



Executive Office
County of Riverside

Bill Luna
County Executive Officer

July 28, 2011

Submitted via email to commentletters@waterboards.ca.gov

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000



**SUBJECT: Draft Statewide Phase II Small MS4 General Permit and List of Communities
Appendix B**

Dear Ms. Sotelo,

Thank you for the opportunity to comment on the Draft Phase II Small MS4 General Permit. After a review of the Draft Phase II Small MS4 General Permit and the list of communities in Attachment B, the County of Riverside is extremely concerned with the direction that the State is taking in what appears to be a reversal in its commitment to work toward consolidation, coordination and consistency in environmental program implementation. The County of Riverside has worked diligently with the three Regional Water Quality Control Boards within our jurisdiction to ensure that our Phase I MS4 permit program is appropriate for our region and provides the best possible protection of our watersheds.

The growth in population of Riverside County over the last decade has been significant. Riverside County is the fourth largest county in population with approximately 2.2 million people and size at 7200 square miles (approximately the same landmass as the State of New Jersey). In fact, during the last four years the county has sponsored the incorporation of four new cities (Menifee, Wildomar, Eastvale, and Jurupa Valley) which accounts for almost 200,000 people. The County of Riverside, the Riverside County Flood Control & Water Conservation District, and the Coachella Valley Water District along with 27 of the 28 cities in coordination with our Regional Water Quality Control Board partners have crafted a Phase I MS4 permit program that provides coverage to all those areas within the cities and unincorporated areas that are listed in Appendix B. The only exception is the city of Blythe and the surrounding farming communities along the Colorado River. However, for those areas the planning and land use criteria established for the Phase 1 MS4 permit area within the Coachella Valley are utilized so that consistency throughout the region is maintained.

As stated above the County of Riverside is unique in that we are the only jurisdiction in the State that has three Regional Water Quality Control Boards (Region 7-Colorado RWQCB, Region 8-Santa Ana RWQCB and Region 9-San Diego RWQCB) that regulate three independent NPDES MS4 permit activities. The following are the current Phase I MS4 permits issued to Riverside County:

- **R7-2008-001, NPDES CAS # 617002**
(Whitewater Watershed-Coachella Valley)
- **R8-2010-033, NPDES CAS # 601833**
(Santa Ana Watershed-Western Riverside Metropolitan Area)
- **R9-2010-0016, NPDES CAS # 1018766**
(Upper Santa Margarita Watershed-Southwest Riverside Metropolitan Area and Wine Country)

Also, in many instances the county is required to have coverage under the Statewide General Construction Permit and the General Industrial Permit for several of our county departments.

Whitewater Watershed-Colorado RWQCB Jurisdiction (Coachella Valley)

The city of Banning, city of Bermuda Dunes, Cathedral City, city of Desert Hot Springs, community of Garnet CDP (Sphere of Influence of city of Desert Hot Springs), city of Indio, city of La Quinta, ~~community of Mecca CDP, Community of Oasis CDP, city of Palm Desert, community of Thousand Palms CDP (Sphere of Influence city of Palm Desert)~~ all have Phase I MS4 permit coverage under the Jurisdiction of Region 7-Colorado RWQCB. This defined Whitewater watershed area has a population of greater than 450,000 people and is urbanized along the Interstate 10 freeway bounded by mountains to the west, north and east and the Salton Sea to the South. The Salton Sea is an agricultural sink and this area is predominantly regulated by waivers issued to the agricultural businesses in the region by Region 7-Colorado RWQCB.

65.1

As stated previously the city of Blythe and the surrounding small farming communities along the Colorado River is the only region not officially under Phase I MS4 permit coverage, but for consistency purposes planning and land use concepts in the County of Riverside unincorporated areas follows those MS4 permit requirements established for the Coachella Valley under R7-2008-001, NPDES CAS # 617002.

Santa Ana River Watershed-Santa Ana RWQCB (Western Riverside County Metropolitan Area)

The City of Corona is listed in Appendix B, but is the third largest city in Riverside County with a population of ~~152,374, as identified in the 2010 federal census~~. The County believes that this was an oversight and easily corrected. They have been one of our more progressive cities in the region and a significant partner and stakeholder in the Phase I MS4 program within the Santa Ana River watershed.

65.2

65.3

The El Sobrante CDP is within the Sphere of Influence for the City of Corona and has had coverage as a Phase I MS4 since the early 1990's. The watershed includes major portions of Orange County, Riverside County and San Bernardino County with a population that is estimated at over 5 million

65.4

people. The Santa Ana River Watershed has three Phase I MS4 permits issued by Region 8-Santa Ana RWQCB.

65.5 → In 2010, the Eastvale CDP became an incorporated city with a population of 53,668. During the time that this was an unincorporated community it was part of the Phase I MS4 coverage area. Prior to development it was part of the Chino Basin Dairy Reserve with agricultural waivers issued by the Santa Ana RWQCB. They are in the process of submitting a letter of intent to the Santa Ana RWQCB to be included in the Phase I MS4 program.

65.6 → In July 1, 2011, the communities of Jurupa, Glen Avon CDP, Mira Loma CDP, Pedley CDP, Rubidoux CDP, and Sunnyslope CDP became the city of Jurupa Valley with a population of approximately 88,000. During the time that they were unincorporated communities, they were part of the Phase I MS4 coverage area. They will be submitting a letter of intent to the Santa Ana RWQCB to be included in the Phase I MS4 program.

65.7 → The communities of East Hemet CDP, Good Hope CDP, Highgrove, Home Gardens CDP, Homeland CDP, Lake Mathews CDP, Lakeland Village CDP, Mead Valley CDP, Nuevo CDP, Valle Vista CDP, Winchester and Woodcrest CDP are all communities with Sphere of Influence from cities such as Corona, Hemet, Lake Elsinore, Perris, Menifee, and Riverside. They all have had coverage under the MS4 Phase I permit since the inception of the NPDES MS4 requirements. As an example, the county libraries recently built in the communities of Highgrove and Woodcrest are LEED certified buildings that contain state of the art Low Impact Development (LID) concepts and are demonstration projects for water quality management and water conservation measures.

Upper Santa Margarita Watershed-San Diego RWQCB (Southwest Riverside Metropolitan Area and Wine Country)

65.8 → Over the last decade this area has consistently been the fastest growing region within Riverside County and the State. It includes the cities of Murrieta, Temecula and Wildomar with a population of approximately 325,000. The whole Upper Santa Margarita watershed has been identified by Region 9-San Diego RWQCB as a phase I MS4 coverage area. French Valley CDP is within the Sphere of Influence of the city of Murrieta. The more rural culture of Wine Country within the unincorporated area has had coverage under the Phase I MS4 permit since the 1990's.

The County of Riverside applauds the State Water Resources Control Board's effort to bring consistency for those areas that clearly do not have coverage under a regional Phase I MS4 permit approach. The concept to require school districts and other jurisdiction not currently covered under existing Phase I MS4 permit programs should benefit and enhance water quality statewide. However, in Riverside County, the Regional Boards have required our unincorporated communities and contiguous smaller cities to have the same MS4 permit requirements as the large cities since the early 1990's. A change at this point would be confusing for those communities and thrust another set of rules and regulations on an already overburdened regulatory framework.

In conclusion, the addition of a Phase II Small MS4 General Permit program with significantly different requirements than those set forth in our existing Phase I MS4 permit program, for those areas that already have coverage, is excessive and unduly burdensome for the County of Riverside.

The County of Riverside unincorporated and incorporated cities listed in Appendix B request a re-evaluation and reconsideration based upon the fact that the existing Phase I MS4 permit coverage for

those areas is consolidated, coordinated and consistent and already meets the goals set forth for the NPDES MS4 program and provides appropriate and necessary protection to our watersheds without unduly adding another layer of regulations.

Sincerely,



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NPDES MS4 Program Administrator
County of Riverside Executive Office

cc: Jason Uhley, Chief- Watershed Protection-Riverside Co. Flood Control & Water Conservation District
Juan Perez, Director, Riverside County TLMA-Transportation Department
Rob Field, Asst. Co. Executive Officer, Riverside County Economic Development Agency
Riverside County MS4 Permittees
Chair, State Water Resources Control Board
Executive Director, State Water Resources Control Board
Executive Officer, California Regional Water Quality Control Board, Colorado River Basin Region
Executive Officer, California Regional Water Quality Control Board, San Diego Region
Executive Officer, California Regional Water Quality Control Board, Santa Ana Region