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February 5, 2015

Ms. Kathleen H. Johnson, Director
Enforcement Division
United States Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Re: Response to the Riverside County Municipal Separate Storm Sewer System (MS4)
Audit Report

Dear Ms. Johnson,

The County of Riverside (County) would like to take this opportunity to recognize and clarify the compliance inspection report dated November 7, 2014 for the inspection dates of August 12-13, 2014. As noted in the report, the purpose of the inspection was to conduct an audit of the County's MS4 program within the Santa Margarita region; one of three MS4 Permits that the County is responsible for. Specifically, the compliance audit of the County's implementation of Order No. R9-2010-0016 focused on three program areas: development planning, construction sites, and illicit discharge detection and elimination (IDDE). During the audit, the United States Environmental Protection Agency (EPA) staff, and their contractors from PG Environmental (collectively EPA Team) discussed the schedule of activities, questioned County staff about program implementation, and made several field visits throughout Southwest Riverside County during the two days they were present.

The purpose of this letter is to respond to certain assertions and recommendations identified within the inspection report that the County believes require clarification. These responses generally provide additional detail and background related to the recommendations found within the inspection report. The structure of the following sections provides two parts to each point made within the inspection report:

1. The audit conclusion section is *italicized*, with the section heading in **bold**;
2. The County's response is in plain text.

3.1.1 Development Planning: BMP Maintenance and Tracking

Recommendation for Improvement:

EPA recommends the County verify that its inventory of both private and public post-construction BMPs is accurate and eliminate any inconsistencies in BMP identification and tracking. Further, EPA recommends the County incorporate photographs into its Post-Construction BMP Inventory for easier asset identification and tracking.

At this time, the County is utilizing a Microsoft Excel database to track and inventory private post-construction best management practices (BMPs). However, the County has begun utilizing more advanced software for this type of data to ensure that potential inconsistencies will be minimized and eliminated in the future. Additionally, photographic data is already being utilized within our public post-construction BMP inspection process and will be used for the private post-construction BMP inspection process as well. Further and above current requirements, the County Transportation department utilizes geographic information systems (GIS) for its management of public facility post-construction BMPs. The GIS database includes the previously mentioned photographs taken during pre- and post-storm event inspections and regular scheduled inspections per the Water Quality Management Plan (WQMP); a complete, accurate description of the type of BMP; and a hyperlink to provide immediate access to the associated WQMP document. Each public facility BMP has its own asset identification number and is mapped accordingly. This data is provided in the annual report.

3.1.2 Development Planning Inspections

Recommendation for Improvement:

EPA recommends the County review its BMP tracking documents for consistency and update as necessary. Prior to each inspection, the inspector should review the site's WQMP to be aware of site-specific BMPs and maintenance requirements before arriving onsite.

As previously mentioned the County is beginning to utilize more advance software that is better suited to MS4 requirements for tracking BMPs and associated inspections. As this occurs, the County is performing additional checks on the current Microsoft Excel spreadsheet database to ensure accuracy. Further, the County is going to prepare a Standard Operating Procedure (SOP) for the Environmental Compliance Inspectors to utilize prior to inspecting a WQMP/BMP site. The SOP will detail, among other checks, proper review of a selected site's WQMP prior to arrival for an onsite inspection. This will include a review of any applicable site-specific BMPs and maintenance requirements. The SOP will be included as an attachment to the County's Jurisdictional Runoff Management Program (JRMP).

3.2.3 Construction Site Inspections

Recommendations for Improvement:

EPA recommends the County modify its inspection forms and/or its process for informing construction site owners/operators of noncompliance so that the information is provided in a clear and concise manner. Further, when a notice of correction or notice of violation is issued, EPA recommends the County include a standardized timeframe for corrective action and a follow-up inspection date. EPA also recommends that County personnel who are conducting stormwater inspections complete all the fields on the inspection forms onsite and provide direct feedback on all BMP and/or other compliance deficiencies requiring corrective action at the time of the inspection.

The County is currently in the process of creating a separate Notice of Violation form that would contain precise details of any potential violations, applicable response time, and other pertinent information. Furthermore, the County's JRMP does include timeframes for enforcement and compliance response; however, the County concurs with these recommendations and will create an SOP for its Environmental Compliance Inspectors. This SOP will detail the step-by-step procedures for the inspectors to follow to ensure the associated forms are completed correctly and information is communicated effectively to construction site contractors. The Notice of Violation form and construction site SOP will be included as attachments to the County's JRMP.

3.3.1 Illicit Connection and Illicit Discharge Identification and Mapping

Recommendations for Improvement:

EPA recommends that the County continue to map all reported IC/IDs, identify priority areas for IC/ID investigations, and submit annual updates of its maps and outfall to the Regional Board as part of its annual report. EPA recommends that the County repeat the outfall selection process for the County Flood Control outfall-monitoring program. The process should be completed in a transparent manner with justification of steps taken and mapping processes included. The EPA recommends that identified outfalls should be added to the Santa Margarita River Watershed map and routinely inspected. It was unclear at the time of the inspection if the County was submitting annual updates of its maps and outfalls with the annual report. As maps are updated, the County should submit the information with the annual report to the Regional Water Board.

Currently, the latest outfall selection process is outlined in the Consolidated Monitoring Program (CMP) document submitted annually as an attachment to the Monitoring Annual Report for the Santa Margarita Region. The County will take into consideration the recommendations from the EPA to clarify the outfall selection process. The County will continue to update their outfall locations and will provide recommendations to the monitoring program in the upcoming Report of Waste Discharge. Furthermore, all County GIS data is submitted to the Flood Control District and attached to the master MS4 Facility Map. The MS4 Facility

Map contains the MS4s and monitored major outfalls and is submitted annually to the Regional Board with the annual report.

Potential Permit Violation:

Part F.4.b of the Permit states, "The MS4 map must include all segments of the storm sewer system owned, operated, and maintained by the Copermitttee, as well as all known locations of inlets that discharge and/or collect runoff into the Copermitttee's MS4, all known locations of connections with other MS4s (e.g. Caltrans) and all known locations of all the outfalls that discharge runoff from the Copermitttee's MS4."

At the time of inspection, the County was unable to provide a map or GIS map layer that depicted all of the Permit-required features, including all outfalls. As mentioned above, the County provided a map depicting the one outfall that was being monitored by County Flood Control, but did not include other outfalls in the unincorporated areas of Riverside County. During the inspection, the EPA Inspection Team requested to see the GIS layer that included the other outfalls, and although the EPA Inspection Team was shown several additional GIS layers, it was unclear if all the County's outfalls were depicted in any of those layers. EPA also found that the County's map, provided at the time of the inspection, did not show any known connections with other MS4s, such as Caltrans.

The County's GIS database and mapping includes the following MS4 features: inlets, outlets, culverts, swales, channels, basins, outfalls, Maintenance Yards, and Material Sites layers. The Maintenance Yards and Material Sites layers also contain the associated WQMPs, SPCC Plans and Annual Assessments. The EPA auditors were provided a thorough demonstration of the GIS data and mapping. Immediately upon discovery of the inadvertent mapping omission of the underground storm drain lines, the County's GIS Team created a storm drain underground lines GIS layer. The layer has flow direction as recommended and shows all known connections to other MS4s. This mapping effort is currently underway. Please note that the County has always maintained a hyperlink in the GIS layers to all "as-built" storm drain improvement plans. Therefore, in the event of an IC/ID, the plans have always been readily available for immediate IC/ID response. This was also explained to the EPA Team.

Additionally, a hard copy GIS map of all MS4 facilities was provided during the field investigation. Furthermore, all data and mapping information that was unclear to the EPA Team during the field visit was illustrated and discussed in detail upon the EPA Team's return to the office at the end of the day. The County also provided the EPA Team a table containing the X and Y coordinates for the specific location of all County-owned outfalls to clarify confusion regarding the County's GIS outfall layer.

3.3.2 Illicit Connection and Illicit Discharge Investigation and Follow-up Procedures

Recommendations for Improvement:

EPA recommends that the County update its JRMP to include the investigation and follow-up procedures that the Health Department and Code Enforcement are implementing with regards to potential IC/IDs. EPA recommends that the County develop an SOP describing how the Health Department communicates with the NPDES Coordinator specific to complaints received on potential IC/IDs to ensure accurate reporting and tracking of IC/IDs.

The County JRMP includes investigation and follow-up procedures for the Department of Environmental Health and Code Enforcement (Section 4.4.2 - http://rcflood.org/downloads/NPDES/Documents/SM_JRMP/CountyJRMP.pdf)

3.3.3 Illicit Connection and Illegal Discharge Enforcement

Recommendation for Improvement:

EPA recommends that enforcement protocols for all departments with responsibilities for compliance oversight of IC/IDs be revised to allow for more consistent enforcement response, and that all updated procedures be included in future updates of the JRMP.

The County will clarify departmental enforcement protocols within the Enforcement/Compliance Strategy section of the JRMP to ensure consistency, where applicable.

Thank you for providing the above recommendations for the County's storm water program and the opportunity to respond and clarify the County's actions as a result of the EPA Audit. We actively look for opportunities to improve storm water quality through efficient and effective management of the County's MS4 program. Should you have questions, please contact me at 951.955.1110 or via email at shorn@rceo.org.

Sincerely,



Steven Horn, Senior Management Analyst
Riverside County Executive Office

cc: Patti Romo, Assistant Director of Transportation
Claudia Steiding, Senior Transportation Planner
David Garcia, Engineering Project Manager
Eric Becker, San Diego Regional Water Quality Control Board
Wayne Chiu, San Diego Regional Water Quality Control Board
Connor Adams, USEPA Region IX