

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



ITEM: 19.2
(ID # 11385)

MEETING DATE:
Tuesday, January 7, 2020

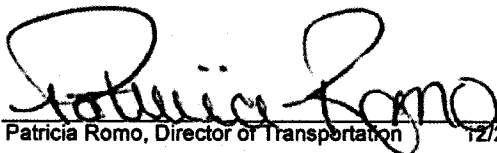
FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/ TRANSPORTATION:
Public Hearing and Adoption of Ordinance No. 754.3/Urban Runoff Management
and Discharge Controls. CEQA Exempt. All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Open and close the Public Hearing;
2. Find that the adoption of Ordinance No. 754.3 is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15308 and 15061(b)(3);
3. Adopt Amendment to Ordinance No. 754, an ordinance of the County of Riverside related to Stormwater/Urban Runoff Management and Discharge Controls; and
4. Direct the Clerk of the Board to file the attached Notice of Exemption with the County Clerk within five days after adoption of the Amendment to Ordinance No. 754.


ACTION:Policy


Patricia Romo, Director of Transportation 12/20/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Hewitt, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and Ordinance No. 754.3 is adopted as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 7, 2020
xc: Transp., COB

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

In July of 2018, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) conducted an audit of the County of Riverside Jurisdictional Runoff Management Program (JRMP), an element of the County's Municipal Separate Storm Sewer System (MS4) compliance program. As part of this audit, the San Diego Water Board reviewed Ordinance No. 754, and determined that the ordinance language was inconsistent with the requirements of National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds Within the San Diego Region, Order No. 2013-0001, as Amended (Regional MS4 Permit).

Following this audit, the San Diego Water Board, in March of 2019, issued the County Notice of Violation No. R9-2019-0071 and Technical Report Order No. R9-2019-0072 for failure to comply with the Regional MS4 Permit.

The Regional MS4 Permit that was adopted on November 18, 2015, added new requirements that are applicable to 39 municipal agencies in San Diego, Orange, and Riverside Counties. One of the significant changes that occurred was the removal of irrigation runoff as an exempt non-storm water discharge. As a result, 16 municipal agencies, including Riverside County, were directed by the San Diego Water Board, through Notice of Violation, to amend their Ordinances as they relate to irrigation runoff, to be consistent with the Regional MS4 Permit.

On September 24, 2019, Agenda item 3.35, the Board of Supervisors directed the County of Riverside Transportation and Land Management Agency (TLMA) to work with the Executive Office and the Office of County Counsel to prepare and process an ordinance amendment to Ordinance No. 754 regarding irrigation water runoff discharges.

On December 17, 2019, Agenda item 3.49, the Board of Supervisors introduced, and set for hearing, Ordinance No. 754.3., an Ordinance of the County of Riverside, amending

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

Ordinance No. 754 an ordinance regulating Stormwater / Urban Runoff Management and Discharge Controls in the County of Riverside.

The proposed amendment to Ordinance No. 754 focuses on Article II, Management and Discharge Controls. Pursuant to Notice of Violation No. R9-2019-0071, in order to be consistent with the Regional MS4 Permit, Ordinance No. 754 must remove irrigation runoff as an exempt non-storm water discharge within the San Diego basin. Therefore, the proposed amendment to Ordinance No. 754 clarifies the exception language as it relates to landscape irrigation runoff, and makes it clear that such an exception only applies when it is allowed by the specific NPDES Permit applicable to that portion of the storm drain system in which the discharge occurs. Further, language is included so it is clear that any exceptions provided within Ordinance No. 754 as it relates to non-stormwater discharges would be prohibited if not authorized as part of the respective Regional MS4 Permit in which the discharge occurs.

Impact on Residents and Businesses

The proposed amendments to Ordinance No. 754 will change Ordinance No. 754 to be consistent with, and in compliance with, the Regional MS4 Permit and is not expected to impact residents and businesses.

Additional Fiscal Information

N/A

ATTACHMENTS:

Amendment to Ordinance No. 754.3
Notice of Exemption for Ordinance No. 754.3
Redline Version of Ordinance No. 754.3



Jason Farin, Senior Management Analyst 12/30/2019



Gregory V. Priaplos, Director County Counsel 12/23/2019

1 ORDINANCE NO. 754.3

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 754 REGULATING

4 STORMWATER/URBAN RUNOFF IN THE COUNTY OF RIVERSIDE

5
6 The Board of Supervisors of the County of Riverside ordains as follows:

7 Section 1. Subsection B. of Section 3. of Article II of Ordinance No. 754 is amended

8 to read as follows:

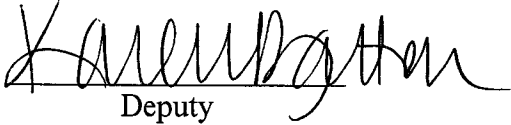
9 “B. Discharges from the following activities will not be considered a violation
10 of this ordinance when properly managed: water line flushing and other
11 discharges from potable water sources, runoff from landscape, lawn and
12 agricultural irrigation allowed by the NPDES Permit applicable to that
13 portion of the storm drain system in which the discharge occurs, diverted
14 stream flows, rising ground waters, infiltration to separate storm drains,
15 uncontaminated pumped ground water, foundation and footing drains, water
16 from crawl space pumps, air conditioning condensation, springs, individual
17 residential car washing, flows from riparian habitats and wetlands,
18 dechlorinated swimming pool discharges or flows from fire fighting.
19 Regardless of the identified exceptions listed above, any non-stormwater
20 discharge not authorized as part of any respective MS4 Permit is hereby
21 prohibited within that particular basin.”

1 Section 2. This ordinance shall take effect thirty (30) days after its adoption.

2
3 BOARD OF SUPERVISORS OF THE COUNTY
4 OF RIVERSIDE, STATE OF CALIFORNIA


5 By: 
6 Chairman, Board of Supervisors

7
8 ATTEST:
9 CLERK OF THE BOARD

10 By: 
11 Deputy

12
13
14 (SEAL)

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16
17
18 APPROVED AS TO FORM
19 December 4, 2019

20 By: 
21 Aaron C. Gettis
22 Supervising Deputy County Counsel

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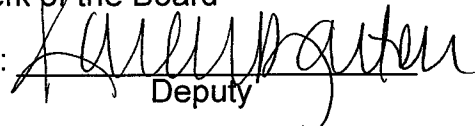
STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on January 7, 2020, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
ABSENT: None

DATE: January 7, 2020

KECIA R. HARPER
Clerk of the Board

BY: 
Deputy

SEAL

1 ORDINANCE NO. 754.3

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 754

3 ESTABLISHING STORMWATER/URBAN RUNOFF MANAGEMENT

4 AND DISCHARGE CONTROLS

5
6 The Board of Supervisors of the County of Riverside ordains as follows:

7
8 ARTICLE I

9 TITLE, PURPOSE AND GENERAL PROVISIONS

10
11 **Section 1. Title.** This ordinance shall be known as the Riverside County
12 Stormwater/Urban Runoff Management and Discharge Controls Ordinance and may be
13 so cited.

14
15 **Section 2. Purpose and Intent.** The purpose of this ordinance is to ensure the future
16 health, safety, and general welfare of County residents by:

- 17 A. Reducing pollutants in stormwater discharges to the maximum extent practicable;
- 18 B. Regulating illicit connections and discharges to the storm drain system; and
- 19 C. Regulating non-stormwater discharges to the storm drain system. The intent of
20 this ordinance is to protect and enhance the water quality of County watercourses,
21 water bodies, ground water, and wetlands in a manner pursuant to and consistent
22 with applicable requirements contained in the Federal Clean Water Act (Title 33
23 U.S.C. §§ 1251 et seq.), Porter-Cologne Water Quality Control Act (California
24 Water Code §§ 13000 et seq.), any applicable state or federal regulations
25 promulgated thereto, and any related administrative orders or permits issued in
26 connection therewith.

1 **Section 3. Definitions.** The terms as used in this ordinance shall have the following
2 meanings:

3 A. Best Management Practice (BMPs) shall mean any activities, prohibitions,
4 practices, procedures, programs, or other measures designed to prevent or reduce
5 the discharge of pollutants directly or indirectly into waters of the United States.
6 BMPs shall include, but are not limited to, those measures specified in the
7 California Stormwater Best Management Practice Handbooks for Municipal,
8 Industrial/Commercial and Construction Activity and those measures identified
9 by the Director of TLMA.

10 B. County shall mean the County of Riverside.

11 C. Commercial and Industrial Facilities shall mean and refer to a facility or facilities
12 that consist of any of the following:

13 1. Auto-Related – mechanical repair, maintenance, fueling or cleaning of
14 automobiles, airplanes, boats and equipment, body repair or painting of
15 automobiles and other vehicles, retail or wholesale fueling, automobile
16 parking lots and storage facilities.

17 2. Mobile-Related activities - mobile automobile or other motor vehicle
18 washing; pest control services; mobile carpet, drape or furniture cleaning;
19 concrete mixing or cutting; masonry; painting and coating; landscaping; pool
20 and fountain cleaning; and Port-a-Potty or other portable toilet servicing.

21 3. Others – cemeteries, nurseries, greenhouses, golf courses, parks, other
22 recreational areas/facilities, eating and drinking establishments.

23 4. Industrial – industrial facilities as defined within the Federal Clean Water Act,
24 operating and closed municipal landfills, facilities subject to SARA Title III,
25 hazardous waste treatment, disposal, storage and recovery facilities.

26 D. Illicit Discharge shall mean any discharge to the storm drain system that is not
27 composed entirely of stormwater runoff except discharges made pursuant to a
28 National Pollutant Discharge Elimination System (NPDES) permit or as

1 otherwise authorized by the Santa Ana, San Diego, or Colorado River basin
2 Regional Water Quality Control Board.

3 E. Illicit Connection shall mean any physical connection to a storm drain system
4 which has not been permitted by Riverside County, the Riverside County Flood
5 Control and Water Conservation District, or other appropriate public agency.

6 F. National Pollutant Discharge Elimination System (NPDES) Permit shall mean a
7 stormwater discharge permit issued by the Santa Ana, San Diego, or Colorado
8 River Basin Regional Water Quality Control Board or the State Water Resources
9 Control Board in compliance with the Clean Water Act.

10 G. Municipal NPDES Permit shall mean an area-wide NPDES permit issued to a
11 government agency or agencies for the discharge of stormwater from a
12 stormwater system. Such a permit is commonly referred to as a "MS4 Permit"
13 (referring to "municipal separate storm sewer system").

14 H. Non-Stormwater Discharge shall mean any discharge to the storm drain system
15 that is not entirely composed of stormwater.

16 I. Person shall mean any natural person, firm, association, club, organization,
17 corporation, partnership, business trust, company or other entity which is
18 recognized by law as the subject of rights or duties.

19 J. Pollutant shall mean anything which causes the deterioration of water quality such
20 that it impairs subsequent and/or competing uses of the water. Pollutants may
21 include but are not limited to paints, oil and other automotive fluids, soil, sand,
22 dirt, rubbish, trash, garbage, debris, refuse, waste, fecal coliform, fecal
23 streptococcus, enterococcus, other biological materials, radiological materials,
24 suspended solids, heavy metals, hazardous waste, chemicals, fresh concrete, yard
25 waste from commercial landscaping operations, animal waste, materials that
26 result from the process of constructing a building or structure, nauseous or
27 offensive matter of any kind.
28

1 K. Premises shall mean any building, lot, parcel of land, land or portion of land
2 whether improved or unimproved.

3 L. Storm Drain System shall mean any facility within the unincorporated areas of the
4 County by which stormwater may be conveyed to waters of the United States.
5 Storm drain system includes but is not limited to any roads with drainage systems,
6 streets, curbs, gutters, catch basins, natural and artificial channels, ditches,
7 aqueducts, storm drains, inlets, conduit or other drainage structure.

8 M. Stormwater Runoff shall mean surface runoff and drainage associated with rain
9 storm events and snow melt.

10 N. Suspended Solids shall mean solid materials or particles that either float on the
11 surface of, or are in suspension in, stormwater, wastewater or other liquid.

12 O. Director of TLMA shall mean the Director of the County Transportation and Land
13 Management Agency.

14
15 **Section 4. Responsibility for Administration.** This ordinance shall be administered for
16 the County by the Director of TLMA.

17
18 **Section 5. Regulatory Consistency.** This ordinance shall be construed to assure
19 consistency with the requirements of the Clean Water Act, Porter-Cologne Water Quality
20 Control Act and acts amendatory thereof or supplementary thereto, applicable
21 implementing regulations, and any existing or future municipal NPDES Permits and any
22 amendments or revisions thereto or reissuance thereof.

23
24 **Section 6. Severability.** If any provision, clause, sentence, or paragraph of this ordinance
25 or the application thereof to any person, establishment, or circumstances shall be held
26 invalid, such invalidity shall not affect the other provisions or application of this
27 ordinance which can be given effect without the invalid provision or application, and to
28 this end, the provisions of this ordinance are hereby declared to be severable.

1 ARTICLE II

2 MANAGEMENT AND DISCHARGE CONTROLS

3
4 **Section 1. Reduction of Pollutants in Stormwater.**

5 A. General. It is a violation of this ordinance to throw, deposit, leave, maintain, keep,
6 or permit to be thrown, deposited, placed, left or maintained, any pollutant in or
7 upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other
8 drainage structures, business place, or upon any public or private plot of land in
9 the County. The only exception being where such pollutant is temporarily placed
10 in an appropriate container with a spill containment system for later collection and
11 removal. It is a violation of this ordinance to cause or permit any dumpster, solid
12 waste bin, or similar container to leak such that any pollutant is discharged into
13 any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other
14 drainage structures, business place, or upon any public or private plot of land in
15 the County.

16 B. Construction Sites. Any person performing construction work in the County shall
17 comply with the provisions of this ordinance, Sections 4.J.12 and 4.J.13 of
18 Ordinance No. 457 and, Sections 5.1.D. and 5.2.E. of Ordinance No. 460.

19 C. New Development and Redevelopment. New development or redevelopment
20 projects shall control stormwater runoff so as to prevent any deterioration of water
21 quality that would impair subsequent or competing uses of the water. The
22 Director of TLMA shall identify the BMP's that may be implemented to prevent
23 such deterioration and shall identify the manner of implementation. The BMP's
24 may, among other things, require new developments or redevelopments to do any
25 of the following:

- 26
27 1. Increase Permeable Areas, by leaving highly porous soil and low lying areas
28 undisturbed; by incorporating landscaping and open space into the project

1 design; by using porous materials for or near driveways and walkways; and by
2 incorporating detention ponds and infiltration pits into the project design.

3 2. Direct Runoff to Permeable Areas, by orienting it away from impermeable
4 areas to swales, berms, green strip filters, gravel beds, and French drains; by
5 installing rain-gutters oriented towards permeable areas; by modifying the
6 grade of the property to divert flow to permeable areas and minimize the
7 amount of stormwater runoff leaving the property; and by designing curbs,
8 berms or other structures such that they do not isolate permeable or
9 landscaped areas.

10 3. Maximize Stormwater Storage for Reuse, by using retention structures,
11 subsurface areas, cisterns, or other structures to store stormwater runoff for
12 reuse or slow release.

13 D. Existing Development. Existing development shall control stormwater runoff so
14 as to prevent any deterioration of water quality that would impair subsequent or
15 competing uses of the water. The Director of TLMA shall identify the BMP's that
16 may be implemented to prevent such deterioration and shall identify the manner
17 of implementation.

18 E. Commercial and Industrial Facilities. Any person or entity that owns or operates a
19 commercial and/or industrial facility(s) shall comply with the provisions of this
20 ordinance and Ordinance Nos. 457 and 857. All such facilities shall be subject to
21 a regular program of inspection as required by this ordinance, Riverside County
22 Ordinance Nos. 457 and 857, California Water Code §§ 13000 et seq. (Porter-
23 Cologne Water Quality Control Act), Title 33 U.S.C. §§ 1251 et seq. (Clean
24 Water Act), any applicable state or federal regulations promulgated thereto, and
25 any related administrative orders or permits issued in connection therewith.
26

27 **Section 2. Illicit Connections/Discharges.** It is a violation of this ordinance to establish,
28 use, maintain, or continue illicit connections to the storm drain system, or to commence

1 or continue any illicit discharges to the storm drain system. This prohibition against illicit
2 connections and discharges is expressly retroactive and applies to connections and
3 discharges made in the past, regardless of whether permissible under the law or practices
4 applicable or prevailing at the time of the connection or discharge.
5

6 **Section 3. Non-Stormwater Discharges.** The discharge of non-stormwater into the
7 storm drain system is a violation of this ordinance except as specified below.

8 A. The discharge prohibition shall not apply to any discharge regulated under a
9 NPDES Permit or Waiver issued to the discharger and administered by the State
10 of California under the authority of the EPA, provided that the discharger is in full
11 compliance with all requirements of the permit or waiver and other applicable
12 laws or regulations.

13 B. Discharges from the following activities will not be considered a violation of this
14 ordinance when properly managed: water line flushing and other discharges from
15 potable water sources, runoff from landscape, lawn and agricultural irrigation
16 allowed by the NPDES Permit applicable to that portion of the storm drain system
17 in which the discharge occurs, diverted stream flows, rising ground waters,
18 infiltration to separate storm drains, uncontaminated pumped ground water,
19 foundation and footing drains, water from crawl space pumps, air conditioning
20 condensation, springs, individual residential car washing, flows from riparian
21 habitats and wetlands, dechlorinated swimming pool discharges or flows from fire
22 fighting. Regardless of the identified exceptions listed above, any non-stormwater
23 discharge not authorized as part of any respective MS4 Permit is hereby
24 prohibited within that particular basin.
25

26 **Section 4. Discharges in violation of Permit.**

27 A. Municipal NPDES Permit. Any discharge that would result in or contribute to a
28 violation of an existing or future Municipal NPDES Permit(s) or any amendment

1 or revision thereto or reissuance thereof, either separately considered or when
2 combined with other discharges, is a violation of this ordinance and is prohibited.
3 Liability for any such discharge shall be the responsibility of the person(s)
4 causing or responsible for the discharge, and such persons shall defend, indemnify
5 and hold harmless the County in any administrative or judicial enforcement action
6 relating to such discharge.

7 B. NPDES Permit for Industrial/Commercial and Construction Activity. Any
8 industrial discharger, discharger associated with construction activity, or other
9 discharger subject to any NPDES permit issued by the United States
10 Environmental Protection Agency, the State Water Resources Control Board, the
11 Santa Ana Regional Water Quality Control Board, the Santa Ana Regional Water
12 Quality Control Board, the San Diego Regional Water Quality Control Board or
13 the Colorado River Basin Regional Water Quality Control Board, shall comply
14 with all requirements of such permit. Such dischargers shall specifically comply
15 with the following permits: the Industrial Stormwater General Permit, the
16 Construction Activity Stormwater General Permit, and the Dewatering General
17 Permit. Proof of compliance with said NPDES General Permits may be required
18 in a form acceptable to the Director prior to issuance of any County grading,
19 building, or occupancy permits.

20
21 **Section 5. Right to Inspect.** An inspector employed by the County may enter free of
22 charge, at any time, any premises, grounds, facilities or structures for which compliance
23 is required by this ordinance and inspect the premises, grounds, facilities and structures
24 located therein for compliance with water quality requirements imposed by this
25 ordinance, Riverside County Ordinance Nos. 457 and 857, California Water Code §§
26 13000 et seq. (Porter-Cologne Water Quality Control Act), Title 33 U.S.C. §§ 1251 et
27 seq. (Clean Water Act) and any applicable state or federal regulations promulgated
28 thereto, and any related administrative orders or permits issued in connection therewith.

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ARTICLE III
ENFORCEMENT

Any person in violation of this ordinance is subject to the procedures and penalties set forth in Ordinance No. 725. In addition, to the extent that the County makes any provision of this ordinance or identified BMP a condition of approval to the issuance of a permit, any person in violation of such condition is subject to the permit revocation and/or suspension procedures set forth in the ordinance governing permit issuance.

ARTICLE IV
EFFECTIVE DATE OF ORDINANCE

This ordinance shall take effect thirty (30) days after its adoption.

- Adopted: 754 Item 13.1d of 07/11/1995 (Eff: 08/10/1995)
- Amended: 754.1 Item 3.31c of 12/03/1996 (Eff: 01/02/1997)
- Amended: 754.2 Item 3.34 of 11/07/2006 (Eff: 12/07/2006)

COUNTY OF RIVERSIDE
TRANSPORTATION AND
LAND MANAGEMENT AGENCY

Transportation Department



Patricia Romo, P.E.
Director of Transportation

Mojahed Salama, P.E.
Deputy for Transportation/Capital Projec
Richard Lantis, P.L.S.
Deputy for Transportation/Planning and
Development

DATE: December 19, 2019

TO: Josefina Castillo-Avila, ACR Technician III
Mary Zambon for

FROM: Russell Williams, Transportation Division Manager

RE: **Amendments to Ordinance No.754**
W.O.#ZTR1100, Task Code #ZADM

Original Negative Declaration/Notice of
Determination was routed to County
Clerks for posting on.

1/19/2020
Date

RLW
Initial

The Riverside County Transportation Department is requesting that you post the attached Notice of Exemption per County Implementing Resolution No. 82-213, Division 11, Section 205C. Attached you will find an authorization to bill by journal voucher in the amount of \$50.00 for your posting fee.

After posting, please return the document to Mail Stop #1080, Attention: Russell Williams. If you have any questions, please contact me at (951) 955-6899.

Attachment

cc: file

JAN 07 2020

19.2

NOTICE OF EXEMPTION

To: X County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

Lead Agency: **Transportation and Land
Management Agency**
4080 Lemon Street, 2nd Floor
P.O. Box 1440
Riverside, CA 92502

PROJECT TITLE: Amendments to Ordinance No. 754

PROJECT SPONSOR: Riverside County Transportation Department

PROJECT LOCATION: Countywide

SUPERVISORIAL DISTRICT: Countywide

PROJECT DESCRIPTION:


Ordinance No. 754.3 amends Ordinance No. 754 to be consistent with, and in compliance with, the Regional MS4 Permit. The proposed amendment to Ordinance No. 754 removes the exception language as it relates to landscape irrigation from all basins, and instead replaces the language so it is clear that such an exception only applies when it is allowed by the specific NPDES Permit applicable to that portion of the storm drain system. Further, language is included so it is clear that any exceptions provided within Ordinance No. 754, as it relates to non-stormwater discharges, would not be applicable to any Regional MS4 Permit that does not allow such discharges. The amendment would not lead to any development or construction and is deemed more protective of the environment.

ENVIRONMENTAL ANALYSIS:

The Riverside County Transportation Department has found that the above-described project is exempt from the provisions of the California Environmental Quality Act (CEQA), based on the following:

Ordinance No. 754.3 is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines section 15061(b)(3), which provides as follows: "A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The amendment also is exempt from CEQA pursuant to State CEQA Guidelines section 15308, which allows an exemption for actions by regulatory agencies, as authorized by state law or local ordinance, to ensure the maintenance, restoration, enhancement, or protection of the environment.

Ordinance No. 754.3 amends Ordinance No.754 to be consistent with, and in compliance with, the Regional MS4 Permit and removes the exception language as it relates to landscape irrigation from all basins, and instead replaces the language so it is clear that such an exception only applies when it is allowed by the specific NPDES Permit applicable to that portion of the storm drain system. Further, language is included so it is clear that any exceptions provided within Ordinance No. 754, as it relates to non-stormwater discharges, would not be applicable to any Regional MS4 Permit that does not allow such discharges. Therefore, it can be seen with certainty that there is no possibility that ordinance No. 754.3 may have a significant direct, indirect, or cumulative physical effect on the environment. By further clarifying and removing landscape irrigation as an allowed exception from Ordinance No. 754, the regulation as it relates to the type of water allowed to enter the stormwater system is now more protective of the environment.

Lead Agency Signature:  _____

Date: 12-18-2019

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

-TO BE FILLED IN BY SUBMITTING AGENCY-
537280-20000-3130500000 ZTR1100 ZADM

AUTHORIZATION NUMBER: W.O.#ZTR1100, Task Code ZADM

AMOUNT: \$50.00

DATE: December 19, 2019

AGENCY: Riverside County Transportation Department

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE A VOUCHER FOR PAYMENT OF ALL FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mary Zambon, Environmental Project Manager

Signature: Mary Zambon

PRESENTED BY: Mohamed Eissa

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

January 9, 2020

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

TEL: (951) 368-9225
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 754.3

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, January 16, 2020.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Karen Barton

Deputy Clerk of the Board to:
KECIA R. HARPER, CLERK OF THE BOARD

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 754.3

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 754 REGULATING
STORMWATER/URBAN RUNOFF IN THE COUNTY OF RIVERSIDE

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Subsection B. of Section 3. of Article II of Ordinance No. 754 is amended to read as follows:

“B. Discharges from the following activities will not be considered a violation of this ordinance when properly managed: water line flushing and other discharges from potable water sources, runoff from landscape, lawn and agricultural irrigation allowed by the NPDES Permit applicable to that portion of the storm drain system in which the discharge occurs, diverted stream flows, rising ground waters, infiltration to separate storm drains, uncontaminated pumped ground water, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges or flows from fire fighting. Regardless of the identified exceptions listed above, any non-stormwater discharge not authorized as part of any respective MS4 Permit is hereby prohibited within that particular basin.

Section 2. This ordinance shall take effect thirty (30) days after its adoption.

V. Manuel Perez, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **January 7, 2020**, the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
ABSENT: None

Kecia R. Harper, Clerk of the Board
By: Karen Barton, Deputy Clerk of the Board



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THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PO Number	PRODUCT	SIZE	Amount
1/19/20	0011354737		PE Riverside	4 x 64 Li	332.80

Invoice text: Ordinance 754.3

*Transp.
1/7/2020 19.2*

Placed by: Karen Lynn Barton

Legal Advertising Memo Invoice

BALANCE DUE
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BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
'PO BOX 1147'
RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPER PARTNERSHIP
dba The Press-Enterprise
PO Box 65210
Colorado Springs, CO 80962-5210

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Ordinance 754.3 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

01/19/2020

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: January 19, 2020
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011354737-01

P.O. Number:

Ad Copy:

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

ORDINANCE NO. 754.3

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 754 REGULATING
STORMWATER/URBAN RUNOFF IN THE COUNTY OF RIVERSIDE**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Subsection B. of Section 3. of Article II of Ordinance No. 754 is amended to read as follows:

"B. Discharges from the following activities will not be considered a violation of this ordinance when properly managed: water line flushing and other discharges from potable water sources, runoff from landscape, lawn and agricultural irrigation allowed by the NPDES Permit applicable to that portion of the storm drain system in which the discharge occurs, diverted stream flows, rising ground waters, infiltration to separate storm drains, uncontaminated pumped ground water, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges or flows from fire fighting. Regardless of the identified exceptions listed above, any non-stormwater discharge not authorized as part of any respective MS4 Permit is hereby prohibited within that particular basin.

Section 2. This ordinance shall take effect thirty (30) days after its adoption.

V. Manuel Perez, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **January 7, 2020**, the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
ABSENT: None

Kecia R. Harper, Clerk of the Board
By: Karen Barton, Deputy Clerk of the Board

1/19

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



ITEM: 3.49
(ID # 11384)

MEETING DATE:
Tuesday, December 17, 2019

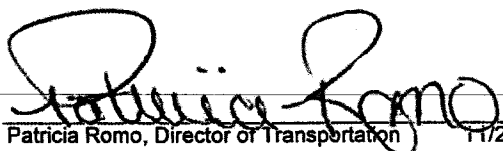
FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/ TRANSPORTATION:
Introduction of Amendment to Ordinance No. 754 Stormwater / Urban Runoff
Management and Discharge Controls. All Districts. [\$10,000 Total Cost - 100%
Comprehensive Transportation Plan Fund] (Set for Public Hearing)(Clerk to
Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title, and waive further reading of, and adopt on successive weeks
Ordinance No. 754.3, an Ordinance of the County of Riverside, amending Ordinance
No. 754 an ordinance regulating Stormwater / Urban Runoff Management and
Discharge Controls in the County of Riverside.


ACTION: Policy, Set for Hearing


Patricia Romo, Director of Transportation 11/25/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Hewitt and duly carried by
unanimous vote, IT WAS ORDERED that the above matter is approved as recommended;
Ordinance No. 754.3 is approved as introduced with waiver of the reading and is set for
hearing for Tuesday, January 7, 2020 at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: December 17, 2019
xc: Transp. *COB*

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 10,000	\$ 0	\$ 10,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Comprehensive Transportation Plan Fund (100%).			Budget Adjustment: No	
			For Fiscal Year: 19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

In July of 2018, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) conducted an audit of the County of Riverside Jurisdictional Runoff Management Program (JRMP), an element of the County’s Municipal Separate Storm Sewer System (MS4) compliance program. As part of this audit, the San Diego Water Board reviewed Ordinance No. 754, and determined that the ordinance language was inconsistent with the requirements of National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds Within the San Diego Region, Order No. 2013-0001, as Amended (Regional MS4 Permit).

Following this audit, the San Diego Water Board, in March of 2019, issued the County Notice of Violation No. R9-2019-0071 and Technical Report Order No. R9-2019-0072 for failure to comply with the Regional MS4 Permit.

The Regional MS4 Permit that was adopted on November 18, 2015, added new requirements that are applicable to 39 municipal agencies in San Diego, Orange, and Riverside Counties. One of the significant changes that occurred was the removal of irrigation runoff as an exempt non-storm water discharge. As a result, 16 municipal agencies, including Riverside County, were directed by the San Diego Water Board, through Notice of Violation, to amend their Ordinances as they relate to irrigation runoff, to be consistent with the Regional MS4 Permit.

On September 24, 2019, Agenda item 3.35, the Board of Supervisors directed the County of Riverside Transportation and Land Management Agency (TLMA) to work with the Executive Office and the Office of County Counsel to prepare and process an ordinance amendment to Ordinance No. 754 regarding irrigation water runoff discharges.

The proposed amendment to Ordinance No. 754 focuses on Article II, Management and Discharge Controls. Pursuant to Notice of Violation No. R9-2019-0071, in order to be

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

consistent with the Regional MS4 Permit, Ordinance No. 754 must remove irrigation runoff as an exempt non-storm water discharge within the San Diego basin. Therefore, the proposed amendment to Ordinance No. 754 clarifies the exception language as it relates to landscape irrigation runoff, and makes it clear that such an exception only applies when it is allowed by the specific NPDES Permit applicable to that portion of the storm drain system in which the discharge occurs. Further, language is included so it is clear that any exceptions provided within Ordinance No. 754 as it relates to non-stormwater discharges would be prohibited if not authorized as part of the respective Regional MS4 Permit in which the discharge occurs.

Impact on Residents and Businesses

The proposed amendments to Ordinance No. 754 will change Ordinance No. 754 to be consistent with, and in compliance with, all Riverside County Regional MS4 Permits in which the County is subject to, and is not expected to impact residents and businesses.

Additional Fiscal Information

The cost to amend Ordinance 754 will be funded by the Comprehensive Transportation Plan Fund.

ATTACHMENTS:

Ordinance No. 754.3

Redline Ordinance No. 754



Jason Farin, Senior Management Analyst

12/11/2019



Gregory V. Priaplos, Director County Counsel

12/4/2019