. Hazardous conditions exist when the state of any natural ground, natural slopes, excavation, fill or drainage devices are situated on private property in such a manner that they are a hazard to life or limb, or a danger to public safety, or endangers the safety, usability, or stability of adjacent property, structures or public facilities.
- B. The City Engineer or their designee (including City Code Enforcement) may examine, or cause to be examined, every condition reported as hazardous as set forth in subsection (A) of this section.
- C. Upon confirmation of a hazardous condition, the City Engineer or their designee (including City Code Enforcement) shall provide written notification to the permittee, owner or agent in control of property with confirmed hazardous condition, requiring mitigation of said hazardous condition and stipulation of an acceptable time frame for compliance.
- D. The permittee, owner or agent in control of the property shall comply with any demand for corrective work or repairs as required. In the event that corrective action is not completed within the period specified in writing, the City may exercise any available recourse for correction of said hazardous condition in accordance with Title 8, Chapter 8.12, of the Municipal Code.

18.27.080 Public Nuisance

For purposes of this Ordinance, the following shall constitute a public nuisance:

- A. Any grading or other work conducted without a permit where it is required by this Ordinance.
- B. Any grading or other work done in violation of any of the conditions imposed thereon by a permit issued pursuant to this Ordinance.
- C. Any grading or other work, which fails to be done as required by any conditions of a permit, issued pursuant to this Ordinance.
- D. The existence of a hazardous condition as defined in Section 18.27.060, of this Ordinance upon the determination by the City Engineer that such condition exists.

18.27.100 Appeals

- A. The applicant, permittee, or any person(s) not satisfied with the decision by the City Engineer in regards to issuance of a grading permit or the performance of the permitted work, may file a written appeal to the City Clerk for a hearing before the City Council.
- B. Any such appeal must be made within three (3) calendar days following the decision.
- C. The City Council will set a hearing to consider the appeal at the earliest possible regularly scheduled City Council meeting.
- D. The City Council, after receiving and considering all testimony and pertinent documents, may:
 - 1. Uphold the City Engineer's decision; or
 - 2. Approve the appeal; or
 - 3. Modify the City Engineer's decision, consistent with the requirements of this Ordinance.

Chapter 18.33

ARTICLE 11. DEFINITIONS OF TERMS

Whenever, in this Ordinance and the Grading Manual, or in any resolution or standard adopted by City Council pursuant to this Ordinance, the following terms are used, they shall have the meaning ascribed to them in this section, unless it is apparent that some other meaning is intended:

“Administrative Clearing Permit” means a permit that authorizes the clearing, brushing, or grubbing of a portion of land beyond that scope exempted from the permit process by this Ordinance.

“As-Graded” means the site configuration upon completion of grading. This includes all horizontal and vertical dimensions and relationships and all physical features installed, reconstructed, eliminated, or altered by the grading operations as shown on the record drawings prepared by the engineer of work.

“Accessibility” is the combination of various elements in a building, facility, site or area, or portion thereof which allows access, circulation and the full use of the building and facilities by persons with disabilities in conformance with the Chapter 11B of the California Building Code.

“Accessible Route of Travel” means the continuous unobstructed path connecting all accessible elements and spaces in an accessible building or facility that can be negotiated by a person with a severe disability using a wheelchair and that is also safe for and usable by persons with other disabilities, and that also is consistent with the definition of “Path of Travel” in this section. Interior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks, sidewalks, ramps and lifts. An accessible route does not include stairs, steps or escalators.

“Accessibility” means the combination of various elements in a building or area, which allows access, circulation, and the full use of the building and facilities by handicapped persons.

“Applicant” means any person, corporation, partnership association of any type, public agency or any other legal entity who submits an application for a grading permit pursuant to this Ordinance.

“Approval” means that the proposed work or completed work conforms to the requirements of this Ordinance, in the opinion of the City Engineer.

“ASTM Standards” means the American Society for Testing Materials, which develops standardized test methods, specifications, practices, guides, classifications and terminology in such subject areas as metals, paints, construction, consumer products and many others.

“Base” means a layer of specified material of planned thickness placed immediately below the pavement or surfacing.

“Bedrock” means in-place solid rock.

“Bench” means a relatively level step excavated into soil materials on which fill is to be placed.

“BMP’s” means the management practices, operating procedures, and devices implemented to prevent or reduce the discharge of pollutants directly or indirectly to public or private storm water conveyance systems.

“Borrow” means soil material acquired from an off-site location for use in grading on a site.

“Buttress Fill” means an engineered fill designed to stabilize an adverse geologic condition (landslide, adverse bedding, etc.).

“Certify” or “Certification” means a signed written statement that the specific inspections and/or tests required to be performed on real property have been performed and that the works comply with the applicable requirements of this Chapter, the plans, and the permit.

“City Engineer” means the City Engineer of the City of Temecula or his or her duly delegated representative.

“Civil Engineer” means a professional engineer registered in the State of California to practice in the field of civil engineering.

“Clearing, Brushing and Grubbing” means the removal or disturbance of vegetation (grass, brush, trees, and similar plant types), weed abatement, manmade structures, environmentally sensitive species and habitats, rocks, archaeological artifacts and sites, or other environmentally sensitive features by any means for purposes of development or compliance with laws, rules or regulations. For purposes of this chapter, references to “clearing” means clearing, brushing and grubbing individually and separately.

“Compaction” means the densification of a fill by mechanical or other acceptable means.

“Construction Site” means any project requiring a local grading or building permit, including projects requiring coverage under the General Construction Permit.

“Contour Grading” means grading that creates or results in land surfaces that reflect the pre-graded natural terrain or that simulates natural terrain (i.e. rounded, non-planer surfaces and rounded, non-angular intersections between surfaces).

“Crib Wall” means a crib type wall as described in the most recent publication of “Standard Plans”, Department of Transportation, State of California.

“Cross-Lot Drainage” means any drainage course created through grading or excavation that crosses on to another lot either within or outside the subdivision or construction site.

“Curb Ramp” means a sloping pedestrian way, intended for pedestrian traffic, which provides access between a walk or sidewalk to a surface located above or below an adjacent curb face.

“Cut” see definition for “Excavation.”

“Dry Season” means May 1st thru September 30th of each year.

“Engineer of Record” means the professional engineer holding a current registration in the State of California who supervised the design and signed the grading plan accepted by the City Engineer.

“Erosion” means the wearing away of the ground surface as a result of the movement of wind, water or ice.

“Erosion Control” means anything that keeps soil in place.

“Erosion and Sediment Control Plan” is a plan prepared under the direction of and signed by a civil engineer competent in the preparation of such plans and knowledgeable about current erosion and sediment control methods. Said plan shall be submitted to the City and shall provide for protection of exposed soils and desiltation of runoff at frequent intervals prior to discharging from a site or to a storm water conveyance system (natural watercourses, streets, flow-lines, inlets, outlets, etc.).

“Erosion and Sediment Control System” means combination of erosion and sediment controls (including effective planting and the maintenance thereof) to protect the project site, adjacent private property, watercourses, public facilities, graded improvements, existing natural features, archaeological artifacts, and to relieve waters of suspended sediments or debris prior to discharge from the site.

“Excavation” or **“Cut”** means an act by which soil, sand, gravel, or rock is cut into, dug, quarried, uncovered, removed, or relocated, and shall include the conditions resulting there from.

“Expansive Soils” is any soil with an expansion index greater than twenty (20), as determined by the Expansive Index Tests of the California Building Code.

“Fault” means a fracture in the earth’s crust along which movement has occurred. A fault, as defined by the California Division of Mines and Geology, is considered active if the movement has occurred within the last eleven thousand years (Holocene geologic time).

“Fill” means a deposit of soil, sand, gravel, rock, or other material placed by artificial means.

“Flow-line” means v-ditches, brow-ditches, terrace drains, ribbon gutters, curb gutters, etc.

“Fugitive Dust” means the particulate matter entrained in the ambient air as a result of man-made fugitive dust sources as determined by South Coast Air Quality Management District Rule 403.

“General Construction Permit” means the permit issued by the SWRCB to regulate discharges from construction activity.

“Geohydrology” means all groundwater information, water-well usage rate requirement, seepage elevations, pollution evaluations, projected usage rate considerations, evaluations of impact on existing and future users, and long term projections appropriate to site development.

“Geologic Hazard” means any geologic feature capable of producing structural damage or physical injury. Geologic hazards include:

- A. Landslides and potential slope instabilities resulting from bedding faults, weak clay stone beds, and over steepened slopes.
- B. Deposits potentially subject to liquefaction, seismically induced settlement, severe ground shaking, surface rupture, debris flows, or rock falls resulting from fault activity.
- C. Deposits subject to seepage conditions or high-ground water table.

“Geotechnical Engineering Report” means a geotechnical report prepared under the responsible supervision of a geotechnical engineer and approved by the City Engineer or his representative, which includes:

- A. Preliminary information concerning engineering properties of soil and rock on a site prior to grading, present, historical, and future groundwater levels, analysis for both gross and surficial slope stability, fill settlement, liquefaction potential, alluvium deposits, describing locations of these materials and providing recommendations for preparation of the site for its intended use.

- B. A grading report which includes information on site preparation, compaction of fills placed, providing recommendations for structural design and approving the site for its intended use.

“Grade” means the vertical elevation of the ground surface.

- A. **“Existing grade”** means the grade prior to grading.
- B. **“Finish grade”** means the final grade of the site, which conforms precisely to the City-approved plans, approved construction changes or record drawings.
- C. **“Natural grade (or natural ground)”** means the ground surface unaltered by artificial means.
- D. **“Rough grade”** means the stage at which the work is in to precise conformance with the approved plan and when all excavations for drainage structures and retaining walls are complete.

“Grading,” means any process of excavation or filling or combination thereof.

“Greenbook Standards,” means the most recent publication of the Standard Specifications for Public Works Construction, which provides specifications that, have general applicability to public works projects.

“Hillside Site,” means a site where the existing grade is 20 percent (%) or greater and which may be adversely affected by drainage and/or stability conditions within or from outside the site, or which may cause an adverse affect on adjacent property.

“Key” means a compacted fill placed in a trench excavated in earth material beneath the toe of a slope.

“Keyway” means an excavated trench into competent earth material beneath the toe of the proposed fill slope.

“Landslide” means a perceptible down slope movement of rock, soil, or artificial fill ranging in speed from moderately slow (slump) to very rapid (avalanche).

“Maximum Extent Practicable (MEP)” means the standard established by Congress in the Clean Waters Act that operators of MS4 permits must meet. To achieve the MEP standard, Best Management Practices must be implemented that are technically feasible (i.e. are likely to be effective) in combination with treatment methods serving as a backup.

“Mined Lands” includes the surface, subsurface, and groundwaters of an area in which surface mining operations will be, are being, or have been conducted. This includes private ways and roads appurtenant to any such area, land excavations, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other related materials or property are located.

“Municipal Separate Storm Sewer System/MS4 (Permit)” means the certification/regulation requirements that the City must meet to allow storm water discharges into the Waters of the State.

“Natural Terrain” means the lay of the land prior to any grading or other artificial landform modification.

“National Pollutant Discharge Elimination System (NPDES)” means the permitting and program requirements established by the Federal Clean Water Act and administered by the Environmental Protection Agency to regulate the discharge of pollutants to waters of the United States.

“Owner” means a person who owns a site upon which is located grading, clearing, mining, quarrying, and/or commercial extraction operations that are being conducted or may be conducted.

“Path of Travel” means a passage that may consist of walks and sidewalks, curb ramps and pedestrian ramps, lobbies and corridors, elevators, other improved areas, or a necessary combination thereof, that provides free and unobstructed access to and egress from a particular area or location for pedestrians and/or wheelchair users. A “path of travel” includes a continuous, unobstructed way of pedestrian passage by means of exited, and which connects a particular area with an exterior approach (including sidewalks, streets and parking areas), an entrance to the facility and other parts of the facility. In existing buildings, when alterations, structural repairs or additions are made, the term “path of travel” also includes the sanitary facilities, telephones, drinking fountains and signs serving the altered area.

“Permit” means the authorization issued pursuant to this Ordinance, together with the application for the same, the conditions upon which it was issued, and any plans, specifications, reports, and approved modifications thereto.

“Permittee” means any person, property owner, contractor or authorized agent to whom a permit is issued pursuant to this Ordinance.

“Person” means any individual, firm, association, corporation, organization, or partnership or any city, county, district, the State or any department or agency thereof. (14 Cal. Code of Regulations, Sec. 3501)

“Pollutant” means any agent that may cause or contribute to the degradation of water quality. The term may include, but is not limited to, dredged spoil, rock, sand, silt, solid and liquid waste, oil, fuels, construction related materials, debris and other contaminants.

“Precise Conformance”, for purposes of this Ordinance, means:

- A. Pad elevations within plus or minus four-tenths (0.4) of a foot (1’) of planned elevation or approved construction change;
- B. Street subgrade within plus or minus four hundredths (0.04) of a foot (1’) of planned elevation or approved construction change;
- C. Slope grades within plus or minus 1/2 foot (0.5’) of planned elevation or approved construction change;
- D. Rock slopes (rip-rap armoring) and horizontal locations within two feet (2’) of planned elevation and location or approved construction change;
- E. Drainage gradient to within two-tenths (0.2) of one percent (1%) of planned slope or approved construction change;
- F. Structures within the tolerances specified in the latest adopted version of the “Standard Specifications for Public Works Construction” (Green Book).

“Precise Grading Permit” means a permit that is issued on the basis of approved plans that show the precise locations of structures, finished elevations, drainage details and all on-site improvements on a given property.

“Priority Development Projects” means new development and redevelopment projects, as indicated in the City’s MS4 permit requirements.

“Private Roads” are roads that have been dedicated to the public, but not accepted for public use or that have been retained as “Private” for private use by the owners or may simply be a road created by private use or easement.

“Quarrying” means the process of removing or extracting stone, rock, or similar materials from an open excavation for financial gain.

“Rainy Season” means October 1st thru April 30th of the next calendar year.

“Record Drawings” means plans prepared by the engineer of work subsequent to the completion of all work on the approved plans and approved changes thereon depicting the as-graded condition.

“Regional Water Quality Control Board” (RWQCB) means the State’s Regional Regulatory Agency responsible for protecting waters of the State.

“Retaining Wall” means a wall designed to resist the lateral displacement of soil or other materials.

“Rough Grading Permit” means a permit that is issued on the basis of approved plans that show finished elevations, interim building pad elevations and drainage.

“Sediment Control” means anything that captures soil particles after being displaced.

“Site” means the real property on which activities subject to this Ordinance may occur.

“Slope” means an inclined ground surface of fill, excavation or natural terrain, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

“Slope Revegetation” means the planting of graded slopes with native and/or naturalizing plant species, which, after an initial establishment period, usually requiring irrigation, will survive with normal precipitation.

“Slope Stability” shall be defined as follows:

- A. **“Gross stability”** means the factor of safety against failure of slope material located below a surface approximately three to four feet deep, measured from and perpendicular to the slope face.
- B. **“Surficial stability”** means the factor of safety against failure of the outer three to four feet of slope material measured from and perpendicular to the slope face.

“Soil” means any rock, natural soil, or fill, and/or any combination thereof.

“South Coast Air Quality Management District” (SCAQMD) means the regulatory authority for all or portions of Los Angeles, Orange, San Bernardino and Riverside Counties that oversees air pollution emissions from stationary sources, including fugitive dust sources generated by construction activity.

“State Water Resources Control Board” (SWRCB) means the regulatory authority that develops statewide water protection policies, establishes water quality standards, and guides the nine Regional Water Quality Control Boards throughout the state.

“Stockpile” means a temporary uncompacted fill or embankment placed by artificial means, which is designated or intended to be moved, or relocated at a later date.

“Stop Work Order” means an order issued by a City official who requires that specific activity or all activity on a work site be stopped.

“Storm Water” means surface runoff and drainage associated with storm events.

“Storm Water Conveyance System” means any natural watercourses, curbs, gutters, streets, flow-lines, inlets, outlets, etc., either public or private, leading to waters of the State.

“Storm Water Pollution Prevention Plan” (SWPPP) means a document which meets the requirements set in the State’s NPDES General permits for Construction and Industrial activities. The SWPPP must describe the BMP’s to be implemented to meet the requirements of the General Permits and this Ordinance.

“Sub-base” means a layer of specified material of planned thickness between a base and the subgrade.

“Sub-grade” means the soil prepared to support structures, or that portion of the roadbed on which pavement, surfacing, base or sub-base, or layer of other material is placed.

“Terrace” means a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

“Topsoil” means soil which is within the uppermost horizon of a soil profile, and which contains organic matter, nutrients, and microorganisms necessary for plant growth.

“Ultimate Right-of-Way” means the right-of-way shown as ultimate on an adopted precise plan of highway alignment, or a street right-of-way shown within the boundary of a recorded tract map, or a recorded parcel map. The latest adopted or recorded document in the above cases shall take precedence. If none of these exist, the Ultimate Right-of-Way shall be considered to be the right-of-way required by the highway classification as shown on the Master Plan of Arterial Highways. In all other instances, the Ultimate Right-of-Way shall be considered to be the existing right-of-way.

“Water Quality Management Plan (WOMP)” means a plan submitted in connection with an application for a City permit or other City approval, identifying the measures that will be used to mitigate the impacts of urban runoff from development projects.

“Watercourse” means a permanent or intermittent stream or other body of water, either natural or improved, which gathers or carries surface water.

“Watershed” means the geographical area which drains to a specified point on a water course, usually a confluence of streams or rivers (also know as a drainage area, catchment, or river basin).

“Waters of the State” means any water, surface or underground, under the jurisdiction of the State.

Section 5: The provisions of Title 18, Articles 1 through 11, shall apply to all grading permits issued on or after the effective date of this Title.

Section 6: The City Council authorizes and directs the City Engineer to prepare and utilize a manual of standards setting forth the administrative procedures and technical requirements necessary to implement the provisions of this Ordinance. Such rules, procedures, and requirements shall be entitled "Administrative and Technical Procedures Manual for Grading, Erosion, and Sediment Control" in substantially the form set forth in Exhibit A.

Section 7: 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 application, and to this end, the provisions of this Ordinance are declared to be severable.

Section 8: The potential grading and land clearing activities regulated by this Ordinance represent components of the adopted General Plan that has already received the appropriate review when the General Plan was approved. Based on this fact, the City Council hereby finds that the adoption of this Ordinance is exempt from further review pursuant to CEQA Guideline Sections 15162(a) and 15061(b)(3) of the CEQA Guidelines. Section 15162 states that when an EIR has been certified for a project, no additional environmental review is required unless there is substantial evidence that the project has changed. The Final EIR for the City General Plan was certified on November 9, 1993.

Section 9: The City Clerk shall certify the Ordinance and cause it to be published as required by law. This Ordinance shall take effect on the 30th day after adoption pursuant to state law.

PASSED, APPROVED AND ADOPTED, by the City Council of the City of Temecula on the 20th day of April 2004.



RICHARDS | WATSON | GERSHON

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June 28, 2012

VIA U.S. MAIL AND E-MAIL

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 Temecula 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 Temecula (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. CAS0108766], 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 taken necessary steps to obtain and maintain full 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 describe the City's compliance with Section E.2 of the Permit. As discussed in further detail herein, it is our opinion that the City has the necessary legal authority to implement the Permit and to control and prohibit discharges of pollutants into the Municipal Separate Storm Sewer System ("MS4"). This Statement is being submitted on behalf of the City to comply with the requirements of Section E.2 of the Permit. However, this Statement is not, nor should it be construed as, a waiver of any rights that the City may have relating to the Permit.

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1. Legal Authority Statement

In our opinion, the City has adequate legal authority to comply with the legal requirements imposed upon the City under the Permit, consistent with the requirements set forth in the U.S. Environmental Protection Agency's regulations promulgated under the Clean Water Act, and, specifically, 40 CFR 122.26(d)(2)(i)(A-F), and to the extent permitted by State and Federal law and subject to the limitations on municipal action under the California and United States Constitutions, except as noted herein:

The Co-Permittees, including the City, have agreed that the Riverside County Flood Control and Water Conservation District ("District") is to serve as the Principal Permittee under this Permit. This statement assumes the District also has adequate legal authority to comply with the requirements imposed on it as the Principal Permittee by the Permit, and that the Principal Permittee will exercise its legal authority as appropriate to comply with the Permit.

2. Status of Implementation

The City has adequate legal authority, as envisioned by the Clean Water Act and applicable regulations, to implement the requirements of the Permit by the mandated dates to the extent permitted by California and Federal law and subject to the limitations on municipal action under the constitutions of California and the United States.

3. Ordinances

The City has adopted ordinances related to the regulation of urban runoff to control and prohibit discharges of pollutants into the MS4 and to comply with the requirements of the Permit applicable to the City, as well as, to the extent applicable, 40 C.F.R. § 122.26 (D)(2)(i)(A)-(F). The City's Water Quality Ordinance (Chapter 8.28 of Municipal Code) is the principal City ordinance addressing the control of urban runoff.

A. Enforceability

The City, as a general law city, has broad general police powers under the Constitution of the State of California to enact legislation for health and public welfare of the community to the extent not preempted by Federal or State law. In addition, the City adopted ordinances for the purpose of ensuring that it has adequate

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legal authority to implement and enforce its storm water control program. The City has the authority under the Constitution and statutes of the State of California to enact and enforce these ordinances, and these ordinances were duly enacted. These ordinances contain specific enforcement provisions under the generally applicable enforcement provisions of the Temecula Municipal Code.

B. Implementation

Some of the City's ordinances are implemented through permit programs and others are implemented as regulatory programs. Under each ordinance, one or more City departments or department directors are authorized and directed in each ordinance to take the actions contemplated by the ordinance (*e.g.*, to consider evidence and make findings, to issue or deny permits, to impose conditions on projects, to inspect, to take enforcement action, etc.).

The City's Water Quality Ordinance (Chapter 8.28 of Municipal Code) is the principal City ordinance addressing the control of urban runoff. This ordinance is regulatory, and applies to specified new and existing residential and business communities and associated facilities and activities, as well as new development and redevelopment, and all other specified new and existing facilities and activities that threaten to discharge pollutants within the boundaries of the City and within its regulatory jurisdiction, whether or not a City permit or approval is required. The City's Water Quality Ordinance also contains discharge prohibitions and requirements for the implementation of best management practices ("BMPs") and other requirements necessary to implement the Permit.

Other City departments require compliance with the City's Water Quality Ordinance as a condition for issuance of relevant City permits. City departments may also impose specific conditions of approval consistent with the City's Water Quality Ordinance. All City environmental ordinances are also implemented, in part, through the application of the CEQA process to proposed projects.

Although City ordinances are not subject to appeals, they are subject to a public notice and comment process prior to enactment. Enacted City ordinances can be challenged by, among other things, the timely filing of a writ of mandate in Superior Court. The referendum and initiative process can also be used to change or repeal enacted ordinances. The imposition of administrative penalties and fines under these ordinances (where applicable) can be appealed to the courts. Trial court decisions to impose civil penalties or to grant injunctive or other relief can also be appealed.

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4. Administrative and Legal Procedures

In addition to the above authority, the City has in place various legal and administrative procedures to assist in enforcing the various urban runoff related Ordinances, including the following:

A. Administrative Remedies

- General Penalties (Chapter 1.20 of the Temecula Municipal Code; Temecula Municipal Code Sections 8.28.310, 8.28.320 and 8.28.410)
- Administrative Penalties and Citations (Chapter 1.21 of the Temecula Municipal Code)

B. Nuisance Remedies

- Public nuisance under State law
- City Nuisance abatement procedures (Chapter 8.12 of the Temecula Municipal Code)

C. Criminal Remedies

- Misdemeanor citations/prosecution (explicitly authorized for grading violations in Temecula Municipal Code Section 18.27.040 and stormwater violations in Temecula Municipal Code Section 1.20.010)

D. Equitable Remedies

- Injunctive relief under State law and the Temecula Municipal Code
- Declaratory relief under State law

E. Other Civil Remedies

- Federal law claims (*e.g.*, Clean Water Act and Resource Conservation and Recovery Act Citizen Suits)
- Remedies under the California Government Code

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Please contact me if you have any questions regarding the foregoing or if you need any additional information regarding the City's legal authority to enforce the Permit.

Very truly yours,

A handwritten signature in black ink, appearing to read "P. Thorson" with a stylized flourish at the end.

Peter M. Thorson
City Attorney

cc: Greg Butler, City of Temecula
Aldo Licitra, City of Temecula
Candice K. Lee, Esq.

Table 7: Retrofit Program Section 10.0)

| <p align="center">Measureable Metrics Collected <i>(Data Compiled Annually)</i></p> | <p align="center">Highest Potential CASQA Outcome Level</p> <p><i>1 - Documenting Activities 2 - Raising Awareness 3 - Changing Behavior 4 - Reducing Loads 5 - Improving Runoff Quality 6 - Protecting Receiving Water Quality</i></p> | <p align="center">Assessment Interval <i>(how frequently the annually collected data will be assessed for meeting potential CASQA Outcome Levels)</i></p> |
|--|--|--|
| <p>Number of times the Retrofit Program has identified a potential solution to a specific identified problem</p> | <p align="center">1</p> | <p align="center">Annual</p> |
| <p>Number of non-structural 'retrofit' BMPs that have been implemented</p> | <p align="center">4</p> | <p align="center">ROWD</p> |
| <p>Number of structural 'retrofit' BMPs that have been implemented</p> | <p align="center">5</p> | <p align="center">ROWD</p> |

** As described in the Retrofit Program, Retrofit BMPs (Non-structural and/or Structural) may not be required to address all identified problems. Accordingly no timeframe has been established to achieve the*



Outcome Timeframe
(time at which program will be reassessed if desired outcome has not been achieved)

| |
|--------|
| Annual |
| N/A* |
| N/A* |
| |

potential outcomes.

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.

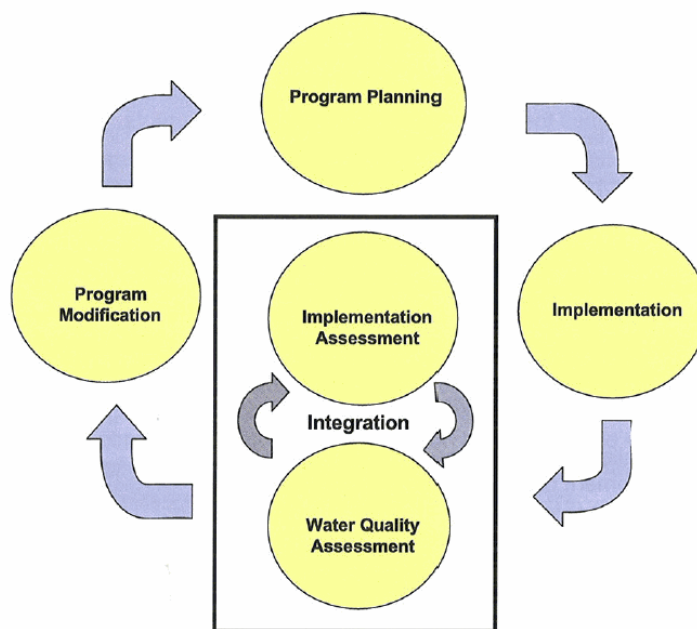


Figure 1

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

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

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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.

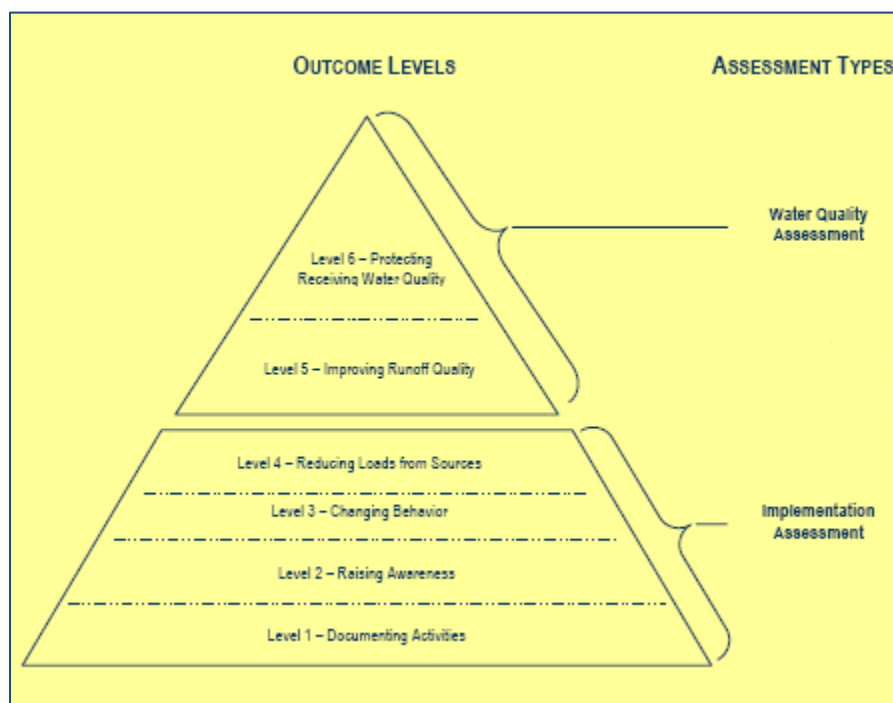
Level 5 – Improving runoff quality. Level 5 Outcomes may be measured as reductions in one or more specific Pollutants, and may reflect effectiveness at a variety of scales ranging from site-specific to programmatic. Over time, as loads are prevented from entering the MS4, runoff and discharge quality 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:

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Assessment Strategy

JRMP Implementation Assessments

The Copermitttees 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:

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| 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 Copermittee(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 Copermittee(s) determines that the existing activities/BMPs are adequate, or that the projected timeframe should be

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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.

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 MS4 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

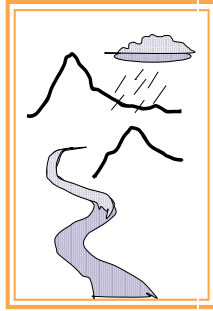
The Copermittees in the Santa Margarita Region will continue to work cooperatively with fire departments to identify, update, and provide guidance on the implementation BMPs, as appropriate, to reduce contaminants in discharges related to fire department agency activities to the maximum extent practicable.

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

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 OES¹)

In addition, the sewerage agency will notify the Highway Patrol of SSOs affecting a State Highway in accordance with OES guidance².

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 OES³)
 - In addition, the Copermittee with jurisdiction for the spill will notify the Highway Patrol of SSOs affecting a State Highway in accordance with OES guidance⁴.

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.

3 "California Hazardous Material Spill/Release Notification Guidance." April 2006. California Office of Emergency Services. Page 6. <http://www.oes.ca.gov/>

4 "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:

| CONTACT: | PHONE NUMBER: |
|--|-------------------------|
| 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) | See Attachment B |
| Regional Water Quality Control Board: San Diego Region | 858-467-2952 |
| Riverside County Flood Control and Water Conservation District | 951-955-1200 |
| Sewerage agency with jurisdiction in spill area | See Attachment A |
| California Highway Patrol (if highway affected by spill) | 911 |

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

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

Rancho California Water District

42135 Winchester Road

Temecula, CA 92590

951.296.6953, Fax: 951.296.6868

951.296.6900 (emergency)

Attachment B

MS4 Copermittee Contact Roster

Unified Sanitary Sewer Spill Response Procedure

Attachment B (MS4 Copermittee Contact Roster)

Rancho California Water District

42135 Winchester Road
Temecula, CA 92590
951.296.6953, Fax: 951.296.6868
951.296.6900 (emergency)

Riverside County Executive Office

Mr. Mike Shetler
4080 Lemon Street, 5th Floor
Riverside, CA 92501
951.955.1110, Fax: 951.955.1105
mshetler@rceo.org

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

Riverside County Flood Control District

Ms. Arlene Chun
1995 Market Street
Riverside, CA 92501
951.955.1330, Fax: 951.788.9965
abchun@rcflood.org

Mark Biloki, Maintenance Superintendent
mbiloki@rcflood.org
951.955.1310, Cell: 951.288.5254, Home: 909.877.2716

Zully Smith, Operations & Maint. Division Manager
zsmith@rcflood.org
951.955.1280, Cell: 951.318.1445

City of Temecula

Mr. Aldo Licitra
41000 Main Street, Temecula, CA 92590
951.308.6387, Field: 951.541.7850, Fax: 951.694.6475
Aldo.licitra@cityoftemecula.org

After Hours: Rodney Tidwell,
Public Works Maint. Superintendent
951.302.4102, Field: 951.303.5497
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

City of Murrieta

Mr. Bill Woolsey
1 Town Center
24601 Jefferson Avenue
951.461.6073, Fax: 951.698.4509
wwoolsey@murrieta.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:

INITIAL STUDY

City of Temecula
P.O. Box 9033, Temecula, CA 92589-9033

Environmental Checklist

| | |
|--|--|
| Project Title | |
| Lead Agency Name and Address | City of Temecula P.O. Box 9033, Temecula, CA 92589-9033 |
| Contact Person and Phone Number | (951) |
| Project Location | |
| Project Sponsor's Name and Address | |
| General Plan Designation | |
| Zoning | |
| Description of Project | (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary) |
| Surrounding Land Uses and Setting | (Briefly describe the project's surroundings) |
| Other public agencies whose approval is required | (E.g. permits, financing approval, or participation agreement) |

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

| | | | |
|--|------------------------------------|--|------------------------------------|
| | Aesthetics | | Mineral Resources |
| | Agriculture and Forestry Resources | | Noise |
| | Air Quality | | Population and Housing |
| | Biological Resources | | Public Services |
| | Greenhouse Gas Emissions | | Recreation |
| | Cultural Resources | | Transportation and Traffic |
| | Geology and Soils | | Utilities and Service Systems |
| | Hazards and Hazardous Materials | | Mandatory Findings of Significance |
| | Hydrology and Water Quality | | None |
| | Land Use and Planning | | |

Determination (To be completed by the lead agency)

On the basis of this initial evaluation:

| | |
|--|--|
| | I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. |
| | I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. |
| | I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. |
| | I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. |
| | I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. |

Signature

Date

Printed Name

For

| 1. AESTHETICS. Would the project: | | | | | |
|---|---|--------------------------------|--|------------------------------|-----------|
| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a | Have a substantial adverse effect on a scenic vista? | | | | |
| b | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | | | | |
| c | Substantially degrade the existing visual character or quality of the site and its surroundings? | | | | |
| d | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | | | | |

Comments:

- 1.a.
- 1.b.
- 1.c.
- 1.d.

2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|--------------------------------|--|------------------------------|-----------|
| a | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | | | | |
| b | Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | | |
| c | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | | |
| d | Result in the loss of forest land or conversion of forest land to non-forest use | | | | |
| e | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | | | | |

Comments:

- 2.a.
- 2.b.
- 2.c.
- 2.d.
- 2.e.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--|--------------------------------|--|------------------------------|-----------|
| a | Conflict with or obstruct implementation of the applicable air quality plan? | | | | |
| b | Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | | | | |
| c | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | | | | |
| d | Expose sensitive receptors to substantial pollutant concentrations? | | | | |
| e | Create objectionable odors affecting a substantial number of people? | | | | |

Comments:

- 3.a.
- 3.b.
- 3.c.
- 3.d.
- 3.e.

4. BIOLOGICAL RESOURCES. Would the project?

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|--------------------------------|--|------------------------------|-----------|
| a | Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | | |
| b | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | | | | |
| c | Have a substantial adverse effect of federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | | |
| d | Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | | |
| e | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | | |
| f | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | | |

Comments:

- 4.a.
- 4.b.
- 4.c.
- 4.d.
- 4.e.
- 4.f.

5. CULTURAL RESOURCES. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|--------------------------------|--|------------------------------|-----------|
| a | Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? | | | | |
| b | Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | | | | |
| c | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | | |
| d | Disturb any human remains, including those interred outside of formal cemeteries? | | | | |

Comments:

- 5.a.
- 5.b.
- 5.c.
- 5.d.

6. GEOLOGY AND SOILS. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|--------------------------------|--|------------------------------|-----------|
| a | Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i. | Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | | |
| ii | Strong seismic ground shaking? | | | | |
| iii | Seismic-related ground failure, including liquefaction? | | | | |
| iv | Landslides? | | | | |
| b | Result in substantial soil erosion or the loss of topsoil? | | | | |
| c | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | | |
| d | Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | | | | |
| e | Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | | | | |

Comments:

- 6.a.
- 6.b.
- 6.c.
- 6.d.
- 6.e.

7. GREENHOUSE GAS EMISSIONS. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|--------------------------------|--|------------------------------|-----------|
| a | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | | | | |
| b | Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | | | |

Comments:

7.a.

7.b.

| 8. HAZARDS AND HAZARDOUS MATERIALS. Would the project: | | | | | |
|---|---|--------------------------------|--|------------------------------|-----------|
| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a | Create a significant hazard to the public or the environment through the routine transportation, use, or disposal of hazardous materials? | | | | |
| b | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | | | | |
| c | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | | | |
| d | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | | | | |
| e | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | | | | |
| f | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | | | | |
| g | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | | |
| h | Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | | | | |

Comments:

- 8.a.
- 8.b.
- 8.c.
- 8.d.
- 8.e.
- 8.f.
- 8.g.
- 8.h.

9. HYDROLOGY AND WATER QUALITY. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--|--------------------------------|--|------------------------------|-----------|
| a | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality? | | | | |
| b | Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | | | | |
| c | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | | | | |
| d | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | | | | |
| e | Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | | | | |
| f | Require the preparation of a project-specific WQMP? | | | | |
| g | Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | | | | |
| h | Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | | | | |
| i | Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | | | | |
| j | Inundation by seiche, tsunami, or mudflow? | | | | |

Comments:

- 9.a.
- 9.b.
- 9.c.
- 9.d.
- 9.e.
- 9.f.
- 9.g.
- 9.h.
- 9.i.
- 9.j.

10. LAND USE AND PLANNING. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--|--------------------------------|--|------------------------------|-----------|
| a | Physically divide an established community? | | | | |
| b | Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | | | | |
| c | Conflict with any applicable habitat conservation plan or natural community conservation plan? | | | | |

Comments:

- 10.a.
- 10.b.
- 10.c.

| 11. MINERAL RESOURCES. Would the project: | | | | | |
|---|--|--------------------------------|--|------------------------------|-----------|
| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | | | | |
| b | Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | | |

Comments:

11.a.

11.b.

12. NOISE. Would the project result in:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--|--------------------------------|--|------------------------------|-----------|
| a | Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | | | |
| b | Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | | | | |
| c | A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | | | | |
| d | A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | | | | |
| e | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | | | | |
| f | For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | | | | |

Comments:

- 12.a.
- 12.b.
- 12.c.
- 12.d.
- 12.e.
- 12.f.

13. POPULATION AND HOUSING. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--|--------------------------------|--|------------------------------|-----------|
| a | Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | | | | |
| b | Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | | | | |
| c | Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | | | | |

Comments:

- 13.a.
- 13.b.
- 13.c.

14. PUBLIC SERVICES.

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--|--------------------------------|--|------------------------------|-----------|
| a | Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| | Fire protection? | | | | |
| | Police protection? | | | | |
| | Schools? | | | | |
| | Parks? | | | | |
| | Other public facilities? | | | | |

Comments:

14.a.

15. RECREATION.

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|--------------------------------|--|------------------------------|-----------|
| a | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | | |
| b | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | | | | |

Comments:

- 15.a.
- 15.b.

16. TRANSPORTATION/TRAFFIC. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|--------------------------------|--|------------------------------|-----------|
| a | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit? | | | | |
| b | Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | | | | |
| c | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | | | | |
| d | Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | | | |
| e | Result in inadequate emergency access? | | | | |
| f | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | | | | |

Comments:

- 16.a.
- 16.b.
- 16.c.
- 16.d.
- 16.e.
- 16.f.

17. UTILITIES AND SERVICE SYSTEMS. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--|--------------------------------|--|------------------------------|-----------|
| a | Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | | |
| b | Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | | |
| c | Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | | |
| d | Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | | | | |
| e | Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | | | | |
| f | Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | | | | |
| g | Comply with federal, state, and local statutes and regulations related to solid waste? | | | | |

Comments:

- 17.a.
- 17.b.
- 17.c.
- 17.d.
- 17.e.
- 17.f.
- 17.g.

18. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:

| Issues and Supporting Information Sources | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|--------------------------------|--|------------------------------|-----------|
| a | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | | | |
| b | Does the project have impacts that are individually limited, but cumulatively considerable (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | | | | |
| c | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | | | | |

Comments:

- 18.a.
- 18.b.
- 18.c.

| | |
|--|---|
| <p>19. EARLIER ANALYSES. Earlier analyses may be used where, pursuant to the tiering program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets.</p> | |
| a | Earlier analyses used. Identify earlier analyses and state where they are available for review. |
| b | Impacts adequately addressed. Identify which affects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis. |
| c | Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project. |

SOURCES

1. City of Temecula General Plan
2. City of Temecula General Plan Final Environmental Impact Report
3. South Coast Air Quality Management District CEQA Air Quality Handbook

City of Temecula



41000 Main Street
P.O. Box 9033
Temecula, California 92589-9033
PHONE: (951) 694-6400
FAX: (951) 694-6477

DEVELOPMENT PLAN

Introduction

This handout summarizes Temecula's Development Plan requirements. Projects that require a Development Plan review and application requirements are specified in section 17.05 of the Development Code.

What is the purpose and intent of a Development Plan application?

The purpose of a Development Plan Application is to ensure all new construction or remodeling of industrial, commercial, and/or multiple-family residential development is consistent with the General Plan, design standards and performance standards of the Development Code.

When is a Development Plan required?

A Development Plan is required:

For all residential development (excluding individual single-family homes), and all commercial and industrial developments.

When several permits or multiple applications are required for the same project, a combined hearing and review process may be permitted, however separate applications shall be filed for each action requested.

How do I apply for a Development Plan?

Call the Community Development Department, (951) 694-6400, to schedule an application submittal appointment. City staff will meet with you within one to two working days to review your application materials for completeness. The application will be deemed complete at the counter if all submittal materials and fees have been provided.

Who approves Development Plan applications?

The following type of project is decided at the administrative level:

- Administrative Development Plans

The following type of project is decided at the Planning Director level:

- Projects less than 10,000 square feet of gross

floor area.

The following types of projects are decided at the Planning Commission level:

- Projects greater than 10,000 square feet of gross floor area.
- Projects that may have special community impacts or other unique circumstances.

What are the criteria for approval?

According to the City's Development Code, in order to approve a Development Plan application, the following findings must be made:

- The proposed use is in conformance with the General Plan for Temecula and with all applicable requirements of State law and other Ordinances of the City.
- The overall development of the land is designed for the protection of the public health, safety, and general welfare.

Development Plan applications may be approved with "Conditions of Approval" which are deemed necessary to protect the public health, safety, and general welfare and assure compliance with the Development Code standards and provisions.

How many times can a Development Plan be extended?

The Development Code permits up to 3 one-year time extensions for Development Plans.

How do I apply for a Development Plan?

Call the Community Development Department, (951) 694-6400, to schedule an application submittal appointment. City staff will meet with you within 1 to 2 working days to review your application materials for completeness. The application will be deemed complete at the counter if all submittal materials and fees have been provided.



City of Temecula

41000 Main Street
P.O. Box 9033
Temecula, California 92589-9033
PHONE: (951) 694-6400
FAX: (951) 694-6477
www.cityoftemecula.org

Date Stamp

PROJECT CLASSIFICATION
PA# _____
DEV# _____
PRJ# _____
LDC# _____

DEVELOPMENT PLAN APPLICATION

PROJECT INFORMATION
(INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED)

Application Type (Check One):

- Commercial Development Industrial Development Residential Development

Type of Review Requested:

- Development Plan Over 10,000 square feet
 Development Plan Under 10,000 square feet
 Multi-Family Residential Development Plan

Project Title: _____

Project Description/Use: _____

Assessor's Parcel No(s): _____

Legal Description (Tract, lot no.): _____

Street Address(es): _____

General Location: _____

ADDITIONAL PROJECT INFORMATION

Total Building Square Footage: _____

Zoning: _____ General Plan: _____

Gross Acreage: _____

Related Cases: _____

Is Parcel(s) in an MSHCP "Criteria Cell": YES _____ NO _____ (Go to www.rcip.org to find out)

APPLICANT/REPRESENTATIVE/OWNER INFORMATION

APPLICANT/REPRESENTATIVE _____ **CONTACT** _____
LAST FIRST MI.

PHONE NO. _____ FAX NO. _____

ADDRESS _____
STREET CITY STATE ZIP

E-MAIL _____

I certify that all filing requirements have been satisfied for my application. I further understand that an incomplete application cannot be accepted for processing.

Applicant's Signature _____ **Date:** _____

PROPERTY OWNER _____
LAST FIRST MI.

PHONE NO. _____ FAX NO. _____

ADDRESS _____
STREET CITY STATE ZIP

E-MAIL _____

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 to and hereby do consent to the filing of this application and acknowledge that the final approval by the City of Temecula, if any, may result in restrictions, limitations and construction obligations being imposed on this real property.

Owner/Authorized Agent Signature: _____ **Date:** _____

Print Name: _____

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.

DEVELOPMENT PLAN APPLICATION SUBMITTAL REQUIREMENTS

| Initial Submittal Requirements | COM | IND | RES |
|---|-----|-----|-----|
| Completed and Signed Application and Filing Fee | 1 | 1 | 1 |
| Site Plan (Described in Section A) | 20 | 20 | 20 |
| Floor Plan/Roof Plan/ (Described in Section B) | 20 | 20 | 20 |
| Proposed Structure Elevations (Described in Section C) | 20 | 20 | 20 |
| Conceptual Landscape Plan (Described in Section D) | 20 | 20 | 20 |
| Conceptual Grading Plan (Described in Section E) | 20 | 20 | 20 |
| Conceptual Colored Landscape Plan | 3 | 3 | 3 |
| Proposed Structure Color Elevations (Described in C1) | 1 | 1 | 1 |
| Proposed Color 3-D Perspective Rendering (only for proposed buildings in the Old Town Specific Plan three or more stories in height). This 3-D rendering is intended to show building height, mass and relative position to its surroundings and neighboring buildings in Old Town. (Described in Section C2) | 1 | - | 1 |
| 8 1/2" X 11" Color Photos (Described in Section F) | 1 | 1 | 1 |
| Material Sample Board (Described in Section G) | 1 | 1 | 1 |
| Photometric Plan (Described in Section H) | 1 | 1 | 1 |
| Materials for Architectural Review (Described in Section I) | 1 | 1 | 1 |
| Statement of Operations (Described in Section J) | 20 | 20 | 20 |
| MSHCP Information (Described in Section K) | 1 | 1 | 1 |
| A \$60 check made payable to "University of California Regents" and USGS 7.5' series quadrangle map (Consult with the Planning Department) (Described in Section L) | 1 | 1 | 1 |
| Project-Specific Water Quality Management Plan based on the Initial Applicability Checklist and Conceptual Acceptance Requirements (Described in Section M). Consult with Public Works to assist in determining if this item is required. | 1 | 1 | 1 |
| Hazardous Waste Site Information Form (Described in Section N) | 1 | 1 | 1 |
| Developer Disclosure Statement (attached) | 1 | 1 | 1 |

| Initial Submittal Requirements | COM | IND | RES |
|---|------------|------------|------------|
| Preliminary title report with <u>all</u> referenced supporting documents | 2 | 2 | 2 |
| Letter of Justification (Described I Section Q) | 20 | 20 | 20 |
| Traffic Study/Analysis (Consult with Public Works) | 1 | 1 | 1 |
| Drainage Study/Analysis (Consult with Public Works) | 1 | 1 | 1 |
| Preliminary Soils and Geotechnical Report (Consult with Public Works to determine if this item is required) | 2 | 2 | 2 |
| Chemical Classification / Quantification Packet (See Fire Department for package) | 1 | 1 | 1 |

| Submittal Requirements Prior to Hearing | COM | IND | RES |
|---|------------|------------|------------|
| Public Hearing Information (Described in Section O) | 1 | 1 | 1 |
| Spiral Bound Color 11"x17" reduction of all exhibits | 8 | 8 | 8 |
| 8 ½"x11" reduction of all exhibits | 1 | 1 | 1 |
| 8 ½"x11" reduction of all previously approved exhibits | 1 | 1 | 1 |
| Mounted final color building elevations (3'x4') | 1 | 1 | 1 |
| Full size set of final site plan, elevations, floor plans, grading plan and landscape plan folded to 8½"x11" | 4 | 4 | 4 |
| Final Color 3-D perspective rendering (only for proposed buildings located within the Old Town Specific Plan that are three or more stories in height). This 3-D rendering is intended to show building height, mass and relative position to its surroundings and neighboring buildings in Old Town. (Described in Section C2). <i>This is a proposed final version for presentation to the Planning Commission.</i> | 1 | 1 | 1 |
| Developer Disclosure Statement – updated (if Planning Commission/City Council approval required) | 1 | 1 | 1 |
| CD of all project plans in JPEG or PDF format. Electronic file sizes should be limited to 5MB for black and white sheets and 10MB for color sheets | 1 | 1 | 1 |

2. PLAN PREPARATION AND GUIDELINES

All plans shall be drawn on uniform sheets no less than 24" X 36" (or as approved by the Community Development Department). **Each complete set consisting of the site plan, floor plan/roof plan, proposed structure elevations, conceptual landscape plan, photometric plan, and conceptual grading plan should be stapled together and folded into 1/8 sections with a folded size not to exceed 8 1/2" X 11"**. All plans shall be clear, legible and accurately scaled. The site plan, landscape plan and grading plan should all be at the **same** scale and shall be consistent with each other.

On large scale drawings, 1"=20', or larger, it will generally be desirable to include the conceptual grading of the site on the site plan in lieu of a separate drawing (see Section B). For larger, more complicated sites drawn at a smaller scale (i.e., 1"=40'), a separate conceptual grading plan should be submitted.

SECTION A. SITE PLAN CONTENT

Scale: Engineering scale not to exceed 1"=40'.

The following information shall be included on the plan:

- Name, address, and phone and fax number of applicant, owner, architect and/or engineer.
- Graphic scale (with bar scale) and north arrow
- Vicinity map
- Date Site Plan prepared
- Data table formatted in the following order:

| | | | |
|--------------------------|---|------------------------|------------------------|
| <input type="checkbox"/> | Assessors Parcel Number | | |
| <input type="checkbox"/> | Street Address (if available) | | |
| <input type="checkbox"/> | Legal description of the property. (i.e. Tract/Parcel Map and Lot(s)/parcel(s) | | |
| <input type="checkbox"/> | Zoning designation | | |
| <input type="checkbox"/> | General Plan designation | | |
| <input type="checkbox"/> | Existing land use/proposed land use | | |
| <input type="checkbox"/> | Total Gross Area: | square feet | acres |
| <input type="checkbox"/> | Total Net Area: | square feet | acres |
| <input type="checkbox"/> | Total Building Area: | square feet | FAR |
| <input type="checkbox"/> | Lot coverage: | <u>Square Feet</u> | <u>Percentage</u> |
| <input type="checkbox"/> | <input type="checkbox"/> Building area | s.f. | % |
| <input type="checkbox"/> | <input type="checkbox"/> Parking area | s.f. | % |
| <input type="checkbox"/> | <input type="checkbox"/> Landscaping area | s.f. | % |
| <input type="checkbox"/> | Parking: | <u>Spaces Required</u> | <u>Spaces Provided</u> |
| <input type="checkbox"/> | <input type="checkbox"/> Ratio/square foot of use(s) | spaces | spaces |
| <input type="checkbox"/> | <input type="checkbox"/> Number of disabled spaces | spaces | spaces |
| <input type="checkbox"/> | <input type="checkbox"/> Total Parking | spaces | spaces |
| <input type="checkbox"/> | Floor Area Ratio | | |
| <input type="checkbox"/> | Occupancy classification (per Uniform Building Code) | | |
| <input type="checkbox"/> | Type of construction (per Uniform Building Code) | | |
| <input type="checkbox"/> | Indicate if building has fire sprinklers and/or alarm | | |
| <input type="checkbox"/> | Number of stories | | |
| <input type="checkbox"/> | Height of building (as measured from the pre-existing grade, finished grade or floor protection elevation, which ever is lowest to highest point on roof) | | |

- Existing property lines in bold and label all dimensions (metes and bounds)
- Location and dimensions of all existing and proposed easements (with record reference)
- Proposed lot lines and dimensions, if applicable
- Delineate and label the minimum setbacks from all property lines
- Location and dimension of all existing and proposed structures, including building setbacks
- Location and dimension of all landscaping and pedestrian walkways (shaded)
- Location and typical dimension of drive aisles, loading zones and parking stalls
- Location of existing and proposed onsite fuel tanks

- Location and dimension of all trash enclosure(s)
- Location of monument sign(s) (existing and proposed)
- All proposed public improvements, including cross sections
- Location of existing or proposed fire hydrants within 500 feet of project site
- Location of existing or proposed Fire Department connections (within 50 feet of a public hydrant and 40 feet away from the building)
- Location of existing or proposed Post Indicator Valve
- Label interior and exterior turning radius dimensions at entries and drive aisles for emergency vehicle access (minimum interior – 37 feet; exterior – 56 feet; wheel cuts – 50 feet)
- Location and dimension of all walls and fences
- Location of all structures, driveways, parking areas, trees and adjoining property lines within 50 feet of the perimeter of the subject property
- Zoning and existing land use of adjacent parcels
- Phasing of the project (if proposed)
- Americans with Disabilities Act (ADA) path of travel (horizontal path of travel only)
- Location, type and height of all existing and proposed street, parking and pedestrian lights (Indicate any to be relocated)

SECTION B. FLOOR PLAN/ROOF PLAN CONTENTS

Scale: The scale used on the floor and roof plans shall be no less than 1/4" per foot. Large projects shall be no less than 1/8" per foot with 1/4" per foot details). The floor and roof plans shall illustrate all proposed (and existing, if applicable) buildings and structures. The following information shall be included on the floor plans:

- Proposed use for each room (if available)
- Proposed square footage for each room
- Restrooms
- Exits
- Doors
- Hallways
- Corridors
- Elevators
- Patio
- Fire sprinkler riser room (with direct exterior access)
- Fire alarm control panel
- Location of Knox Box
- Location of Fire Department connection (if wall mounted)

The following information shall be included on the roof plan:

- All roof pitches and direction of fall
- Location and detail of all mechanical equipment
- Spot elevations or other cross-sections necessary to verify that all mechanical equipment is fully screened

SECTION C. BUILDING ELEVATION(S) CONTENT

Scale: No less than 1/4" (large projects no less than 1/8" with 1/4" details).

Illustrative building elevations showing all sides of proposed (and existing, if applicable) buildings and accessory structures (trash enclosures, walls, carports, etc.). Include cross-section(s) of building(s) with proposed grades.

The following information shall be included on the elevation plans:

- Name, address and phone number, of the applicant, architect and/or engineer
- Location of building address and wall mounted signs for all sides of the building(s)
- Shading, as applicable, to give the elevations some graphic dimension

- ❑ Location of walls and fences
- ❑ Roof top mechanical equipment screens
- ❑ A schedule for colors and materials (which corresponds to the color and material board) and specific location of their use
- ❑ Height of buildings with dimensions

SECTION C1. BUILDING COLOR ELEVATION(S) CONTENT

Scale: No less than 1/4" (large projects no less than 1/8" with 1/4" details).

Illustrative building elevations showing all sides of proposed (and existing, if applicable) buildings and accessory structures (trash enclosures, walls, carports, etc.). Include cross-section(s) of building(s) with proposed grades. Colors used on the color elevations shall match those used on the material sample board (See Section F) to the greatest extent possible in order to give the most accurate representation. Colored elevations are to be void of landscaping to clearly demonstrate the aesthetic impact the building(s) will create. In addition to colored elevations, colored renderings may be submitted with landscaping, however, the landscaping must conform with the planting materials indicated on the landscape plan.

SECTION C2. COLOR 3-D PERSPECTIVE RENDERING CONTENT

This submittal requirement is only for proposed buildings three or more stories in height and located within the Old Town Specific Plan. The 3-D color perspective rendering may be submitted as an electronic version in JPEG or PDF format or as a virtual tour (in a format capable of being incorporated into Microsoft PowerPoint and compatible with existing software of the Planning Department). The intent is to illustrate the impact that the proposed building will have on its surroundings and neighboring buildings in Old Town. The proposed building image shall be superimposed into its site area in Old Town and provide a 360-degree 3-D illustration of the proposed building and its existing surroundings within a radius of 300 feet. Four views will be required from north, south, east and west perspective to illustrate the impact the proposed building will have as it relates to its location in Old Town.

SECTION D. LANDSCAPE PLAN CONTENT

Scale: Engineering scale not to exceed 1"=40'.

The following information shall be included on the plan:

- ❑ Name, address, and phone number of applicant, architect, engineer and/or landscape architect
- ❑ Scale and north arrow.
- ❑ Location of all proposed buildings, paved surfaces, walls/fences and sidewalks
- ❑ Roof outlines including eave overhang
- ❑ Location, size and identification of all existing and proposed plant material, trees, shrubs and groundcover. Note on plans whether existing landscape is to be removed.
- ❑ A planting legend that identifies plant varieties (botanical and common names), sizes, quantities, and spacing
- ❑ Location and elevation of mounding, if proposed
- ❑ Graphically indicate all slopes, which equal or exceed 3:1
- ❑ Graphically indicate all vehicle sight lines
- ❑ Generally describe type of irrigation system to be implemented

SECTION E. CONCEPTUAL GRADING PLAN CONTENT

Scale: Engineering scale not to exceed 1"=40'.

On large scale drawings, 1"=20', or larger it will generally be desirable to include the conceptual grading of the site on the site plan in lieu of a separate drawing. For larger, more complicated sites drawn at a smaller scale (i.e., 1"=40'), a separate conceptual grading plan should be submitted. A Registered Civil Engineer shall prepare grading plans

The following information shall be included on the plan:

- Title Block
 - Name, address, and phone and fax number, of applicant, owner and engineer
- Legend, north arrow, bar and graphic scale, vicinity map
- Data Table
 - Assessor's Parcel Number(s)
 - Project Name
 - Legal description (i.e. Tract/Parcel Map and lot(s)/parcel (s))
 - Approximate earthwork quantities (CY)
 - Date and Source of Topography (should be current)
- Metes and bounds (i.e. bearing and distance)
- Location and dimensions of all existing and proposed easements
- Existing topography, proposed grades, and natural features to 50 feet from the perimeter of the subject property at minimum two-foot contour intervals
- All slopes greater than 2:1 must be clearly labeled
- Limits of FEMA floodplains and floodways (if applicable)
- Delineation of special hazard zones (i.e., earthquake faults and liquefaction zones)
- Proposed grading; structures, curbs, retaining and/or sound walls (top and footing elevations), gutters, pavement, walks, swales, mounding, slopes, open space, trails, etc.) per the appropriate City standard
- Pad and finished floor elevations
- Location and dimension of all proposed public improvements, including cross sections
- Locations of existing public and proposed utilities (including sewer and water)
- Cross-sections at all property lines
- Driveway, street slopes and surfaces in plan view and cross section
- Drainage and flood control facilities, including size and type
- Americans with Disabilities Act (ADA) path of travel

SECTION F. 8 1/2" X 11" COLOR PHOTOS

8 1/2"x11" color photos from interior of site looking north, south, east, and west with direction attached to each photo. Additionally, photos of the project site from off-site in all directions.

SECTION G. MATERIAL SAMPLE BOARD

Size: No larger than 8 1/2"x11". An 8 1/2"x11" photo shall also be provided for the file. The material sample board is intended to provide a fair representation of the major exterior materials to be used on the project together with colors and stains. Therefore, no photographs of the materials will be accepted on the material sample boards. The color and material board shall be used in conjunction with the schedule on the elevations in order to determine the specific location and use of colors and materials. The board should be of rigid material (cardboard or foam board, not wood) and shall show the following:

- Sample of all roofing materials
- Sample of all siding materials
- Sample of window glazing materials
- Sample of all window frames
- Sample of all canvas awning materials
- Samples of all paint colors to be used on the buildings applied to the surface of actual

- exterior building material samples
- Manufacturers name and identification numbers of paint colors that correspond to the proposed materials
- Exterior light fixture details
- Sample of decorative paving treatments – color, finish, pattern

SECTION H. PHOTOMETRIC PLAN

Include a plan that demonstrates a minimum of one footcandle of illumination throughout the entire onsite parking area.

SECTION I. MATERIALS FOR ARCHITECTURAL REVIEW

The City of Temecula contracts with an Architect to provide an unbiased third party review of all new projects. Provide an electronic version of the following information in JPEG or PDF format omitting all leader lines and callouts:

- Color photos from interior of site looking north, south, east, and west with direction identified for each photo
- Site plans
- Building elevations
- Floor plans
- Landscape plans

SECTION J. STATEMENT OF OPERATIONS

Provide a written statement outlining your request for a Development Plan. Your response must give a detailed description of the proposed use and shall include, but is not be limited to:

- Hours and days of operation
- Number of employees
- Number of required parking
- Average daily peak trips generated
- Type of equipment or processes used
- Description of hazardous materials (existing and new)
- Other descriptions that effectively describe the proposed use

SECTION K. MSHCP INFORMATION

The Riverside County Multi-Species Habitat Conservation Plan has identified areas in the City as “Criteria Cells” that require mitigation for habitat conservation. To find out if your project is within a Criteria Cell area, please go to the MSHCP website at www.rcip.org. From this home page, click on Conservation Summary Report Generator. You will be redirected to a page where you can input the parcel number. If there is more than one parcel number, you must input them one at a time and print out each report individually. A report for each parcel must be attached to the application at time of submittal.

SECTION L. UNIVERSITY OF CALIFORNIA REGENTS

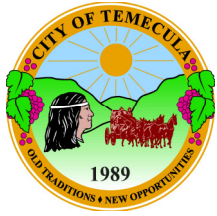
Provide a check made payable to University of California Regents for cultural resource review along with a copy of a USGS Quad map not reduced or enlarge (7.5’ Series) showing location of project site. Check for shall be made payable to University of California Regents in the amount of \$60 required by University of California.

SECTION M. WQMP INITIAL APPLICABILITY AND CONCEPTUAL ACCEPTANCE CHECKLISTS

Step One: Fill out the Initial Applicability Checklist. If “yes” can be answered to any of the criteria outlined in the Initial Applicability checklist, a Water Quality Management Plan (WQMP) is required for the project and will have to be submitted with the application materials at the time of submittal. Go to Step Two below. [NOTE: If “no” is answered to **all** of the criteria outlined in the Initial Applicability checklist, then a Water Quality Management Plan is not needed for the initial submittal].

Step Two: A WQMP, including the completed Initial Applicability Checklist must be submitted if “yes” was answered in any of the criteria outlined in the Initial Applicability checklist. In addition, the Conceptual Checklist and Supplemental Slipsheets must be completed and submitted with the application materials along with the WQMP. The WQMP template, checklists and slipsheets are available online at:

<http://www.cityoftemecula.org/Temecula/Government/PublicWorks/WQMPandNPDES/WQMP.htm>



WATER QUALITY MANAGEMENT PLAN (WQMP)

INITIAL APPLICABILITY CHECKLIST

Applicant Name: _____

Planning Application Number: _____

Project Name: _____

| Does the proposed project incorporate any of the following categories? | | Yes | No |
|---|---|------------|-----------|
| (All questions must be answered) | | | |
| 1 | <p>Modifications to Existing Developments – This category includes projects that create, add, or replace 5,000 sq. ft. or more of impervious surface <u>on an already developed site</u>. This category includes:</p> <p>(a) Expansion of a building footprint, or addition or replacement of a structure;</p> <p>(b) Increase in the gross floor area, or major exterior construction or remodeling;</p> <p>(c) Replacement of impervious surfaces that are not part of routine maintenance activities;</p> <p>(d) Land disturbing activities related to a structure or impervious surface.</p> <p>Note: If modifications create less than 50% of the impervious surface of a previously existing development, and the existing development was not originally subject to WQMP requirements, a WQMP shall be required only to the addition, and not to the entire development.</p> | | |
| 2 | Residential Development - This category includes subdivisions of single-family homes, multi-family homes, condominiums, and apartments consisting of 10 or more dwelling units. | | |
| 3 | Non-Residential Development - This category includes projects where the land area for development is greater than 100,000 sq. ft. | | |
| 4 | Automotive Maintenance and Repair Shops - This category includes facilities engaged in general maintenance and mechanical repairs, body and upholstery repair, painting, transmission and exhaust repair, tire servicing; and glass repair. | | |
| 5a | Restaurants - This category includes all eating and drinking establishments where the land for development is greater than 5,000 sq. ft. | | |
| 5b | Restaurants where the land area for development is less than 5,000 sq. ft. are only required to follow the site design and source control requirements of the WQMP. | | |
| 6 | Hillside Development – This category includes any developments that create more than 5,000 sq. ft. of impervious surface, are located in an area with known erosive soil conditions, and where the project will require grading natural slopes of 25% (4:1) or steeper. | | |
| 7 | <p>Environmentally Sensitive Areas (ESAs) – 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 the area of imperviousness by 10% or more of its naturally occurring condition.</p> <p>Note: "Directly adjacent" means 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 modification, and not commingled with flows from adjacent lands.</p> | | |
| 8 | Parking Lots – This category includes projects that create 5,000 sq. ft. or more of impervious surface for temporary parking or storage of motor vehicles. This category includes parking areas associated with any of the developments outlined above. Routine maintenance, including removal and replacement, is exempt. | | |
| 9 | Streets, Roads, Highways & Freeways – This category includes projects that create 5,000 sq. ft. or more of impervious surface for transportation of motor vehicles. Routine maintenance, including removal and replacement, is exempt. | | |
| 10 | Retail Gasoline Outlets – This category applies if either of the following criteria is met: (a) 5,000 sq. ft. or more of impervious surface, or (b) a projected 'Average Daily Traffic' count of 100 or more vehicles per day. | | |

If you answered "YES" to any of the questions above, a project-specific Water Quality Management Plan must be prepared and submitted (see next page).

Conceptual-Level Water Quality Management Plan (WQMP)

A conceptual WQMP shall be submitted as part of the initial application submittal package. Applicants shall confer with the City's engineering staff to ensure adherence with the latest version of the Project-Specific WQMP Template. At a minimum, the following sections of the WQMP template shall be satisfied at this submittal stage. Each section shall adhere to all of the items outlined in the Conceptual Acceptance checklist.

| WQMP Section | Title of Section |
|---------------------|---|
| I | Project Description |
| III | Pollutants of Concern |
| IV | Hydrologic Conditions of Concern (Preliminary Surface Hydrology) |
| V.1 | Site Design BMPs |
| V.3 | Treatment Control BMPs |
| VI | Operation and Maintenance Responsibility for Treatment Controls |
| Appendix B | WQMP Site Plan |
| Appendix C | Supporting Detail related to Hydrologic Conditions of Concern (Preliminary Surface Hydrology) |
| Appendix E | Soil and Percolation Reports that specifically address soil infiltration properties |
| Appendix F | Treatment Control BMP Sizing Calculations and Design Details |

Visit the City's website for detailed information on WQMP requirements:

<http://www.cityoftemecula.org/Temecula/Government/PublicWorks/WQMPandNPDES/WQMP.htm>

SECTION N. HAZARDOUS WASTE SITE INFORMATION FORM

Government Code Section 65962.5, which became effective July 1, 1987, 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 without this signed statement.

PART A

TO DETERMINE IF YOUR PROJECT IS WITHIN THE ONE-MILE RADIUS OF A HAZARDOUS WASTE SITE refer to the following list of State identified Hazardous Waste Sites. Identify the listed site by placing a check in the box provided and sign and date this form.

Is the project within a one-mile radius of an identified hazardous waste site? Yes No

REGIONAL WATER QUALITY CONTROL BOARD HAZARDOUS WASTE SITES

- Rancho California Water District, 28061 Diaz Road, Temecula, CA 92590
- Borg Warner Mechanical Seal, 27941 Front Street, Temecula, CA 92590
- Chevron Service Station, 28900 Rancho California Road, Temecula, CA 92590
- Plant Equipment, Inc., 28075 Diaz Road, Temecula, CA 92590
- Mobil, 28111 Front Street, Temecula, CA 92590
- Penfold Properties, 28545 Front Street, Temecula, CA 92590
- C.L. Pharris Ready Mix Plant, 29065 Front Street, Temecula, CA 92590
- Temecula Fuel Center, 44987 Front Street, Temecula CA 92590
- Arco, 27641 Ynez Road, Temecula, CA 92590

PART B

TO DETERMINE IF YOUR PROJECT IS WITHIN A ONE-MILE RADIUS OF A PUBLIC WELL SITE, which could potentially be affected by a hazardous waste generator, refer to the following list of State identified Public Well Sites. Identify the listed site by placing a check in the box provided and sign and date this form on the last page.

Is the project within a one-mile radius of an identified public well? Yes No

DHS3 PUBLIC WELL SITES SERVING MORE THAN 200 CONNECTIONS

- Rancho Cal WD (#102), SW 1/4, SE 1/4, Sec. 2, T8S, R3W
- Rancho Cal WD (#114, 113), SE 1/4, NE 1/4, Sec. 25, T7S, R2W

I (we) certify that I (we) have investigated and completed this hazardous waste site form, and that my (our) answers are true and correct to the best of my (our) knowledge.

Owner/Representative _____ Date _____

SECTION O. PUBLIC HEARING REQUIREMENTS

The following information may be obtained by requesting a "Radius Package" from a title insurance company.

The following items will be required prior to scheduling the application for public hearing:

1. **TWO** identical packages to be inserted in separate 9 1/2" x 12 1/2" manila envelopes. These envelopes shall indicate the case number and the word "labels," and shall contain the following:
 - a. One typed set of gummed labels (**30 labels per sheet**) indicating all the property owners' names and the mailing addresses that are within a 600-foot radius of the exterior of the proposed tract boundaries (this list shall be ascertained from the last equalized assessment roll). The Planning Application Number shall be located on all label sheets.

***A minimum of the 30 nearest individual property owners (persons owning multiple properties shall only be counted once) shall be provided. Applicant is responsible for crossing out all duplicate labels.**
 - b. A photocopy of the aforementioned labels
 - c. One label for the representative/engineer
 - d. One label for the owner
2. Four typed sets of gummed labels of the owner, engineer, and representative with their mailing addresses. Do not include duplicate sets where representative and owner, etc., are the same. These should be inserted in a letter-sized envelope and stapled to the outside of one of the large manila envelopes mentioned in item 1 above.
3. Certification by the Title Company, engineer, or surveyor that the above list is complete and accurate. The Tax Assessor's Office will not prepare or certify the property owner list (see certification form attached).
4. On a copy of your assessors parcel map show all the parcels within the noticing radius. On the map, print the names of all property owners within the noticing radius as they are listed on the gummed labels.

PROPERTY OWNERS CERTIFICATION

I, _____, certify that on _____
(Print Name) (Month-day-year)

the attached property owners list was prepared by

_____ Pursuant to application

requirements furnished by the City of Temecula Planning Department. Said list is a complete and true compilation of owner of the subject property and all other property owners within **600 feet (or the 30 nearest individual property owners, whichever creates the greatest number of public notices (persons owning multiple properties shall only be counted once)** of the property involved in the application and is based upon the latest equalized assessment rolls.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or erroneous information may result in processing delays or be grounds for rejection or denial of the application.

NAME: _____

TITLE/REGISTRATION: _____

ADDRESS: _____

PHONE: _____ (Daytime phone no.)

SIGNATURE: _____

DATE: _____

CASE NO.: _____

**CITY OF TEMECULA
DEVELOPMENT APPLICATION
DEVELOPER DISCLOSURE STATEMENT**

This portion of the Application must be fully completed and signed by the Applicant. If not fully completed and signed, the Application will be deemed incomplete. Additionally, this portion of the Application must be fully completed and signed by the Applicant and filed with the Planning Department again not less than five nor more than ten days prior to the hearing before the Planning Commission and not less than five nor more than ten days prior to the hearing before the City Council, if any.

1. Address of subject property: _____
Cross street: _____

2. Date this Disclosure Statement is completed: _____

3. Name of Applicant: _____

A. If Applicant is a limited liability company ("LLC"), please state:

- 1) Full name of LLC
- 2) Address of LLC
- 3) State of registration
- 4) Name and address of managing member(s)
- 5) Name and address of agent for service of process

B. If Applicant is a partnership, please state:

- 1) Full name of partnership
- 2) Address of partnership
- 3) State of registration
- 4) Name and address of general partners
- 5) Name and address of agent for service of process

C. If Applicant is a corporation, please state:

- 1) Full name of corporation
- 2) Address of corporation
- 3) State of incorporation
- 4) Name and address of officers of corporation
- 5) Name and address of shareholder with fifty percent (50%) or more of the shares of the corporation, if any
- 6) If no shareholder has fifty percent (50%) or more of the corporation's share, name and address of controlling shareholder
- 7) Name and address of agent for service of process

4. Name of each Owner of the subject property: _____

A. If Owner is a limited liability company ("LLC"), please state:

- 1) Full name of LLC
- 2) Address of LLC
- 3) State of registration
- 4) Name and address of managing member(s)
- 5) Name and address of agent for service of process

B. If Owner is a partnership, please state:

- 1) Full name of partnership
- 2) Address of partnership
- 3) State of registration
- 4) Name and address of general partners
- 5) Name and address of agent for service of process

C. If Owner is a corporation, please state:

- 1) Full name of corporation
- 2) Address of corporation
- 3) State of incorporation
- 4) Name and address of officers of corporation
- 5) Name and address of shareholder with fifty percent (50%) or more of the shares of the corporation, if any
- 6) If no shareholder has fifty percent (50%) or more of the corporation's share, name and address of controlling shareholder
- 7) Name and address of agent for service of process

5. If the subject property is in escrow to be conveyed to another party or is the subject of a purchase and sale agreement, state the name of each person in escrow to purchase the subject property or a party to the purchase and sale agreement ("Party in Escrow"): _____

- A. If the Party in Escrow is a limited liability company ("LLC"), please state:
- 1) Full name of LLC
 - 2) Address of LLC
 - 3) State of registration
 - 4) Name and address of managing member(s)
 - 5) Name and address of agent for service of process
- B. If Party in Escrow is a partnership, please state:
- 1) Full name of partnership
 - 2) Address of partnership
 - 3) State of registration
 - 4) Name and address of general partners
 - 5) Name and address of agent for service of process
- C. If Party in Escrow is a corporation, please state:
- 1) Full name of corporation
 - 2) Address of corporation
 - 3) State of incorporation
 - 4) Name and address of officers of corporation
 - 5) Name and address of shareholder with fifty percent (50%) or more of the shares of the corporation, if any
 - 6) If no shareholder has fifty percent (50%) or more of the corporation's share, name and address of controlling shareholder
 - 7) Name and address of agent for service of process
6. For any deeds of trust or other liens on the property (other than real property tax liens) please state the following:
- A. Name of beneficiary of the deed of trust or lien
 - B. Date of the deed of trust or lien.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on the date and location set forth below

 Name:
 Title:
 Date of signing:
 Location of Signing: () Temecula or () Other

Date
PA
Public Works Development Plan

General Requirements

- PW-1. Unless otherwise noted, all conditions shall be completed by the developer at no cost to any Government Agency. It is understood that the developer correctly shows on the site plan all existing and proposed property lines, easements, traveled ways, improvement constraints and drainage courses, and their omission may require the project to be resubmitted for further review and revision.
- PW-2. A Grading Permit for precise grading, including all on-site flat work and improvements, shall be obtained from the Department of Public Works prior to commencement of any construction outside of the City-maintained street right-of-way.
- PW-3. An Encroachment Permit shall be obtained from the Department of Public Works prior to commencement of any construction within an existing or proposed City right-of-way.
- PW-4. An Encroachment Permit shall be obtained from the California Department of Transportation prior to commencement of any construction within an existing or proposed State right-of-way.
- PW-5. All improvement 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 of Temecula mylars.
- PW-6. The project shall include construction-phase pollution prevention controls into the design of the project to prevent non-permitted runoff from discharging off site or entering any storm drain system or receiving water during all field-related activities.
- PW-7. A Water Quality Management Plan (WQMP) must be conceptually accepted by the City prior to the initial grading plan check. The WQMP will be prepared by a registered civil engineer and include Low Impact Development (LID) Best Management Practices (BMPs), source controls, and treatment devices.
- PW-8. All onsite drainage and water quality facilities shall be privately maintained.

Prior to Issuance of Grading Permit(s)

- PW-9. The Water Quality Management Plan (WQMP) must receive final acceptance by the City prior to issuance of any grading permit.
- PW-10. A copy of the grading and improvement plans, along with supporting hydrologic and hydraulic calculations shall be submitted to the Riverside County Flood Control and Water Conservation District for approval.
- PW-11. A permit from Riverside County Flood Control and Water Conservation District is required for work within their right-of-way.

- PW-12. A grading plan shall be prepared by a registered civil engineer in accordance with City of Temecula standards, and shall be reviewed and approved by the Department of Public Works prior to the commencement of grading. The grading plan shall include all necessary erosion control measures needed to adequately protect the site (public and private) and adjoining properties from damage due to erosion.
- PW-13. The developer shall 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 in accordance with Grading Ordinance Section 18.24.120.
- PW-14. A Soils Report shall be prepared by a registered soil or civil engineer and submitted to the Department of Public Works with the initial grading plan check. The report shall address all soil conditions of the site, and provide recommendations for the construction of engineered structures and pavement sections.
- PW-15. A Geological Report shall be prepared by a qualified engineer or geologist and submitted to the Department of Public Works with the initial grading plan check. The report shall address special study zones and the geological conditions of the site, and shall provide recommendations to mitigate the impact of ground shaking and liquefaction.
- PW-16. The developer shall have a Drainage Study prepared by a registered civil engineer in accordance with City Standards identifying storm water runoff expected from this site and upstream of this site. The study shall identify all existing or proposed public or private drainage facilities intended to discharge this runoff. The study shall also analyze and identify impacts to downstream properties and provide specific recommendations to protect the properties and mitigate any impacts. Any upgrading or upsizing of downstream facilities, including acquisition of drainage or access easements necessary to make required improvements, shall be provided by the developer.
- PW-17. Construction-phase pollution prevention controls shall be consistent with the City's Grading, Erosion and Sediment Control Ordinance and associated technical manual, and the City's standard notes for Erosion and Sediment Control.
- PW-18. The project shall demonstrate coverage under the State NPDES General Permit for Construction Activities by providing a copy of the Waste Discharge Identification number (WDID) issued by the State Water Resources Control Board (SWRCB), the project's Risk Level (RL) determination number, and name and contact information of the Qualified SWPPP Developer (QSD). A Stormwater Pollution Prevention Plan (SWPPP) shall be available at the site throughout the duration of construction activities.
- PW-19. As deemed necessary by the Department of Public Works, the developer shall receive written clearance from the San Diego Regional Water Quality Board, Riverside County Flood Control and Water Conservation District, Planning Department, or other affected agencies.

- PW-20. The developer shall comply with all constraints which may be shown upon an Environmental Constraint Sheet (ECS) recorded with any underlying maps related to the subject property.
- PW-21. Permanent landscape and irrigation plans shall be submitted to the Planning Department and the Department of Public Works for review and approval.
- PW-22. The applicant shall comply with the provisions of Chapter 8.24 of the Temecula Municipal Code (Habitat Conservation) by paying the appropriate fee set forth in that ordinance or by providing documented evidence that the fees have already been paid.
- PW-23. The developer shall obtain letters of approval for any off site work performed on adjoining properties. The letters shall be in format as directed by the Department of Public Works.
- PW-24. The developer shall 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 in accordance with Grading Ordinance Section 18.24.120.
- PW-25. The site is in an area identified on the Flood Insurance Rate Map. This project shall comply with Chapter 15.12 of the Temecula Municipal Code which may include obtaining a Letter of Map Revision from FEMA. A Flood Plain Development Permit shall be submitted to the Department of Public Works for review and approval.
- PW-26. A drainage channel and/or flood protection wall will be required to protect the structures by diverting sheet runoff to streets, or to a storm drain.

Prior to Issuance of Building Permit(s)

- PW-27. Final Map shall be approved and recorded.
- PW-28. Improvement plans shall conform to applicable City of Temecula Standards subject to approval by the Department of Public Works. The following design criteria shall be observed:
- a. Flowline grades shall be 0.5% minimum over P.C.C. and 1.00% minimum over A.C. paving.
 - b. Driveways shall conform to the applicable City of Temecula Standard Number 207.
 - c. Streetlights shall be installed along the public streets adjoining the site in accordance with City of Temecula Standard Number 800.
 - d. Concrete sidewalks and ramps shall be constructed along public street frontages in accordance with City of Temecula Standard Number. 400.
 - e. Improvement plans shall extend 300 feet beyond the project boundaries.

- f. Minimum centerline radii shall be in accordance with City of Temecula Standard Number 113.
- g. All curves shall include a 100-foot minimum tangent section.
- h. All street and driveway center line intersections shall be at 90 degrees.
- i. Public street improvement plans shall include plans and profiles showing existing topography, utilities, proposed centerline, top of curb and flowline grades.
- j. Landscaping shall be limited in the corner cut-off area of all intersections and adjacent to driveways to provide for minimum sight distance and visibility.
- k. All concentrated drainage directed towards the public street shall be conveyed through under sidewalk drains.

PW-29. The developer shall construct all public improvements outlined in these conditions to City of Temecula General Plan standards unless otherwise noted. Plans shall be reviewed and approved by the Department of Public Works.

PW-30. Improve (Urban Arterial (8–10 lanes divided) Highway Standard No. 100B–134’/150’ R/W) to include dedication of half-width street right-of-way, installation of half-width street improvements, paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing and striping, utilities (including but not limited to water and sewer), and raised landscaped median.

PW-31. Improve (Urban Arterial (6 lanes divided) Highway Standard No. 100A–134’ R/W) to include dedication of half-width street right-of-way, installation of half-width street improvements, paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing and striping, utilities (including but not limited to water and sewer), and raised landscaped median.

PW-32. Improve (Principal Arterial (6 lanes divided) Highway Standard No. 100–110’ R/W) to include dedication of half-width street right-of-way, installation of half-width street improvements, paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing and striping, utilities (including but not limited to water and sewer), and raised landscaped median.

PW-33. Improve (Major Arterial (4 lanes divided) Highway Standard No. 101–100’ R/W) to include dedication of half-width street right-of-way, installation of half-width street improvements, paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing and striping, utilities (including but not limited to water and sewer), and raised landscaped median.

PW-34. Improve (Secondary Arterial (4 lanes undivided) Highway Standard No. 102–88’ R/W) to include dedication of half-width street right-of-way, installation of half-width street improvements, paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing and striping and utilities (including but not limited to water and sewer).

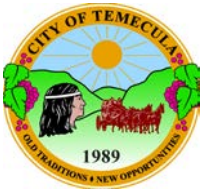
- PW-35. Improve (Industrial Collector (2 lanes divided) Highway Standard No. 102B–78' R/W) to include dedication of half-width street right-of-way plus six feet, installation of half-width street improvements plus six feet, paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing and striping and utilities (including but not limited to water and sewer).
- PW-36. Improve (Residential Collector (2 lanes undivided) Road Standard No. 103A–66' R/W) to include dedication of half-width street right-of-way plus twelve feet, installation of half-width street improvements plus twelve feet, paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing and striping, and utilities (including but not limited to water and sewer).
- PW-37. Improve (General Local Street Standard No. 104–60' R/W) to include dedication of half-width street right-of-way plus twelve feet, installation of half-width street improvements plus twelve feet, paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing, striping and utilities (including but not limited to water and sewer).
- PW-38. The developer shall design and construct or provide an in lieu of construction fee for half width raised landscape median on (Urban Arterial Highway Standards–134' R/W), (Principal Arterial Highway Standards–110' R/W), (Major Arterial Highway Standards–100' R/W) from to (along property frontage). Plans shall be reviewed and approved by the Department of Public Works.
- PW-39. Install a traffic signal at the intersection of and to include signal interconnect with the signal(s) at the intersection(s) of and .
- PW-40. A School Zone signing and striping plan per Caltrans' standards, shall be designed by a registered engineer for the school site within this project and included with the street improvement plans for the project. Designs shall also include a warrant analysis for a flashing yellow beacon and if warrants are met, shall be installed by the developer.
- PW-41. All street improvement designs shall provide adequate right-of-way and pavement transitions per Caltrans' standards for transition to existing street sections.
- PW-42. The developer shall construct all public improvements in conformance with applicable City Standards and subject to approval by the Department of Public Works including street improvements, which may include, but not limited to, pavement, curb and gutter, median, sidewalk, drive approaches; streetlights, signing, striping, traffic signal systems, other traffic control devices as appropriate; sewer and domestic water systems; under grounding of proposed utility distribution lines; and storm drain facilities.
- PW-43. The developer shall vacate and dedicate the abutters rights of access along pursuant to the new location of the driveway.
- PW-44. A construction area Traffic Control Plan shall be designed by a registered civil or traffic engineer and reviewed by the Department of Public Works for any street closure and detour or other disruption to traffic circulation as required by the Department of Public Works.

- PW-45. A Signing and Striping Plan shall be designed by a registered civil engineer approved by the Department of Public Works for .
- PW-46. Bus bays will be designed at all existing and proposed bus stops as directed by Riverside Transit Agency and approved by the Department of Public Works.
- PW-47. All access rights, easements for sidewalks for public uses shall be submitted and reviewed by the Department of Public Works and City Attorney and approved by City Council for dedication of the City where sidewalks meander through private property.
- PW-48. The building pad shall be certified to have been substantially constructed in accordance with the approved Precise Grading Plan by a registered civil engineer, and the soil engineer shall issue a Final Soil Report addressing compaction and site conditions.
- PW-49. This developer must enter into an agreement with the City for a "Trip Reduction Plan" in accordance with Ordinance Number 93-01.
- PW-50. The developer shall obtain an easement for ingress and egress over the adjacent property.
- PW-51. The developer shall pay to the City the Public Facilities Development Impact Fee as required by, and in accordance with, Chapter 15.06 of the Temecula Municipal Code and all Resolutions implementing Chapter 15.06.
- PW-52. The developer shall record a written offer to participate in, and waive all rights to object to the formation of an Assessment District, a Community Facilities District, or a Bridge and Major Thoroughfare Fee District for the construction of the proposed Western Bypass Corridor in accordance with the General Plan. The form of the offer shall be subject to the approval of the City Engineer and City Attorney.
- PW-53. The developer shall pay to the City the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) Program as required by, and in accordance with, Chapter 15.08 of the Temecula Municipal Code and all Resolutions implementing Chapter 15.08.

Prior to Issuance of Certificate of Occupancy

- PW-54. The project shall submit a completed WQMP Operation and Maintenance (O&M) Agreement that must include the owner's notarized signature, proof of recordation with the County Recorder's Office, and all maintenance procedures for each of the structural treatment control Best Management Practices (BMPs) outlined in the WQMP.
- PW-55. The project shall demonstrate that the structural treatment control BMPs outlined in the Water Quality Management Plan (WQMP) have been constructed and installed in conformance with approved plans and are ready for immediate implementation.

- PW-56. As deemed necessary by the Department of Public Works the developer shall receive written clearance from Rancho California Water District, Eastern Municipal Water District, or other affected agencies.
- PW-57. Corner property line cut off shall be required per City of Temecula Standard No. 603A.
- PW-58. All public improvements, including traffic signals, shall be constructed and completed per the approved plans and City standards to the satisfaction of the Department of Public Works.
- PW-59. The existing improvements shall be reviewed. Any appurtenance damaged or broken shall be repaired or removed and replaced to the satisfaction of the Department of Public Works.
- PW-60. All necessary certifications and clearances from engineers, utility companies and public agencies shall be submitted as required by the Department of Public Works.



NPDES Construction Inspection Notice

Public Works Department / NPDES
 41000 Main Street, Temecula, CA
 951-694-6411

| | | | |
|---------------|------------|---------------|---------------------|
| Project Name: | WDID#: | Weather: | Date: |
| LD/PW number: | Developer: | Inspected by: | Date last inspected |

Project Location:

NOTICE: In conformance with the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit for the Santa Margarita River Watershed, the Cities and County are mandated to perform NPDES construction site inspections to determine if the site is in compliance with local, State, and Federal stormwater and urban runoff ordinances and regulations.

Check the box adjacent to items for which deficiencies were observed.

| | |
|---|-----|
| 1 Tracking controls (all access points). | [] |
| 2 Tracking of sediment (interior, access points, and perimeter). | [] |
| 3 Streets swept (interior, access points, and exterior). | [] |
| 4 Perimeter controls (in place, functioning, maintained). | [] |
| 5 Sediment controls (all interior streets and maintained). | [] |
| 6 BMP's at CB's & Discharge points: In Place / Functioning / Maintained. | [] |
| 7 Sediment and/or other pollutants at inlets or discharge points. | [] |
| 8 All other sediment controls: In Place / Functioning / Maintained. | [] |
| 9 Sediment discharge beyond project limits or in area requiring protection. | [] |
| 10 Erosion present. | [] |
| 11 All slopes received erosion controls. | [] |
| 12 All pads received erosion controls. | [] |
| 13 Non-stormwater discharges: Observed / Evident. | [] |
| 14 Construction materials: In Designated Areas / Stored Properly. | [] |
| 15 Liquid materials stored properly. | [] |
| 16 PCC waste storage area in place and maintained. | [] |
| 17 Waste materials: In Designated Areas / Stored Properly. | [] |
| 18 BMP's in place for equipment maintenance / functioning / maintained. | [] |
| 19 Litter / housekeeping / maintained. | [] |
| 20 | [] |

NOTICE: The State of California Porter-Cologne Water Quality Control Act and the Federal Clean Water Act state that persons who violate these acts and any of the State and Federal water quality objectives can be held criminally liable.

Additional Comments:

| | | | |
|---------------|--------------|--------|-------|
| Site Contact: | Received by: | Phone: | Time: |
|---------------|--------------|--------|-------|

Action taken:

Verbal [] Written warning [] Administrative citation [] Stop Work Notice []

NPDES Inspection Frequency Sheet

| Risk Level 1 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | Inspector |
|---------------------------------|---|---|---|---|----------|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---------------|
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | LD No. |
| Shell Building | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Rancho Ca / Lyndee Ln | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-020 |
| Med Bldg | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| 42210 Lyndee Ln | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 11-045GR |
| Lennar | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| Rec Ctr @ Sunny Meadows | | | | | Complete | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-047GR |
| UHS Medical Center | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| 31700 Temecula Parkway | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grading | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-006 GR |
| St Imp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-062CO |
| TS Margarita | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-065CO |
| TS Temecula Pkwy | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-064CO |
| TC | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-066CO |
| Newland | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| Meadow Parkway | | | | | Complete | | | | | | | | | | | | | | | | | | | | | | | | | | | 01-192CO |
| Campanula median | | | | | Complete | | | | | | | | | | | | | | | | | | | | | | | | | | | 11-033CO |
| Temecula Ln - D R Horton | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 06-173 |
| Loma Linda / Temecula Ln | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| Harveston | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| Richmond Am - Barrington | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-011 |
| Richmond Am - Emery I | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-040 |
| Richmond Am - Emery II | | | | | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-052 |
| Richmond Am Stratford | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| Primrose Ave | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 11-063 |
| Wolf Creek-2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| Woodside - Sycamore | | | | | Complete | | | | | | | | | | | | | | | | | | | | | | | | | | | 06-073 |
| Portola Terrace Apts | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Pujol St | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 11-086 |

I = Inspected
 V = Verbal
 N = Inspection Notice Issued

C = Citation Issued
 RB = SDRWQCB Rep Present
 ** = New Site

NPDES Inspection Frequency Sheet

| Risk Level 1 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | Inspector |
|---------------------------|----------|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | LD No. |
| Anthony Res. -SFR | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Santiago Rd | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 06-201 |
| Sipkoi BMX Track | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| 33239 Susan Grace Ct | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-025 |
| Macur Res | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| 29725 Monte Verde | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-022 |
| Rancho Comm Church | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Sports Field | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 11-018 |
| Arco Car Wash | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| Winchester Rd | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 11-031 |
| Time Warner | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| La Serena | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 11-009 |
| Panhandle | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Unicom - 1A | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 05-139 |
| Davidson - 2 | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 04-222 |
| HRA - 3 | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HRA -4A | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Downey Bank - 4B | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pan | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Unicom | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 02-138 |
| 6 Ac Park | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 03-327 |
| Truax Bldg | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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 ** = New Site

NPDES Inspection Frequency Sheet

| Risk Level 1 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | Inspector |
|--|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | LD No. |
| Inactive NPDES Compliant Projects w/ 70% minimum Growth Established | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SFR Gronlund | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 29699 Avenida Del Sol | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 06-170 |
| SFR - Dohrman | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| 30277 Via Brisa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 05-081 |
| SFR - Chacon | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| 40390 Calle Fiesta | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 07-057 |
| Pace Res | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| 30580 Del Rey Rd | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 10-003 |
| Deportola Professional Ctr | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| Deportola / Margarita | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 07-109 |
| Erik Halter | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Santiago / Ormsby | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 07-005 |
| Bieri Property | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Ynez / Date | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 07-105 |
| Garrett Property | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Winchester / Dendy | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 07-008 |
| MJW Property Ridgeview | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Ave. Alvarado | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 05-006 |
| Temecula Village Apts - MJW | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Rancho Calif. Rd. e/o Moraga Rd. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 02-213 |
| Artisan / Garrett Group | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Deerhollow & Peachtree | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 06-199 |
| Summer House - Wermers | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| Margarita & Dartolo | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 06-203 |
| Com. Ctr Crisell Property | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Matt |
| 29710 Via Las Colinas | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 07-094 |
| Warehouse at Creekside | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Rudy |
| 42081 3rd St | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 08-063 |

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NPDES Inspection Frequency Sheet

| Risk Level 1 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | Inspector | |
|-------------------------------------|---|----------|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------------|---------|
| City of Temecula Projects | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | LD No. | |
| NW RDA Property / Old Ed Ctr | | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Jay | |
| Dendy Parkway | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 05-126 | |
| Madison Ave Property | | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Avlin | |
| Madison Ave Property | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Ped Bridge | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| San Gertrudis Creek | | Complete | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | PW05-11 | |
| Roripaugh Ranch | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Butterfield Rd | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | PW09-02 |
| Library Street Imp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pauba | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | PW08-07 |
| Storm Drain Imp. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Calle Fiesta | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | PW10-07 |
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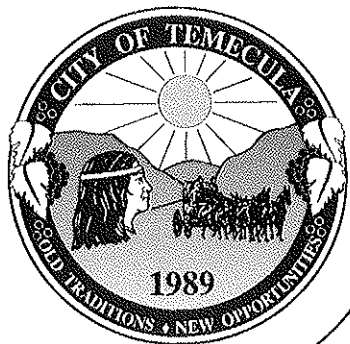
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**PUBLIC WORKS DEPARTMENT
LAND DEVELOPMENT DIVISION**

EROSION & SEDIMENT CONTROL NOTES

1. These notes are comprehensive and should be applied according to site-specific conditions. **Year-round** pollution prevention measures, also known as Best Management Practices (BMP's), must be installed prior to any field activities. Additional erosion prevention and sediment controls must be installed and maintained prior to and throughout each rainy season. The developer/contractor is responsible for erosion and sediment controls throughout the duration of the project for all clearing, disking, grading, excavating and stockpiling activities, and on all exposed slopes and inactive pads throughout the entire site. The developer/contractor is also responsible for any discharges from subcontractors.
2. All runoff shall be filtered prior to discharging from a site or to any type of private or public storm water conveyance system (natural watercourses, streets, gutters, concrete-lined v-ditches, storm drains, flow-lines, inlets, outlets, etc.). All non-permitted discharges are prohibited from entering any storm water conveyance system year-round.
3. If the project will disturb, expose or stockpile one (1) acre or more of soil, the site must be covered under the State General Construction Permit. A Waste Discharge Identification (WDID) Number and risk level determination shall be provided to the City prior to issuance of a grading permit, and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented throughout the duration of the project. The SWPPP shall be readily available to City and State inspectors and updated to reflect current site conditions during construction. The construction permit can be downloaded at www.waterboards.ca.gov/water_issues/programs/stormwater construction. BMP handbooks can be downloaded at www.cabmphandbooks.com.
4. Additional erosion and sediment control materials shall be stockpiled at various locations throughout the site for immediate implementation within seven (7) days prior to any forecasted rain. The developer/contractor shall make available equipment and workers for emergency work to protect the site.
5. Perimeter protection must be installed prior to any clearing activities. Clearing shall be limited to areas that will be immediately graded or disturbed. A combination of erosion and sediment controls shall be implemented in areas that have been cleared. All disturbed areas of an inactive site, as described in of the Grading Manual, shall also be protected.
6. All erosion and sediment controls shall be inspected, restored, repaired or modified year-round throughout the site to protect perimeters, adjacent properties, environmentally sensitive areas, and all private and public storm water conveyance systems. If any erosion or sediment controls fail during any rain event, more effective ones will be required in their place.
7. Erosion controls shall include, but are not limited to, applying and establishing vegetative cover, wood mulch, stapled or pinned blankets (straw, coconut or other), plastic sheeting (minimum 10-mil), polypropylene mats, spray-on controls to all disturbed areas, or other measures approved by the City Engineer. Jute netting shall not be used as a stand-alone erosion control. For slopes greater than 4:1, provide fiber rolls and either a bonded fiber matrix product applied to a rate of 3500 lb/acre or a stabilized fiber matrix product applied to a rate of 10 gal/acre. The City may approve different application rates for slopes less than 4:1.
8. Sediment controls shall include, but are not limited to, desilting basins, graded berms, fiber rolls, silt fences, gravel bag chevrons (filled with minimum ¾" gravel), check dams, drainage inlet protection, etc. Fiber rolls shall be installed in 15 foot (15') increments measured along on the face of the slope. Silt fence shall be installed along interior streets and combined with gravel-bag or silt fence chevrons inside the sidewalk right-of-way or back of curbs.
9. All onsite and offsite flow lines (v-ditches, brow-ditches, terrace drains, ribbon gutters, curb gutters, etc.), storm water conveyance systems, check dams, chevrons, silt fences and desilting basins shall be free of sediment, construction materials, waste, miscellaneous debris, and deteriorated erosion and sediment controls **year-round**.

10. Construction waste and miscellaneous debris shall be placed in water-tight bins. Wire mesh receptacles will not be allowed. Wash-out stations shall be provided for concrete, paints, stucco, and other liquid waste and shall be lined with plastic and located away from streets, sidewalks, right-of-ways, flow-lines, etc. Prior to any forecasted rain, bins and wash-outs shall be covered with a lid or plastic tarp.
11. Construction access points shall be stabilized with a combination of rock and shaker plates year-round to prevent track-out. Interior access points (all proposed driveways, material storage and staging area entrances/exits, etc.) shall also be protected with rock to prevent track-out onto interior streets. Routine street sweeping shall be performed on all paved streets where tracking is observed. Vacuum sweepers shall be used when street sweeping becomes ineffective. Controlled street washing will only be allowed prior to the application of asphalt seal coats, and only when all pertinent drainage inlets are protected.
12. Desilting basins shall be designed according to the guidance provided in CASQA's construction BMP handbook.
13. Storm water runoff shall not be directed over any slopes without permanent down drains installed. Erosion and sediment controls are required on all exposed slopes until sufficient permanent landscaping has been established. 100% slope protection must be in place prior to the issuance of a certificate of occupancy.
14. Material storage and staging areas shall be established. Fuel tanks, portable toilets, liquids, gels and powders shall be stored away from all private / public storm water conveyance systems, sidewalks, right-of-ways and flow-lines and shall have secondary containment. Inactive stockpiles of soil shall be covered at all times. Active stockpiles shall be covered prior to a forecasted rain.
15. All portable mixers shall have plastic liners underneath with gravel-bags placed on the down-hill side of the liners to contain discharges.
16. Impounded water shall be secured from the public. Signage indicating "Ponded Water-Do Not Enter" shall be posted.
17. No obstructions, other than BMP's, shall be allowed within any storm water conveyance system, unless alternative drainage facilities have been approved by the City Engineer.



City of Temecula

Department of Public Works

41000 Main Street ■ Temecula, CA 92590

Mailing Address: P.O. Box 9033 ■ Temecula, CA 92589-9033

Phone (951) 694-6411 ■ Fax (951) 694-6475 ■ www.cityoftemecula.org

August 22, 2011

To: Project Developers, Property Owners, Project Managers, Field Superintendents, and Contractors.

RE: Requirements for Construction Projects.

The City of Temecula is requiring **year-round pollution prevention measures**, also known as Best Management Practices (BMPs), at every active and inactive construction site throughout the City. You are responsible for preventing pollutants at your site from reaching any type of storm water conveyance system (gutters, streets, flow lines, inlets, ditches, storm drains, natural drainage courses, creeks) or neighboring properties at all times. This is especially important between **October 1st and April 30th**, when you are required to **upgrade your Wet-Weather BMPs (erosion control measures)**.

Compliance with the **State's Construction General Permit (CGP)** is also required if your project disturbs, exposes, clears, grades, or stockpiles one acre or more of soil. Proof of a Waste Discharge Identification (WDID) Number and Risk Level Determination must be provided to the City. A Storm Water Pollution Prevention Plan (SWPPP) must be onsite at all times, updated frequently, and readily available to City and State inspectors.

At a minimum, the following requirements must be implemented:

- The City shall be notified if your project becomes inactive, or if portions within your project become inactive, or if construction activities cease for seven (7) consecutive calendar days. Inactivity will require: 1) the submittal of a BMP implementation plan to the City demonstrating current conditions and proposed compliance during the period of inactivity, and 2) establishment of 100% vegetative coverage as the primary erosion control on all inactive areas of the project.
- All storm water conveyance systems, check dams, chevrons, silt fences, temporary desilting basins, etc. shall be free of sediment, construction materials, waste, miscellaneous debris, and deteriorated BMPs;
- Waste and debris shall be placed in water-tight trash bins, and covered with a solid lid or plastic tarp prior to any forecasted rain;

- Additional BMPs shall be stockpiled throughout your site for immediate implementation prior to any forecasted rain;
- Wash-out stations shall be provided for concrete, paints, stucco, etc. These stations shall be water-tight and located away from streets, sidewalks, flow lines, and drainage inlets;
- Portable toilets shall have secondary containment and be placed away from streets, sidewalks, flowlines, and drainage inlets;
- Construction access locations shall implement a combination of rock and shaker plates. Interior access points (driveways, staging areas, etc.) shall also be protected with rock;
- All completed slopes and inactive pads shall have a combination of erosion and sediment control BMPs;
- All portable mixers shall have plastic liners underneath with gravel bags placed on the down-hill side of the liners to contain discharges;
- Street sweeping shall be performed on all paved areas, at all construction exits, during hauling operations, and on all haul route streets on a regular basis. Vacuum sweepers shall be used when street sweeping becomes ineffective;
- Water shall be filtered and drained from basins within 72-hours of collection;
- ESC plans and Standard ESC Notes must be adhered to at all times;
- The project developer is responsible for discharges from all contractors, landscapers, and other personnel working at the site.

City inspectors will begin conducting Wet-Weather inspections by **October 1st** at each site. Failure to implement wet-weather BMPs in addition to year-round BMPs will result in citations, Stop Work notices, suspension of business licenses, withholding of occupancies, and case referrals to the San Diego Regional Water Quality Control Board. If existing BMPs are inadequate, more effective BMPs will be required.

Please call me at (951) 308-6387 if you have any questions regarding this information.

Sincerely,



Aldo Licitra

NPDES/Water Quality Program



Water Quality Program
Business Inspection Checklist
 41000 Main Street, Temecula, CA.
 (951) 308-6395
www.cityoftemecula.org

| | | | |
|----------------------------|---|------------------------------------|---|
| Name of Inspector: | | | |
| Type of Inspection: | <input type="checkbox"/> Routine (annual) | <input type="checkbox"/> Follow-up | <input type="checkbox"/> Second Follow-up |
| Date: | | | |
| Time: | | | |
| Received By: | | | |

A. CONTACT INFORMATION

| | |
|--|--|
| Facility Name _____ Street Address _____ Contact Person _____ | Category: <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial Contact Number: _____ Mailing Address (if different): _____ |
|--|--|

B. FACILITY / SITE INFORMATION:

Description of Site Activities: _____

SIC / NAIC Code (circle one): _____ **Revised SIC/NAIC Code:** _____

Priority Classification: High

Revised Priority Classification: Below 'High' threshold

Does facility have a current business license? Yes No # _____ **Exp.** _____

Is facility subject to a State General Industrial Permit? Yes No **WDID #:** _____

List the surface flow paths from facility to Murrieta Creek _____

C. BEST MANAGEMENT PRACTICES (BMP) ASSESSMENT:

| | N/A | Yes | No | Comments |
|---|-----|-----|----|----------|
| C.1 General Areas | | | | |
| a. Is the site free of evidence of unauthorized releases? | | | | |
| b. Is the site free of evidence of illicit connections? | | | | |
| c. Are onsite inlets and flowlines free of dirt, litter, stains, other material? | | | | |
| d. Are onsite inlets and flowlines protected from unauthorized releases? | | | | |
| e. Is washwater from all cleaning activities disposed properly? Where to? | | | | |
| f. Are biodegradable soaps used? Specify activity. | | | | |
| g. Is roof water drained to parking lot / landscaping? | | | | |
| C.2 Landscaped Areas | | | | |
| a. Are adequate erosion prevention measures employed? (vegetation or physical stabilization) | | | | |
| b. Are irrigation systems programmed to minimize over-watering and runoff? | | | | |
| c. Are inlets or flowlines free of landscape waste (tree or shrub trimmings, grass clippings, etc)? | | | | |
| d. Is landscape material (fertilizers, pesticides, etc) stored onsite and/or protected by runoff? | | | | |
| C.3 Materials and Wastes Areas | | | | |
| a. Are all materials and activities protected from exposure to stormwater? | | | | |
| b. Are adequate trash containers provided? (covered, no leaks) | | | | |
| Are these areas free of litter and stains? | | | | |
| c. Are adequate recycling containers provided? (covered, no leaks) | | | | |
| Are these areas free of litter and stains? | | | | |
| d. Is service provided to prevent trash and recycling containers from overflowing? | | | | |

FOOD FACILITY STORMWATER COMPLIANCE SURVEY

| | | | |
|--|-------------------------|-------------------|-------------------|
| FACILITY DBA | FACILITY # | DATE | |
| ADDRESS | ACTIVITY | SERVICE CODE: 410 | |
| COMPLIANCE AREAS | YES | NO | N/A |
| GREASE BARRELS/ INTERCEPTORS | | | |
| 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? | | | |
| EQUIPMENT CLEANING | | | |
| 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 | | | |
| OUTSIDE AREAS | | | |
| 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 | | | |
| DUMPSTERS AND RECYCLING CONTAINERS | | | |
| 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. | | | |
| EMPLOYEE EDUCATION/ AWARENESS | | | |
| 9. Brochures or posters displayed. | | | |
| 10. BMPs observed. | | | |
| OVERALL RATING | GOOD | AVERAGE | NEEDS IMPROVEMENT |
| COMMENTS: | | | |
| | | | |
| | | | |
| Received by: | Env. Health Specialist: | Badge # | |

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
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

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
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
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: (951) 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

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 | |
| Compliance Areas | YES | NO | N/A |
| *OUTSIDE AREAS (Free of staining & debris; provides good housekeeping; maintained in a manner to prevent runoff.) | | Requires follow up | |
| 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
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