



Staff Report

TO: City Council
FROM: Jeff Hart, Public Works Director
DATE: June 20, 2023
SUBJECT: Storm Water Management Facilities Covenant and Agreement

Description Approve Storm Water Management WQMP/BMP Facilities Covenant and Agreement for Plot Plan (PP2021-0335), Terra-Gen.

Background and Analysis:

On October 25, 2002, the City of Beaumont joined the County of Riverside and other local agencies as Co-Permittees to the municipal separate storm sewer system (“MS4”) National Pollutant Discharge Elimination System (NPDES) permit for the Santa Ana River Watershed, as described in the California Regional Water Quality Control Board Santa Ana Region Order No. R8-2002-0011, NPDES No. CAS 618033, and subsequent permits. The order regulates discharge of Urban Runoff from MS4’s within Riverside County under the jurisdiction and maintenance responsibility of the Co-Permittees.

Subsequent to the order, the City of Beaumont is responsible for implementing Water Quality Management Plan (WQMP) requirements for new and significant redevelopment projects through review and approval. Each site specific WQMP addresses post-construction impacts associated with urban runoff through identifying pollutants of concern, implementing site design best management practices (BMPs), implementing source control BMPs, and designing and implementing treatment control BMPs. All projects that are subject to the WQMP requirements are conditioned at entitlement to have an approved WQMP prior to grading permit.

The City of Beaumont is also responsible for ensuring that the landowner maintains the BMPs throughout the life of the project. All projects that are subject to the WQMP requirements are conditioned at entitlement to record a Storm Water Management Facilities Covenant and Agreement (Covenant) prior to grading permit. Through the Covenant, the owner recognizes the importance of maintaining the BMPs and accepts the financial and maintenance responsibility. Additionally, the Covenant grants the City of Beaumont the right to inspect, test, and correct any deficient BMPs.

The project submitted a WQMP that was reviewed and approved by City staff and the applicant is requesting that the City Council approve the following covenant:

Project	Owner(s)	PW Number
Terra-gen	Beaumont ESS, LLC	PW2023-0977

Fiscal Impact:

The cost to prepare this staff report is estimated to be \$350. The City is not liable for maintenance of any of the BMP's associated with the listed project.

Recommended Action:

Approve the Storm Water Management WQMP/BMP Facilities Covenant and Agreement for Plot Plan (PP2021-0335), Terra-Gen.

Attachments:

- A. PW2023-0977 Covenant Package