



Town of Apple Valley Town of Apple Valley Sanitary Sewer Management Plan

Appendix A: SWRCB Revised Order No. WQ 2013-0058-EXEC

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
ORDER NO. WQ 2013-0058-EXEC

AMENDING MONITORING AND REPORTING PROGRAM
FOR
STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR
SANITARY SEWER SYSTEMS

The State of California, Water Resources Control Board (hereafter State Water Board) finds:

1. The State Water Board is authorized to prescribe statewide general Waste Discharge Requirements (WDRs) for categories of discharges that involve the same or similar operations and the same or similar types of waste pursuant to Water Code section 13263(i).
2. Water Code section 13193 *et seq.* requires the Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board (collectively, the Water Boards) to gather Sanitary Sewer Overflow (SSO) information and make this information available to the public, including but not limited to, SSO cause, estimated volume, location, date, time, duration, whether or not the SSO reached or may have reached waters of the state, response and corrective action taken, and an enrollee's contact information for each SSO event. An enrollee is defined as the public entity having legal authority over the operation and maintenance of, or capital improvements to, a sanitary sewer system greater than one mile in length.
3. Water Code section 13271, *et seq.* requires notification to the California Office of Emergency Services (Cal OES), formerly the California Emergency Management Agency, for certain unauthorized discharges, including SSOs.
4. On May 2, 2006, the State Water Board adopted Order 2006-0003-DWQ, "Statewide Waste Discharge Requirements for Sanitary Sewer Systems"¹ (hereafter SSS WDRs) to comply with Water Code section 13193 and to establish the framework for the statewide SSO Reduction Program.
5. Subsection G.2 of the SSS WDRs and the Monitoring and Reporting Program (MRP) provide that the Executive Director may modify the terms of the MRP at any time.
6. On February 20, 2008, the State Water Board Executive Director adopted a revised MRP for the SSS WDRs to rectify early notification deficiencies and ensure that first responders are notified in a timely manner of SSOs discharged into waters of the state.
7. When notified of an SSO that reaches a drainage channel or surface water of the state, Cal OES, pursuant to Water Code section 13271(a)(3), forwards the SSO notification information² to local government agencies and first responders including local public health officials and the applicable Regional Water Board. Receipt of notifications for a single SSO event from both the SSO reporter

¹ Available for download at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2006/wqc/wqc2006_0003.pdf

² Cal OES Hazardous Materials Spill Reports available Online at:

[http://w3.calema.ca.gov/operational/mal haz.nsf/\\$defaultview](http://w3.calema.ca.gov/operational/mal haz.nsf/$defaultview) and <http://w3.calema.ca.gov/operational/mal haz.nsf>

and Cal OES is duplicative. To address this, the SSO notification requirements added by the February 20, 2008 MRP revision are being removed in this MRP revision.

8. In the February 28, 2008 Memorandum of Agreement between the State Water Board and the California Water and Environment Association (CWEA), the State Water Board committed to re-designing the CIWQS³ Online SSO Database to allow "event" based SSO reporting versus the original "location" based reporting. Revisions to this MRP and accompanying changes to the CIWQS Online SSO Database will implement this change by allowing for multiple SSO appearance points to be associated with each SSO event caused by a single asset failure.
9. Based on stakeholder input and Water Board staff experience implementing the SSO Reduction Program, SSO categories have been revised in this MRP. In the prior version of the MRP, SSOs have been categorized as Category 1 or Category 2. This MRP implements changes to SSO categories by adding a Category 3 SSO type. This change will improve data management to further assist Water Board staff with evaluation of high threat and low threat SSOs by placing them in unique categories (i.e., Category 1 and Category 3, respectively). This change will also assist enrollees in identifying SSOs that require Cal OES notification.
10. Based on over six years of implementation of the SSS WDRs, the State Water Board concludes that the February 20, 2008 MRP must be updated to better advance the SSO Reduction Program⁴ objectives, assess compliance, and enforce the requirements of the SSS WDRs.

IT IS HEREBY ORDERED THAT:

Pursuant to the authority delegated by Water Code section 13267(f), Resolution 2002-0104, and Order 2006-0003-DWQ, the MRP for the SSS WDRs (Order 2006-0003-DWQ) is hereby amended as shown in Attachment A and shall be effective on September 9, 2013.

8/6/13

Date


Thomas Howard
Executive Director

³ California Integrated Water Quality System (CIWQS) publicly available at <http://www.waterboards.ca.gov/ciwqs/publicreports.shtml>

⁴ Statewide Sanitary Sewer Overflow Reduction Program information is available at: http://www.waterboards.ca.gov/water_issues/programs/ssol/

ATTACHMENT A

STATE WATER RESOURCES CONTROL BOARD ORDER NO. WQ 2013-0058-EXEC

AMENDING MONITORING AND REPORTING PROGRAM FOR STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

This Monitoring and Reporting Program (MRP) establishes monitoring, record keeping, reporting and public notification requirements for Order 2006-0003-DWQ, "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems" (SSS WDRs). This MRP shall be effective from September 9, 2013 until it is rescinded. The Executive Director may make revisions to this MRP at any time. These revisions may include a reduction or increase in the monitoring and reporting requirements. All site specific records and data developed pursuant to the SSS WDRs and this MRP shall be complete, accurate, and justified by evidence maintained by the enrollee. Failure to comply with this MRP may subject an enrollee to civil liabilities of up to \$5,000 a day per violation pursuant to Water Code section 13350; up to \$1,000 a day per violation pursuant to Water Code section 13268; or referral to the Attorney General for judicial civil enforcement. The State Water Resources Control Board (State Water Board) reserves the right to take any further enforcement action authorized by law.

A. SUMMARY OF MRP REQUIREMENTS

Table 1 – Spill Categories and Definitions

CATEGORIES	DEFINITIONS [see Section A on page 5 of Order 2006-0003-DWQ, for Sanitary Sewer Overflow (SSO) definition]
CATEGORY 1	Discharges of untreated or partially treated wastewater of any volume resulting from an enrollee's sanitary sewer system failure or flow condition that: <ul style="list-style-type: none"> • Reach surface water and/or reach a drainage channel tributary to a surface water; or • Reach a Municipal Separate Storm Sewer System (MS4) and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).
CATEGORY 2	Discharges of untreated or partially treated wastewater of 1,000 gallons or greater resulting from an enrollee's sanitary sewer system failure or flow condition that do not reach surface water, a drainage channel, or a MS4 unless the entire SSO discharged to the storm drain system is fully recovered and disposed of properly.
CATEGORY 3	All other discharges of untreated or partially treated wastewater resulting from an enrollee's sanitary sewer system failure or flow condition.
PRIVATE LATERAL SEWAGE DISCHARGE (PLSD)	Discharges of untreated or partially treated wastewater resulting from blockages or other problems within a privately owned sewer lateral connected to the enrollee's sanitary sewer system or from other private sewer assets. PLSDs that the enrollee becomes aware of may be <u>voluntarily</u> reported to the California Integrated Water Quality System (CIWQS) Online SSO Database.

Table 2 – Notification, Reporting, Monitoring, and Record Keeping Requirements

ELEMENT	REQUIREMENT	METHOD
NOTIFICATION (see section B of MRP)	<ul style="list-style-type: none"> • Within two hours of becoming aware of any Category 1 SSO greater than or equal to 1,000 gallons discharged to surface water or spilled in a location where it probably will be discharged to surface water, notify the California Office of Emergency Services (Cal OES) and obtain a notification control number. 	Call Cal OES at: (800) 852-7550
REPORTING (see section C of MRP)	<ul style="list-style-type: none"> • Category 1 SSO: Submit draft report within three business days of becoming aware of the SSO and certify within 15 calendar days of SSO end date. • Category 2 SSO: Submit draft report within 3 business days of becoming aware of the SSO and certify within 15 calendar days of the SSO end date. • Category 3 SSO: Submit certified report within 30 calendar days of the end of month in which SSO the occurred. • SSO Technical Report: Submit within 45 calendar days after the end date of any Category 1 SSO in which 50,000 gallons or greater are spilled to surface waters. • “No Spill” Certification: Certify that no SSOs occurred within 30 calendar days of the end of the month or, if reporting quarterly, the quarter in which no SSOs occurred. • Collection System Questionnaire: Update and certify every 12 months. 	Enter data into the CIWQS Online SSO Database (http://ciwqs.waterboards.ca.gov/), certified by enrollee’s Legally Responsible Official(s).
WATER QUALITY MONITORING (see section D of MRP)	<ul style="list-style-type: none"> • Conduct water quality sampling within 48 hours after initial SSO notification for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters. 	Water quality results are required to be uploaded into CIWQS for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.
RECORD KEEPING (see section E of MRP)	<ul style="list-style-type: none"> • SSO event records. • Records documenting Sanitary Sewer Management Plan (SSMP) implementation and changes/updates to the SSMP. • Records to document Water Quality Monitoring for SSOs of 50,000 gallons or greater spilled to surface waters. • Collection system telemetry records if relied upon to document and/or estimate SSO Volume. 	Self-maintained records shall be available during inspections or upon request.

B. NOTIFICATION REQUIREMENTS

Although Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board (collectively, the Water Boards) staff do not have duties as first responders, this MRP is an appropriate mechanism to ensure that the agencies that have first responder duties are notified in a timely manner in order to protect public health and beneficial uses.

1. For any Category 1 SSO greater than or equal to 1,000 gallons that results in a discharge to a surface water or spilled in a location where it probably will be discharged to surface water, either directly or by way of a drainage channel or MS4, the enrollee shall, as soon as possible, but not later than two (2) hours after (A) the enrollee has knowledge of the discharge, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures, notify the Cal OES and obtain a notification control number.
2. To satisfy notification requirements for each applicable SSO, the enrollee shall provide the information requested by Cal OES before receiving a control number. Spill information requested by Cal OES may include:
 - i. Name of person notifying Cal OES and direct return phone number.
 - ii. Estimated SSO volume discharged (gallons).
 - iii. If ongoing, estimated SSO discharge rate (gallons per minute).
 - iv. SSO Incident Description:
 - a. Brief narrative.
 - b. On-scene point of contact for additional information (name and cell phone number).
 - c. Date and time enrollee became aware of the SSO.
 - d. Name of sanitary sewer system agency causing the SSO.
 - e. SSO cause (if known).
 - v. Indication of whether the SSO has been contained.
 - vi. Indication of whether surface water is impacted.
 - vii. Name of surface water impacted by the SSO, if applicable.
 - viii. Indication of whether a drinking water supply is or may be impacted by the SSO.
 - ix. Any other known SSO impacts.
 - x. SSO incident location (address, city, state, and zip code).
3. Following the initial notification to Cal OES and until such time that an enrollee certifies the SSO report in the CIWQS Online SSO Database, the enrollee shall provide updates to Cal OES regarding substantial changes to the estimated volume of untreated or partially treated sewage discharged and any substantial change(s) to known impact(s).
4. PLSDs: The enrollee is strongly encouraged to notify Cal OES of discharges greater than or equal to 1,000 gallons of untreated or partially treated wastewater that result or may result in a discharge to surface water resulting from failures or flow conditions within a privately owned sewer lateral or from other private sewer asset(s) if the enrollee becomes aware of the PLSD.

C. **REPORTING REQUIREMENTS**

1. **CIWQS Online SSO Database Account:** All enrollees shall obtain a CIWQS Online SSO Database account and receive a "Username" and "Password" by registering through CIWQS. These accounts allow controlled and secure entry into the CIWQS Online SSO Database.
2. **SSO Mandatory Reporting Information:** For reporting purposes, if one SSO event results in multiple appearance points in a sewer system asset, the enrollee shall complete one SSO report in the CIWQS Online SSO Database which includes the GPS coordinates for the location of the SSO appearance point closest to the failure point, blockage or location of the flow condition that caused the SSO, and provide descriptions of the locations of all other discharge points associated with the SSO event.
3. **SSO Categories**
 - i. **Category 1** – Discharges of untreated or partially treated wastewater of any volume resulting from an enrollee's sanitary sewer system failure or flow condition that:
 - a. Reach surface water and/or reach a drainage channel tributary to a surface water; or
 - b. Reach a MS4 and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).
 - ii. **Category 2** – Discharges of untreated or partially treated wastewater greater than or equal to 1,000 gallons resulting from an enrollee's sanitary sewer system failure or flow condition that does not reach a surface water, a drainage channel, or the MS4 unless the entire SSO volume discharged to the storm drain system is fully recovered and disposed of properly.
 - iii. **Category 3** – All other discharges of untreated or partially treated wastewater resulting from an enrollee's sanitary sewer system failure or flow condition.
4. **Sanitary Sewer Overflow Reporting to CIWQS - Timeframes**
 - i. **Category 1 and Category 2 SSOs** – All SSOs that meet the above criteria for Category 1 or Category 2 SSOs shall be reported to the CIWQS Online SSO Database:
 - a. Draft reports for Category 1 and Category 2 SSOs shall be submitted to the CIWQS Online SSO Database within three (3) business days of the enrollee becoming aware of the SSO. Minimum information that shall be reported in a draft Category 1 SSO report shall include all information identified in section 8.i.a. below. Minimum information that shall be reported in a Category 2 SSO draft report shall include all information identified in section 8.i.c below.
 - b. A final Category 1 or Category 2 SSO report shall be certified through the CIWQS Online SSO Database within 15 calendar days of the end date of the SSO. Minimum information that shall be certified in the final Category 1 SSO report shall include all information identified in section 8.i.b below. Minimum information that shall be certified in a final Category 2 SSO report shall include all information identified in section 8.i.d below.

- ii. **Category 3 SSOs** – All SSOs that meet the above criteria for Category 3 SSOs shall be reported to the CIWQS Online SSO Database and certified within 30 calendar days after the end of the calendar month in which the SSO occurs (e.g., all Category 3 SSOs occurring in the month of February shall be entered into the database and certified by March 30). Minimum information that shall be certified in a final Category 3 SSO report shall include all information identified in section 8.i.e below.
- iii. **“No Spill” Certification** – If there are no SSOs during the calendar month, the enrollee shall either 1) certify, within 30 calendar days after the end of each calendar month, a “No Spill” certification statement in the CIWQS Online SSO Database certifying that there were no SSOs for the designated month, or 2) certify, quarterly within 30 calendar days after the end of each quarter, “No Spill” certification statements in the CIWQS Online SSO Database certifying that there were no SSOs for each month in the quarter being reported on. For quarterly reporting, the quarters are Q1 - January/ February/ March, Q2 - April/May/June, Q3 - July/August/September, and Q4 - October/November/December.

If there are no SSOs during a calendar month but the enrollee reported a PLSD, the enrollee shall still certify a “No Spill” certification statement for that month.
- iv. **Amended SSO Reports** – The enrollee may update or add additional information to a certified SSO report within 120 calendar days after the SSO end date by amending the report or by adding an attachment to the SSO report in the CIWQS Online SSO Database. SSO reports certified in the CIWQS Online SSO Database prior to the adoption date of this MRP may only be amended up to 120 days after the effective date of this MRP. After 120 days, the enrollee may contact the SSO Program Manager to request to amend an SSO report if the enrollee also submits justification for why the additional information was not available prior to the end of the 120 days.

5. **SSO Technical Report**

The enrollee shall submit an SSO Technical Report in the CIWQS Online SSO Database within 45 calendar days of the SSO end date for any SSO in which 50,000 gallons or greater are spilled to surface waters. This report, which does not preclude the Water Boards from requiring more detailed analyses if requested, shall include at a minimum, the following:

- i. **Causes and Circumstances of the SSO:**
 - a. Complete and detailed explanation of how and when the SSO was discovered.
 - b. Diagram showing the SSO failure point, appearance point(s), and final destination(s).
 - c. Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered.
 - d. Detailed description of the cause(s) of the SSO.
 - e. Copies of original field crew records used to document the SSO.
 - f. Historical maintenance records for the failure location.
- ii. **Enrollee’s Response to SSO:**
 - a. Chronological narrative description of all actions taken by enrollee to terminate the spill.
 - b. Explanation of how the SSMP Overflow Emergency Response plan was implemented to respond to and mitigate the SSO.

- c. Final corrective action(s) completed and/or planned to be completed, including a schedule for actions not yet completed.

iii. **Water Quality Monitoring:**

- a. Description of all water quality sampling activities conducted including analytical results and evaluation of the results.
- b. Detailed location map illustrating all water quality sampling points.

6. **PLSDs**

Discharges of untreated or partially treated wastewater resulting from blockages or other problems within a privately owned sewer lateral connected to the enrollee's sanitary sewer system or from other private sanitary sewer system assets may be voluntarily reported to the CIWQS Online SSO Database.

- i. The enrollee is also encouraged to provide notification to Cal OES per section B above when a PLSD greater than or equal to 1,000 gallons has or may result in a discharge to surface water. For any PLSD greater than or equal to 1,000 gallons regardless of the spill destination, the enrollee is also encouraged to file a spill report as required by Health and Safety Code section 5410 et. seq. and Water Code section 13271, or notify the responsible party that notification and reporting should be completed as specified above and required by State law.
- ii. If a PLSD is recorded in the CIWQS Online SSO Database, the enrollee must identify the sewage discharge as occurring and caused by a private sanitary sewer system asset and should identify a responsible party (other than the enrollee), if known. Certification of PLSD reports by enrollees is not required.

7. **CIWQS Online SSO Database Unavailability**

In the event that the CIWQS Online SSO Database is not available, the enrollee must fax or e-mail all required information to the appropriate Regional Water Board office in accordance with the time schedules identified herein. In such event, the enrollee must also enter all required information into the CIWQS Online SSO Database when the database becomes available.

8. **Mandatory Information to be Included in CIWQS Online SSO Reporting**

All enrollees shall obtain a CIWQS Online SSO Database account and receive a "Username" and "Password" by registering through CIWQS which can be reached at CIWQS@waterboards.ca.gov or by calling (866) 792-4977, M-F, 8 A.M. to 5 P.M. These accounts will allow controlled and secure entry into the CIWQS Online SSO Database. Additionally, within thirty (30) days of initial enrollment and prior to recording SSOs into the CIWQS Online SSO Database, all enrollees must complete a Collection System Questionnaire (Questionnaire). The Questionnaire shall be updated at least once every 12 months.

i. **SSO Reports**

At a minimum, the following mandatory information shall be reported prior to finalizing and certifying an SSO report for each category of SSO:

- a. **Draft Category 1 SSOs:** At a minimum, the following mandatory information shall be reported for a draft Category 1 SSO report:
1. SSO Contact Information: Name and telephone number of enrollee contact person who can answer specific questions about the SSO being reported.
 2. SSO Location Name.
 3. Location of the overflow event (SSO) by entering GPS coordinates. If a single overflow event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the SSO appearance point explanation field.
 4. Whether or not the SSO reached surface water, a drainage channel, or entered and was discharged from a drainage structure.
 5. Whether or not the SSO reached a municipal separate storm drain system.
 6. Whether or not the total SSO volume that reached a municipal separate storm drain system was fully recovered.
 7. Estimate of the SSO volume, inclusive of all discharge point(s).
 8. Estimate of the SSO volume that reached surface water, a drainage channel, or was not recovered from a storm drain.
 9. Estimate of the SSO volume recovered (if applicable).
 10. Number of SSO appearance point(s).
 11. Description and location of SSO appearance point(s). If a single sanitary sewer system failure results in multiple SSO appearance points, each appearance point must be described.
 12. SSO start date and time.
 13. Date and time the enrollee was notified of, or self-discovered, the SSO.
 14. Estimated operator arrival time.
 15. For spills greater than or equal to 1,000 gallons, the date and time Cal OES was called.
 16. For spills greater than or equal to 1,000 gallons, the Cal OES control number.
- b. **Certified Category 1 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 1 SSO report, in addition to all fields in section 8.i.a :
1. Description of SSO destination(s).
 2. SSO end date and time.
 3. SSO causes (mainline blockage, roots, etc.).
 4. SSO failure point (main, lateral, etc.).
 5. Whether or not the spill was associated with a storm event.
 6. Description of spill corrective action, including steps planned or taken to reduce, eliminate, and prevent reoccurrence of the overflow; and a schedule of major milestones for those steps.
 7. Description of spill response activities.
 8. Spill response completion date.
 9. Whether or not there is an ongoing investigation, the reasons for the investigation and the expected date of completion.

10. Whether or not a beach closure occurred or may have occurred as a result of the SSO.
 11. Whether or not health warnings were posted as a result of the SSO.
 12. Name of beach(es) closed and/or impacted. If no beach was impacted, NA shall be selected.
 13. Name of surface water(s) impacted.
 14. If water quality samples were collected, identify parameters the water quality samples were analyzed for. If no samples were taken, NA shall be selected.
 15. If water quality samples were taken, identify which regulatory agencies received sample results (if applicable). If no samples were taken, NA shall be selected.
 16. Description of methodology(ies) and type of data relied upon for estimations of the SSO volume discharged and recovered.
 17. SSO Certification: Upon SSO Certification, the CIWQS Online SSO Database will issue a final SSO identification (ID) number.
- c. **Draft Category 2 SSOs:** At a minimum, the following mandatory information shall be reported for a draft Category 2 SSO report:
1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO.
- d. **Certified Category 2 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 2 SSO report:
1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO and Items 1-9, and 17 in section 8.i.b above for Certified Category 1 SSO.
- e. **Certified Category 3 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 3 SSO report:
1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO and Items 1-5, and 17 in section 8.i.b above for Certified Category 1 SSO.
- ii. **Reporting SSOs to Other Regulatory Agencies**
- These reporting requirements do not preclude an enrollee from reporting SSOs to other regulatory agencies pursuant to state law. In addition, these reporting requirements do not replace other Regional Water Board notification and reporting requirements for SSOs.
- iii. **Collection System Questionnaire**
- The required Questionnaire (see subsection G of the SSS WDRs) provides the Water Boards with site-specific information related to the enrollee's sanitary sewer system. The enrollee shall complete and certify the Questionnaire at least every 12 months to facilitate program implementation, compliance assessment, and enforcement response.
- iv. **SSMP Availability**
- The enrollee shall provide the publicly available internet web site address to the CIWQS Online SSO Database where a downloadable copy of the enrollee's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP is posted. If all of the SSMP documentation listed in this subsection is not publicly available on the Internet, the enrollee shall comply with the following procedure:

- a. Submit an **electronic** copy of the enrollee's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP to the State Water Board, within 30 days of that approval and within 30 days of any subsequent SSMP re-certifications, to the following mailing address:

State Water Resources Control Board
Division of Water Quality
Attn: SSO Program Manager
1001 I Street, 15th Floor, Sacramento, CA 95814

D. WATER QUALITY MONITORING REQUIREMENTS:

To comply with subsection D.7(v) of the SSS WDRs, the enrollee shall develop and implement an SSO Water Quality Monitoring Program to assess impacts from SSOs to surface waters in which 50,000 gallons or greater are spilled to surface waters. The SSO Water Quality Monitoring Program, shall, at a minimum:

1. Contain protocols for water quality monitoring.
2. Account for spill travel time in the surface water and scenarios where monitoring may not be possible (e.g. safety, access restrictions, etc.).
3. Require water quality analyses for ammonia and bacterial indicators to be performed by an accredited or certified laboratory.
4. Require monitoring instruments and devices used to implement the SSO Water Quality Monitoring Program to be properly maintained and calibrated, including any records to document maintenance and calibration, as necessary, to ensure their continued accuracy.
5. Within 48 hours of the enrollee becoming aware of the SSO, require water quality sampling for, at a minimum, the following constituents:
 - i. Ammonia
 - ii. Appropriate Bacterial indicator(s) per the applicable Basin Plan water quality objective or Regional Board direction which may include total and fecal coliform, enterococcus, and e-coli.

E. RECORD KEEPING REQUIREMENTS:

The following records shall be maintained by the enrollee for a minimum of five (5) years and shall be made available for review by the Water Boards during an onsite inspection or through an information request:

1. General Records: The enrollee shall maintain records to document compliance with all provisions of the SSS WDRs and this MRP for each sanitary sewer system owned including any required records generated by an enrollee's sanitary sewer system contractor(s).
2. SSO Records: The enrollee shall maintain records for each SSO event, including but not limited to:
 - i. Complaint records documenting how the enrollee responded to all notifications of possible or actual SSOs, both during and after business hours, including complaints that do not

result in SSOs. Each complaint record shall, at a minimum, include the following information:

- a. Date, time, and method of notification.
 - b. Date and time the complainant or informant first noticed the SSO.
 - c. Narrative description of the complaint, including any information the caller can provide regarding whether or not the complainant or informant reporting the potential SSO knows if the SSO has reached surface waters, drainage channels or storm drains.
 - d. Follow-up return contact information for complainant or informant for each complaint received, if not reported anonymously.
 - e. Final resolution of the complaint.
- ii. Records documenting steps and/or remedial actions undertaken by enrollee, using all available information, to comply with section D.7 of the SSS WDRs.
 - iii. Records documenting how all estimate(s) of volume(s) discharged and, if applicable, volume(s) recovered were calculated.
3. Records documenting all changes made to the SSMP since its last certification indicating when a subsection(s) of the SSMP was changed and/or updated and who authorized the change or update. These records shall be attached to the SSMP.
 4. Electronic monitoring records relied upon for documenting SSO events and/or estimating the SSO volume discharged, including, but not limited to records from:
 - i. Supervisory Control and Data Acquisition (SCADA) systems
 - ii. Alarm system(s)
 - iii. Flow monitoring device(s) or other instrument(s) used to estimate wastewater levels, flow rates and/or volumes.

F. CERTIFICATION

1. All information required to be reported into the CIWQS Online SSO Database shall be certified by a person designated as described in subsection J of the SSS WDRs. This designated person is also known as a Legally Responsible Official (LRO). An enrollee may have more than one LRO.
2. Any designated person (i.e. an LRO) shall be registered with the State Water Board to certify reports in accordance with the CIWQS protocols for reporting.
3. Data Submitter (DS): Any enrollee employee or contractor may enter draft data into the CIWQS Online SSO Database on behalf of the enrollee if authorized by the LRO and registered with the State Water Board. However, only LROs may certify reports in CIWQS.
4. The enrollee shall maintain continuous coverage by an LRO. Any change of a registered LRO or DS (e.g., retired staff), including deactivation or a change to the LRO's or DS's contact information, shall be submitted by the enrollee to the State Water Board within 30 days of the change by calling (866) 792-4977 or e-mailing help@ciwqs.waterboards.ca.gov.

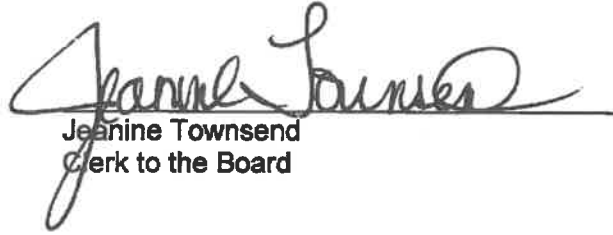
5. A registered designated person (i.e., an LRO) shall certify all required reports under penalty of perjury laws of the state as stated in the CIWQS Online SSO Database at the time of certification.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of an order amended by the Executive Director of the State Water Resources Control Board.

7/30/13

Date



Jeanine Townsend
Clerk to the Board



Town of Apple Valley **Town of Apple Valley Sanitary Sewer Management Plan**

Appendix B: SWRCB Revised Order No. WQ 2008-0002-EXEC

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER NO. WQ 2008-0002-EXEC

ADOPTING AMENDED MONITORING AND REPORTING REQUIREMENTS FOR
STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER
SYSTEMS

The State of California, Water Resources Control Board (State Water Board) finds:

1. The State Water Board is authorized to prescribe statewide general waste discharge requirements for categories of discharges that involve the same or similar operations and the same or similar types of waste pursuant to Water Code 13263, subdivision (i).
2. The State Water Board on May 2, 2006, adopted Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Order No. 2006-0003-DWQ, pursuant to that authority.
3. The State Water Board on May 2, 2006, adopted Monitoring and Reporting Requirements to implement the General Waste Discharge Requirements for Sanitary Sewer Systems.
4. State Water Board Order No. 2006-0003-DWQ, paragraph G.2., and the Monitoring and Reporting Requirements, both provide that the Executive Director may modify the terms of the Monitoring and Reporting Requirements at any time.
5. The time allowed in those Monitoring and Reporting Requirements for the filing of the initial report of an overflow is too long to adequately protect the public health and safety or the beneficial uses of the waters of the state when there is a sewage collection system spill. An additional notification requirement is necessary and appropriate to ensure the Office of Emergency Services, local public health officials, and the applicable regional water quality control board are apprised of a spill that reaches a drainage channel or surface water.
6. Further, the burden of providing a notification as soon as possible is de minimis and will allow response agencies to take action as soon as possible to protect public health and safety and beneficial uses of the waters of the state.

IT IS HEREBY ORDERED THAT:

Pursuant to the authority delegated by Resolution No. 2002-0104 and Order No. 2006-0003-DWQ, the Monitoring and Reporting Requirements for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems No. 2006-0003-DWQ is hereby amended as shown in Attachment A, with new text indicated by double-underline.

Dated: February 20, 2008


Dorothy Rice
Executive Director

ATTACHMENT A

STATE WATER RESOURCES CONTROL BOARD
MONITORING AND REPORTING PROGRAM NO. 2006-0003-DWQ
(AS REVISED BY ORDER NO. WQ 2008-0002-EXEC)

STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS
FOR
SANITARY SEWER SYSTEMS

This Monitoring and Reporting Program (MRP) establishes monitoring, record keeping, reporting and public notification requirements for Order No. 2006-2003-DWQ, "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems." Revisions to this MRP may be made at any time by the Executive Director, and may include a reduction or increase in the monitoring and reporting.

NOTIFICATION

Although State and Regional Water Board staff do not have duties as first responders, this Monitoring and Reporting Program is an appropriate mechanism to ensure that the agencies that do have first responder duties are notified in a timely manner in order to protect public health and beneficial uses.

1. For any discharges of sewage that results in a discharge to a drainage channel or a surface water, the Discharger shall, as soon as possible, but not later than two (2) hours after becoming aware of the discharge, notify the State Office of Emergency Services, the local health officer or directors of environmental health with jurisdiction over affected water bodies, and the appropriate Regional Water Quality Control Board.
2. 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 Discharger shall submit to the appropriate Regional Water Quality Control Board a certification that the State Office of Emergency Services and the local health officer or directors of environmental health with jurisdiction over the affected water bodies have been notified of the discharge.

A. SANITARY SEWER OVERFLOW REPORTING

SSO Categories

1. Category 1 - All discharges of sewage resulting from a failure in the Enrollee's sanitary sewer system that:
 - A. Equal or exceed 1000 gallons, or
 - B. Result in a discharge to a drainage channel and/or surface water; or
 - C. Discharge to a storm drainpipe that was not fully captured and returned to the sanitary sewer system.

2. **Category 2 – All other discharges of sewage resulting from a failure in the Enrollee's sanitary sewer system.**
3. **Private Lateral Sewage Discharges – Sewage discharges that are caused by blockages or other problems within a privately owned lateral.**

SSO Reporting Timeframes

4. **Category 1 SSOs – Except as provided above, all SSOs that meet the above criteria for Category 1 SSOs must be reported as soon as: (1) the Enrollee has knowledge of the discharge, (2) reporting is possible, and (3) reporting can be provided without substantially impeding cleanup or other emergency measures. Initial reporting of Category 1 SSOs must be reported to the Online SSO System as soon as possible but no later than 3 business days after the Enrollee is made aware of the SSO. Minimum information that must be contained in the 3-day report must include all information identified in section 9 below, except for item 9.K. A final certified report must be completed through the Online SSO System, within 15 calendar days of the conclusion of SSO response and remediation. Additional information may be added to the certified report, in the form of an attachment, at any time.**

The above reporting requirements are in addition to do not preclude other emergency notification requirements and timeframes mandated by other regulatory agencies (local County Health Officers, local Director of Environmental Health, Regional Water Boards, or Office of Emergency Services (OES)) or State law.

5. **Category 2 SSOs – All SSOs that meet the above criteria for Category 2 SSOs must be reported to the Online SSO Database within 30 days after the end of the calendar month in which the SSO occurs (e.g. all SSOs occurring in the month of January must be entered into the database by March 1st).**
6. **Private Lateral Sewage Discharges – All sewage discharges that meet the above criteria for Private Lateral sewage discharges may be reported to the Online SSO Database based upon the Enrollee's discretion. If a Private Lateral sewage discharge is recorded in the SSO Database, the Enrollee must identify the sewage discharge as occurring and caused by a private lateral, and a responsible party (other than the Enrollee) should be identified, if known.**
7. **If there are no SSOs during the calendar month, the Enrollee will provide, within 30 days after the end of each calendar month, a statement through the Online SSO Database certifying that there were no SSOs for the designated month.**
8. **In the event that the SSO Online Database is not available, the enrollee must fax all required information to the appropriate Regional Water Board office in**

accordance with the time schedules identified above. In such event, the Enrollee must also enter all required information into the Online SSO Database as soon as practical.

Mandatory Information to be Included in SSO Online Reporting

All Enrollees must obtain SSO Database accounts and receive a "Username" and "Password" by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within thirty (30) days of receiving an account and prior to recording SSOs into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding an Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.

At a minimum, the following mandatory information must be included prior to finalizing and certifying an SSO report for each category of SSO:

9. Category 2 SSOs:

- A. Location of SSO by entering GPS coordinates;
- B. Applicable Regional Water Board, i.e. identify the region in which the SSO occurred;
- C. County where SSO occurred;
- D. Whether or not the SSO entered a drainage channel and/or surface water;
- E. Whether or not the SSO was discharged to a storm drain pipe that was not fully captured and returned to the sanitary sewer system;
- F. Estimated SSO volume in gallons;
- G. SSO source (manhole, cleanout, etc.);
- H. SSO cause (mainline blockage, roots, etc.);
- I. Time of SSO notification or discovery;
- J. Estimated operator arrival time;
- K. SSO destination;
- L. Estimated SSO end time; and
- M. SSO Certification. Upon SSO Certification, the SSO Database will issue a Final SSO Identification (ID) Number.

10. Private Lateral Sewage Discharges:

- A. All information listed above (if applicable and known), as well as;
- B. Identification of sewage discharge as a private lateral sewage discharge; and
- C. Responsible party contact information (if known).

11. Category 1 SSOs:

- A. All information listed for Category 2 SSOs, as well as;
- B. Estimated SSO volume that reached surface water, drainage channel, or not recovered from a storm drain;
- C. Estimated SSO amount recovered;
- D. Response and corrective action taken;
- E. If samples were taken, identify which regulatory agencies received sample results (if applicable). If no samples were taken, NA must be selected.
- F. Parameters that samples were analyzed for (if applicable);
- G. Identification of whether or not health warnings were posted;
- H. Beaches impacted (if applicable). If no beach was impacted, NA must be selected;
- I. Whether or not there is an ongoing investigation;
- J. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;
- K. OES control number (if applicable);
- L. Date OES was called (if applicable);
- M. Time OES was called (if applicable);
- N. Identification of whether or not County Health Officers were called;
- O. Date County Health Officer was called (if applicable); and
- P. Time County Health Officer was called (if applicable).

Reporting to Other Regulatory Agencies

These reporting requirements do not preclude an Enrollee from reporting SSOs to other regulatory agencies pursuant California state law. These reporting requirements do not replace other Regional Water Board telephone reporting requirements for SSOs.

1. The Enrollee shall report SSOs to OES, in accordance with California Water Code Section 13271.

Office of Emergency Services
Phone (800) 852-7550

2. The Enrollee shall report SSOs to County Health officials in accordance with California Health and Safety Code Section 5410 et seq.
3. The SSO database will automatically generate an e-mail notification with customized information about the SSO upon initial reporting of the SSO and final certification for all Category 1 SSOs. E-mails will be sent to the appropriate County Health Officer and/or Environmental Health Department if the county desires this information, and the appropriate Regional Water Board.

B. Record Keeping

1. Individual SSO records shall be maintained by the Enrollee for a minimum of five years from the date of the SSO. This period may be extended when requested by a Regional Water Board Executive Officer.

[2. Omitted.]

3. All records shall be made available for review upon State or Regional Water Board staff's request.
4. All monitoring instruments and devices that are used by the Enrollee to fulfill the prescribed monitoring and reporting program shall be properly maintained and calibrated as necessary to ensure their continued accuracy;
5. The Enrollee shall retain records of all SSOs, such as, but not limited to and when applicable:
 - a. Record of Certified report, as submitted to the online SSO database;
 - b. All original recordings for continuous monitoring instrumentation;
 - c. Service call records and complaint logs of calls received by the Enrollee;
 - d. SSO calls;
 - e. SSO records;
 - f. Steps that have been and will be taken to prevent the SSO from recurring and a schedule to implement those steps.
 - g. Work orders, work completed, and any other maintenance records from the previous 5 years which are associated with responses and investigations of system problems related to SSOs;
 - h. A list and description of complaints from customers or others from the previous 5 years; and
 - i. Documentation of performance and implementation measures for the previous 5 years.
6. If water quality samples are required by an environmental or health regulatory agency or State law, or if voluntary monitoring is conducted by the Enrollee or its agent(s), as a result of any SSO, records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical technique or method used; and,
 - f. The results of such analyses.

C. Certification

1. All final reports must be certified by an authorized person as required by Provision J of the Order.
2. Registration of authorized individuals, who may certify reports, will be in accordance with the CIWQS² protocols for reporting.

Monitoring and Reporting Program No. 2006-0003 will become effective on the date of adoption by the State Water Board. The notification requirements added by Order No. WQ 2008-0002-EXEC will become effective upon issuance by the Executive Director.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of an order amended by the Executive Director of the State Water Board.



Jeanne Townsend
Clerk to the Board



Town of Apple Valley Town of Apple Valley Sanitary Sewer Management Plan

Appendix C: SWRCB Order No. 2006-0003-DWQ

**STATE WATER RESOURCES CONTROL BOARD
ORDER NO. 2006-0003-DWQ**

**STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS
FOR
SANITARY SEWER SYSTEMS**

The State Water Resources Control Board, hereinafter referred to as "State Water Board", finds that:

1. All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California are required to comply with the terms of this Order. Such entities are hereinafter referred to as "Enrollees".
2. Sanitary sewer overflows (SSOs) are overflows from sanitary sewer systems of domestic wastewater, as well as industrial and commercial wastewater, depending on the pattern of land uses in the area served by the sanitary sewer system. SSOs often contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. SSOs may cause a public nuisance, particularly when raw untreated wastewater is discharged to areas with high public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. SSOs may pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters.
3. Sanitary sewer systems experience periodic failures resulting in discharges that may affect waters of the state. There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), which affect the likelihood of an SSO. A proactive approach that requires Enrollees to ensure a system-wide operation, maintenance, and management plan is in place will reduce the number and frequency of SSOs within the state. This approach will in turn decrease the risk to human health and the environment caused by SSOs.
4. Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, excessive storm or ground water inflow/infiltration, debris blockages, sanitary sewer system age and construction material failures, lack of proper operation and maintenance, insufficient capacity and contractor-caused damages. Many SSOs are preventable with adequate and appropriate facilities, source control measures and operation and maintenance of the sanitary sewer system.

SEWER SYSTEM MANAGEMENT PLANS

5. To facilitate proper funding and management of sanitary sewer systems, each Enrollee must develop and implement a system-specific Sewer System Management Plan (SSMP). To be effective, SSMPs must include provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management and cost benefit analysis. Additionally, an SSMP must contain a spill response plan that establishes standard procedures for immediate response to an SSO in a manner designed to minimize water quality impacts and potential nuisance conditions.
6. Many local public agencies in California have already developed SSMPs and implemented measures to reduce SSOs. These entities can build upon their existing efforts to establish a comprehensive SSMP consistent with this Order. Others, however, still require technical assistance and, in some cases, funding to improve sanitary sewer system operation and maintenance in order to reduce SSOs.
7. SSMP certification by technically qualified and experienced persons can provide a useful and cost-effective means for ensuring that SSMPs are developed and implemented appropriately.
8. It is the State Water Board's intent to gather additional information on the causes and sources of SSOs to augment existing information and to determine the full extent of SSOs and consequent public health and/or environmental impacts occurring in the State.
9. Both uniform SSO reporting and a centralized statewide electronic database are needed to collect information to allow the State Water Board and Regional Water Quality Control Boards (Regional Water Boards) to effectively analyze the extent of SSOs statewide and their potential impacts on beneficial uses and public health. The monitoring and reporting program required by this Order and the attached Monitoring and Reporting Program No. 2006-0003-DWQ, are necessary to assure compliance with these waste discharge requirements (WDRs).
10. Information regarding SSOs must be provided to Regional Water Boards and other regulatory agencies in a timely manner and be made available to the public in a complete, concise, and timely fashion.
11. Some Regional Water Boards have issued WDRs or WDRs that serve as National Pollution Discharge Elimination System (NPDES) permits to sanitary sewer system owners/operators within their jurisdictions. This Order establishes minimum requirements to prevent SSOs. Although it is the State Water Board's intent that this Order be the primary regulatory mechanism for sanitary sewer systems statewide, Regional Water Boards may issue more stringent or more

prescriptive WDRs for sanitary sewer systems. Upon issuance or reissuance of a Regional Water Board's WDRs for a system subject to this Order, the Regional Water Board shall coordinate its requirements with stated requirements within this Order, to identify requirements that are more stringent, to remove requirements that are less stringent than this Order, and to provide consistency in reporting.

REGULATORY CONSIDERATIONS

12. California Water Code section 13263 provides that the State Water Board may prescribe general WDRs for a category of discharges if the State Water Board finds or determines that:

- The discharges are produced by the same or similar operations;
- The discharges involve the same or similar types of waste;
- The discharges require the same or similar treatment standards; and
- The discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

This Order establishes requirements for a class of operations, facilities, and discharges that are similar throughout the state.

13. The issuance of general WDRs to the Enrollees will:

- a) Reduce the administrative burden of issuing individual WDRs to each Enrollee;
- b) Provide for a unified statewide approach for the reporting and database tracking of SSOs;
- c) Establish consistent and uniform requirements for SSMP development and implementation;
- d) Provide statewide consistency in reporting; and
- e) Facilitate consistent enforcement for violations.

14. The beneficial uses of surface waters that can be impaired by SSOs include, but are not limited to, aquatic life, drinking water supply, body contact and non-contact recreation, and aesthetics. The beneficial uses of ground water that can be impaired include, but are not limited to, drinking water and agricultural supply. Surface and ground waters throughout the state support these uses to varying degrees.

15. The implementation of requirements set forth in this Order will ensure the reasonable protection of past, present, and probable future beneficial uses of water and the prevention of nuisance. The requirements implement the water quality control plans (Basin Plans) for each region and take into account the environmental characteristics of hydrographic units within the state. Additionally, the State Water Board has considered water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect

water quality in the area, costs associated with compliance with these requirements, the need for developing housing within California, and the need to develop and use recycled water.

16. The Federal Clean Water Act largely prohibits any discharge of pollutants from a point source to waters of the United States except as authorized under an NPDES permit. In general, any point source discharge of sewage effluent to waters of the United States must comply with technology-based, secondary treatment standards, at a minimum, and any more stringent requirements necessary to meet applicable water quality standards and other requirements. Hence, the unpermitted discharge of wastewater from a sanitary sewer system to waters of the United States is illegal under the Clean Water Act. In addition, many Basin Plans adopted by the Regional Water Boards contain discharge prohibitions that apply to the discharge of untreated or partially treated wastewater. Finally, the California Water Code generally prohibits the discharge of waste to land prior to the filing of any required report of waste discharge and the subsequent issuance of either WDRs or a waiver of WDRs.
17. California Water Code section 13263 requires a water board to, after any necessary hearing, prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. The requirements shall, among other things, take into consideration the need to prevent nuisance.
18. California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
 - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
 - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
 - c. Occurs during, or as a result of, the treatment or disposal of wastes.
19. This Order is consistent with State Water Board Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California) in that the Order imposes conditions to prevent impacts to water quality, does not allow the degradation of water quality, will not unreasonably affect beneficial uses of water, and will not result in water quality less than prescribed in State Water Board or Regional Water Board plans and policies.
20. The action to adopt this General Order is exempt from the California Environmental Quality Act (Public Resources Code §21000 et seq.) because it is an action taken by a regulatory agency to assure the protection of the environment and the regulatory process involves procedures for protection of the environment. (Cal. Code Regs., tit. 14, §15308). In addition, the action to adopt

this Order is exempt from CEQA pursuant to Cal.Code Regs., title 14, §15301 to the extent that it applies to existing sanitary sewer collection systems that constitute "existing facilities" as that term is used in Section 15301, and §15302, to the extent that it results in the repair or replacement of existing systems involving negligible or no expansion of capacity.

21. The Fact Sheet, which is incorporated by reference in the Order, contains supplemental information that was also considered in establishing these requirements.
22. The State Water Board has notified all affected public agencies and all known interested persons of the intent to prescribe general WDRs that require Enrollees to develop SSMPs and to report all SSOs.
23. The State Water Board conducted a public hearing on February 8, 2006, to receive oral and written comments on the draft order. The State Water Board received and considered, at its May 2, 2006, meeting, additional public comments on substantial changes made to the proposed general WDRs following the February 8, 2006, public hearing. The State Water Board has considered all comments pertaining to the proposed general WDRs.

IT IS HEREBY ORDERED, that pursuant to California Water Code section 13263, the Enrollees, their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted hereunder, shall comply with the following:

A. DEFINITIONS

1. **Sanitary sewer overflow (SSO)** - Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:
 - (i) Overflows or releases of untreated or partially treated wastewater that reach waters of the United States;
 - (ii) Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and
 - (iii) Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.
2. **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 wastewater to the publicly owned treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs.

For purposes of this Order, sanitary sewer systems include only those systems owned by public agencies that are comprised of more than one mile of pipes or sewer lines.

3. **Enrollee** - A federal or state agency, municipality, county, district, and other public entity that owns or operates a sanitary sewer system, as defined in the general WDRs, and that has submitted a complete and approved application for coverage under this Order.
4. **SSO Reporting System** – Online spill reporting system that is hosted, controlled, and maintained by the State Water Board. The web address for this site is <http://ciwqs.waterboards.ca.gov>. This online database is maintained on a secure site and is controlled by unique usernames and passwords.
5. **Untreated or partially treated wastewater** – Any volume of waste discharged from the sanitary sewer system upstream of a wastewater treatment plant headworks.
6. **Satellite collection system** – The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility to which the sanitary sewer system is tributary.
7. **Nuisance** - California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
 - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
 - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
 - c. Occurs during, or as a result of, the treatment or disposal of wastes.

B. APPLICATION REQUIREMENTS

1. **Deadlines for Application** – All public agencies that currently own or operate sanitary sewer systems within the State of California must apply for coverage under the general WDRs within six (6) months of the date of adoption of the general WDRs. Additionally, public agencies that acquire or assume responsibility for operating sanitary sewer systems after the date of adoption of this Order must apply for coverage under the general WDRs at least three (3) months prior to operation of those facilities.
2. **Applications under the general WDRs** – In order to apply for coverage pursuant to the general WDRs, a legally authorized representative for each agency must submit a complete application package. Within sixty (60) days of adoption of the general WDRs, State Water Board staff will send specific instructions on how to

apply for coverage under the general WDRs to all known public agencies that own sanitary sewer systems. Agencies that do not receive notice may obtain applications and instructions online on the Water Board's website.

3. Coverage under the general WDRs – Permit coverage will be in effect once a complete application package has been submitted and approved by the State Water Board's Division of Water Quality.

C. PROHIBITIONS

1. Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited.
2. Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited.

D. PROVISIONS

1. The Enrollee must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for enforcement action.
2. It is the intent of the State Water Board that sanitary sewer systems be regulated in a manner consistent with the general WDRs. Nothing in the general WDRs shall be:
 - (i) Interpreted or applied in a manner inconsistent with the Federal Clean Water Act, or supersede a more specific or more stringent state or federal requirement in an existing permit, regulation, or administrative/judicial order or Consent Decree;
 - (ii) Interpreted or applied to authorize an SSO that is illegal under either the Clean Water Act, an applicable Basin Plan prohibition or water quality standard, or the California Water Code;
 - (iii) Interpreted or applied to prohibit a Regional Water Board from issuing an individual NPDES permit or WDR, superseding this general WDR, for a sanitary sewer system, authorized under the Clean Water Act or California Water Code; or
 - (iv) Interpreted or applied to supersede any more specific or more stringent WDRs or enforcement order issued by a Regional Water Board.
3. The Enrollee shall take all feasible steps to eliminate SSOs. In the event that an SSO does occur, the Enrollee shall take all feasible steps to contain and mitigate the impacts of an SSO.
4. In the event of an SSO, the Enrollee shall take all feasible steps to prevent untreated or partially treated wastewater from discharging from storm drains into

flood control channels or waters of the United States by blocking the storm drainage system and by removing the wastewater from the storm drains.

5. All SSOs must be reported in accordance with Section G of the general WDRs.
6. In any enforcement action, the State and/or Regional Water Boards will consider the appropriate factors under the duly adopted State Water Board Enforcement Policy. And, consistent with the Enforcement Policy, the State and/or Regional Water Boards must consider the Enrollee's efforts to contain, control, and mitigate SSOs when considering the California Water Code Section 13327 factors. In assessing these factors, the State and/or Regional Water Boards will also consider whether:
 - (i) The Enrollee has complied with the requirements of this Order, including requirements for reporting and developing and implementing a SSMP;
 - (ii) The Enrollee can identify the cause or likely cause of the discharge event;
 - (iii) There were no feasible alternatives to the discharge, such as temporary storage or retention of untreated wastewater, reduction of inflow and infiltration, use of adequate backup equipment, collecting and hauling of untreated wastewater to a treatment facility, or an increase in the capacity of the system as necessary to contain the design storm event identified in the SSMP. It is inappropriate to consider the lack of feasible alternatives, if the Enrollee does not implement a periodic or continuing process to identify and correct problems.
 - (iv) The discharge was exceptional, unintentional, temporary, and caused by factors beyond the reasonable control of the Enrollee;
 - (v) The discharge could have been prevented by the exercise of reasonable control described in a certified SSMP for:
 - Proper management, operation and maintenance;
 - Adequate treatment facilities, sanitary sewer system facilities, and/or components with an appropriate design capacity, to reasonably prevent SSOs (e.g., adequately enlarging treatment or collection facilities to accommodate growth, infiltration and inflow (I/I), etc.);
 - Preventive maintenance (including cleaning and fats, oils, and grease (FOG) control);
 - Installation of adequate backup equipment; and
 - Inflow and infiltration prevention and control to the extent practicable.
 - (vi) The sanitary sewer system design capacity is appropriate to reasonably prevent SSOs.

(vii) The Enrollee took all reasonable steps to stop and mitigate the impact of the discharge as soon as possible.

7. When a sanitary sewer overflow occurs, the Enrollee shall take all feasible steps and necessary remedial actions to 1) control or limit the volume of untreated or partially treated wastewater discharged, 2) terminate the discharge, and 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water.

The Enrollee shall implement all remedial actions to the extent they may be applicable to the discharge and not inconsistent with an emergency response plan, including the following:

- (i) Interception and rerouting of untreated or partially treated wastewater flows around the wastewater line failure;
 - (ii) Vacuum truck recovery of sanitary sewer overflows and wash down water;
 - (iii) Cleanup of debris at the overflow site;
 - (iv) System modifications to prevent another SSO at the same location;
 - (v) Adequate sampling to determine the nature and impact of the release; and
 - (vi) Adequate public notification to protect the public from exposure to the SSO.
8. The Enrollee shall properly, manage, operate, and maintain all parts of the sanitary sewer system owned or operated by the Enrollee, and shall ensure that the system operators (including employees, contractors, or other agents) are adequately trained and possess adequate knowledge, skills, and abilities.
 9. The Enrollee shall allocate adequate resources for the operation, maintenance, and repair of its sanitary sewer system, by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures. These procedures must be in compliance with applicable laws and regulations and comply with generally acceptable accounting practices.
 10. The Enrollee shall provide adequate capacity to convey base flows and peak flows, including flows related to wet weather events. Capacity shall meet or exceed the design criteria as defined in the Enrollee's System Evaluation and Capacity Assurance Plan for all parts of the sanitary sewer system owned or operated by the Enrollee.
 11. The Enrollee shall develop and implement a written Sewer System Management Plan (SSMP) and make it available to the State and/or Regional Water Board upon request. A copy of this document must be publicly available at the Enrollee's office and/or available on the Internet. This SSMP must be approved by the Enrollee's governing board at a public meeting.

12. In accordance with the California Business and Professions Code sections 6735, 7835, and 7835.1, all engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. Specific elements of the SSMP that require professional evaluation and judgments shall be prepared by or under the direction of appropriately qualified professionals, and shall bear the professional(s)' signature and stamp.
13. The mandatory elements of the SSMP are specified below. However, if the Enrollee believes that any element of this section is not appropriate or applicable to the Enrollee's sanitary sewer system, the SSMP program does not need to address that element. The Enrollee must justify why that element is not applicable. The SSMP must be approved by the deadlines listed in the SSMP Time Schedule below.

Sewer System Management Plan (SSMP)

- (i) **Goal:** The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.
- (ii) **Organization:** The SSMP must identify:
 - (a) The name of the responsible or authorized representative as described in Section J of this Order.
 - (b) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation; and
 - (c) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).
- (iii) **Legal Authority:** Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:
 - (a) Prevent illicit discharges into its sanitary sewer system (examples may include I/I, stormwater, chemical dumping, unauthorized debris and cut roots, etc.);

- (b) Require that sewers and connections be properly designed and constructed;
 - (c) Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency;
 - (d) Limit the discharge of fats, oils, and grease and other debris that may cause blockages, and
 - (e) Enforce any violation of its sewer ordinances.
- (iv) **Operation and Maintenance Program.** The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's system:
- (a) Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities;
 - (b) Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventative Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders;
 - (c) Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan;
 - (d) Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained; and

- (e) Provide equipment and replacement part inventories, including identification of critical replacement parts.

(v) **Design and Performance Provisions:**

- (a) Design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems; and
- (b) Procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

(vi) **Overflow Emergency Response Plan** - Each Enrollee shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

- (a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;
- (b) A program to ensure an appropriate response to all overflows;
- (c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g. health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the MRP. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDRs or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;
- (d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;
- (e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and
- (f) A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

(vii) **FOG Control Program:** Each Enrollee shall evaluate its service area to determine whether a FOG control program is needed. If an Enrollee determines that a FOG program is not needed, the Enrollee must provide justification for why it is not needed. If FOG is found to be a problem, the Enrollee must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:

- (a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;
- (b) A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area;
- (c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;
- (d) Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements;
- (e) Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance;
- (f) An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and
- (g) Development and implementation of source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in (f) above.

(viii) **System Evaluation and Capacity Assurance Plan:** The Enrollee shall prepare and implement a capital improvement plan (CIP) that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:

- (a) **Evaluation:** Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs

that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events;

- (b) **Design Criteria:** Where design criteria do not exist or are deficient, undertake the evaluation identified in (a) above to establish appropriate design criteria; and
 - (c) **Capacity Enhancement Measures:** The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.
 - (d) **Schedule:** The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in (a)-(c) above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D. 14.
- (ix) **Monitoring, Measurement, and Program Modifications:** The Enrollee shall:
- (a) Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;
 - (b) Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP;
 - (c) Assess the success of the preventative maintenance program;
 - (d) Update program elements, as appropriate, based on monitoring or performance evaluations; and
 - (e) Identify and illustrate SSO trends, including: frequency, location, and volume.
- (x) **SSMP Program Audits** - As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit shall focus on evaluating the effectiveness of the SSMP and the

Enrollee's compliance with the SSMP requirements identified in this subsection (D.13), including identification of any deficiencies in the SSMP and steps to correct them.

- (xi) **Communication Program** – The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

14. Both the SSMP and the Enrollee's program to implement the SSMP must be certified by the Enrollee to be in compliance with the requirements set forth above and must be presented to the Enrollee's governing board for approval at a public meeting. The Enrollee shall certify that the SSMP, and subparts thereof, are in compliance with the general WDRs within the time frames identified in the time schedule provided in subsection D.15, below.

In order to complete this certification, the Enrollee's authorized representative must complete the certification portion in the Online SSO Database Questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sending the form to:

State Water Resources Control Board
Division of Water Quality
Attn: SSO Program Manager
P.O. Box 100
Sacramento, CA 95812

The SSMP must be updated every five (5) years, and must include any significant program changes. Re-certification by the governing board of the Enrollee is required in accordance with D.14 when significant updates to the SSMP are made. To complete the re-certification process, the Enrollee shall enter the data in the Online SSO Database and mail the form to the State Water Board, as described above.

15. The Enrollee shall comply with these requirements according to the following schedule. This time schedule does not supersede existing requirements or time schedules associated with other permits or regulatory requirements.

Sewer System Management Plan Time Schedule

<u>Task and Associated Section</u>	Completion Date			
	Population > 100,000	Population between 100,000 and 10,000	Population between 10,000 and 2,500	Population < 2,500
Application for Permit Coverage Section C	6 months after WDRs Adoption			
Reporting Program Section G	6 months after WDRs Adoption ¹			
SSMP Development Plan and Schedule No specific Section	9 months after WDRs Adoption ²	12 months after WDRs Adoption ²	15 months after WDRs Adoption ²	18 months after WDRs Adoption ²
Goals and Organization Structure Section D 13 (i) & (ii)	12 months after WDRs Adoption ²		18 months after WDRs Adoption ²	
Overflow Emergency Response Program Section D 13 (vi)	24 months after WDRs Adoption ²	30 months after WDRs Adoption ²	36 months after WDRs Adoption ²	39 months after WDRs Adoption ²
Legal Authority Section D 13 (iii)				
Operation and Maintenance Program Section D 13 (iv)				
Grease Control Program Section D 13 (vii)				
Design and Performance Section D 13 (v)	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
System Evaluation and Capacity Assurance Plan Section D 13 (viii)				
Final SSMP, incorporating all of the SSMP requirements Section D 13				

1. In the event that by July 1, 2006 the Executive Director is able to execute a memorandum of agreement (MOA) with the California Water Environment Association (CWEA) or discharger representatives outlining a strategy and time schedule for CWEA or another entity to provide statewide training on the adopted monitoring program, SSO database electronic reporting, and SSMP development, consistent with this Order, then the schedule of Reporting Program Section G shall be replaced with the following schedule:

Reporting Program Section G	
Regional Boards 4, 8, and 9	8 months after WDRs Adoption
Regional Boards 1, 2, and 3	12 months after WDRs Adoption
Regional Boards 5, 6, and 7	16 months after WDRs Adoption

If this MOU is not executed by July 1, 2006, the reporting program time schedule will remain six (6) months for all regions and agency size categories.

2. In the event that the Executive Director executes the MOA identified in note 1 by July 1, 2006, then the deadline for this task shall be extended by six (6) months. The time schedule identified in the MOA must be consistent with the extended time schedule provided by this note. If the MOA is not executed by July 1, 2006, the six (6) month time extension will not be granted.

E. WDRs and SSMP AVAILABILITY

1. A copy of the general WDRs and the certified SSMP shall be maintained at appropriate locations (such as the Enrollee's offices, facilities, and/or Internet homepage) and shall be available to sanitary sewer system operating and maintenance personnel at all times.

F. ENTRY AND INSPECTION

1. The Enrollee shall allow the State or Regional Water Boards or their authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the Enrollee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.

G. GENERAL MONITORING AND REPORTING REQUIREMENTS

1. The Enrollee shall furnish to the State or Regional Water Board, within a reasonable time, any information that the State or Regional Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Enrollee shall also furnish to the Executive Director of the State Water Board or Executive Officer of the applicable Regional Water Board, upon request, copies of records required to be kept by this Order.
2. The Enrollee shall comply with the attached Monitoring and Reporting Program No. 2006-0003 and future revisions thereto, as specified by the Executive Director. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 2006-0003. Unless superseded by a specific enforcement Order for a specific Enrollee, these reporting requirements are intended to replace other mandatory routine written reports associated with SSOs.
3. All Enrollees must obtain SSO Database accounts and receive a "Username" and "Password" by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within 30 days of receiving an account and prior to recording spills into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding a Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.
4. Pursuant to Health and Safety Code section 5411.5, any person who, without regard to intent or negligence, causes or permits any untreated wastewater or other waste to be discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State, as soon as that person has knowledge of the discharge, shall immediately notify the local health officer of the discharge. Discharges of untreated or partially treated wastewater to storm drains and drainage channels, whether man-made or natural or concrete-lined, shall be reported as required above.

Any SSO greater than 1,000 gallons discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State shall also be reported to the Office of Emergency Services pursuant to California Water Code section 13271.

H. CHANGE IN OWNERSHIP

1. This Order is not transferable to any person or party, except after notice to the Executive Director. The Enrollee shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new Enrollee containing a specific date for the transfer of this Order's responsibility and coverage between the existing Enrollee and the new Enrollee. This agreement shall include an acknowledgement that the existing Enrollee is liable for violations up to the transfer date and that the new Enrollee is liable from the transfer date forward.

I. INCOMPLETE REPORTS

1. If an Enrollee becomes aware that it failed to submit any relevant facts in any report required under this Order, the Enrollee shall promptly submit such facts or information by formally amending the report in the Online SSO Database.

J. REPORT DECLARATION

1. All applications, reports, or information shall be signed and certified as follows:
 - (i) All reports required by this Order and other information required by the State or Regional Water Board shall be signed and certified by a person designated, for a municipality, state, federal or other public agency, as either a principal executive officer or ranking elected official, or by a duly authorized representative of that person, as described in paragraph (ii) of this provision. (For purposes of electronic reporting, an electronic signature and accompanying certification, which is in compliance with the Online SSO database procedures, meet this certification requirement.)
 - (ii) An individual is a duly authorized representative only if:
 - (a) The authorization is made in writing by a person described in paragraph (i) of this provision; and
 - (b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.

K. CIVIL MONETARY REMEDIES FOR DISCHARGE VIOLATIONS

1. The California Water Code provides various enforcement options, including civil monetary remedies, for violations of this Order.
2. The California Water Code also provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or

falsifying any information provided in the technical or monitoring reports is subject to civil monetary penalties.

L. SEVERABILITY

1. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
2. This order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Enrollee from liability under federal, state or local laws, nor create a vested right for the Enrollee to continue the waste discharge.

CERTIFICATION

The undersigned Clerk to the State Water Board does hereby certify that the foregoing is a full, true, and correct copy of general WDRs duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 2, 2006.

AYE: Tam M. Doduc
Gerald D. Secundy

NO: Arthur G. Baggett

ABSENT: None

ABSTAIN: None



Song Her
Clerk to the Board



Town of Apple Valley **Town of Apple Valley Sanitary Sewer Management Plan**

Appendix D: JPA Agreement with VVWRA

AMENDED AND RESTATED
JOINT EXERCISE OF POWERS AGREEMENT
VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY

THIS AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT (the "Agreement") is made and entered into by and between the public agencies herein designated as "eligible public agencies" to amend and restate the Joint Exercise of Powers Agreement dated December 13, 1977, and any and all amendments thereto which created the Victor Valley Wastewater Reclamation Authority.

RECITALS

WHEREAS, each of the parties hereto is a public agency authorized and empowered to contract for the joint exercise of powers under Article I, Chapter 5, Division 7, Title 1 (Sections 6500, et seq.) of the Government Code of the State of California; and

WHEREAS, each of said parties has the authority and power to protect and preserve the quality of the surface and subsurface water supplies within their respective boundaries; and

WHEREAS, the parties hereto recognize the immediate and continuing necessity for planning, construction, operation, and maintenance of works and facilities for the collection, transmission, treatment, disposal, and/or reclamation of sewage, wastes, and waste waters to meet the requirements of the National Pollution Discharge Elimination System within the boundaries of the Agency; and

WHEREAS, the parties hereto and their predecessors in interest formed the Victor Valley Wastewater Reclamation Authority, a Joint Powers Authority, which assumed responsibility for the construction, ownership, operation and maintenance, financing and every other phase and

aspect of the Victor Valley Regional Wastewater Reclamation Project, all as more particularly described in the Mojave Water Agency Service Agreement dated November 23, 1976, and in Mojave Water Agency Resolution No. 282-75, dated April 22, 1975, utilizing Mojave Water Agency ID No. 1 bond and tax funds and grants received from the Federal and State government to pay for these regional wastewater facilities; and,

WHEREAS, these regional wastewater facilities are now in existence and are owned and operated by the Victor Valley Wastewater Reclamation Authority and the terms of the said Mojave Water Agency Service Agreement and Resolution No. 282-75 have been performed and have been superseded by the governing documents of the Joint Powers Authority, and by the Joint Powers Agreement between the parties; and,

WHEREAS, the parties hereto wish to amend and restate the terms of the Joint Powers Agreement to update its provisions and to reflect the current status of the structure and operations of the Joint Powers Authority;

COVENANTS

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants herein contained, the parties hereto agree as follows:

A. GENERAL

1. Creation of Agency. On December 13, 1977, a public agency known as the VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY, herein called "Agency" was created. The Agency was formed by Agreement pursuant to the provisions of Article 1, Chapter 5, Division 7, Title 1 (Sections 6500, et seq.) of the Government Code of the State of California relating to the joint exercise of powers common to public agencies (hereinafter referred to as the "Act"). For the purposes of this Agreement, and from its inception, the Agency is and has been a public agency separate from the parties hereto.

2. Territorial Boundaries. The geographical area originally encompassed within the territorial boundaries of the Agency was coextensive with the boundaries of Mojave Water Agency Improvement District No. 1, plus all the real property owned or utilized for the construction and operation of the Victor Valley Regional Wastewater Reclamation Project. Additional land has been added by annexation. The current boundaries are more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference. The territorial boundaries may be changed from time to time by the annexation of land not already within Agency boundaries to the boundaries of a member entity, followed by compliance, by the member entity and by the owners of such property, with this Agency's annexation requirements.

2.1 Annexation. Annexations to the territorial boundaries of this Agency shall be subject to the condition that the taxable property, excluding personal property, within the annexation shall be liable for payment of all costs incident to annexation as determined by this Agency. Regional Connection Fees shall be paid in annexed and newly served areas in compliance with the Connection Fee Ordinance.

2.2 Contract Service. Provided that excess capacity is determined to exist in the treatment plant and/or conveyance system, and upon the approval of three-fifths (3/5) of the members of this Agency, temporary or limited contractual service from the Regional Wastewater System may be made available to areas within or without the boundaries of this Agency, upon such terms and conditions including provision for payment of fees and charges, as this Agency may establish.

3. Purpose. The purpose of this Agreement is to continue the existence and activities of this public agency to undertake and implement the common power of undertaking projects to meet the requirements of the National Pollution Discharge Elimination System within the boundaries of the Agency, including development of waste treatment management plans for the Victor Valley area within the Mojave Watershed, and construction, operation, and maintenance of works and facilities for collection, transmission, treatment, disposal, and/or reclamation of sewage, wastes, and waste waters by utilizing funds derived from connection fees, user fees, grants and/or loans received from Federal, State, or local government, funds obtained by issuing bonds, notes, warrants, and other

evidences of indebtedness to finance costs and expenses incidental to said projects, and funds derived from any other source.

4. **Powers.** The Agency shall have the power, in its own name, to do any and all of the following:

(a) To make and enter contracts;
(b) To employ agents and employees;
(c) To acquire, construct, manage, maintain, and operate any buildings, works, or improvements;

(d) To acquire, hold, or dispose of property;
(e) To incur debts, liabilities, or obligations;
(f) To issue bonds, notes, warrants, and other evidence of indebtedness to finance costs and expenses incidental to the projects of the Agency;

(g) To apply for, receive, and utilize grants and loans from the Federal, State or local government or from any other available source;

(h) To sue and be sued in its own name;

(i) To exercise those powers common to the parties identified in Section 5 of this Agreement;

(j) To own and operate the Victor Valley Regional Wastewater Reclamation Project;

(k) To enter an agreement with the United States of America, or any agency or department or successor thereof, for the purpose of including the former George Air Force Base Military Reservation as a participant in the Victor Valley Regional Wastewater Reclamation Project and providing for payment of their proportionate share of the capital and operation and maintenance costs thereof;

(l) To have such other powers as are now, or may hereafter be, conferred by law upon Joint Powers Authorities, in general;

(m) To exercise all powers necessary and proper to carry out the terms and provisions of this Agreement.

The powers enumerated herein shall be exercised, to the extent not herein specifically provided for, in the manner and according to the methods provided under the laws and/or charters under which the parties hereto have been created and are governed, except to the extent of any conflict therein, and in case of any such conflict, then in accordance with applicable provisions of California Law relating to Joint Powers Authorities, in general.

5. **Eligible Public Agencies.** The public agencies who are eligible to be and are parties to this Agreement and members of the Agency are specified as follows:

- (a) The City of Victorville, California (successor to Victorville Sanitary District);
- (b) The Town of Apple Valley, California (successor to Apple Valley County Water District);
- (c) Hesperia Water District (formerly known as Hesperia County Water District);
- (d) The City of Adelanto, California;
- (e) County Service Area #42 (Oro Grande), and County Service Area #64 (Spring Valley Lake);
- (f) Such other public agencies as may hereafter be declared eligible by unanimous vote of existing members.

Any new eligible public agencies shall become parties and members of the Agency upon execution of this Agreement and any addendum, amendment, or supplement hereto, and upon execution and compliance with the memorandum referred to in Section 6 of this Agreement.

6. **Effective Date.** This Amendment and Restatement of the Joint Powers Agreement shall become effective when the governing bodies of all of the eligible public agencies shall have authorized execution of this Agreement and the same has been executed by all parties.

In connection with the admission of any additional eligible public agency after formation of the Agency, each of the existing members and the prospective member or members shall execute a memorandum specifying the obligations of the prospective member for contributions toward past and present agency and project expenditures.

7. Governing Body. This Agreement and this Agency shall be administered by the governing body of the Agency which shall be known as the "Commission for the Victor Valley Wastewater Reclamation Authority" (the "Commission"). Subject to the reserved powers of the parties hereto, the powers and functions of the Agency shall be exercised by and through the Commission. Each Commissioner and alternate Commissioner must reside within the territorial boundaries of this Agency to be eligible to serve in this capacity, except if the Commissioner representing County Service Area #42 and County Service Area #64 is a Supervisor for San Bernardino.

B. MEMBERSHIP

8. Reserve Power of Members. Except as provided hereinafter in the provisions concerning the general budget, each member of the Agency expressly possesses and reserves to itself final and absolute discretion to approve or disapprove prior to commitment, any and all expenditures or other financial obligation by the Agency which are proposed to be directly and individually chargeable against such member for a special purpose.

9. Withdrawal of Membership. Any member of the Agency shall have the right to withdraw its membership upon serving written notice of intention thereof on all other members at least one hundred and twenty (120) days before the close of any fiscal year, provided, however, that no such withdrawal shall relieve the withdrawing public agency from any financial obligations theretofore incurred by it under this Agreement.

10. Vote or Assent of Members. The vote, assent, or approval of members in any matter requiring such vote, assent, or approval hereunder shall be evidenced by a certified copy of the resolution or minute order of the governing body of such member, filed with the Agency.

11. Designation of Commissioners. Upon the effective date of this Agreement, each party who has not already done so shall designate and appoint, by resolution or minute order of its governing body, one member of its governing body, or its General Manager or his or her designee,

or in the case of County Service Area #42 and County Service Area #64, which will share a single representative between them, a designated representative to act as its Commissioner on the Commission, and one such individual to act as its alternate Commissioner. During any absence of the Commissioner, the alternate Commissioner shall act in the Commissioner's place. Commissioners and alternate Commissioners shall serve at the pleasure of the governing body of the appointing member and may be removed at any time, with or without cause, at the sole discretion of said member's governing body.

C. COMMISSION

12. Meetings. Regular meetings of the Commission shall be held monthly. The Commission shall provide for the time and place of its regular meetings. Special meetings may be called at the request of the Chairperson or of a majority of the Commission. Notice of all meetings shall be given as required by California law then in effect.

13. Quorum. A majority of the Commissioners shall constitute a quorum for purposes of transacting business, except that less than a quorum may adjourn from time to time.

14. Majority Vote. Except as otherwise provided herein, all actions of the Commission shall be approved upon the affirmative vote of a majority of the members of the Commission. Each member of the Agency shall have one (1) equal vote, to be exercised by its designated Commissioner (or alternate as the case may be); provided, however, that, should any member merge with or assume responsibility for the services provided by another member, the votes shall also merge and shall thereafter be exercised as one vote; and, provided further, that County Service Area #42 and County Service Area #64, which share a single representative between them, shall likewise have only one (1) vote between them, to be exercised as a single unit by their designated Commissioner (or alternate, as the case may be).

15. Minutes. The Secretary of the Agency shall cause to be kept minutes of the regular, adjourned regular, special, and adjourned special meetings of the Commission and shall cause a copy

of said minutes to be kept on file for access by each member of the Agency, the Commission, and the public.

16. Compensation. Each Commissioner or alternate Commissioner shall receive compensation for each commission meeting attended in which they served as the designated representative of a member entity. The amount of compensation shall be fixed from time to time by the Commission. No Commissioner or alternate Commissioner shall receive compensation for more than two (2) meetings in any calendar month. If allowed by the Commission, a Commissioner or alternate Commissioner shall also receive travel and other expenses incurred on Agency business at the request of the Commission.

17. Public Meetings. All meetings of the Commission shall be open to the public and shall be called, noticed, held, and conducted in accordance with the provisions of the Ralph M. Brown Act as set forth in Sections 54950, et seq., of the Government Code.

18. Rules. The Commission may adopt from time to time such rules and regulations for the conduct of its affairs as may be required.

19. Committees. Committees may be formed for any purpose by majority vote of all Commission members.

20. Technical Advisory Committee. There shall be a Technical Advisory Committee which shall serve at the pleasure of the Commission (the "TAC"). Each public agency member shall appoint one person possessing an appropriate knowledge and expertise to the TAC. The time, place, and location of all meetings of the TAC shall be established by resolution of the Commission. The TAC shall meet regularly with the staff of the Agency to discuss and recommend to the Commission items coming before the Commission for consideration, as well as other issues or projects the Commission from time to time may request of TAC.

21. Powers and Limitations. All of the power and authority of the Agency shall be exercised by the Commission, subject to any expenditures or other financial obligations by the Agency which are proposed to be directly and individually chargeable against such member for a special purpose, as described in Section 8 of this Agreement.

D. OFFICERS

22. Officers. There shall be selected from the membership of the Commission a Chairperson and a Vice-Chairperson who shall stand for election annually at the first regular meeting of each new fiscal year.

A Treasurer and an Auditor/Controller shall be appointed by the Commission on behalf of the Agency, from those persons eligible under California Government Code sections 6505.5 and 6505.6, to be the depository and have custody of all money of the Agency from whatever source and who shall draw all warrants to pay demands against the Agency approved by the Commission. Such offices may be held by separate officers or employees, or combined and held by one officer or employee, as the Commission may elect. They shall serve at the pleasure of the Commission.

A Secretary shall be appointed by the Commission on behalf of the Agency from those persons eligible under California law. The Secretary shall serve at the pleasure of the Commission.

23. Additional Officers and Employees. The Commission shall have the power to appoint such additional officers and to employ such additional employees and assistants as may be appropriate.

24. Duties of Officers and Employees. Each and all of said officers, employees and assistants shall serve under rules established by the Commission and shall perform such duties and shall have such powers as the Commission may determine.

25. Bonds. Pursuant to Government Code section 6505.1, the public officer, officers or persons who have charge of, handle or have access to any property of the Agency shall file an official bond in an amount to be fixed by the parties to this Agreement.

E. BUDGET PROCEDURES

26. General Budget. Annually at the May meeting of the Commission, or as soon thereafter as possible, a general budget shall be adopted for the ensuing fiscal year. The budget shall be prepared in sufficient detail to constitute an operating outline for the source and amount of funds available to the Agency and expenditures to be made during the ensuing year for those administrative and study matters and for the general project involving all members of the Agency. Said budget shall be adopted by a majority of the Commissioners in attendance, subject to the approval of a majority of the members of the Commission.

27. Approval of General Budget. Each general budget adopted by the Commission must be approved and shall be deemed effective upon the affirmative vote of a majority of the members of the Commission. Until such time as said formal approval has been received from a majority of the members of the Commission, said budget shall constitute merely a proposed budget, subject to consideration or revisions.

28. Failure to Approve General Budget. If a majority of the members of the Commission fail or refuse to approve any general budget of the Agency, said budget shall be returned to the Commission for restudy and revision. In the event a budget acceptable to a majority of the members of the Commission is not obtained prior to the start of the fiscal year, the Agency may continue to operate at the level of expenditure authorized by the last approved general budget.

29. Expenditures Within Approved Budgets. All expenditures within the designations and limitations of approved general budgets shall be made on the authorization of a majority of the Commission. No expenditures in excess of those budgeted shall be made without approval of a revised or amended budget which may from time to time be submitted.

F. AGENCY FUNDS

30. Sources of Funds. The sources of funds available to the Agency include but are not limited to each of the following:

- (a) Funds collected as user charges or user fees for the operation and maintenance of the entire wastewater reclamation system;
- (b) Funds collected as connection fees from individuals, businesses, government organizations, and others connecting to the regional wastewater system;
- (c) Grants and loans received by the Agency from local, State, or Federal government agencies;
- (d) Funds received from State and Federal disaster relief agencies;
- (e) Funds obtained by issuing bonds, notes, warrants, and other evidences of indebtedness to finance costs and expenses incidental to the activities of the Agency;
- (f) Funds from any other source derived.

The Agency shall arrange for the receipt of such funds from the above sources as are available to the Agency and as are necessary for the conduct of Agency activities.

31. Use of Funds. All funds or revenues received or made available to the Agency shall be utilized by the Agency in accordance with the terms of the budget procedures contained in this Agreement:

- (a) Connection Fees. Connection fees assessed and collected pursuant to Victor Valley Wastewater Reclamation Authority Ordinance No. 002, and any interest earned thereon, shall be deposited in a separate account designated as the "Capital Expansion Fund," and used exclusively for capital improvements which are designed and constructed for the purpose of increasing the capacity of the sewerage system or improving the sewerage system to comply with applicable laws and regulations. "Sewerage system" means the network of wastewater collection, conveyance,

treatment, and disposal facilities which are interconnected by means of sewers either owned in whole or in part by the Agency, or as to which the Agency has a contractual right of use.

(b) All Other Funds. Any other revenues or funds received or made available to the Agency from any source whatsoever, shall be deposited into accounts that may be established by the Agency, and may be expended by the Agency in any legal manner subject to such restrictions as may be imposed by the Agency from time to time.

G. ACCOUNTING AND AUDITS

32. Fiscal Year. The fiscal year of the Agency shall be from July 1, to and including June 30, of the following year.

33. Accounting Procedures. Full books and accounts shall be maintained by the Agency in accordance with practices established by or consistent with those utilized by the Controller of the State of California for like public agencies. In particular, the Controller and Treasurer of the Agency shall comply strictly with the requirements of the statutes governing joint powers agencies, Chapter 5, Division 7, Title 1, of the Government Code, commencing with Section 6500.

34. Audit. The records and accounts of the Agency shall be audited annually by an independent certified public accountant and copies of such audit report shall be filed with the County Auditor, State Controller, and each member of the Agency no later than fifteen (15) days after receipt of said audit by the Commission.

H. BOND FINANCING

35. Revenue Bonds. The Agency shall have the power and authority to issue revenue bonds in accordance with the procedures and requirements specified as follows:

(a) Article 2, Chapter 5, Title 1, Division 7, of the Government Code, commencing with Sections 6540 and 6584;

(b) Chapter 6, Title 5, Division 2, of the Government Code, commencing with Section 54300;

(c) Chapter 6.5, Title 5, Division 2, of the Government Code, commencing with Section 54725.

The foregoing revenue bonds may be issued for any project which serves the purposes specified in Section 3 of this Agreement; provided, that two (2) or more members of the Agency shall participate in such project. Issuance of any such revenue bonds shall be subject to the approval of all members of the Agency and to any other approval required by law.

I. PROPERTY RIGHTS AND LIABILITIES

36. Property Rights. Except as provided herein, the assets acquired by the Agency during the course of its operations under the terms of this Agreement shall be the assets of the Agency alone, and not of the parties to this Agreement.

37. Liabilities. Except as provided herein, the debts, liabilities, and obligations of the Agency shall be the debts, liabilities, and obligations of the Agency alone, and not of the parties to this Agreement.

J. RESCISSION OR TERMINATION

38. Term. The Agency shall continue until this Agreement is rescinded or terminated as herein provided.

39. Rescission or Termination. This Agreement may be rescinded and the Agency terminated by written consent of a majority of the members evidenced by a certified copy of a resolution of their governing bodies. No such termination, however, shall relieve the Agency from any financial obligations theretofore incurred by it while operating under this Agreement.

40. Disposition of Assets on Termination. Upon termination, all assets of the Agency, including any charges then due, shall be transferred, subject to any outstanding Agency obligations, to whatever entity shall have been formed and is ready to perform the services of wastewater treatment disposal and wastewater reclamation for the constituent members and users of the system.

K. MISCELLANEOUS

41. Arbitration. If a dispute arises as to the construction, interpretation, or implementation of any provision of this Agreement, the issues in dispute or matter requiring action may be submitted to binding arbitration, if all of the parties agree to do so. For such purpose, an agreed arbitrator shall be selected by all members of the Commission, or in the absence of agreement, the Commission by majority vote shall select an arbitrator and the member or members in dissent shall select an arbitrator and the arbitrators shall select a third arbitrator. The arbitrator, or three (3) arbitrators acting as a panel, shall proceed to arbitrate the matter in accordance with the provisions of Title 9 of Part 3 (Sections 1280, et seq.) of the Code of Civil Procedure.

42. Notices. All notices, statements, demands, requests, consents, approvals, authorizations, agreements, appointments, or designations hereunder shall be given in writing and addressed to the principal place of business of each member of the Agency.

43. Validity. If any one or more of the terms, provisions, promises, covenants, or conditions of this Agreement shall to any extent be adjudged invalid, unenforceable, void, or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, promises, covenants, and conditions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

44. Amendment. This Agreement shall contain all of the terms and conditions made between the parties hereto and shall not be amended except by an agreement in writing signed by all parties.

45. Successors. This Agreement shall be binding upon and shall inure to the benefit of the successors of the parties hereto.

46. Assignment. The parties hereto shall not assign any rights or obligations under this Agreement without the prior written consent of all other parties.

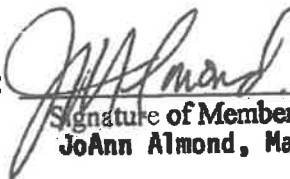
49. Additional Documents. The parties hereto agree upon request to execute, acknowledge, and deliver all additional papers and documents necessary or desirable to carry out the intent of this Agreement.

50. Law Governing. This Agreement is made in the State of California under the Constitution and Laws of such State and is to be so construed.

IN WITNESS WHEREOF, the parties hereto have executed this AMENDED AND RESTATED JOINT POWERS AGREEMENT on the day and year hereinafter indicated making the same effective upon the date signed by the last of all parties hereto.

THE CITY OF VICTORVILLE

DATED: October 12, 1998

By: 
Signature of Member
JoAnn Almond, Mayor Pro Tem

TOWN OF APPLE VALLEY

DATED: OCTOBER 8, 1998

By: 
Signature of Member
DAVID HOLMAN, MAYOR

HESPERIA WATER DISTRICT

DATED: DEC 15 1998

By: [Signature]
Signature of Member

COUNTY SERVICE AREA #42 (ORO GRANDE)
COUNTY SERVICE AREA #64
(SPRING VALLEY LAKE)

DATED: DEC 15 1998
#77-844-A-4

By: [Signature]
Signature of Member

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

EARLENE S. HALE
Clerk of the Board of Supervisors
of the County of San Bernardino

By



EXHIBIT "A"

LEGAL DESCRIPTION OF BOUNDARIES

FOR

VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY

The territory of the Victor Valley Wastewater Reclamation Authority shall be the following area:

Beginning at the Northwest corner of Section 1, Township 6N, Range 6W, San Bernardino Base & Meridian, and continuing Easterly along the North section lines of said Section 13, T6N, R6W, SBB&M, and Sections 18, 17, 16, 15, 14 and 13 of T6N, R5W, SBB&M and Section 18 of T6N, R4W, SBB&M, to the Northeast corner of said Section 18;

Thence Southerly along the East line of Section 18 & 19 of T6N, R4W, SBB&M, to the Southeast corner of said Section 19;

Thence Easterly along the North line of Sections 29, 28, 27 & 26, T6N, R4W, SBB&M, to the Northeast corner of said Section 26;

Thence Southerly along the East line of Sections 26 & 35, T6N, R4W, SBB&M, to the Southeast corner of said Section 35;

Thence Easterly along the North line of Section 1, T5N, R4W, SBB&M, and Section 6, T5N, R3W, SBB&M, to the Northeast corner of said Section 6.

Thence Southerly along the East line of Section 6, T5N, R3W, SBB&M, to the Southeast corner of said Section 6;

Thence Easterly along the North line of Section 8, T5N, R3W, SBB&M, to the Northeast corner of said Section 8;

Thence Southerly along the East line of Section 8, T5N, R3W, SBB&M, to the half-section line of said Section 8;

Thence Easterly along the half-section line of Section 9; T5N, R3W, SBB&M, to the East section line of said Section 9;

Thence Southerly along the East line of Section 9, T5N, R3W, SBB&M, to the Southeast corner of said Section 9;

Thence Easterly along the North line of Section 15, T5N, R3W, SBB&M, to the Northeast corner of said Section 15;

Thence Southerly along the East line of Sections 15, 22, 27 & 34, T5N, R3W, SBB&M, to the Southeast corner of said Section 34;

Thence Westerly along the South line of Sections 34, 33, 32 & 31, T5N, R3W, SBB&M, and continuing along the South line of Section 36, T5N, R4W, SBB&M, to a point where it intersects with the center line of the Mojave River;

Thence South-southeasterly along the center line of the Mojave River to a point where said center line of the Mojave River meets with South line of Section 36, T4N, R4W, SBB&M

Thence Westerly along the South line of Section 36 & 35, T4N, R4W, SBB&M, to the Southwest corner of said Section 35;

Thence Southerly along the East line of Section 3, T3N, R4W, SBB&M, to the Southeast corner of said Section 3;

Thence Westerly along the South line of Sections 3, 4, 5 & 6 of T3N, R4W, SBB&M, to the Southwest corner of said Section 6;

Thence Northerly along the West line of Section 6, T3N, R4W, SBB&M, to the Northwest corner of said Section 6;

Thence Westerly along the South line of Sections 36, 35, 34 & 33, T4N, R5W, SBB&M, to the point where the South line of said Section 33 meets the center line of Interstate Highway 15;

Thence North-northeasterly along the center line of Interstate Highway 15 to a point where said center line meets the South line of Section 31, T5N, R4W, SBB&M;

Thence Westerly along the South line of Section 31, T5N, R4W, SBB&M, and continuing Westerly along the South line of Section 36, T5N, R5W, SBB&M, to the Southwest corner of said Section 36;

Thence Northerly along the West line of Section 36, T5N, R5W, SBB&M, to the Northwest corner of said Section 36;

Thence Westerly along the South line of Section 26, T5N, R5W, SBB&M, to the Southwest corner of said Section 26;

Thence Northerly along the West line of Section 26, T5N, R5W, SBB&M, to the half-section line of said Section 26;

Thence Westerly along the half-section line of Section 27, T5N, R5W, SBB&M, to the West line of said Section 27;

Thence Northerly along the West line of Sections 27, 22, 15 & 10, T5N, R5W, SBB&M, to the Northwest corner of said Section 10;

Thence Westerly along the South line of Sections 4, 5 & 6, T5N, R5W, SBB&M, and Section 1, T5N, R6W, SBB&M, to the Southwest corner of said Section 1;

Thence Northerly along the West line of Section 1, T5N, R6W, SBB&M, to the Northwest corner of said Section 1;

Thence Westerly along the South line of Section 36, T6N, R6W, SBB&M, to the Southwest corner of said Section 36;

Thence Northerly along the West line of Section 36, 25, 24 & 13, T6N, R6W, SBB&M, to the Northwest corner of said Section 13, said point being the point of beginning.

VVWRA Annexation No. 1

In the County of San Bernardino, State of California, described as follows:

That portion of Section 35, T5N-R5W, SBB&M described as the S 1/2 of the SE 1/4 of the NE 1/4 and the E 1/2 of the SE 1/4 and the E 1/2 of the SW 1/4 of the SE 1/4. 120 acres more or less.

VVWRA Annexation No. 2

In the County of San Bernardino, State of California described as follows:

Parcel Map 8567 (All parcels)
Being a portion of the NE $\frac{1}{4}$ of
Section 1, T4N, R4W. In the County
of San Bernardino.

(84-171680 BK 88-Pg-70 & 71)
July 20, 1984

Parcel Map 8633, Parcel 2 & 3 only
of said parcel map. Being a sub-
division of portions of Sections
1 and 12, T4N, R4W, SBM, in the
County of San Bernardino.

(84-178402 BK 88-Pg 92-97)
July 27, 1984

FWRA Annexation No. 3

REORGANIZATION: CITY OF VICTORVILLE ANNEXATION #1985-3

the south 1/2 of Section 26; T5N, R5W; SBB&M, and that portion of the east 1/2 of Section 35; T5N, R5W; SBB&M described as follows: Commencing at the south 1/4 point of said Section 35, said point being true point-of-beginning; thence northerly along north-south center section line of said Section 35 to a point of intersection with the south line of said Section 26; thence westerly along said south line to the southwest corner of said Section 26; thence northerly along west line of said Section 26 to a point of intersection with the east-west center section line of said Section 26; thence easterly along said center section line to the east line of said Section 26; thence southerly along the east lines of said Sections 26 and 35, said east lines also being the existing City of Victorville boundary, to a point of intersection with the east-west center line of the east 1/4 of the northeast 1/4 of said Section 35; said center line also being the existing City of Victorville boundary; thence westerly along said center line, to a point of intersection with the east 1/16 line of Section 35; said east 1/16 line also being a portion of the existing City of Victorville boundary; thence southerly along said east 1/16 line to the northwest corner of the southeast 1/4 of the southeast 1/4 of Section 35; thence westerly along the south 1/16 line of Section 35, said south 1/16 line also being a portion of the existing City of Victorville boundary; to a point of intersection with the north-south centerline of the southwest 1/4 of the southeast 1/4 of Section 35; said north-south center line also being the existing City of Victorville boundary; thence southerly along said north-south center line to a point of intersection with the south line of said Section 35; thence westerly along said south line to the true point of beginning;

does more or less.

VTWRA Annexation No. 3

REORGANIZATION: CITY OF VICTORVILLE ANNEXATION #1986-1

That portion of land located in the north 1/2 of Section 1; T4N, R5W; S88&M and the northwest 1/4 of Section 6; T4N, R4W; S88&M; described as follows: commencing at a point of intersection of the center line of State Highway 15 with the north line of said Section 6, said point being north 89 degrees 18 minutes 34 seconds east 156 feet more or less from the northwest corner of said Section 6; thence south 32 degrees 54 minutes 00 seconds west 3,156 feet more or less along the center line of said Highway as it presently exists, to a point of intersection with the east-west center section line of said Section 1; thence westerly along said center section line 1,110 feet more or less to the point of intersection with the north-south center section line of said Section 1; thence northerly along said north-south center section line 1,320 feet more or less to a point of intersection with the east-west, north 1/16 center section line of said Section 1; thence westerly along said 1/16 center section line 1,320 feet more or less to the west line of the east half of the west half of Section 1; thence north along said west line to the existing City limits of Victorville; thence easterly along said City limits to the true point-of-beginning; 159.55 acres more or less.

VVWRA Annexation No. 4

In the County of San Bernardino, State of California described as follows:

Parcel Map 9827, Parcel 1, 2, 3, & 4
as per map recorded in Book 108, Pages
23 and 24 of Parcel Map. Being a division
of a portion of the West 1/2 of Government
Lot 2 in the Northwest 1/4 of Section 6, T4N,
R3W, SBM, in the County of San Bernardino

VFWRA Annexation No. 5

The South 1/2 of Section 27; T5N, R5W, SBB&M, Section 34; T5N, R5W, SBB&M and the West 1/2 of Section 35; T5N, R5W, SBB&M described as follows:

Commencing at the South 1/4 point of said Section 35, said point being the True Point of Beginning; thence Northerly along the North-South center section line of said Section 35, said center line also being the existing City of Victorville boundary, to a point of intersection with the North line of said Section 35; thence Westerly along said North line, said North line also being the existing City of Victorville boundary, to the Southeast corner of said Section 27; thence Northerly along the East line of said Section 27, said East line also being the existing City of Victorville boundary, to a point of intersection with the East-West center section line of said Section 27; thence Westerly along said center line to the West 1/4 point of said Section 27; thence Southerly along the West lines of said Sections 27 and 34 to the Southwest corner of said Section 34; thence Easterly along the South lines of said Sections 34 and 35 to the True Point of Beginning; 1,280 acres more or less.

VVRA Annexation No. 6

Those portions of Townships 5 and 6 North, Ranges 5 and 6 West, San Bernardino Meridian, in the County of San Bernardino, State of California, described as follows:

Section 2 and Section 11 of Township 5 North, Range 6, West, and Section 35, Township 6 North, Range 6 West; and

Section 7 and the South 1/2 of Sections 8, 9, and the West 1/2 of Section 10, Township 6 North, Range 5 West and Section 12 and the East 1/2 of Section 11, Township 6 North, Range 6 West.

VVWRA Annexation No. 7

The NE 1/4 of Section 5, Township 4 North, Range 3 West, San Bernardino Meridian, in the County of San Bernardino, State of California described as follows:

East 1/2 of Gov Lot 2 of the NE 1/4 Section 5, Township 4 North, Range 3 West, except South 638 ft and except County Road, and except additional street per document recorded 11-6-81 #245910, offer of dedication per document recorded 11-6-81 #245911.

North 270 ft, South 638 ft, East 645 ft, East 38.78 ft of Gov Lot 2 of the NE 1/4 of Section 5, Township 4 North, Range 3 West, San Bernardino Meridian, in the County of San Bernardino, State of California.

Parcel Nos. 2 and 3 of Parcel Map No. 1437, being a portion of the NE 1/4 of Section 5, Township 4 North, Range 3 West, San Bernardino Meridian, in the County of San Bernardino, State of California.

UWRA Annexation No. 8

Those properties of Township 4 North, Ranges 3 and 4 West, San Bernardino Meridian, in the County of San Bernardino, State of California, described as follows:

PARCEL J:

THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL K:

THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL L:

THE SOUTH 1/2 OF GOVERNMENT LOTS 1 AND 2 OF THE SOUTHWEST 1/4 AND THE EAST 1/2 OF THE NORTH 1/2 OF GOVERNMENT LOT 1 OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTH 1/2 OF GOVERNMENT LOT 1 OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTH 1/2 OF GOVERNMENT LOT 2 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL M:

THE SOUTH 1/2 OF GOVERNMENT LOT 2 OF THE NORTHWEST 1/4 AND THE NORTH 3/4 OF THE NORTH 1/2 OF GOVERNMENT LOT 2 OF THE SOUTHWEST 1/4 AND THE NORTH 3/4 OF THE WEST 1/2 OF THE NORTH 1/2 OF GOVERNMENT LOT 1 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL M-1:

THE NORTH 1/2 OF GOVERNMENT LOT 2 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL N:

VVRA Annexation No. 8

THE WEST 1/2 OF THE NORTH 1/2 OF GOVERNMENT LOT 1 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL O:

THE EAST 1/2 OF THE NORTH 1/2 OF GOVERNMENT LOT 1 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL P:

THE EAST 1/2 OF THE SOUTH 1/2 OF GOVERNMENT LOT 1 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND, APPROVED BY THE SURVEYOR GENERAL.

PARCEL Q:

THE WEST 1/2 OF THE SOUTH 1/2 OF GOVERNMENT LOT 1 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL R:

THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE NORTH 16 FEET OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL S:

THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL T:

THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL U:

GOVERNMENT LOTS 1 AND 2 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

VVRA JOINT POWERS AGREEMENT
AMENDED AND RESTATED

VVWRA Annexation No. 8

PARCEL V:

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL W:

GOVERNMENT LOTS 1 AND 2 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL X:

PARCELS 2 AND 3 OF PARCEL MAP 10215, AS PER MAP ON FILE IN BOOK 119, PAGES 76 AND 77 OF PARCEL MAPS, SAN BERNARDINO COUNTY RECORDS.

PARCEL X-1:

THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL Y:

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL.

PARCEL Z:

THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO GOVERNMENT SURVEY.

PARCEL AA:

PARCELS 1 THROUGH 8, INCLUSIVE OF PARCEL MAP NO. 8567, IN THE COUNTY OF SAN BERNARDINO, AS PER PLAT RECORDED IN BOOK 88 OF PARCEL MAPS, PAGES 70 AND 71, RECORDS OF SAID COUNTY.

PARCEL A:

PARCELS 1, 4, 5 AND 6 OF PARCEL MAP NO. 8633, AS PER PLAT RECORDED IN BOOK 88 OF PARCEL MAPS, PAGES 92 TO 97, INCLUSIVE, RECORDS OF SAID COUNTY.

VVWRA Annexation No. 9

Those portions of Sections 14, 15, 21, 22, 23, 27 and 28 of Township 4 North, Range 5 West, San Bernardino Meridian, in the County of San Bernardino, State of California, described as follows:

Commencing at the North East corner of Section 14 Township 4 North, Range 5 West, San Bernardino Meridian, said point being in the Centerline of Mojave Road as shown on Caltrans right-of-way Map No. 984554.

THENCE, South $01^{\circ} 56' 47''$ East 1370.66 per said right-of-way map along the East line of said Section 14 to the South line of the North 1/2 of the North 1/2 of said Section 14;

THENCE, South $89^{\circ} 22' 49''$ West 2460.99 feet per said Caltrans right-of-way map along the South line of the North 1/2 of the North 1/2 of said Section 14 to a point in the Northwest right-of-way line of Interstate 15. Said point also being TRUE POINT OF BEGINNING;

THENCE, continuing West along the South line of the North 1/2 of the North 1/2 of Section 14 and Section 15 to the West line of the East 1/2 of the East 1/2 of Section 15 Township 4 North, Range 5 West, San Bernardino Meridian;

THENCE, South along said West line of the East 1/2 of the East 1/2 of said Section 15 to the South line of said Section. Said point also shown as East 1/16 corner of Sections 15 and 22 on Parcel Map 9325 filed in Book 97 at Page 41 of Parcel Maps, Records of San Bernardino County;

THENCE, West along said South line of Section 15 to the Southwest corner of said Section 15, Township 4 North, Range 5 West. Said point also being the Northeast corner of Section 21, Township 4 North, Range 5 West, as shown on Parcel Map 6934 filed in Book 68 at Pages 48 through 49 inclusive of Parcel Maps, Records of San Bernardino County;

THENCE, Continuing West along the North line of said Section 21 to the North 1/4 corner of said Section 21 as shown on said Parcel Map 6934;

VVWRA Annexation No. 9

- THENCE, South along the West line of the East 1/2 of Section 21, Township 4 North, Range 5 West, to the South line of said Section 21. Said point also being the North 1/4 corner of Section 28, Township 4 North, Range 5 West as shown on Parcel Map 8098 filed in Book 84 at Pages 11 through 12 Inclusive of Parcel Maps, records of San Bernardino County;
- THENCE, Continuing South along the West line of the East 1/2 of said Section 28 to the center North 1/16 corner of said Section 28 as shown on said Parcel Map 8098;
- THENCE, East along the South line of the North 1/2 of the North East 1/4 of said Section 28, Township 4 North, Range 5 West to the centerline of the West Frontage Road of Highway 395 as shown on Caltrans right-of-way Map No 987595;
- THENCE, South $0^{\circ} 48' 37''$ East 389.56 feet more or less along the centerline of said West Frontage Road to its intersection with the centerline of Joshua Street (formerly Palm Avenue) as shown on said Caltrans right-of-way map;
- THENCE, Easterly along the centerline of said Joshua Street as per Caltrans right-of-way Maps No. 987595 and 987601 the following four (4) courses:
- North $89^{\circ} 11' 23''$ East 1205.03 feet to the beginning of a curve concave to the South having a radius of 800 feet;
- Southeasterly 470.68 feet along said curve through a central angle of $33^{\circ} 42' 37''$;
- South $57^{\circ} 06' 00''$ East 1414.84 feet to the centerline of the East Frontage Road of Interstate 15 as shown on said Caltrans right-of-way Map No. 987601.
- South $34^{\circ} 53' 27''$ West 60 feet more or less along the centerline of said East Frontage Road to its intersection with the South line of the North 1/2 of Section 27, Township 4 North, Range 5 West;
- THENCE, East along said South line of the North 1/2 of Section 27 to the East line of the West 1/2 of the West 1/2 of the Northeast 1/4 of said Section 27;
- THENCE, North along said East line of the West 1/2 of the West 1/2 of the Northeast 1/4 of Section 27 to the North line of said Section 27. Said point also being in the existing City limits line of Hesperia;

VVWRA Annexation No. 9

- THENCE, East along the North line of Section 27 to the Westerly line of Section 23, Township 4 North, Range 5 West;
- THENCE, North along the Westerly line of Section 23, to the Southwesterly corner of that parcel described per Instrument #86-265217, as recorded on September 15, 1986, Records of San Bernardino County;
- THENCE, Easterly, Northerly and Westerly along the boundary of said parcel to the Northwest corner of said parcel, also being the West quarter corner of Section 23;
- THENCE, North along the Westerly line of Section 23, Township 4, Range 5 West, to the Westerly Caltrans right-of-way of Interstate 15.
- THENCE, Northeasterly along the Westerly Caltrans right-of-way to the TRUE POINT OF BEGINNING.

VVRA Annexation No. 10

In the County of San Bernardino, State of California, more specifically described as follows:

Sections 1 and 2, Township 6 North, Range 6 West, San Bernardino Meridian; and,

Section 6, Township 6 North, Range 5 West, Section 31, Township 7 North Range 5 West, and Sections 35 and 36, Township 7 North Range 6 West, San Bernardino Meridian; and,

The West 1/2 of the Southwest 1/4 and the Northwest 1/4 of Section 12, Township 5 North, Range 6 West, San Bernardino Meridian; and,

The North 1/2 of Section 19; the North 1/2 of Section 20; the North 1/2 of Section 21; the South 1/2 of the South 1/2 of Section 18; Sections 16 and 17; the East 1/2 and the East 1/2 of the Northwest 1/4 of Section 9, all in Township 5 North, Range 5 West, San Bernardino Meridian; and,

The North 1/2 of Sections 23 and 24, the South 1/2 of the Southeast 1/4 and the Southwest 1/4 of Section 13, the South 1/2 of the South 1/2 and the Northeast 1/4 of the Southeast 1/4 and the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 14, Township 5 North, Range 6 West, San Bernardino Meridian.

VVWRA Annexation No. 11

In the County of San Bernardino, State of California, more specifically described as follows:

Sections 28, 29, 32, 33 and the South halves of Section 20 and 21, Township 5 North, Range 5 West, San Bernardino Base and Meridian.

Also the North halves of Sections 4 and 5 and the Southeast quarter of said Section 4, Township 4 North, Range 5 West, San Bernardino Base and Meridian.

The North 1/2 of Fractional Section 31, Township 5 North, Range 5 West and the North 1/2 of Section 36, Township 5 North, Range 6 West, San Bernardino Base and Meridian.

Fractional Section 30 and the South one-half of Fractional Section 19, Township 5 North, Range 5 West, San Bernardino Base and Meridian.

VVRA Annexation No. 12

In the County of San Bernardino, State of California, more specifically described as follows:

Beginning at a point along the south boundary of Section 18 (T4N, R3W) and also being the easterly limit of Mojave River, thence:

Easterly along the south boundary to the southeast corner of said Section 18 (T4N, R3W), thence;

Northerly along the east boundary of Section 18 to the northeast corner of Section 18, (T4N, R3W), thence;

Easterly along the south boundary of Section 8 to the southeast corner of Section 8 (T4N, R3W), thence;

Southerly along the west boundary of Section 16 to the southwest corner of Section 16 (T4N, R3W), thence;

Easterly along the south boundary of Section 16 to the southeast corner of Section 16 (T4N, R3W), thence;

Northerly along the west boundary of Section 15 to the west 1/4 corner of Section 15 (T4N, R3W), thence;

Easterly along the quarter section line of Section 15 to the east 1/4 corner of Section 15 (T4N, R3W), thence;

Northerly along the east boundaries of Section 15, Section 10, and Section 3 to the east 1/4 corner of Section 3 (all within T4N, R3W), thence;

Easterly along the quarter section line of Section 2 to the east 1/4 corner of Section 2 (T4N, R3W), thence;

Northerly along the east boundary of Section 2 to the northeast corner of Section 2 (T4N, R3W), thence;

Northerly along the east boundaries of Section 35, Section 26, Section 23, Section 14, Section 11, and Section 2 to the northeast corner of Section 2 (all within T5N, R3W) thence;

Continuing at the southeast corner of Section 35, and northerly along the east boundaries of Section 35, Section 26, Section 23, Section 14, Section 11, and Section 2 to the northeast corner of Section 2 (all within T6N, R3W), thence;

Westerly along the north boundaries of Section 2, Section 3, Section 4, and Section 5 to the easterly right of way limit of the Interstate 15 Freeway, thence;

VVWRA Annexation No. 12

Southwesterly along the easterly right of way limit of Interstate 15 to the current most northerly limit of the Apple Valley Water District that are within the VVWRA service area (being north boundary of Section 26, T6N, R4W), thence along the current boundary limit as follows;

Easterly along the north boundary of Section 26 to the northeast corner of Section 26 (T6N, R4W), thence;

Southerly along the east boundaries of Section 26 and Section 35 (all within T6N, R4W), to the southeast corner of Section 35, thence;

Easterly along the south boundaries of Section 36 (T6N, R4W) and Section 31 (T6N, R3W), to the southeast corner of Section 31, thence;

Southerly along the west boundary of Section 5 to the southwest corner of Section 5 (T5N, R3W), thence;

Easterly along the south boundary of Section 5 to the southeast corner of Section 5 (T5N, R3W), thence;

Southerly along the west boundary of Section 9 to the west 1/4 corner of Section 9 (T5N, R3W), thence;

Easterly along the quarter section line of Section 9 to the east 1/4 corner of Section 9 (T5N, R3W), thence;

Southerly along the west section line of Section 10 to the southwest corner of Section 10 (T5N, R3W), thence;

Easterly along the south boundary of Section 10 to the southeast corner of Section 10 (T5N, R3W), thence;

Southerly along the east boundaries of Section 15, Section 23, Section 27, and Section 34 to the southeast corner of Section 34 (all within T5N, R3W), thence;

Westerly along the south boundaries of Section 34 and Section 33 to the southwest corner of Section 33 (also being the northeast corner of Section 5, all within T5N, R3W), thence;

Southerly along the easterly boundary of Parcel Map No. 11552 (also being the easterly boundary of Section 5, T5N, R3W) and continued along the centerline of Kiowa Road to the true northeast corner of Parcel No. 4 of Parcel Map 1437, thence;

Westerly along northerly boundary of Parcel No. 4 of Parcel Map 1437 to the northwest corner of said parcel, thence;

Southerly along the westerly boundary of Parcel No. 4 of Parcel Map 1437 to the southwest corner of said parcel, thence;

Westerly along the southerly boundary of Parcel No. 3 of Parcel Map 1437 to the southwest corner of said parcel, thence;

VVWRA Annexation No. 12

Northerly along the westerly boundaries of Parcels No. 3 and No. 2 of Parcel Map 1437 to the northwest corner of Parcel No. 2 (also being the southerly boundary of Parcel Map 11552 and centerline of Sequoia Road), thence;

Westerly along the southerly boundary of Parcel Map 11552 to the southwest corner of Parcel Map 11552, thence;

Northerly along the westerly boundary of Parcel Map 11552 to the northwest corner of said Parcel Map 11552 (also being the East 1/16 corner along the north boundary of Section 5, T4N, R3W), thence;

Westerly along the north boundaries of Section 5 and Section 6 (all within T4N, R3W) to the northwest corner of Section 6 (also being the intersection of Apple Valley Road and Bear Valley Road), thence;

Southerly along the easterly boundary of Parcel Map 8567 to the northwest corner of Parcel Map 9827 (VVWRA Annexations No. 2 and No. 4), thence;

Southerly along the easterly limits of VVWRA Annexations No. 4 and No. 8 (The Entire Jess Ranch Project Area) and along the easterly limit of the Mojave River to the point of Beginning of this Annexation.

The estimated areas annexed into the Victor Valley Wastewater Reclamation Authority boundary is approximately 51.3 square miles.

11WRA Annexation No. 13

Those portions of Sections 27 and 28 of Township 4 North, Range 5 West, San Bernardino Meridian, in the County of San Bernardino, State of California described as follows:

Beginning at the Center North 1/16 corner of Section 28, Township 4 North, Range 5 West, San Bernardino Meridian, as shown on parcel Map 8098 filed in Book 84 at Pages 11 through 12 inclusive of Parcel Maps, records of San Bernardino County, said point also being located on the existing City limits line;

THENCE, South along the West line of the East 1/2 of said Section 28 a distance of 3,819 feet, more or less, to a point 141 feet from the South 1/4 corner of said Section 28, said point being the Northwest corner of that certain parcel of and conveyed to Terragrande Inc., by deed recorded in book 6629, page 965, Official Records, in the office of the County Recorder of said County. Said point also being the Southwest corner of that certain parcel of land conveyed to William B. and Betty L. Schoen by deed recorded as Instrument No. 88-453820, Official Records, in the office of the County Recorder of said County;

THENCE, East parallel with the South line of said Southeast 1/4 of said Section 28, 636 feet, more or less, along the South line of said land per said Instrument No. 88-453820, to the West line of that certain parcel of land conveyed to Robert M. and Vivian V. Stroup by deed recorded in book 8616, page 841, Official Records in the office of the Recorder of said County;

THENCE, North parallel with the West line of said Southeast 1/4 50 feet, more or less, along said West line of said land per said book 8618, page 841, to the North line of said land per said book 8618, page 841;

THENCE, East parallel to the South line of said Southeast 1/4 of said Section 28, along said North line per said book 8618, page 841, to the intersection of the centerline of Interstate No. 15;

VVWRA Annexation No. 13

- THENCE, Northeasterly along said centerline to the intersection with the centerline of Joshua Street (formerly Palm Avenue) as shown on Cal-trans right-of-way Map No. 987601. Said point also being located in the Northwest 1/4 of Section 27, T4N, R5W and on the existing city limits line;
- THENCE, Westerly along the Southerly city limits boundary and the centerline of said Joshua Street as per Cal-trans right-of-way Maps No. 987601 and 987595, the following three (3) courses:
- N 57 06' 00" W 614.84' to the beginning of a curve concave to the South having a radius of 800';
- Northwesterly 470.68 feet along said curve through a central angle of 33 42' 87";
- S 89 11' 23" W 1205.03 feet to its intersection with the centerline of the West Frontage Road of Highway 395;
- THENCE, N 0 48' 37" W 389.56 feet more or less along the centerline of said Frontage Road to the South line of the North 1/2 of the Northeast 1/4 of said section 28;
- THENCE, West along said South line of the North 1/2 of the Northeast 1/4 of Section 28 to the POINT OF BEGINNING.

VVWRA Annexation No. 14

THOSE PORTIONS OF SECTIONS 1, 2, 3, 9, 10, 11, 14, AND 15, TOWNSHIP 4 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 3 TO THE NORTHWEST CORNER OF SAID SECTION 2; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 2 AND SAID SECTION 1 TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE SOUTHERLY ALONG SAID EAST LINE TO THE NORTHWEST 1/16 CORNER OF SAID SECTION 1; THENCE EASTERLY ALONG THE NORTH 1/16 LINE OF SAID SECTION 1 TO THE CENTER NORTH 1/16 CORNER THEREOF; THENCE SOUTHERLY ALONG THE NORTH - SOUTH CENTER SECTION LINE OF SAID SECTION 1 TO THE CENTER 1/4 CORNER THEREOF; THENCE EASTERLY ALONG THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 1 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF INTERSTATE 15; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE TO ITS INTERSECTION WITH THE NORTH 1/16 LINE OF SAID SECTION 14; THENCE WESTERLY ALONG SAID NORTH 1/16 LINE AND THE NORTH 1/16 LINE OF SAID SECTION 15 TO THE NORTHEAST 1/16 CORNER OF SAID SECTION 15; THENCE SOUTHERLY ALONG THE EAST 1/16 LINE OF SAID SECTION 15 TO ITS INTERSECTION WITH THE CENTERLINE OF IMPROVEMENTS OF THE CALIFORNIA AQUEDUCT; THENCE NORTHWEST ALONG SAID CENTERLINE THROUGH ITS VARIOUS COURSES TO THE WEST LINE OF SAID SECTION 9; THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SECTION 9; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 9 TO THE NORTHEAST CORNER THEREOF, ALSO BEING THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 3 TO THE NORTHWEST CORNER THEREOF, BEING THE POINT OF BEGINNING.

EXHIBIT "B"

DESCRIPTION OF REAL PROPERTY

OWNED BY

VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY

The East one-half of the South-West one-quarter; the South-east one-quarter of the North-west one-quarter; the West one-half of the South-east one-quarter; the West one-half of the North-east one-quarter; the West one-half of the East one-half of the North-east one-quarter; and the West one-half of the East one-half of the South-east one-quarter; all in Section 12, Township 6 North, Range 5 West, San Bernardino Meridian in the County of San Bernardino, State of California, according to the official plat thereof.



Town of Apple Valley Sanitary Sewer Management Plan

Appendix E: Sewer Lift Station Information

Assessment District 2A Lift Station #1
(2A#1)

Facility Description	Duplex, Submersible Pumps
Address	Valley Drive Apple Valley, CA 92307
Longitude	117.89
Latitude	34.30
Section/Township/Range	SEC 22, T5N/R3W
Process/Pump Sequence	<p>Two 3.0 hp submersible pumps – each designed to pump 250 gpm, are controlled by a duplex motor control panel with air pressure switches. The motor control panel includes a level gauge, alarm condition lights and an automatic lead/lag switch to allow the lead pump sequence to alternate between the two pumps. The lead pump starts and stops at predetermined levels and is adjustable to allow operational storage flexibility. Air pressure for the control switch is provided by dual redundant air pumps that alternate once each pumping cycle. The lag pump starts at a predetermined higher level and creates a high-level alarm if called into service. Pump station power status, pump run status, wet well level, and alarms are monitored and recorded by a radio frequency-controlled telemetry system (SCADA) located at the Public Works Facility. The SCADA system is integrated with an automatic phone dialer which provides after hours emergency response by on-call staff.</p>

Assessment District 2A Lift Station #2
(2A#2)

Facility Description	Duplex, Submersible Pumps
Address	22458 Ottawa Rd Apple Valley, CA 92308
Longitude	117.10
Latitude	34.29
Section/Township/Range	SEC 27, T5N/R3W
Process/Pump Sequence	Two 4.0 hp submersible pumps – each designed to pump 150 gpm, are controlled by a duplex motor control panel with preset float switches. The motor control panel includes alarm condition lights and selectable lead/lag switch to allow the operator to determine the lead pump sequence. The lead pump starts and stops at predetermined float levels. The lag pump starts at a predetermined higher float level and also creates a high-level alarm if called into service. Pump station power status, pump run status and alarms are monitored and recorded by a radio frequency-controlled telemetry system (SCADA) located at the Public Works Facility. The SCADA system is integrated with an automatic phone dialer which provide after-hours emergency response by on-call staff.

Assessment District 3A Lift Station #1
(AD 3A#1)

Facility Description	Concrete Block Building with Wet Well/Dry Well Configuration
Address	13980 Riverside Drive Apple Valley, CA 92307
Longitude	117.15
Latitude	34.30
Section/Township/Range	SEC 14, T5N/R4W
Process/Pump Sequence	<p>The pump control sequence is designed to hold the wet well level within predetermined parameters using a two-pump alternation sequence. The lead pump operates as a Variable Frequency Drive (VFD) and the lag pump as a fixed speed. Also, as a fixed speed stand-by emergency pump that enters into the sequence in the event of failure of one of the other pumps. Pump control is by a Programmable Logical Controller (PLC). The lead pump turns on at a predetermined adjustable low level shut off point. After being called, if the wet well continues to rise, the VFD will increase the pump speed up to 100%. If the level continues to rise, the lag pump turns on at a predetermined adjustable level and runs at full speed. The third pump serves as an emergency stand-by pump, and when called, initiates a high-level alarm. All three pumps are powered by 50 hp, 480-volt three phase motors. Back-up power is provided by a 125kW diesel fueled stand-by generator. Pump status, wet well level, and alarms are monitored and recorded by a cellular modem controlled by telemetry system (SCADA) locate at the Public Works Facility. The SCADA System is integrated with an automatic phone dialer which provides after hours emergency response by on-call staff.</p>

Assessment District 3A Lift Station #2
(AD 3A#2)

Facility Description	Concrete Block Building with Wet Well/Dry Well Configuration
Address	15036 Riverside Drive Apple Valley, CA 92307
Longitude	117.16
Latitude	34.30
Section/Township/Range	SEC 14, T5N/R4W
Process/Pump Sequence	<p>The pump control sequence is designed to hold the wet well level within predetermined parameters using a two-pump alternation sequence. The lead pump operates as a Variable Frequency Drive (VFD) and the lag pump as a fixed speed. Also, as a fixed speed stand-by emergency pump that enters into the sequence in the event of failure of one of the other pumps. Pump control is by a Programmable Logical Controller (PLC). The lead pump turns on at a predetermined adjustable at a VFD speed of 80% and turns off at a predetermined adjustable low level shut off point. After being called, if the wet well level continues to rise, the VFD will increase the pump speed up to 100%. If the level continues to rise, the lag pump turns on at a predetermined adjustable level and runs at full speed. The third pump serves as an emergency stand-by pump, and when called initiates a high-level alarm. All three pumps are powered by 30 hp, 480-volt three phase motors. Back-up power is provided by a 100kW diesel fueled generator. Pump status, wet well level, and alarms are monitored and recorded by a cellular modem-controlled telemetry system (SCADA) located at the Public Works Facility. The SCADA system is integrated with an automatic phone dialer which provides after hours emergency response by on-call staff. In the event of lift station failure AD3A #2 lift station will be shut down by the SCADA system to minimize additional flows to the site.</p>

Jess Ranch #1

Facility Description	Duplex, Submersible Pumps
Address	18878 Town Center Drive Apple Valley, CA 92308
Longitude	117.15
Latitude	34.28
Section/Township/Range	SEC 6, T4N/R3W
Process/Pump Sequence	Two 20 hp submersible pumps – each designed to pump 830 gpm are controlled by a duplex motor control panel with an air pressure switch and high-level float switch. The motor control panel includes a level gauge, alarm condition lights, and an automatic lead/lag switch to allow the lead pump sequence to alternate between the two pumps. The lead pump starts and stops at predetermined levels to allow operational storage flexibility. Air pressure for the control switch is provided by dual redundant air pumps that alternate once each pumping cycle. The lag pump starts at a predetermined higher level and also creates a high-level alarm if called into service. Pump station power status, pump run status, wet well level, and alarms are monitored and recorded by cellular modem controlled by telemetry system (SCADA) located at the Public Works Facility. The SCADA system is integrated with an automatic phone dialer which provides after hours emergency response by on-call staff.

Jess Ranch #2

Facility Description	Duplex, Submersible Pumps
Address	10900 Apple Valley Rd Apple Valley, CA 92308
Longitude	117.14
Latitude	34.27
Section/Township/Range	SEC 6, T4N/R3W
Process/Pump Sequence	<p>Two 7.5 hp submersible pumps – each designed to pump 140 gpm are controlled by a duplex motor control panel with preset float switches. The motor control panel includes alarm condition lights and an automatic lead/lag switch to allow the lead pump sequence to alternate between the two pumps. The lead pump starts and stops at predetermined levels. The lag pump starts at a predetermined higher level and also creates a high-level alarm if called into service. Pump station power status, pump run status, and alarms are monitored and recorded by cellular modem controlled by telemetry system (SCADA) located at the Public Works Facility. The SCADA system is integrated with an automatic phone dialer which provides after hours emergency response by on-call staff.</p>

Kissel Lift Station

Facility Description	Duplex, Submersible Pumps
Address	22484 Hurons Rd. Apple Valley, CA 92307
Longitude	117.10
Latitude	34.31
Section/Township/Range	SEC 22, T5N/R3W
Process/Pump Sequence	<p>Two 7.5 hp submersible pumps – each designed to pump 200 gpm are controlled by a duplex motor control panel equipped with sonic level controller. The motor control panel includes a level gauge, alarm condition lights and an automatic lead/lag switch to allow the lead pump sequence to alternate between the two pumps. The lead pump starts and stops at predetermined levels and is adjustable to allow operational storage flexibility. The lag pump starts at a predetermined higher level, and also creates a high-level alarm if called into service. Pump station power status, pump run status, wet well level, and alarms are monitored and recorded by a radio frequency-controlled telemetry system (SCADA) located at the Public Works Facility. The SCADA system is integrated with an automatic phone dialer which provides after hours emergency response by on-call staff.</p>

Apple Valley Plaza Lift Station

Facility Description	Flyght, Submersible Pumps
Address	12068 Central Rd. Apple Valley, CA 92308
Longitude	117.47
Latitude	34.47
Section/Township/Range	SEC 3, T4N/R3W
Process/Pump Sequence	Process/Pump sequence, two 10.0 hp submersible pumps – each designed to pump 300 gpm, are controlled by a flight motor control panel with hydro-range level switches. The motor control panel includes alarm condition lights and selectable lead/lag switch to allow the operator to determine the lead pump sequence. The lead pump starts and stops at predetermined high and low levels. The lag pump starts at a predetermined higher level and also creates a high-level alarm if called into service. Pump station power status, pump run status, and alarms are monitored and recorded by a cellular phone-controlled telemetry system (SCADA) located at the Public Works Facility. The SCADA system is integrated with an automatic phone dialer which provides after hours emergency response by on-call staff.