



1 of development which disturbs 5 acres or more, required compliance with the following  
2 provisions:

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- 4 1. Notice of Intent. Discharges must file a Notice of Intent (NOI) along with the  
5 current filing fee established by the State Water Resources Control Board  
6 (SWRCB), for the development of each construction site, to the SWRCB. A copy of  
7 the NOI and the discharger's identification number, which is issued by SWRCB,  
8 shall be submitted to the Department of Building and Safety prior to the issuance of  
9 a grading permit.
- 10 2. Storm Water Pollution Prevention Plan. A Storm Water Pollution Prevention Plan  
11 (SWPPP) shall be developed and implemented for each construction site.
- 12 a. The name, address and phone number (including a 24-hour emergency  
13 phone number) of the person responsible for implementing, inspecting and  
14 reporting of the site SWPPP, shall be provided in writing to the  
15 Department of Building and Safety Grading Division, prior to the issuance  
16 of a grading permit. The person responsible for the SWPPP shall continue  
17 to be available until completion of the project. Any change of such person  
18 responsible for the SWPPP shall be filed with the Department of Building  
19 and Safety within 24 hour, by the discharger filing the NOI.
- 20 b. Upon commencement of and during construction activities, a current copy  
21 of the SWPPP shall be kept on the construction site and made available to  
22 the Department of Building and Safety upon request.
- 23 c. Year-round, Best Management Practices (BMPs) shall be maintained and  
24 be in place for all areas that have been graded or disturbed and for all  
25 material, equipment and/or operations that need protection. Removal  
26 BMPs (those BMPs which must be temporarily removed during  
27 construction activities) shall be in place at the end of each working day  
28 when there is a forecast of rain within the next five days, by the National  
Weather Service or whenever rain is imminent.

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d. Ownership Notification. If ownership of the construction site changes at any time prior to completion of construction, the new owner of the site shall provide the information required in Subsection 3316.3.B.1 and 2.a. above. The party transferring ownership of the construction site shall inform the new owner of this requirement. Notification pursuant to this subsection by the new owner shall not be required if the permanent erosion and sediment control protection measures have been implemented on the construction site pursuant to Subsection 3316.3.B.i.II below.

a. Construction Process. During the construction process the person identified as responsible for the SWPPP pursuant to Subsection 3316.3.B.2.a shall be required to:

- i. Be present on site to ensure BMPs are functioning properly.
- ii. Conduct regular inspections to ascertain if BMPs should be modified to adjust to current site conditions.
- iii. Update the site copy of the SWPPP which identifies BMP changes required for current site conditions. Revisions may be highlighted on the site copy of the SWPPP. All changes shall be noted at the latest, on the first working day subsequent to any actual field changes being made. For record purposes, the SWPPP title block shall reflect the date of any change.
- iv. Conduct inspections of the construction site prior to an anticipated storm event to ensure that BMPs are adequate.
- v. Conduct inspections subsequent to storm events to ensure that BMPs are performed adequately. During multiple days of rain or rain of high intensity, conduct additional inspections as necessary to establish that all BMPs are performing adequately.

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- vi. Ensure that equipment, material and workers are available for rapid response to emergencies.
- vii. Perform necessary maintenance to BMPs within 48 hours of the conclusion of each storm.
- viii. Keep a record of all inspections performed on the site. This record shall be made available to the Department of Building and Safety upon request.
- ix. If a construction site becomes idle (a site which is inactive for a period of more than 30 days), compliance with the following shall be required:

- I. All BMPs identified in the SWPPP shall continue to be maintained, and the person responsible for the SWPPP shall remain in charge of the site, or
- II. The SWPPP shall be revised to provide for permanent erosion protection. If a non-irrigated vegetation by seeding is proposed as primary erosion protection for the site, such seeding will not be considered acceptable until each germination and adequate growth has taken place on all critical areas.
- III. The Department of Building and Safety shall be notified in writing by the discharger who filed the NOI that the construction site is or will become idle. The person responsible for the SWPPP shall inspect the construction site to verify that the site is adequately protected. An inspection by the Department of Building and Safety shall also be requested. Additional protection measures may be required by the building official. Any construction site found idle for more than 30 days without the installation of appropriate protection measures and

1 notification that the construction project is idle, shall be  
2 considered in violation of this section.

3 b. Monitoring Criteria. Monitoring for all erosion and sediment  
4 control is required as detailed in this section. Site monitoring shall  
5 be performed by the person responsible for the SWPPP. The  
6 Department of Building and Safety may also monitor the site  
7 compliance at any time and require access to the updated site  
8 SWPPP and records of all inspections made. The site monitoring  
9 will be conducted as determined by the building official. Fees will  
10 be paid pursuant to Table No. 3-H of this ordinance. The  
11 construction site may be considered in compliance with this section  
12 if the BMPs are deemed effective. The BMPs shall be deemed  
13 effective if:

- 14 i. Construction site sediment is not present outside the permit  
15 site or is not present on the site in an area which requires  
16 protection.
- 17 ii. Structural controls are not breached or have not failed under  
18 storm events of minor intensity defined as precipitation of  
19 two-year frequency and 24-hour duration.
- 20 iii. Evidence of erosion is not present on manufactured and/or  
21 denuded natural slopes.
- 22 iv. No evidence of construction site sediment buildup in  
23 downstream storm drains and/or drainage ways is apparent.
- 24 v. Controls are maintained in accordance with design  
25 guidelines.
- 26 vi. The SWPPP is updated in accordance with the actual  
27 construction sequence, and the BMPs are installed  
28 according to actual construction progress.





**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** James Miller, Dir. of Bldg. & Safety

**SUBMITTAL DATE:** June 21, 2005

**SUBJECT:** Ordinance 457.95

**RECOMMENDED MOTION:** That the Board adopt Ordinance No. 457.95, relating to erosion control requirements.

**BACKGROUND:** The proposed ordinance amendment is a requirement of the NPDES Municipal Stormwater Discharge Permit (NPDES Permit) issued by the San Diego Regional Water Quality Control Board, Board Order R9-2004-001. The County of Riverside must develop and implement an Individual Storm Water Management Plan (SWMP) that describes the specific urban runoff management measures and programs that each Permittee will implement to reduce the discharge of pollutants in urban runoff to the Maximum Extent Practicable (MEP) and comply with the aforementioned Board Order. Staff has determined that the following elements must be modified in order to comply with the Board Order and will requires that the following two changes be made to the grading portion of Ordinance 457:

1. Revise the ordinance to reflect the requirement for year-round erosion control devices or Best Management Practices (BMPs), and
2. Grant the authority to the building official to require phased grading.

The proposed changes affect new projects obtaining permits after July 1, 2005. All inspection costs are recoverable through deposit-based fees passed onto the land developer.

FORM APPROVED  
COUNTY COUNSEL

**JUN 23 2005**

BY *[Signature]*

*[Signature]*  
James Miller, Dir. Of Bldg. & Safety

**FINANCIAL DATA:**

<b>CURRENT YEAR COST</b>	\$0	<b>ANNUAL COST:</b>	\$ 0
<b>NET COUNTY COST</b>	\$0	<b>IN CURRENT YEAR BUDGET:</b>	Yes/ No/
		<b>BUDGET ADJUSTMENT FY:</b>	Yes/ No/

**SOURCE OF FUNDS:**

**C.E.O. RECOMMENDATION:**

**APPROVE**

*[Signature]*

**County Executive Officer Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of the reading.

Ayes: Buster, Tavaglione, Stone, Wilson and Ashley  
 Nays: None  
 Absent: None  
 Date: June 28, 2005  
 xc: Bldg. & Safety, COB *[Signature]*

Nancy Romero  
 Clerk of the Board  
 By: *[Signature]*  
 Deputy

Prev. Agn. ref.

Dist.

AGENDA NO.

**3 . .**

Department Recommendation:  Consent  Policy  
 Per Executive Office:  Consent  Policy