

RESOLUTION NO. 04-4-4

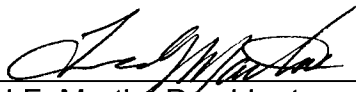
RESOLUTION OF THE BOARD OF DIRECTORS OF THE
EL TORO WATER DISTRICT ADOPTING ORDINANCE
NO. 2004-1 TO IMPLEMENT AND ENFORCE POLICIES,
PROCEDURES AND REGULATIONS RELATIVE TO THE DISTRICT'S
SEWER SYSTEM MANAGEMENT PLAN IN COMPLIANCE WITH
THE GENERAL DISCHARGE REQUIREMENTS OF ORDER
NO. R8-2002-0014 OF THE CALIFORNIA REGIONAL WATER
QUALITY CONTROL BOARD - SANTA ANA REGION

WHEREAS, a public hearing was held on April 22, 2004, to receive and consider public comments regarding the El Toro Water District's adoption of an ordinance (Ordinance No. 2004-1) to implement and enforce policies, procedures and regulations relative to the District's Sewer System Management Plan in compliance with the general discharge requirements of Order No. R8-2002-0014 of the California Regional Water Quality Control Board - Santa Ana Region.

WHEREAS, a draft of Ordinance No. 2004-1 has been presented to the Board of Directors of the El Toro Water District in the form attached to this Resolution and marked Exhibit "A".

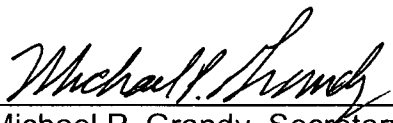
NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the El Toro Water District hereby adopts and approves Ordinance No. 2004-1 as set forth in Exhibit "A" attached hereto, which Exhibit is by this reference incorporated herein.

ADOPTED, SIGNED AND APPROVED this 22nd day of April, 2004.


Ted F. Martin, President
El Toro Water District and of
the Board of Directors thereof

(SEAL)

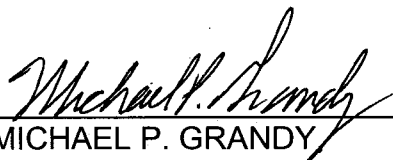
ATTEST:


Michael P. Grandy, Secretary
El Toro Water District and of
the Board of Directors thereof

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, MICHAEL P. GRANDY, Secretary of the Board of Directors of the El Toro Water District, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 04-4-4 of said Board, and that the same has not been amended or repealed.

DATED: April 22, 2004



MICHAEL P. GRANDY
Secretary
El Toro Water District and of
the Board of Directors thereof

(SEAL)

ORDINANCE NO. 2004-1

**ORDINANCE OF THE BOARD OF DIRECTORS OF
THE EL TORO WATER DISTRICT PROVIDING FOR THE ADOPTION OF
RULES & REGULATIONS IN COMPLIANCE WITH ORDER NO. R8-2002-0014
OF THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**THE BOARD OF DIRECTORS OF THE EL TORO WATER DISTRICT,
ORANGE COUNTY, CALIFORNIA, ORDAINS AS FOLLOWS:**

This Ordinance is enacted pursuant to Division 13 of the California Water Code, commencing with Section 35,400, relating to the provision of water and sewer services, facilities and rules & regulations pertaining to those services and facilities.

Section 1. Background. California Regional Water Quality Control Board – Santa Ana Region (“Regional Board”) Order No. R8-2002-0014 identifies the federal agencies, municipalities, counties, districts and other public entities which own or have responsibilities for sanitary sewer collection systems or any facilities that collect or convey untreated sewage wastewater in the portions of Orange County that are within the Santa Ana Region. The identified agencies are classified as “Dischargers (or Permittees)” under said Order. A substantial portion of El Toro Water District’s service area lies within the Santa Ana Region. As such, the El Toro Water District (hereinafter referred to as “District”) is obligated as a Permittee to comply with Order No. R8-2002-0014.

Regional Board Order No. R8-2002-0014 is intended to minimize and/or eliminate sewage spills (Sanitary Sewer Overflows) as a contributing factor to contamination of the Pacific Ocean and tributary surface water streams. In furtherance of same, the Order specifically requires that agencies within the Regional Board’s jurisdiction demonstrate that they have an adequate Sewer System Management Plan (“SSMP”) in place in accordance with a specified task timetable.

Section 2. Purpose. This Ordinance is adopted for the purpose of complying with the **Legal Authority** requirement set forth on Page 9, Section C.12.(iii) of Order No. R8-2002-0014 of the Regional Board.

Section 3. Legal Authority.

A. Infiltration. The District's sewer lines and all connections, including any satellite systems, shall be constructed and maintained so as to prevent infiltration. The District maintains an operational program of televising its sewer lines to facilitate cleaning and repair of said sewer lines, all for the purpose of maintaining the integrity of the District's sewer system from infiltration. This program is set forth in the District's Sanitary Sewer Overflow Prevention Plan. Said Plan is incorporated herein by this reference and made a part of this Ordinance as though set forth in full. The District's General Manager is hereby authorized to review, update and revise the District's Sanitary Sewer Overflow Prevention Plan from time to time as he deems appropriate.

B. Construction Standards. All sewers and connections thereto shall be designed and constructed in accordance with the District's Standard Specifications for Sewer System Construction. Said Standard Specifications are incorporated herein by this reference and made a part of this Ordinance as though set forth in full. The District's General Manager is hereby authorized to review, update and revise the District's Standard Specifications from time to time as he deems appropriate.

C. Installation. All new and reconstructed sewers within the District's service boundaries shall be tested and inspected by the District during the installation process pursuant to the District's Standard Specifications for Sewer System Construction. Said Standard Specifications are incorporated herein by this reference and made a part of this Ordinance as though set forth in full. The District's General Manager is hereby authorized to review, update and revise the District's Standard Specifications from time to time as he deems appropriate.

D. Grease Control. Grease control shall continue to be regulated by the District's Fats, Oil and Grease Control Program. This program has been administered under the purview of the District's Waste Discharge Pretreatment and Source Control Program Ordinance, Rules & Regulations, and Operating Policies. The District's General Manager is authorized and directed to update and centralize the District's existing program in a separate, stand-alone ordinance and to bring said ordinance to the Board's attention for adoption in a timely manner so as to ensure compliance with Regional Board Order No. R8-2002-0014 and to allow sufficient time to file same with the Regional Board on or before the Regional Board's compliance date of 12/30/04.

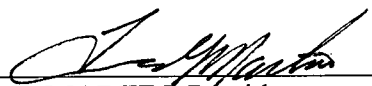
E. National Pretreatment Prohibitions. The District shall continue to enforce the specific and general prohibitions set forth in the National Pretreatment Program set forth in the Code of Federal Regulations (40 CFR 403.5). This enforcement program is administered under the authority of the District's Waste Discharge Pretreatment and Source Control Program Ordinance which is incorporated herein by this reference and made a part of this Ordinance as though set forth in full.

Section 4. Amendment of District's Rules & Regulations. This Ordinance is hereby made a part of the District's existing Rules & Regulations. In the event of any inconsistency between this Ordinance and the District's existing Rules & Regulations, the provisions of this Ordinance shall prevail.

Section 5. Effective Date. This Ordinance takes effect immediately upon the date of its adoption (April 22, 2004).

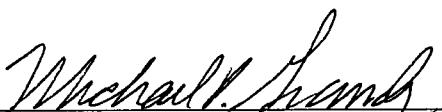
THE FOREGOING ORDINANCE was introduced at a meeting of the Board of Directors of the El Toro Water District held on April 22, 2004, following a public hearing, notice of which was published in the Orange County Register, once a week for two successive weeks, on April 8, 2004 and April 15, 2004.

PASSED and ADOPTED by the Board of Directors of the El Toro Water District at a regular meeting held on the 22nd day of April, 2004, following a public hearing.



TED F. MARTIN, President
El Toro Water District and of
the Board of Directors thereof

(SEAL)



MICHAEL P. GRANDY, Secretary
El Toro Water District and of
The Board of Directors thereof

ORDINANCE NO. 2004-1

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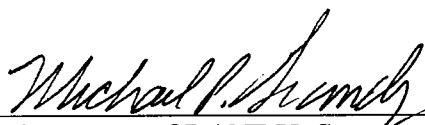
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