



**AGENDA FOR THE REGULAR MEETING
OF THE COASTAL ADVISORY COMMITTEE
FOR THE CITY OF SAN CLEMENTE, CALIFORNIA**

PLEASE NOTE NEW MEETING LOCATION AND TIME

**City Council Chambers
San Clemente Civic Center
100 Avenida Presidio
San Clemente, California**

**December 13, 2018
6:30 p.m.**

MISSION STATEMENT

The Coastal Advisory Committee's mission is to preserve, enhance, and where necessary, restore the quality of the coastal water resources and ensure proper and efficient use of the beaches, surf zone and coastal area for the benefit of present and future generations. The Committee shall strive to raise public awareness in promoting a positive environmental stewardship for the greater good of the San Clemente area.

The Committee shall advise the City Council by making recommendations on policy, programs and regulations related to the city's coastal environment and resources. Additionally, the Committee shall work to raise public awareness and promote a shared environmental vision by facilitating partnerships between State and local departments, community groups and businesses. In carrying out its mission, the Committee shall promote forward looking solutions regarding coastal resource issues including, but not limited to, air and water quality, pollution prevention, beach and coastal zone preservation, stewardship, solid waste reduction/recycling and sustainability.

RULES FOR ADDRESSING THE COMMITTEE

Members of the audience who wish to address the Committee are requested to complete one of the forms located on the table near the entrance of the Ole Hanson Room and submit it to the Chairperson. For matters on the agenda, public comments will be received at the time that the Coastal Advisory Committee considers the agenda item.

Please note: written material distributed to the Coastal Advisory Committee, after the original agenda packet was distributed, is available for public inspection in the Environmental Programs office located at 910 Calle Negocio, San Clemente, CA during normal business hours.

Members of the audience who wish to address the Committee on matters of public interest pertaining to the City may step to the podium, state their name and the City in which they reside, and make their presentation. Please limit presentations to three minutes. Since the Committee cannot discuss or take action on matters not on the agenda, items of concern which are not urgent in nature can be resolved more expeditiously by completing and submitting a written request to the Engineering Division, Environmental Programs Section.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the Environmental Programs Assistant at (949) 361-6143. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

4. APPROVAL OF MINUTES

A. October 11, 2018 Coastal Advisory Committee Meeting

5. PUBLIC INPUT

6. NEW BUSINESS

A. Ordinances to Amend the San Clemente Municipal Code

i. Ordinance to Amend Chapter 8.28 Solid Waste Management of the San Clemente Municipal Code

A memo by Danna McIntosh, Environmental Services Coordinator, providing an overview of the proposed Ordinance to amend Municipal Code Chapter 8.28 Solid Waste Management to comply with State mandates AB 341 mandatory commercial recycling and AB 1826 mandatory organics recycling.

Staff Recommendation: Request the CAC to recommend to the City Council to adopt the proposed Ordinance titled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 8.28 SOLID WASTE MANAGEMENT TO REQUIRE APPLICABLE BUSINESSES TO COMPLY WITH MANDATORY COMMERCIAL RECYCLING (AB-341) AND MANDATORY ORGANICS RECYCLING (AB-1826).”

ii. Ordinance to Amend Chapter 12.16 Excavations and Obstructions and Chapter 13.40 Stormwater Runoff Control of the San Clemente Municipal Code

A memo by Cynthia Mallett, Environmental Programs Supervisor, providing an overview of the proposed Ordinance to amend Municipal Code Chapters 12.16 and Chapter 13.40 to specify that irrigation runoff is a prohibited discharge.

Staff Recommendation: Request the CAC to recommend to the City Council to adopt the proposed Ordinance titled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SAN CLEMENTE MUNICIPAL CODES CHAPTER 12.16 AND 13.40 REGARDING STORMWATER QUALITY TO ENSURE COMPLIANCE WITH THE CITY’S NPDES MS4 PERMIT AND WATER QUALITY IMPROVEMENT PLAN.

B. Coastal Advisory Committee Annual Work Plan

A discussion amongst CAC members and staff on the development and implementation of an Annual Work Plan for the CAC.

Staff Recommendation: Information and discussion item

7. COMMUNICATIONS

A. Bacteriological Monitoring Reports – Date of Posted Reports October and November 2018

Information item – Receive and File

B. October and November 2018 Environmental Programs Updates

A summary of recent activities conducted by the City related to runoff/surface water quality and solid waste and recycling.

Information item – Receive and File

8. REPORTS

A. CAC Members

B. City Staff

a. Eco-Ambassador Training Workshop held November 14, 2018

b. January 9, 2019: Anaerobic Digester Tour; 8am – 1pm

c. February 10, 2019: Shredding Event; 8am – 12pm; City Maintenance Yard; up to ten file folder boxes

9. ITEMS FROM STAFF

A. Potential Future Agenda Items

A memo by Cynthia Mallett, Environmental Programs Supervisor, on scheduling of potential future Coastal Advisory Committee agenda items.

10. ITEMS FROM COMMITTEE MEMBERS

11. ADJOURNMENT

Adjourn to the next regular meeting of the Coastal Advisory Committee.

The next Coastal Advisory Committee is scheduled for Thursday, January 10, 2019 at 6:30 P.M., in the City Council Chambers, at San Clemente Civic Center, 100 Avenida Presidio, San Clemente, California.

MINUTES
CITY OF SAN CLEMENTE
REGULAR COASTAL ADVISORY COMMITTEE MEETING
Thursday, October 11, 2018 @ 6:30 p.m.
City Council Chambers
100 Avenida Presidio, San Clemente, CA 92672

1. CALL TO ORDER

Committee Member Ambrose called the meeting to order at 6:31 p.m.

2. PLEDGE OF ALLEGIANCE

Committee Member McGuigan led the Pledge of Allegiance.

3. ROLL CALL

Present: Gary McCaughan, John McGuigan, Zhen Wu, Joseph Zidron;
Vice Chair Jorine Campopiano, Chair Susan Ambrose

Absent: None

Staff Present: Cynthia Mallett, Environmental Programs Supervisor
Eileen White, Recording Secretary

4. APPROVAL OF MINUTES

A. Minutes of the Regular Coastal Advisory Committee (CAC) Meeting of September 13, 2018

IT WAS MOVED BY COMMITTEE MEMBER MCCAUGHAN, SECONDED BY COMMITTEE MEMBER MCGUIGAN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular CAC meeting of September 13, 2018 as submitted.

5. PUBLIC INPUT

None

6. NEW BUSINESS

A. Multifamily Food Scrap Diversion Program – Global Green Memorandum of Understanding

A memo by Danna McIntosh, Environmental Services Coordinator, providing an overview of the Memorandum of Understanding with Global Green to coordinate a pilot multi-unit complex food waste diversion program.

Supervisor Mallett reviewed the staff report, an update on the City's recent agreement with Global Green to coordinate diversion of food waste from multi-family complexes to the CR&R anaerobic digester facility in Perris, CA. Next steps include the City purchasing counter-top food collection pails, reaching out to targeted multi-family complexes to recruit volunteers to act as on-site Eco-Ambassadors, and coordinating training workshops to train the Eco-Ambassadors.

In response to questions/comments, Supervisor Mallett advised the City is looking into potential incentives or rewards for those who volunteer their time to be Eco-Ambassadors; announced the first training workshop is scheduled for November 7, 2018, from 6-9:00 p.m.

Report received and filed.

B. Coastal Advisory Committee Annual Work Plan

A discussion amongst CAC Members and staff on the development of an Annual Work Plan for the CAC.

Supervisor Mallett distributed a document entitled, "Coastal Advisory Committee Suggested Annual Work Plan Topics/Issues," which she compiled and organized by topics using the data forwarded to her following the CAC's last meeting. Additionally, she noted a Request for Proposals (RFP) has been distributed calling for consultants to submit bids to test the water at the Pier for DNA markers to determine the source of the high levels of bacteria reported in the monthly Ocean Bacteriological Monitoring Program produced by the County. She will forward a copy of the RFP via email to the members. In response to requests, she agreed to provide the Committee Members with copies of the Grant Summary Reports submitted by grant recipients, quarterly updates/newsletters/outreach/activities announcements or links to this information from regulatory agencies.

Comments/Suggestions included:

- Suggestion that Supervisor Mallett request but not require Environment Sustainability Grant applicants to attend a CAC meeting for a presentation on their grant request and/or a presentation following the

grant project wrap-up showcasing the results/providing a narrative regarding the event or program.

- Suggestion that the CAC develop a way to assess the results of their efforts/involvement in programs or activities; suggested setting benchmarks and applying numeric objectives.
- Request that Supervisor Mallett reorganize the list of topics/issues to indicate time factors to aid in calendaring as well as provide suggestions on potential actions/involvement the CAC could undertake on the main topics.
- Suggestion each Member determine and email to Supervisor Mallett a list of 5 or 6 of their most important topics/potential projects. This agenda item would then be continued to their next meeting, where the Committee could discuss and prioritize the Members' most important topics/projects.
- Recommendation each project being considered should be evaluated using the CAC Mission Statement and listing of duties/responsibilities to determine feasibility of CAC involvement.
- Recommendation the Members consider contacting City Council to ask what issues the CAC should look into and provide advice.
- Suggestion the CAC consider the installation of drinking water refill stations in additional areas throughout the City as a potential priority.
- Suggestion that all projects with CEQA assessments and/or potential environmental impacts be reviewed by the CAC.
- Request Supervisor Mallett provide an overlay to the Work Plan indicating responsibilities of staff members.

IT WAS MOVED BY COMMITTEE MEMBER MCCAUGHAN, SECONDED BY COMMITTEE MEMBER ZIDRON, AND CARRIED 5-1, WITH COMMITTEE MEMBER MCGUIGAN OPPOSED, to

- 1) Continue Coastal Advisory Committee Annual Work Plan to the CAC's next regular meeting of November 8, 2018.
- 2) Request each Committee Member provide no more than 6 of their most important topics/priorities to Supervisor Mallett by October 25, 2018.
- 3) Request each Committee Member review the sample work plans as well as the listing of past CAC actions previously provided by staff and provide input on categorizing topics/ideas, suggestions for structuring the Work Plan, and any additional information they may have to support their individual priority items.

C. Clean Ocean Fee Renewal

A discussion amongst CAC Members and staff on the renewal of the Clean Ocean Fee which is scheduled to sunset on June 30, 2020.

Supervisor Mallett announced she is in the process of compiling information on the Clean Ocean Fee and will provide an update at a future meeting.

8. COMMUNICATIONS

A. Bacterial Monitoring Reports September 2018

A summary of recent activities conducted by the City related to runoff/surface water quality and solid waste and recycling.

B. September 2018 Environmental Programs Updates

A summary of recent activities conducted by the City related to runoff-surface water quality and solid waste and recycling.

Agenda items 7A & B received and filed.

9. REPORTS

A. CAC Members

Chair Ambrose shared that City Council Candidate Forums are scheduled for Sunday, October 14, 2018, from 4:00-6:00 p.m. regarding Poche Beach at the Shorecliffs Beach Club and Wednesday, October 17, 2018, starting at 6:30 p.m. regarding the redevelopment/rebuilding/upgrading of North Beach at the Ole Hanson Beach Club.

B. City Staff

Supervisor Mallett agreed to email the Members with the Coastal Clean Up Day statistics, including number of participants, categories and amount of trash collected, etc.; announced a location change for their next meeting due to rescheduling of other City meetings on account of Election Day activities.

Committee Members discussed potential to reschedule their next meeting to avoid potential confusion amongst the public, but following discussion of individual schedules concurred to retain the original meeting date, time and place. CAC Members left open the possibility that they will hold the December 13, 2018, Regular Meeting if necessary.

10. ITEMS FROM STAFF

A. Potential Future Agenda Items

Supervisor Mallett reviewed the status of Potential Future Agenda Items and requested the Committee Members provide input.

Committee Members added the Annual Work Plan to their November 8, 2018, meeting.

11. ITEMS FROM COMMITTEE MEMBERS

None

12. ADJOURNMENT

IT WAS MOVED BY COMMITTEE MEMBER ZIDRON, SECONDED BY VICE CHAIR CAMPOPIANO AND UNANIMOUSLY CARRIED to adjourn the meeting at 9:07 p.m. to next CAC meeting to be held on November 8, 2018, at 6:30 p.m. in the Ole Hanson Fireside Room at the Community Center, 100 N. Seville, San Clemente, CA.

Respectfully submitted,

Susan Ambrose, Chair

Attest:

Cynthia Mallett, Environmental Programs Supervisor



Memorandum Utilities

December 13, 2018

To: Coastal Advisory Committee
 From: Danna McIntosh, Environmental Services Coordinator
 Subject: **Ordinance to Amend Chapter 8.28 Solid Waste Management of the San Clemente Municipal Code**
 Copies: Dave Rebensdorf, Utilities Director
 Cynthia Mallett, Environmental Programs Supervisor

This memo presents information about a proposed Ordinance to amend Municipal Code Chapter 8.28 titled Solid Waste Management to require applicable businesses to comply with mandatory commercial recycling (AB 341) and mandatory organics recycling (AB1826).

Background

Municipalities are required to comply with waste diversion laws adopted by the State legislature and administered by the California Department of Resources Recycling and Recovery (CalRecycle). In order to comply with two State diversion mandates, it is recommended that the City of San Clemente adopt an ordinance that amends Municipal Code Chapter 8.28 - Solid Waste Management.

CalRecycle administers and provides oversight for all of California's State-managed non-hazardous waste handling and recycling programs and introduces bills to the State Legislature. Legislation that is adopted periodically requires municipalities to enforce regulations on entities and residents within their jurisdiction.

On July 1, 2012, Assembly Bill 341 Solid Waste: diversion (AB 341, Chesbro) required commercial businesses and multifamily dwelling complexes consisting of five units or more that generate four cubic yards of solid waste or more to arrange for recycling services for materials such as paper, plastic and metal. Assembly Bill 1826 Solid waste: organic waste (AB 1826, Chesbro) was enacted January 1, 2015 and uses a phased-in approach over several years that trigger specific requirements for businesses and multifamily complexes to arrange for recycling services for organic waste based on how much waste they generate per week. Organic waste is defined in the Public Resources Code as "food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste."

Under AB 1826, beginning January 1, 2019, all businesses and multifamily complexes consisting of five units or more that generate four cubic yards or more of commercial solid waste per week will be required to arrange for organic waste recycling services. This will apply to all restaurants in the City (approximately 250) as well as other businesses including commercial, industrial, public entities such as schools and government facilities, stores, nonprofit organizations and multifamily complexes as defined above. Multifamily complexes consisting of four units or less are not required to comply with AB 1826.

Discussion

Educating applicable businesses about these State mandates is vital in order for the businesses to implement required diversion programs. City staff collaborates with CR&R, the City's franchise solid waste hauler, to inform businesses when mandates apply to them. Since adoption of these two State mandates, CR&R works with commercial accounts to assist them with setting-up diversion programs when specific waste-generation thresholds are met. In November 2018, the City mailed a letter to remind all businesses impacted by the mandates to inform them of the mandate requirements. Some businesses have been compliant and implemented diversion programs to address both AB 1826 and AB 341, while others have not. City staff and CR&R will continue to work together to provide resource assistance to implement diversion programs to meet the mandates.

Following are the two key changes within Chapter 8.28:

- Definitions
Inserted definitions for "Business" and "Organic waste".
- 8.28.050 - Arrangements for Solid Waste Collection and Disposal.
Inserted bulleted items that specify the thresholds of waste-generated and the programs for which the businesses need to implement (recycling and organic waste).

State regulators require that municipalities adopt ordinances to allow for enforcement of State mandates. If CalRecycle finds that, based on past performance, a jurisdiction is not committed to reducing its waste, implementing its solid waste planning documents, or complying with the State mandates, then per PRC 41825 (including proper noticing and a public hearing), CalRecycle may order a specific schedule for achieving compliance. A jurisdiction which fails to comply with a CalRecycle compliance order may be fined up to \$10,000 per day until it implements its Source Reduction and Recycling Element and Household Hazardous Waste Element programs. The actual amount of a fine, the timing of a fine, and the conditions for avoiding a fine, are set at CalRecycle's discretion.

City administrative fines for violators will follow the protocol as set forth in San Clemente Municipal Code Chapter Section 1.20.070 Administrative fine. Administrative fines shall not exceed one hundred dollars (\$100.00) for a first

violation, two hundred dollars (\$200.00) for a second violation of the same municipal ordinance violation within one (1) year, and five hundred dollars (\$500.00) for each additional violation of the same municipal ordinance violation within one (1) year.

These mandated programs will assist the City in achieving its State mandated goal to divert 75% of waste material from the landfill by 2020. Thus, City staff is requesting the City Council adopt an Ordinance to amend Chapter 8.28 Solid Waste Management so the City will be in compliance with the State mandate.

Recommendation

Staff recommends that the CAC recommend to the City Council to adopt the proposed Ordinance titled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 8.28 SOLID WASTE MANAGEMENT TO REQUIRE APPLICABLE BUSINESSES TO COMPLY WITH MANDATORY COMMERCIAL RECYCLING (AB-341) AND MANDATORY ORGANICS RECYCLING (AB-1826).”

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING
CHAPTER 8.28 ("HEALTH AND SAFETY – SOLID WASTE MANAGEMENT") OF
"THE CODE OF THE CITY OF SAN CLEMENTE, CALIFORNIA" TO INCORPORATE
NEW STATE MANDATES, CITY RULES AND REGULATIONS**

WHEREAS, AB 341 (Chesbro) was enacted by the California Legislature making it a policy goal of the State to divert 75 percent of solid waste away from landfills by 2020 through source reduction, recycling and composting; and

WHEREAS, AB 341 requires, among other things, that cities implement commercial waste recycling programs designed to divert commercial waste from businesses; and

WHEREAS, AB 341 further requires that a business that generates more than four cubic yards of commercial solid waste per week or is a multifamily residential dwelling of five units or more shall arrange for recycling services, consistent with state or local laws or requirements; and

WHEREAS, AB 1826 (Chesbro) was enacted by the California Legislature requiring a business that generates more than four cubic yards of commercial solid waste per week, including multifamily residential, to arrange for recycling services specifically for organic waste; and

WHEREAS, the City hereby amends its commercial waste and recycling program to implement the requirements of AB 341 and AB 1826.

NOW, THEREFORE, the City Council of the City of San Clemente, California, hereby ordains as follows:

Section 1: Chapter 8.28 of the Code of the City of San Clemente is hereby amended to read in its entirety as follows:

Chapter 8.28 - SOLID WASTE MANAGEMENT^[2]

8.28.005 - Purpose and Intent.

- A. The purpose and intent of this chapter is to regulate solid waste handling in order to protect public health, safety, and welfare and to meet the City's obligation under the California Integrated Waste Management Act of 1989 (Public Resources Code Sections §§40000 et seq) (hereinafter "AB 939").
- B. The City is obligated by AB 939 to implement plans for solid waste source reduction, reuse, and recycling to meet specified achievement milestones.

- C. Pursuant to the California Constitution, the City is authorized to enact ordinances to protect public health, safety, and welfare. Pursuant to Public Resources Code Section 40059, aspects of solid waste handling of local concern include, but are not limited to, the frequency of collection, means of collection and transportation, level of service, charges and fees, whether solid waste services are to be provided by means of non-exclusive, partially exclusive, or wholly exclusive franchise, contract, license or permit, and the terms and conditions of such franchise, license or permit.
- D. To enable the City to comply with AB 939 and to better control the solid waste handling services within the City, the City deems it necessary to grant one solid waste enterprise the right to provide exclusive solid waste handling services within the City as provided in this chapter.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.010 - Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

"AB 939" means the California Integrated Waste Management Act of 1989, codified in part in Public Resources Code Section 40000 et seq., as amended, and as implemented by the regulations of the California Department of Resources Recycling and Recovery, or its successor.

"Bin" or "Bins" shall mean dumpsters, roll-off/drop-off boxes, compactors, and any similar such devices provided to any customer for residential, multifamily, and commercial solid waste handling services, for recurring or temporary bin/rolloff services; provided, however, the term "bins" does not include completely enclosed storage containers which are not used for solid waste handling services, but does include temporary roll-off/drop-off bins even if such bins are not used for solid waste handling services.

"Bulky items" shall mean that solid waste which cannot be and/or would not typically be accommodated within a container and include, without limitation, refrigerators or other appliances, furniture, machinery or pails thereof, mattresses, rugs, water heaters, 30 gallon trash bags and other items which, due to their size, are typically handled by a two or more person crew.

"Business" means a commercial entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or non-profit entity, or a multi-family residential dwelling.

"Container" or "containers" shall mean the containers, other than bins, distributed by a franchise hauler for the weekly collection of solid waste, including recyclable material, and which are designed for pick-up by an automated process (as opposed to a manual process) of lifting and dumping.

"Customer" shall mean any person or entity receiving solid waste handling services from a solid waste enterprise, including recyclable material collection services and/or temporary bin/rolloff services, within the city.

"Franchise hauler" shall mean any solid waste enterprise with which the City enters an exclusive or non-exclusive franchise agreement to provide solid waste handling services within the City.

"Organic waste" shall mean food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-spoiled paper waste that is mixed in with food waste.

"Recyclable materials" shall mean all garbage, trash, refuse, construction and demolition debris, and any other solid waste discarded within the City limits, which is capable of being recycled, whether generated from or at residential or commercial premises, or otherwise.

"Solid waste" shall mean and include all discarded putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, rubbish, construction waste, demolition debris, industrial waste, green and organic waste, commercial solid waste, bulky items, and any other discarded solid, semisolid, and liquid waste permitted to be disposed of at a Class III landfill and which is included within the definition of "Nonhazardous Solid Waste" set forth in the California Code of Regulations, as amended.

"Solid waste enterprise" shall mean any individual, partnership, joint venture, unincorporated private organization, or private corporation regularly engaged in the business of providing solid waste handling services.

"Solid waste handling services" shall mean the collection, transportation, storage, transfer, disposal or processing of solid waste.

"Temporary bin/roll-off service" shall mean on call solid waste handling services provided on an as needed and temporary basis by use of temporarily placed bins, regardless of whether or not such bins are actually placed upon any street or property within the City or left attached to the vehicle used to transport such bins.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.020 - Required Use of Bins and Containers—Overflows Prohibited.

- A. Minimum Requirements. The City Manager, or designee, shall have the authority to establish, on a case by case basis, a minimum bin or container requirement for both refuse and recyclable material.
- B. Placement of Solid Waste. Unlawful depositing of solid waste on public or private property. Every customer receiving solid waste handling services within the City shall place all solid waste intended for collection in containers or bins supplied for that purpose by the City or the franchise hauler.

It shall be unlawful to place, deposit, abandon, or dump, or caused to be placed, deposited, abandoned or dumped, any solid waste, or other waste material not meeting the definition of solid waste, in or up on any public highway, road or alley, including any portion of the right-of-way thereof, or upon any public beach, public park, the City pier, or any other public property owned, operated or maintained by the City, or upon any private property in the City except: (i) in a bin or container, for the purpose of being collected and disposed by the City or the franchise hauler, in accordance with the provisions of this Code; or (ii) in a private receptacle, in cases where a person or entity is appropriately providing for its own solid waste collection and disposal without the use of a solid waste enterprise.

- C. Overflows Prohibited. No customer shall cause or permit any container or bin to be overfilled. For purposes of this section, overfilled shall mean filled or loaded in such a manner so as to prohibit the lid of the container or bin from closing completely. Every customer shall be responsible for placing solid waste, including recyclable materials, in the appropriate container(s) or bin(s) and placing the container(s) or bin(s) at the location required under Section 8.28.040 of this chapter for collection. No customer shall cause or allow solid waste, including recyclable materials, to be stored for collection in any location other than inside a completely closed container or bin.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.021 - Exception—Bulky Items.

Notwithstanding Section 8.28.020.B, bulky items need not be kept, stored, or placed for collection in containers or bins.

In addition to the foregoing, it shall be unlawful for any owner, tenant, or occupant of property within the City to allow any bulky items to be placed, deposited, abandoned, dumped, or maintained on any public or private street, alley, sidewalk, or right-of-way adjacent to said person's property or on any portion of said person's property that is visible from any public or private street, alley, sidewalk, or right-of-way, excepting only that it shall be permissible to place or deposit said bulky items for a scheduled collection in the locations and at the times authorized pursuant to Section 8.28.040.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.040 - Containers—Placement for Collection—Restrictions on Storage; Penalty for Violations.

Customers shall place containers and all bulky items for which a scheduled collection has been arranged adjacent to the curb along the street in front of their premises or, if no curb exists, either adjacent to the main traveled portion of the street fronting their premises or in the alley in the rear of the property. Notwithstanding the above, any customer receiving solid waste handling services at a premises having a rear exit onto an alley which has access to streets at each end thereof, shall place containers and all bulky items for which a scheduled collection has been arranged in such alleys. All containers used by and/or for a customer and all bulky items placed in connection with a scheduled collection shall be grouped together when placed in the appropriate collection location and shall be placed out for collection no earlier than 5:00 p.m. of the day prior to the day fixed for collection. Within 24 hours after collection has been made, all containers and any uncollected solid waste (including bulky items) shall be removed by each customer (or, as to bulky items, the owner, tenant, or occupant of the property) from the place of pick up and placed upon the customer's property so containers are substantially hidden from view from any public street or alley. "Substantially hidden" means that each container or bin must at minimum be placed behind a permanent wall, fence or similar structure that is not less than the height of the bin or container.

At the City's discretion, the first violation of any provision of Sections 8.28.040 and 8.28.020—8.28.052 of this Chapter 8.28 may be addressed by placement (by the City or its agent) of a written warning sticker on the container or bulky item, as applicable, and/or by mailing a written warning notice to the property owner (as identified on the County Assessor's records) informing the customer, property owner, tenant, or occupant, as applicable, of the nature of the violation and of said person's responsibility to ensure that his or her property (and, if applicable, the adjacent public or private street, alley, sidewalk, and right-of-way) is maintained in a manner consistent with this chapter, and of the penalty for failing to do so in the future; provided, however, that the City may elect to prosecute violations of this chapter without first issuing such a warning notice. Every violation of Sections 8.28.040 and 8.28.020-8.28.052 of this Chapter 8.28 shall result in the issuance of a citation to the customer and/or to the property owner, tenant, or occupant, as applicable. The first citable offense shall be punishable by a fine not to exceed one hundred dollars (\$100.00); the second citable offense, if committed within six months of the first offense, shall be punishable by a fine not to exceed two hundred dollars (\$200.00); and all additional offenses committed within six months of any previous offense shall be punishable by a fine not to exceed five hundred dollars (\$500.00).

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.041 - Exemptions from Container Storage Requirements.

Any customer or property owner who believes he or she cannot reasonably satisfy the post-collection container placement requirements contained in the preceding Section 8.28.040 may request an exemption from the Utilities Director, or designee, by submitting to the Utilities Director a written request specifying the reasons he or she believes an exemption from the post-collection placement requirements is necessary. Upon review of the request, the Utilities Director may grant the exemption if he or she determines that, due to factors including, but not limited to, the existing physical layout of the applicant's property or the property's topography, it is physically impossible to satisfy the above post-collection container placement requirements or that to do so would cost in excess of one thousand dollars (\$1,000.00).

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.050 - Arrangements for Solid Waste Collection and Disposal.

- A. The owner, occupant or person in control of every premises in the City shall cause solid waste generated or accumulated on such premises to be collected and lawfully disposed by the City or the franchise hauler or by his or her own efforts.
- B. A business that generates more than four cubic yards of commercial solid waste per week or is a multifamily residential dwelling of five units or more shall arrange for recycling services.
- C. A business that generates more than four cubic yards of commercial solid waste per week, or upon a determination by the California Department of Resources Recycling and Recovery that such amount shall be reduced to two cubic yards per week, shall arrange for recycling services specifically for organic waste.

- D. Transfer of solid waste from premises to premises is not allowed except when the same person manages at least one valid trash service account between which solid waste will be transferred. Any person found in violation may be required to pay for trash service at all premises for which person is associated.
- E. Rate Structure. The rates charged by the exclusive franchise hauler for the solid waste handling services shall be as set forth in the schedule of rates and charges which shall be mutually agreed upon by the City and the exclusive franchise hauler in the exclusive solid waste handling services contract.
- F. Rate Increases. Annual rate increases may be granted as set forth in the exclusive solid waste handling services contract between the City and the exclusive franchise hauler. In the event of an annual increase, the City's Solid Waste Coordinator shall annually publish a revised schedule of rates and charges for solid waste handling services.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.051 - Unauthorized Bins and Containers.

No person other than the City or the franchise hauler shall deposit, place, or leave standing a bin or container on any property or street within the City for the purpose of providing solid waste handling services, regardless of whether or not such bins are actually placed upon any street or property within the City or left attached to the vehicle used to transport such bins, except as follows:

- A. The collection, transportation, recycling, and disposal of any solid waste which is transported to an appropriate disposal facility by an occupant of the premises upon which the solid waste was generated (but not including any agent, representative or contractor of such occupant).
- B. The collection, transportation, recycling, and disposal of any waste material which is transported to an appropriate disposal facility by an officer or full time permanent employee of the commercial, construction or industrial enterprise that generated the waste (but not including any independent contractor, non-employee agent or representative, or other contractor of such enterprise).
- C. The sale or donation of source separated recyclable material by the person or entity that generated such recyclable material (the "Generator") to any person or entity other than the City or the franchise hauler, provided that to the extent permitted by law, if the Generator is required to pay monetary consideration for the collection, transportation, transfer, processing of recyclable material, the fact that the Generator receives a reduction or discount in price (or in other terms of the consideration the Generator is required to pay) shall not be considered a sale or donation.
- D. The collection, transportation or disposal of clippings, cuttings, yard waste and related solid waste by a gardener, or landscaper, as part of the gardening or landscaping services provided to its customers, provided that such waste is taken to a legal place of composting, diversion or disposal and was generated in the course of providing the above-noted services.
- E. Use of special water-tight bins specifically designed for concrete wash out, providing such bins are used only for actual concrete wash out and not to collect or transport broken up dried concrete or other debris or solid waste.
- F. Non-Profit Charities. Non-profit charities registered with the attorney general of the state periodically accepting donations of recyclables may transport the recyclables, provided that the charity transport the recyclables to a recycling facility and that charity volunteers and employees comply with the provisions of this chapter and with any other governing laws.
- G. For transport only, any person may haul solid waste generated and collected in other jurisdictions over City streets provided they comply with the provisions of this chapter and with any other governing laws, and provided further that they do not engage in any solid waste handling services within the City.
- H. Document Destruction Companies. Companies whose primary purpose is the destruction of documents/records that, incidental to this purpose, collect paper and deliver such paper, after shredding/destruction, to a recycling facility, are not required to obtain a solid waste and recycling permit to transfer and recycle this material.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.052 - Enforcement Authority, Impounding of Solid Waste Containers; Remedies.

- A. Authority. The City Manager, or designee, shall have the authority to enforce the provisions of this chapter. This authority shall be in addition to the authority granted to police officers pursuant to the Code.
- B. Impounding of containers. If a solid waste container is not properly identified as belonging to a City-approved solid waste collector, or if the terms of the permit, the franchise agreement, or of this chapter are not complied with, then the solid waste container may be subject to removal and impound by order of the City Manager, or designee, pursuant to Section 8.28.053.
- C. Administrative remedies. Notwithstanding other enforcement options provided by the Code, any person who violates this chapter shall be subject to an Administrative Citation per Chapters 1.20 and 1.22 of the City Code.
- D. Civil remedies. Nothing in this chapter shall be deemed to limit the right of a City franchisee or the City to bring a civil action against any person who violates this chapter, nor shall a conviction for such violation exempt any person from a civil action brought by a City franchisee or the City.
- E. Responsible parties subject to compliance with this chapter, and enforcement remedies herein, include persons providing illegal containers, persons who have contracted for illegal containers, and owners of property in which the illegal container is intended to serve.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.053 - Removal of Unauthorized Bins and Containers on Public Property.

The Utilities Director, or designee, or the franchise hauler acting as the agent of the City, may cause the posting of a notice to remove in a conspicuous place on any bin or container deposited, placed or left on any public property within the City in violation of this chapter. Any such notice shall specify the nature of the violation, and shall state that the bin or container must be removed within 24 hours or it may be removed and stored by the City or the franchise hauler, and the contents disposed of, at the expense of the owner. The posting of a notice to remove shall constitute constructive notice to the owner and the user of the requirement to remove the container.

Subject to the following paragraph, if the container is not removed within 24 hours after the notice to remove is posted, the Utilities Director may remove or direct the franchise hauler to remove and store the bin or container and dispose of its contents. The owner of the bin or container shall be responsible to reimburse the City or the franchise hauler (as applicable) for the actual cost of the removal, storage, and disposal, and all amounts due shall be paid before the bin or container may be returned to the owner. Such amounts shall constitute a debt owed by the owner to the City or the franchise hauler (as applicable) and the owner shall be liable to the City or the franchise hauler in an action brought by the City and/or the franchise hauler for the recovery of such amounts.

If the identity of the owner of a bin or container that has been removed pursuant to this section is known to the City or the franchise hauler, the City or the franchise hauler shall promptly cause notice to be mailed to the owner to claim the stored property. If the bin or container is not claimed within 45 days after removal and notice to the owner, or 30 days after removal if the identity of the owner is unknown to the City or the franchise hauler, the bin or container shall be deemed abandoned property and may be disposed of accordingly.

After a bin or container has once been removed by the City or the franchise hauler pursuant to a notice to remove posted in accordance with this section, the owner thereof shall be deemed to have actual notice of the provisions of this chapter, including the prohibition against the deposit, placement, or leaving of unauthorized bins or containers on property in the City. In the event of a subsequent deposit, placement or leaving of a bin or container owned by the same owners, or an affiliate of the owner, on public property within the City, the Utilities Director may immediately, without posting of a notice to remove, remove or direct the franchise hauler to remove and store the unlawfully placed bin or container without the

requirement that a notice be posted on the bin or container. All other portions of this section shall continue to apply.

Notwithstanding any other provisions of this chapter to the contrary, the Utilities Director is authorized to direct the immediate removal by the City or the franchise hauler, without notice, of any bin or container placed on public property within the City in violation of this chapter where the owner of the bin or container is unidentified and cannot be ascertained by an inspection of the bin or container.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.060 - Permissible Collection Hours.

It shall be unlawful to provide solid waste handling services in areas of the City zoned for residential use between the hours of 7:00 p.m. to 7:00 a.m. It shall be unlawful to provide solid waste handling services in areas of the City zoned for other than residential use between the hours of 7:00 p.m. to 6:00 a.m.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.070 - Construction of Enclosures.

As a condition for the issuance of building permits and certificates of occupancy for the construction of any new residential or commercial structures, except for single-family residences, the applicant shall be required to construct a paved trash enclosure. Said enclosure shall be large enough to house the containers and bins required for use by customers subject to this chapter. The trash enclosure shall conform to all height and setback requirements of the zoning district in which it is located and shall be subject to approval of the Building and Planning Department as to its location and design. The purpose of this enclosure shall be to screen containers or bins from public view between collection dates. Once constructed, trash enclosures shall be used and maintained in good condition.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.080 - Burning of Garbage, Fertilizer, etc.

No person shall burn, nor allow to be burned, fertilizer, solid waste, or other waste material not meeting the definition of solid waste, in the City.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.100 - Building Contractors to Leave Areas Clean.

All owners, contractors and other builders of structures shall, upon the completion of any such structure, gather up and haul away, either through their own efforts or through the use of a solid waste enterprise lawfully operating within the City, at their sole cost and expense, all solid waste of every nature, description or kind, which has resulted from the building of such structure, including all scraps of lumber, shingles, plaster, brick, stone, concrete and other building material, and shall place the lot and all nearby premises utilized in such construction in a sightly condition. During the course of construction, all solid waste accumulated or generated on the site shall be placed, kept and stored for collection and disposal in containers, bins or private receptacles on the construction site. All adjacent streets and properties shall be kept free of trash from the job site at all times.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.110 - Accumulation of Garbage, etc., Declared Nuisance.

The accumulation of solid waste by any person beyond the period of one week or in any manner other than as specified in this article and Chapter 8.76 of this Code is declared to be a nuisance pursuant to Government Code Section 38771. The City Council, pursuant to Government Code Section 38773 shall, by separate ordinance, provide for the summary abatement of such nuisances.

(Ord. No. 1642 , § 1, 7-18-2017)

8.28.120 - Unsanitary Conditions; Duty to Remove and Abate Unsanitary, Unhealthful Substances.

The owner, occupant and/or person in control of every premises in the City shall maintain covers on all containers, bins, or private receptacles utilized to collect or store solid waste on their premises, to keep the same in a sanitary, healthful condition and to keep the area directly around the container, bins or private receptacles in a clean, and sanitary manner. In the event containers, bins, receptacles or the collection area of any premises are determined to be in an unhealthful, or unsanitary condition by the Utilities Director, a notice to clean in accordance with Chapter 8.76 of this Code shall be issued to the owner, occupant or person in control of the premises.

(Ord. No. 1642 , § 1, 7-18-2017) 8.28.130 - Violations as Infraction.

Notwithstanding, and not as a means of limiting, any other remedies available to the City and/or the franchise hauler pursuant to this chapter, any violation of this chapter shall be deemed to be an infraction and is punishable as such according to provisions of this code and state law.

(Ord. No. 1642 , § 1, 7-18-2017)

Section 2: The City Clerk shall certify to the passage of this ordinance and cause the same to be published as required by law, and the same shall take effect as provided by law.

APPROVED AND ADOPTED this _____ day of _____, _____.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF SAN CLEMENTE)

I, **JOANNE BAADE**, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. _____ having been regularly introduced at the meeting of _____, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the ____ day of _____, _____, and said ordinance was adopted by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this ____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

APPROVED AS TO FORM:

CITY ATTORNEY



Memorandum Utilities

December 13, 2018

To: Coastal Advisory Committee
From: Cynthia Mallett, Environmental Programs Supervisor
Subject: **Ordinances to Amend Chapter 12.16 Excavations and Obstructions and Chapter 13.40 Stormwater Runoff Control Municipal Code**
Copies: Dave Rebensdorf, Utilities Director

This memo presents information about proposed Ordinances to amend Municipal Code Chapters 12.16 titled Excavations and Obstructions and 13.40 titled Stormwater Runoff Control to specify that irrigation runoff is a prohibited discharge under the National Pollutant Discharge Elimination Permit (NPDES) Municipal Separate Sewer System Permit (MS4 Permit).

Background

The 2013 National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Permit (MS4 Permit) prohibits several non-stormwater discharges including discharges from landscape irrigation, irrigation water, and lawn watering. In order to comply with this Permit prohibition, staff is introducing an ordinance to amend two San Clemente Municipal Code Chapters.

Municipal stormwater permits are required by the Federal Clean Water Act, which regulates municipal discharges of stormwater to waters of the United States. Permits are administered by the State of California through regional water quality control boards. The City operates a municipal separate storm sewer system (MS4) that consists of City streets, gutters, culverts, and a storm drain system that can discharge stormwater to federal and state waters. Therefore, the City is required to obtain a permit under the National Pollutant Discharge Elimination System (NPDES), often referred to as a MS4 permit. The City is governed by a region-wide MS4 permit issued by the San Diego Regional Water Quality Control Board (RWQCB) in 2013, and amended in 2015 to include South Orange County cities. The City is subject to the permit's low impact development, hydromodification and other stormwater requirements regulating public and private development projects, as well as existing development best management practices to prevent polluted runoff.

Discussion

On June 19, 2018, the South Orange County copermittees, including the City of San Clemente, received approval of their Water Quality Improvement Plan (WQIP), a requirement by the 2013 MS4 Permit. The WQIP identifies the highest priority water quality issues in South Orange County and the City. The plan was developed through a collaborative effort between the County of Orange, South Orange County cities, and other key stakeholders. The plan includes descriptions of the highest priority pollutants or conditions in the City's watersheds, goals and strategies to address those pollutants, and time schedules for those goals and strategies. The approval of the WQIP by the RWQCB is significant as the City is deemed to be in compliance with the requirements of the MS4 Permit while it implements the goals and strategies over the approved time schedules.

Despite approval of the WQIP, the RWQCB issued a notice of violation (NOV) on June 20, 2018 to the south Orange County copermittees alleging that the County of Orange and the South Orange County cities' water quality ordinances were inadequate to prohibit irrigation and lawn watering from entering the City's storm drain system. In January 2018, the Regional Board conducted an informal desk-top audit of the copermittees' websites and ordinances and concluded that all of the ordinances allowed irrigation water to be discharged from private property.

Several south Orange County cities sent letters to the RWQCB objecting to the NOV and requesting that the NOV be rescinded based on ordinance revisions adopted by their City Council and webpage updates. The RWQCB has rescinded the NOV for those cities that have adopted ordinance revisions and updated their websites. If the City Council adopts the proposed ordinance, staff will submit a letter to the RWQCB requesting the NOV specific to the City of San Clemente be rescinded.

To avoid any ambiguity regarding enforcement of the City's Stormwater Runoff Control Ordinance, the City Attorney has recommended amendments to two chapters of the San Clemente Municipal Code.

1. Chapter 12.16 titled Excavations and Obstructions and specifically 12.16.080 titled Control of irrigation and stormwater, states that no person shall allow or permit any irrigation water (except from lawns) to run over the surface of any sidewalk and into the storm drainage system. This section is recommended for removal due to irrigation runoff from lawns being exempt which is not allowed under the current MS4 Permit.
2. Chapter 13.40 Stormwater Runoff Control is proposed to be amended to make it clear that irrigation runoff to the storm drainage system is prohibited. Specifically Chapter Section 13.40.040 – Illicit connections and prohibited discharges is proposed to be amended by adding the following item under 13.40.040 A.5.(a): Discharges from landscape irrigation, irrigation water, and lawn watering. Additionally, revisions of Chapter 13.40 are recommended to

better align with certain MS4 permit requirements and the WQIP, thus the recommendation to replace Chapter 13.40 in its entirety.

The City must comply with all of the provisions of the NPDES MS4 Permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Administrative penalties for violating provisions of the NPDES MS4 Permit are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount not to exceed \$125,000.

City administrative fines for violators will follow the protocol as set forth in San Clemente Municipal Code Chapter Section 1.20.070 Administrative fine. Administrative fines shall not exceed one hundred dollars (\$100.00) for a first violation, two hundred dollars (\$200.00) for a second violation of the same municipal ordinance violation within one (1) year, and five hundred dollars (\$500.00) for each additional violation of the same municipal ordinance violation within one (1) year.

Recommendation

Staff recommends that the CAC recommend to the City Council to adopt the proposed Ordinance titled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING THE SAN CLEMENTE MUNICIPAL CODE CHAPTER 12.16 AND 13.40 REGARDING STORMWATER QUALITY TO ENSURE COMPLIANCE WITH THE CITY'S NPDES MS4 PERMIT AND WATER QUALITY IMPROVEMENT PLAN.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SAN CLEMENTE, CALIFORNIA, DELETING
CHAPTER 12.16.080 CONTROL OF IRRIGATION AND STORMWATER AND
AMENDING CHAPTER 13.40 STORMWATER RUNOFF CONTROL OF "THE CODE
OF THE CITY OF SAN CLEMENTE, CALIFORNIA" TO COMPLY WITH THE NPDES
MS4 PERMIT TO PROHIBIT IRRIGATION RUNOFF**

WHEREAS, on December 7, 2010, the City of San Clemente ("City") first adopted Ordinance No. 1530 regarding stormwater management and urban runoff (" Stormwater Runoff Control Ordinance") to comply with San Diego Regional Water Quality Control Board ("Regional Board") Order No. R9-2002- 0001, Waste Discharge Requirements for Discharges of Runoff from the Municipal Separate Storm Sewer Systems (" MS4s") Draining the Watershed of the County of Orange, the Incorporated Cities of Orange County, and The Orange County Flood Control District Within the San Diego Region ("Permit"); and

WHEREAS, on December 16, 2009, the Regional Water Board reissued the Permit (Order No. R9-2009- 0002) with more stringent state, requirements governing stormwater management and urban runoff; and

WHEREAS, on May 8, 2013, the Regional Water Board adopted a regional MS4 Permit (Order No. R9-2013- 0001) that applied to portions of Orange County, including the City, as well as San Diego County and portions of Riverside County, and the Regional Board formally enrolled the City in the regional Permit on February 11, 2015 (Order No. R9-2015- 0001); and

WHEREAS, on June 20, 2018, the Regional Board approved the City's Water Quality Improvement Plan, as required by the Permit, which commits the City to certain stormwater program requirements as a condition of being deemed in compliance with the Permit; and

WHEREAS, the City has determined that certain additional amendments to its Water Quality Ordinance are necessary to address the City's Water Quality Improvement Plan (WQIP) and the City' s ability to impose the implementation of best management practices and to clarify the City's legal authority to implement the Permit; and

NOW, THEREFORE, the City Council of the City of San Clemente, California, hereby ordains as follows:

Section 1: Chapter Section 12.16.080 Control of irrigation and stormwater is hereby removed:

- **12.16.080 - Control of irrigation and stormwater.**

No person shall allow or permit any irrigation water (except from lawns), stormwater drained from buildings or water drained from swimming pools to run upon or over the surface of any sidewalk in the City, or upon or into the roadway of any street therein except in the gutters thereof, or properly controlled channels which may be approved at the discretion of the Street Superintendent.

Section 2: Chapter 13.40 of the Code of the City of San Clemente is hereby replaced in its entirety.

Chapter 13.40 - STORMWATER RUNOFF CONTROL

13.40.010 - Authority.

The Clean Water Act (33 USC Section 1251 et seq., as amended, including Section 402(p) therein) and the Porter-Cologne Water Quality Control Act (Cal. Water Code § 13000 et seq., as amended) mandate, in part, that municipalities operating municipal separate storm sewer systems obtain permits to effectively prohibit non-stormwater discharges into the city's storm sewers and to reduce the discharge of pollutants. The United States Environmental Protection Agency has authorized the State of California through the State Water Resources Control Board and its regional water quality control boards to control non-point source and point source discharges to California's waterways. The San Diego Regional Water Quality Control Board addresses the obligation to implement the Clean Water Act by periodically issuing combined National Pollutant Discharge Elimination System (NPDES) permits and Waste Discharge Requirements (WDRs) to the County of Orange, Orange County Flood Control District, and the incorporated cities of Orange County within its jurisdiction. The City of San Clemente is named as a co-permittee under this combined NPDES permit and WDRs and must comply with the requirements set forth therein.

Pursuant to Article XI, Section 7 of the California Constitution, which authorizes the city to exercise the police power of the state by adopting regulations promoting the public health, public safety and general prosperity, and in compliance with the conditions of the City's NPDES permit, there is hereby adopted a water quality ordinance.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.020 - Purpose and intent.

The purpose of this chapter is to protect health and safety, and promote the welfare of the community by:

Effectively prohibiting non-stormwater discharges into the stormwater drainage system.

Reducing pollutants in surface runoff, including those pollutants contained in stormwater as it flows over City streets.

Establishing minimum requirements for surface runoff management, including source control requirements to prevent and reduce pollution, and requirements for development and redevelopment projects.

The intent of this chapter is to protect and enhance the water quality of receiving waters in a manner pursuant to and consistent with the Clean Water Act and Porter-Cologne.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.030 - Definitions.

For purposes of this chapter, the following words and phrases have the meanings ascribed to them by this section. Words and phrases not ascribed a meaning by this section have the meanings ascribed by the regulations implementing the National Pollutant Discharge Elimination System, Clean Water Act Section 402, and Division 7 of the California Water Code, as amended, if defined therein, and if not, to the definitions in any applicable permit or order issued by the Regional Board, as amended.

"Accelerated erosion" means the rate and amount of erosion caused by development activities that exceeds the natural processes by which the surface of the land is worn away. Erosion includes the movement or loss of soil by the action of water, wind, or chemicals.

"Authorized enforcement staff" means any City employee assigned to duties involving permits and other City approvals, inspections, and enforcement related to this chapter.

"Basin Plan" means the "Water Quality Control Plan for the San Diego Basin" adopted by the Regional Board in September 1994, as amended.

"City" means the City of San Clemente, Orange County, California.

"Clean Water Act" means the federal statute (33 USC Section 1251 et seq., as amended, including Section 402(p) therein) requiring municipal and industrial dischargers to obtain NPDES permits for their discharges of stormwater into waters of the United States.

"DAMP" means the Orange County Drainage Area Management Plan, including all appendices, as amended.

"Department" means the City's Utilities Department.

"Development project" means construction, rehabilitation, redevelopment, or reconstruction of any public or private projects.

"Development project guidance" means Chapter VII of the DAMP and the Water Quality Management Plan requirements, as amended.

"Director" means the Director of the City's Utilities Department, or designee.

"Discharge" means any release, spill, leak, pump, flow, escape, leaching (including subsurface migration or deposition to groundwater), dumping, or disposal of any liquid, semi-solid, or solid substance.

"Enforcement Response Plan" means the plan in the JRMP that describes the applicable approaches and options to enforce the City's legal authority to achieve compliance with the requirements of its NPDES permit.

"Enforcing attorney" means the City Attorney, acting as counsel to the City, or designee, or the District Attorney, which counsel is authorized to take enforcement action as described herein.

"Environmentally sensitive area (ESA)" means areas that include, but are not limited to, all Clean Water Act Section 303(d) impaired water bodies; areas designated as Areas of Special Biological Significance by the State Water Resources Control Board or the Regional Water Quality Control Board ; State Water Quality Protected Areas; water bodies designated with the RARE beneficial use by the State Water Resources Control Board; areas designated as preserves or their equivalent under the Natural Communities Conservation Program within Orange County; and any other equivalent environmentally sensitive areas which have been identified by the City.

"EPA" means the United States Environmental Protection Agency.

"Illicit connection" means any manmade conveyance or drainage system, pipeline, conduit, inlet or outlet through which the discharge of any pollutant to the stormwater drainage system occurs or may occur,

other than discharges that comply with the requirements of this chapter. The term "illicit connection" shall not include legal nonconforming connections or connections to the stormwater drainage system that are hereinafter authorized by the agency with jurisdiction over the system at the location at which the connection is made.

"Impaired water body" means a water body that is listed by the California State Water Resources Control Board as impaired by a particular pollutant or pollutants pursuant to Section 303(d) of the Clean Water Act.

"Impervious surface area" means the ground area covered or sheltered by an impervious surface, measured in plain view (i.e., as if directly above). For example, the "impervious surface area" for a pitched roof is equal to the ground area it shelters, rather than the surface area of the roof itself.

"Impervious surfaces or covers" means a constructed or modified surface that cannot effectively infiltrate rainfall. The term includes, but is not limited to, building rooftops, pavement, sidewalks, and driveways.

"Invoice for costs" means the actual costs and expenses of the City, including, but not limited to, administrative overhead, salaries, and other expenses recoverable under state law; incurred during any inspection, enforcement, and/or cleanup action conducted pursuant to this chapter; or where an administrative citation, notice of noncompliance, administrative compliance order, or other enforcement option under this chapter is utilized to obtain compliance with this chapter.

"Jurisdictional Runoff Management Plan or "JRMP" means the City of San Clemente Jurisdictional Runoff Management Plan, as amended. The JRMP (previously known as the Local Implementation Plan or LIP) is the document detailing the City's adopted plan for implementation of the NPDES permit.

"National Pollutant Discharge Elimination System permit (NPDES permit)" means the currently applicable and/or Waste Discharge Requirements issued by the Regional Water Quality Control Board regulating the discharge of pollutants into and from the City's stormwater drainage system. "NPDES permit" shall also mean any NPDES permit and/or waste discharge requirements issued to a person, which regulates discharges of pollutants to waters of the State or waters of the United States.

"New Development" means all public and private residential (whether single-family, multi-unit, or planned unit development), industrial, commercial, retail, and other nonresidential construction projects, or grading for future construction, for which either a discretionary land use approval, grading permit, building permit, or nonresidential plumbing permit is required.

"Non-prohibited discharge" means those discharges not prohibited by this chapter as set forth in Section 13.40.050.

"Non-residential plumbing permit" means a plumbing permit authorizing the construction and/or installation of facilities for the conveyance of liquids other than stormwater, potable water, reclaimed water, or domestic sewage.

"Non-stormwater" means all discharges to and from the stormwater drainage system that do not originate from precipitation events (i.e., all discharges from a stormwater drainage system other than stormwater).

"Person" means any natural person as well as any corporation, partnership, government entity or subdivision, trust, estate, cooperative association, joint venture, business entity, or other similar entity, or the agent, employee, or representative of any of the above.

"Pollutant" means any liquid, solid, or semi-solid substances, or combination thereof, including, but not limited to:

1. Chips, shavings, or pieces of natural or man-made materials, including, but not limited to, plastics, wood, or metal shavings, and by-products of manufacturing;
2. Solid and liquid wastes, including, but not limited to, municipal waste, residential (household) waste (such as trash, paper, plastics, lawn clippings, and yard wastes; animal wastes; pesticides, herbicides, and

fertilizers; and used oil or other fluids from motor vehicles, lawn mowers, and other common household equipment);

3. Metals and non-metals, including compounds of metals and non-metals, such as cadmium, lead, zinc, copper, silver, nickel, chromium, cyanide, phosphorus, and arsenic;

4. Petroleum and related hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants, and grease);

5. Animal wastes;

6. Pathogens (e.g., bacteria, viruses, protozoa);

7. Substances having a pH less than 6.5 or greater than 8.6, or unusual coloration, turbidity, or odor;

8. Waste materials and wastewater generated on construction sites and by construction activities (such as painting and staining; the use of sealants and glues; the use of lime; the use of wood preservatives and solvents; the disturbance of asbestos fibers, paint flakes, or stucco fragments; the application of oils, lubricants, hydraulic, radiator, or battery fluids; construction equipment washing, concrete pouring, and cleanup; the use of concrete detergents; steam cleaning or sand blasting; the use of chemical degreasing or diluting agents; and the use of super chlorinated water for potable water line flushing);

9. Materials causing an increase in biochemical oxygen demand, chemical oxygen demand or total organic carbon;

10. Materials which contain base/neutral or acid extractible organic compounds;

11. Those pollutants defined in 33 U.S.C. Section 1362(6) of the Clean Water Act, including solid waste, incinerator residue, sewage, garbage, sewage sludge, chemical wastes, biological materials, radioactive materials, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, and agricultural waste; and

12. Any other constituent or material that may interfere with or adversely affect the beneficial uses of the receiving waters, flora, or fauna of the state.

"Porter-Cologne" means the Porter-Cologne Water Quality Control Act (Cal. Water Code § 13000 et seq., as amended)

"Priority development project" means those land development projects defined in the NPDES permit issued to the City, as amended.

"Prohibited discharge" means any discharge to the stormwater drainage system or to a receiving water that is not composed entirely of stormwater. This includes, "Prohibited discharge" means, but is not limited to, discharges of non-stormwater that are not defined as non-prohibited discharges, landscape irrigation runoff, any discharge from an illicit connection, or any discharge which causes or contributes to the exceedance of Basin Plan receiving water quality objectives. "Prohibited discharge" shall also include any and all discharges that are not in compliance with a separate NPDES permit or waste discharge requirement.

"Receiving Water" shall mean all waters as defined in the NPDES Permit, including but not limited to natural streams, creeks, rivers, lakes, bays, the Pacific Ocean and ground water. "Redevelopment" means the creation, addition, and or replacement of impervious surface on an already developed site. Examples include the expansion of a building footprint, road widening, the addition to or replacement of a structure, and creation or addition of impervious surfaces. Replacement of impervious surfaces includes any activity that is not part of a routine maintenance activity where impervious material(s) are removed, exposing underlying soil during construction. Redevelopment does not include trenching and resurfacing associated with utility work; resurfacing existing roadways; new sidewalk construction, pedestrian ramps, or bike lane on existing roads; and routine replacement of damaged pavement, such as pothole repair.

"Regional Board" means the San Diego Regional Water Quality Control Board.

"State general permit" means the State General Industrial Stormwater Permit, the State General Construction Permit, or any other statewide general permit that has been or will be adopted by the State

Water Resources Control Board, and the terms and requirements of any such permit. In the event EPA revokes the in-lieu permitting authority of the State Water Resources Control Board, then the term State General Permit also refers to any EPA-administered stormwater control program for industrial, construction, and other activities.

"Stormwater" means storm water runoff, snow melt runoff, and surface runoff and drainage, as defined at 40 CFR § 122.26(b)(13), as amended.

"Stormwater drainage system" means the conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are: (i) owned or operated by the City or other public body having jurisdiction over the discharge of surface runoff, sewage, industrial waters, or other wastes; (ii) designated or used for collection or conveying surface runoff; (iii) which is not a combined sewer; and (iv) which is not part of a publically owned treatment works (POTW). "Stormwater drainage system" shall have the meaning as "municipal separate storm sewer system," as defined at 40 CFR § 122.26(b)(8), as amended.

"Water quality management plan" or "WQMP" means a water quality plan that is designed to minimize pollutant discharges and accelerated erosion and sediment runoff during development construction and operation activities.

"Water quality management plan requirements" or "WQMP requirements" means those requirements as set forth in the South Orange County Model WQMP and Jurisdictional Runoff Management Plan.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.040 - Illicit connections and prohibited discharges.

- A. It is unlawful for any Person to:
1. Construct, maintain, operate, and/or utilize any illicit connection;
 2. Cause, permit, allow, or facilitate any prohibited discharge;
 3. Act, cause, permit, or suffer any agent, employee, or independent contractor, to construct, maintain, operate, or utilize any illicit connection, or cause, allow, or facilitate any prohibited discharge; or
 4. Discharge any material into the stormwater drainage system, or any water body within the City's jurisdiction that may cause or threaten to cause a condition of pollution, contamination, or nuisance within the meaning of California Water Code Section 13050.
 5. Non-stormwater discharges from the following categories are illicit discharges:
 - (a) Discharges from landscape irrigation, irrigation water, and lawn watering;
 - (b) Discharges from uncontaminated pumped groundwater;
 - (c) Discharges from foundation drains when the system is designed to be located at or below the groundwater table to actively or passively extract groundwater during any part of the year;
 - (d) Discharges from crawl space pumps;
 - (e) Discharges from footing drains when the system is designed to be located at or below the groundwater table to actively or passively extract groundwater during any part of the year;
 - (f) Water line flushing and water main breaks;

(g) Discharges from recycled or reclaimed water lines

B. Any owner and operator of an illicit connection must immediately cause the connection to be removed or eliminated.

C. A civil or administrative violation of this section occurs irrespective of the negligence or intent of the violator to construct, maintain, operate, or utilize an illicit connection or to cause, allow, or facilitate any prohibited discharge.

D. If authorized enforcement staff reasonably determines that a non-prohibited discharge may adversely affect the beneficial uses of receiving waters, authorized enforcement staff may give written notice to the owner of the property or facility that the non-prohibited discharge became a prohibited discharge upon delivery of notice.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.050 - Conditionally allowed discharges.

E. Notwithstanding the prohibitions in Section 13.40.040, the following non-storm water discharges are conditionally permitted if they comply with the following requirements:

F. Any discharge to the stormwater drainage system that is regulated under an NPDES permit issued to the discharger and administered by the State of California pursuant to Division 7 of the California Water Code is conditionally allowed, provided the discharger is in compliance with all requirements of the NPDES permit, waste discharge requirement, and other applicable laws and regulations.

G. The following non-stormwater discharges to the stormwater discharge system are allowed only if: (i) the discharger obtains coverage under an NPDES permit issued by the Regional Board for the discharge or the Regional Board determines in writing that coverage under an NPDES permit is not required; and (ii) the discharger is in compliance with all requirements of the applicable NPDES permit, waste discharge requirement, waiver, or other conditions imposed by the Regional Board, and all other applicable laws and regulations.

H. Non-stormwater discharges to the stormwater drainage system from the following categories are conditionally allowed, unless the City or Regional Board identifies the discharge as a source of pollutants to the stormwater discharge system or receiving waters:

- I. Discharges from diverted stream flows;
- J. Discharges from rising groundwater;
- K. Discharges from uncontaminated groundwater infiltration to the stormwater discharge system;
- L. Discharges from springs;
- M. Discharges from riparian habitats and wetlands;
- N. Discharges from potable water sources, except discharges from water lines requiring an NPDES permit, as set forth in subsection A.2 of this section.

O. Non-stormwater discharges from the following categories are conditionally allowed if they are addressed with BMPs as set forth in the DAMP or JRMP. Otherwise, non-stormwater discharges from the following categories are illicit discharges:

P. Air conditioning condensation,

Q. Individual residential vehicle washing,

R. Water from swimming pools.

S. Non-stormwater discharges to the stormwater discharge system from firefighting activities are conditionally allowed if they are addressed as follows:

T. Non-emergency firefighting discharges. Non-emergency firefighting discharges, including building fire suppression system maintenance discharges (e.g., sprinkler line flushing), controlled or practice blazes, training, and maintenance activities must be addressed by BMPs as set forth in the DAMP or JRMP to prevent the discharge of pollutants to the stormwater discharge system.

U. Emergency firefighting discharges. During emergencies, priority of efforts should be directed toward life, property, and the environment. Emergency firefighting discharges must be addressed by BMPs that do not interfere with emergency response operations or impact public health and safety.

V. Notwithstanding the categories of non-stormwater discharges conditionally allowed by subdivision (a), if the City or Regional Board determines that any of these otherwise conditionally allowed non-stormwater discharges are a source of pollutants to receiving waters, are a danger to public health or safety, or are causing a public nuisance, such discharges are prohibited from entering the stormwater drainage system.

13.40.060 - New development and priority development projects.

A. Development projects. All development projects within the City must be undertaken in compliance with the following:

1. Any person proposing a development project in the City, regardless of whether a permit is required for such work, must effectively prohibit pollutants from entering the stormwater drainage system. At a minimum:

(a) Onsite BMPs must be located so as to remove pollutants from runoff prior to discharging to any receiving waters or to the stormwater drainage system, and be located as close to the source as possible and must be designed and implemented to avoid creating nuisance or additional pollutant sources, including those associated with vector.

(b) Structural BMPs must not be constructed within waters of the United States.

(c) Source control, low impact development BMPs must be implemented where applicable and feasible.

(d) The development must comply with all applicable NPDES permit requirements, the DAMP, and the JRMP, including, but not limited to, development project guidance, and the South Orange County Model WQMP.

2. Any conditions and requirements established by the City's Public Works, and Utilities Departments which are reasonably related to the reduction or elimination of pollutants in surface runoff from the project site. Prior to the issuance by the City of a grading permit, building permit or

nonresidential plumbing permit for any development project, the City's Public Works and Utilities Departments shall review the project plans and impose terms, conditions and requirements on the project in accordance with this section. If the development project will be approved without application for a grading permit, building permit or nonresidential plumbing permit, the Public Works and Utilities Departments shall review the project plans and impose terms, conditions and requirements on the project in accordance with this section prior to the issuance of a discretionary land use approval or, at the City's discretion, prior to recordation of a subdivision map.

3. The owner of each development project, or upon transfer of the property, its successors and assigns, must implement and adhere to the terms, conditions and requirements imposed pursuant to this chapter and any permit or other authorization or mechanism imposing conditions pursuant to this chapter. Failure by the owner of the property or its successors or assigns to implement and adhere to the terms, conditions and requirements imposed pursuant to this section constitutes a violation of this chapter.

4. The Director may require that the WQMP for the development or notice of the WQMP be recorded with the Orange County Clerk-Recorder's Office by the property owner.

B. Priority development projects (PDPs). In addition to the requirements in Section 13.40.060.A, all PDPs are subject to the following:

1. Compliance with Section 13.40.070 of this chapter, Water Quality Management Plan (WQMP) requirements.

2. The owner or applicant of a PDP must install and implement BMPs in accordance with the requirements of this chapter prior to receiving final approval of the project or as otherwise specified in the conditions of approval, including the following:

(a) All PDPs must be designed, constructed, and maintained to employ post-construction BMPs consistent with the DAMP and JRMP, including, but not limited to, the following:

(i) Low impact development BMPs designed to retain (intercept, store, infiltrate, evaporate, and evapotranspire) onsite the pollutants contained in the volume of stormwater runoff produced from a 24-hour 85th percentile storm event (design capture volume). If the applicant demonstrates, to the Director's satisfaction, that onsite retention is not technically feasible, biofiltration or flow-thru BMPs may be used in accordance with the following:

I. Biofiltration BMPs must be designed to have an appropriate hydraulic loading rate to maximize stormwater retention and pollutant removal; prevent erosion, scour, and channeling within the BMP; and be sized to treat 1.5 times the design capture volume not reliably retained onsite.

II. If biofiltration BMPs are not technically feasible, flow-thru treatment control BMPs may be used; provided however, that such BMPs must treat the design capture volume not reliably retained onsite and must be sized and designed in accordance with the requirements of the NPDES permit, DAMP and JRMP.

(ii) Hydromodification management BMPs that are sized and designed such that post-project runoff conditions (flow rates and durations) will not exceed the pre-development runoff conditions by more than 10 percent (for the range of flows that result in increased potential for erosion or degraded instream habitat downstream of the Priority Development Project). A PDP may be exempt from the hydromodification management BMP requirements in this subsection, at the discretion of the Director, where the project discharges water to any of the following: existing underground storm drains that discharge directly to water storage reservoirs, lakes, enclosed embayments, or the Pacific Ocean; conveyance channels whose bed and bank are concrete lined from

the point of discharge to the water storage reservoir, lake, enclosed embayment, or the Pacific Ocean; or an area the City deems appropriate for an exemption pursuant to any watershed management area analysis incorporated into an applicable water quality improvement plan accepted by the Regional Board.

3. All PDPs must avoid critical course sediment yield areas identified by the City or in any watershed management area analysis accepted by the Regional Board unless measures are implemented that allow for no net impact from critical coarse sediment to the receiving water and comply with the DAMP and JRMP.

4. As a condition of development, the owner of a PDP must, prior to occupancy of the development, enter into an agreement for maintenance of any BMPs with the City. The agreement must be recorded to run with the land and be binding upon the owner, heirs, and successors in interest to the project and to any real property developed in conjunction with the project in perpetuity. The agreement must include an annual requirement that verification of the effective operation and maintenance of each approved BMP be conducted by the owner. Maintenance must be performed by the owner and certified to the City prior to each rainy season. The agreement must also include a right of entry on the part of the City for the purpose of inspecting and confirming the condition of permanent BMPs and to perform maintenance or repairs where operation and maintenance is not conducted in a proper or timely fashion.

C. The project applicant must provide for and submit proof of the ongoing long-term maintenance of all BMPs. Compliance with the requirements of the DAMP and JRMP does not exempt any person from the requirement to independently comply with each provision of this chapter.

D. The project applicant must reimburse the City for all costs and expenses incurred by the planning agency in the review of new development or redevelopment projects for compliance with the DAMP and JRMP. The Director may elect to require a deposit of estimated costs and expenses, and the actual costs and expenses will be deducted from the deposit, and the balance, if any, refunded to the project applicant.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.070 - Water quality management plan requirements.

A. PDP applications. The applicant for every PDP must prepare and submit to the City a WQMP. The City may require a fee, to be paid by the project applicant, for review of the WQMP. The WQMP must include proposed BMPs as specified in the NPDES permit and Section 13.40.060, and the WQMP must be prepared in conformance with the JRMP (including the South Orange County Model WQMP).

B. Compliance with WQMP requirements. No applicant for a PDP may commence any land disturbing activities in connection with the proposed project without first submitting and obtaining the City's approval of a WQMP for the project. All WQMPs must be consistent with the South Orange County Model WQMP, including demonstrating compliance with all applicable WQMP Requirements and low impact development & hydromodification requirements provided for in the City's LIP.

C. Implementation of WQMP. All best management practices set forth in the approved project specific WQMP, including but not limited to, any applicable low impact development requirements, must be implemented and maintained at all PDPs, by the developer, owner, and/or other responsible party.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.080 – Construction projects.

A. Construction and grading permits. Prior to issuance of any permit or authorization that allows the commencement of activities involving ground or soil disturbance that can potentially generate pollutants in storm water runoff, the project applicant must:

1. Submit a pollution control plan, construction BMP plan, and/or an erosion and sediment control plan, meeting the requirements of the DAMP and JRMP;
2. Obtain and submit evidence of coverage under the state general permit, if applicable.

B. The person in charge of each construction site must comply with all conditions of the state general permit and implement BMPs to prohibit all discharges except for the stormwater and non-stormwater discharges specifically authorized by such permit. BMPs must be site specific, seasonally appropriate, and construction phase appropriate. Dry season BMP implementation must plan for and address unseasonal rain events. At a minimum, BMPs must be selected and implemented in accordance with the DAMP and JRMP. For those construction sites that are tributary to impaired water bodies and/or are within or directly adjacent to or discharging directly to receiving waters within environmentally sensitive areas, BMPs must include such additional controls as the authorized enforcement staff may require.

C. Inspections. Construction and grading sites, and discharges from such sites and operations, are identified under the NPDES permit as creating increased threats to water quality during the rainy season. The authorized inspector is authorized to inspect each high priority construction site at least once weekly during the rainy season, during normal business hours. Authorized enforcement staff may further inspect each medium/low priority construction site at least twice during the rainy season.

D. Cost Recovery. The project applicant must reimburse the City for all costs and expenses incurred in the review of submissions required by this section. The Director may elect to require a deposit of estimated costs and expenses, and deduct the actual costs and expenses from the deposit, and refund the balance, if any, to the project applicant.

13.40.090 - Best management practices and monitoring program requirements.

A. BMPs. Every person owning property or conducting any activity or operation on a facility must comply with applicable BMPs as may be required by the NPDES permit, DAMP, JRMP or as otherwise may be required by the Director to assure compliance with the NPDES permit, in order to prevent pollutants from entering the stormwater drainage system.

B. Structural BMP maintenance requirement. Every person owning or operating property which includes a structural BMP, must comply with the following:

1. Ensure that every structural BMP is operating effectively and is being adequately maintained.
2. Provide an annual verification of the effective operation and maintenance of every structural BMP, maintain the annual verification records, and provide the annual verification records to authorized enforcement staff upon request.

C. Monitoring Programs. Every person owning property or conducting any activity, operation or facility must implement any monitoring program that may be required by the Director pursuant to the DAMP, JRMP, NPDES permit, or any enforcement under this chapter.

(Ord. No. 1530, § 1, 12-7-2010; Ord. No. 1648 , § 8, 12-5-2017)

13.40.100 - Inspections.

A. Right to inspect. Except where exigent circumstances require immediate entry or for annual inspections as required by the DAMP or JRMP, prior to commencing any inspection as herein below authorized, authorized enforcement staff must obtain either the consent of the owner or occupant of the property or obtain an administrative inspection warrant or criminal search warrant. For inspections required by the DAMP, JRMP, NPDES permit or enforcement action, the authorized enforcement staff may inspect a property or facility during normal business hours upon twenty-four (24) hours' written notice to the owner, operator, or person responsible for the day to day activities of such property or facility.

B. Entry to inspect. Upon obtaining the right to inspect in accordance with Subsection 13.40.100.A, authorized enforcement staff may enter upon private property to: (1) investigate a violation or potential violation of this chapter; (2) investigate the source of any discharge of a pollutant or the potential discharge of a pollutant to the stormwater drainage system; (3) conduct an annual or follow-up inspection; or (4) conduct an inspection to verify compliance with this chapter, including, but not limited to, verifying compliance with any BMPs identified as conditions of approval for a project or that were included in the project specific WQMP.

C. Portable equipment. For purposes of verifying compliance with this chapter, the authorized enforcement staff may inspect any vehicle, truck, trailer, tank truck or other mobile equipment.

D. Records review. Authorized enforcement staff may inspect all records of the owner or occupant of property relating to chemicals or processes presently or previously stored or occurring on-site, including material and/or chemical inventories, facilities maps or schematics and diagrams, material safety data sheets, hazardous waste manifests, business plans, pollution prevention plans, state general permits, stormwater pollution prevention plans, monitoring program plans and any other record(s) relating to illicit connections, prohibited discharges, or any other source of contribution or potential contribution of pollutants to the stormwater drainage system.

E. Sample and test. Authorized enforcement staff may inspect, sample and test any area runoff, soils area (including groundwater testing), process discharge, materials within any waste storage area (including any container contents), and/or treatment system discharge for the purpose of determining the potential for contribution of pollutants to the stormwater drainage system. Authorized enforcement staff may investigate the integrity of all storm drain and sanitary sewer systems, or other pipelines on the property using appropriate tests, including, but not limited to, smoke and dye tests or video surveys. Authorized enforcement staff may take photographs or video tape, make measurements or drawings, and create any other record reasonably necessary to document conditions on the property.

F. Monitoring. Authorized enforcement staff may erect and maintain monitoring devices for the purpose of measuring any discharge or pollutant or potential source of discharge or pollutant to the stormwater drainage system.

G. Test results. The owner or occupant of property subject to inspection may, upon submission of a written request, obtain copies, at the requesting party's expense, of all monitoring and test results conducted by an authorized enforcement staff.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.110 – Enforcement generally.

A. Administrative Citation. This chapter is enforced pursuant to the procedures set forth in the City's Enforcement Response Plan, which incorporated into and made a part of the JRMP. In addition to all other enforcement mechanisms provided for in this chapter, any violation of this chapter may be enforced through the administrative citation program set forth in chapters 1.20 and 1.22 of the San

Clemente Municipal Code. Authorized enforcement staff is authorized to take any administrative, civil, or criminal enforcement action set forth in this chapter, or by any other means legally available.

B. Notice of noncompliance. Any noncompliance with this chapter or order issued pursuant to this chapter must be corrected no later than thirty (30) days after the violation is discovered, or prior to the next predicted rain event, whichever is sooner. If more than thirty (30) days are required to achieve compliance, the person subject to the administrative remedy must submit a detailed description of the reasons for the requested time extension. Authorized enforcement staff may issue a compliance schedule in conjunction with any administrative remedy.

C. Authorized enforcement staff may, as part of an administrative remedy pursuant to this chapter, require the owner or occupant to conduct any reporting, or monitoring or sampling that authorized enforcement staff is otherwise authorized to conduct.

D. Delivery of any administrative enforcement action must occur in accordance with Section 13.40.130.

E. In any action to enforce this chapter, the burden is on the person who is the subject of such action to establish that a discharge was within the scope of a non-prohibited discharge.

13.40.120 - Administrative remedies.

A. Notice of noncompliance. In accordance with the Enforcement Response Plan, authorized enforcement staff may deliver to the owner or occupant of any property, and to any person responsible for an illicit connection or prohibited discharge a notice of noncompliance. The notice of noncompliance must:

1. identify the provision(s) of this chapter or the applicable permit or order which has been violated;
2. state that continued noncompliance may result in additional enforcement actions against the owner, occupant and/or person responsible for an illicit connection or a prohibited discharge;
3. state a compliance date that must be met by the owner, occupant, or person; and
4. states that continued noncompliance may result in additional enforcement actions.

B. Administrative Compliance Orders. In accordance with the Enforcement Response Plan, authorized enforcement staff may issue an administrative compliance order which includes the following terms and requirements:

1. Specific steps and time schedules for compliance as reasonably necessary to eliminate an existing prohibited discharge or to prevent the imminent threat of a prohibited discharge, including but not limited to a prohibited discharge from any pond, pit, well, surface impoundment, holding or storage area;
2. Specific steps and time schedules for compliance as reasonably necessary to discontinue any illicit connection;
3. Specific requirements for containment, cleanup, removal, storage, installation of overhead covering, or proper disposal of any pollutant having the reasonable potential to contact surface runoff;

4. Any other terms or requirements reasonably calculated to prevent the imminent threat of or continuing violations of this chapter, including, but not limited to requirements for compliance with BMP guidance documents promulgated by any federal, state or regional agency;

5. Any other terms or requirements reasonably calculated to achieve full compliance with the terms, conditions and requirements of any permit issued pursuant hereto.

C. Cease and Desist Orders. In accordance with the Enforcement Response Plan, authorized enforcement staff may issue a cease and desist order to direct the owner or occupant of any property and/or any other person responsible for a violation of this chapter to:

1. Immediately discontinue any illicit connection or prohibited discharge to the stormwater drainage system;

2. Immediately contain or divert any flow of water off the property, where the flow is occurring in violation of any provision of this chapter;

3. Immediately discontinue any other violation of this chapter;

4. Immediately clean up all areas affected by the violation.

5. Cease and desist with any or all continued work on a project (i.e., a stop work order) until such time as appropriate BMPs are implemented, the prohibited discharge is eliminated, or other appropriate actions are taken to ensure compliance with this chapter.

No cease and desist order is to be stayed, tolled or otherwise put on hold as a result of any administrative or other legal challenge to its terms. A cease and desist order is only to be stayed, tolled or put on hold where required as a result of the administrative review process or by a court of competent jurisdiction.

D. Stop work order. In accordance with the Enforcement Response Plan, authorized enforcement staff may issue an order identifying the provision(s) of this chapter or applicable permit or order that has been violated and directing any or all work or activities causing or contributing to the noted violation to immediately stop. A person ordered to stop any work or activity in accordance with this section must not restart the work or activity until the City has verified that corrective actions have been implemented and authorizes work or activities to resume.

E. Permit and license revocation or denial. In accordance with the Enforcement Response Plan, authorized enforcement staff may suspend, revoke, or deny a permit, license, or other approval for a development project or business or deny future permits or licenses in accordance with the hearing procedures set forth in Section 13.40.130.

F. Monetary fines and penalties. In accordance with the Enforcement Response Plan, authorized enforcement staff may issue a monetary penalty or fine for any violation of this chapter or order or authorization issued pursuant to this chapter. Such fine or penalty is payable directly to the City. Monetary fines and penalties will be assessed in the amounts as set forth in Chapter 1.20.070 of the San Clemente Municipal Code.

G. Invoice for costs. Authorized Enforcement Staff may deliver to the owner or occupant of any property, any permittee and/or any other person who becomes subject to a notice of noncompliance or administrative order, an invoice for costs. An invoice for costs must be delivered in accordance with subsection 13.40.130. An invoice for costs is immediately due and payable to the City for the actual costs incurred by the City in issuing and enforcing any notice or order, including any costs incurred by the City to prevent, contain and/or clean up any potential or actual discharges to the stormwater drainage system. If any owner or occupant, permittee or any other person subject to an invoice for costs fails to either pay

the invoice for costs or successfully appeal the invoice for costs in accordance with Section 13.40.130, then the enforcing attorney may institute collection proceedings.

H. Abatement of the discharge of pollutants on public property. Notwithstanding anything in this chapter to the contrary, the City may take all action necessary to inspect, investigate, assess, remedy or otherwise abate any discharge of a pollutant on or into any public property, including all publicly owned portions of the stormwater drainage system. All costs and fees incurred by the City or any other responsible governmental agency and/or contractor of the City in this regard may be included within an invoice for costs and recovered against the responsible party or parties in accordance with provisions of this chapter.

13.40.130 - Procedures for administrative enforcement actions

A. Delivery of notice. Except where the nuisance abatement procedure under subsection 13.40.140 is being followed, all administrative enforcement actions are subject to the service and administrative hearing procedures provided for in Chapters 1.20 and 1.22 of the San Clemente Municipal Code.

B. Administrative hearing. Except as set forth in subsection 13.40.130.C or where the nuisance abatement procedure under section 13.40.140 is being followed, all administrative enforcement actions are subject to the administrative hearing procedures set forth in Chapters 1.20 and 1.22 of the San Clemente Municipal Code. Notwithstanding the foregoing, these administrative appeal procedures do not apply to criminal proceedings initiated to enforce this chapter.

C. Administrative hearing for emergency abatement actions. An administrative hearing on the existence of violations following an emergency abatement action must be held, unless waived by the person subject to the emergency abatement order, within five (5) business days following the action of abatement. The hearing proceeding, decision and appeal requirements of Chapters 1.20 and 1.22 of the San Clemente Municipal Code shall apply.

D. City abatement. In the event the owner of property, the operator of a facility, a permittee, or any other person fails to comply with any provision of a compliance schedule issued pursuant to this chapter, authorized enforcement staff may request the enforcing attorney to obtain an abatement warrant or other appropriate judicial authorization to enter the property, abate the condition and restore the area. Any costs incurred by the City in obtaining and carrying out an abatement warrant or other judicial authorization may be recovered pursuant to subsection 13.40.120.G or 13.40.150.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.140 - Nuisance.

A. Any condition in violation of the prohibitions of this chapter, including but not limited to the maintenance or use of any illicit connection or the occurrence or threatened occurrence of any prohibited discharge, constitutes a threat to the public health, safety and welfare, and is declared and deemed a nuisance pursuant to Government Code § 38771, which may be abated pursuant to any of the following:

1. Emergency abatement. In the event the nuisance constitutes an imminent danger to public safety or the environment, the City Manager, or designee, may enter the property from which the nuisance emanates, abate the nuisance and restore any property affected by the nuisance. To the extent reasonably practicable, notice must be provided to the owner or occupant prior to abatement. If necessary to protect the public safety or the environment, abatement may proceed without prior notice to or consent from the owner or occupant thereof and without judicial warrant. For purposes of this section, an imminent danger includes, but is not limited to, exigent circumstances created by the dispersal of

pollutants, where the same presents a significant and immediate threat to the public safety or the environment.

2. Administrative abatement. Authorized enforcement staff may institute administrative abatement proceedings in accordance with Chapter 8.52.

3. Civil Injunction or abatement. At the request of the City Manager, or designee, the Enforcing Attorney may seek a court order to enjoin and/or abate the nuisance.

B. Notice to owner and occupant. Prior to taking any abatement action pursuant to this Section, the City Manager, or designee, must provide notice of the proposed injunction or abatement to the owner and occupant, if any, of the property where the nuisance or threatened nuisance is occurring.

1. Reimbursement of costs. All costs incurred by the City in responding to any nuisance, all administrative expenses and all other expenses recoverable under state law, including reasonable consulting fees and attorneys' fees, are recoverable from the person(s) creating, causing, committing, permitting or maintaining the nuisance.

2. Nuisance lien. All unpaid costs become a lien against the property from which the nuisance emanated and a personal obligation against the owner thereof in accordance with Government Code § 38773.1 and § 38773.5. The owner of record of the property subject to any lien must be given notice of the lien prior to recording as required by Government Code § 38773.1.

C. At the direction of the City Manager, or designee, the enforcing attorney is authorized to collect nuisance abatement costs or enforce a nuisance lien in an action brought for a money judgment or by delivery to the County Assessor of a special assessment against the property in accord with the conditions and requirements of Government Code § 38773.5.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.150 – Civil remedies

A. Injunctions. At the request of the City Manager, or designee, the enforcing attorney may cause the filing in a court of competent jurisdiction, of a civil action seeking an injunction against any threatened or continuing noncompliance with the provisions of this chapter.

B. Order for reimbursement: Any temporary, preliminary or permanent injunction issued pursuant hereto may include an order for reimbursement to the City of all costs incurred in enforcing this chapter, including costs of inspection, investigation and monitoring, the costs of abatement undertaken at the expense of the City, legal expense, including litigation costs and consulting costs and attorney fees, and costs relating to restoration of the environment and all other expenses as authorized by law.

C. Damages. The City Manager, or designee, may cause the enforcing attorney to file an action for civil damages in a court of competent jurisdiction seeking recovery of (i) all costs incurred in enforcement of the chapter, including, but not limited to, costs relating to investigation, sampling, monitoring, inspection, administrative expenses, legal expenses, including litigation costs, consulting costs and attorney fees all other expenses as authorized by law, and consequential damages, (ii) all costs incurred in mitigating harm to the environment or reducing the threat to human health, (iii) damages for harm to the environment or public property, and (iv) restitution and injunctive, declaratory and such other equitable relief as may be allowed by law.

D. The enforcing attorney is authorized to file actions for civil damages resulting from any trespass or nuisance occurring on public land or to the stormwater drainage system from any violation of

this chapter where the same has caused damage, contamination or harm to the environment, public property or the stormwater drainage system.

E. The remedies available to the City pursuant to the provisions of this chapter do not limit the right of the City to seek any other remedy that may be available by law. Ord. No. 1530, § 1, 12-7-2010)

13.40.160 - Citations.

A. Pursuant to Penal Code § 836.5, authorized enforcement staff has the authority to cause the arrest of any Person committing a violation of this chapter. The person must be released and issued a citation to appear before a magistrate in accordance with Penal Code § 853.5, § 853.6, and § 853.9, unless the person demands to be taken before a magistrate. Following issuance of any citation, authorized enforcement staff refer the matter to the enforcing attorney.

B. Each citation to appear must state the name and address of the violator, the provisions of this chapter violated, and the time and place of appearance before the court, which must be at least ten (10) business days after the date of violation. The person cited must sign the citation giving his or her written promise to appear as stated therein. If the person cited fails to appear, the enforcing attorney may request issuance of a warrant for the arrest of the person cited.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.170 - Criminal sanctions.

A. Prosecutor. The enforcing attorney may act on the request of the City Manager, or designee, to pursue enforcement actions in accordance with the provisions of this chapter.

B. Infractions. Any person who may otherwise be charged with a misdemeanor under this chapter may be charged, at the discretion of the enforcing attorney, with an infraction punishable by a fine of not more than one hundred dollars (\$100.00) for a first violation, two hundred dollars (\$200.00) for a second violation, and a fine not exceeding five hundred dollars (\$500.00) for each additional violation occurring within one year.

C. Misdemeanors. Any person who negligently or knowingly violates any provision of this chapter, undertakes to conceal any violation of this chapter; continues any violation of this chapter after notice thereof; or violates the terms, conditions and requirements of any permit issued pursuant to this ordinance, is guilty of a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for a period of not more than six (6) months, or both.

D. Damages. The enforcing attorney may petition the court for any of the following damages:

1. The recovery of all costs incurred and/or to be incurred in the enforcement of this chapter, including but not limited to costs relating to investigation, sampling, monitoring, inspection, cleanup, administrative expenses, legal fees and costs, and all other expenses as authorized by law, as well as damages to public property and consequential damages;

2. All costs incurred in cleaning up and/or mitigating harm to the environment or public property, or to reduce the threat to human health;

3. Damages for harm to the environment or public property; and

4. Restitution and injunctive, declaratory and such other equitable relief as may be allowed by law.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.180 - Consecutive violations.

Each day in which a violation occurs and each separate failure to comply with either a separate provision of this chapter, an administrative compliance order, or a cease and desist order, constitutes a separate violation of this chapter punishable by fines or sentences issued in accordance herewith.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.190 - Nonexclusive remedies.

Each and every remedy available for the enforcement of this chapter is nonexclusive and it is within the discretion of Authorized enforcement staff or the enforcing attorney to seek cumulative remedies, except that multiple monetary fines or penalties are not be available for any single violation of this chapter.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.200 - Violations of other laws.

Any person acting in violation of this chapter also may be acting in violation of the Clean Water Act or Porter-Cologne and other laws and also may be subject to sanctions including civil liability. Accordingly, the enforcing attorney is authorized to file a citizen suit pursuant to the Clean Water Act seeking penalties, damages, and orders compelling compliance, and other appropriate relief. The enforcing attorney may notify EPA, the San Diego Regional Water Quality Control Board, or any other appropriate state, regional or local agency, of any alleged violation of this chapter.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.210 - Coordination with other agencies.

A. The City intends to cooperate with other agencies with jurisdiction over surface water to ensure that the regulatory purposes underlying surface water runoff regulations promulgated pursuant to the Clean Water Act are met.

B. The City may, to the extent authorized by law, elect to contract for the services of any public agency or private enterprise to carry out the planning approvals, inspections, permits and enforcement authorized by this chapter.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.220 - Compliance with chapter is not compliance with other laws.

Compliance by any person or entity with the provisions of this chapter does not relieve any such person or entity from complying with other local, state or federal statutory or regulatory requirements.

(Ord. No. 1530, § 1, 12-7-2010)

13.40.230 - Severability.

The City hereby declares that should any section, paragraph, sentence, phrase, term or word of this chapter be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other provisions of this chapter independent of the elimination herefrom of any such portion as may be declared invalid.

(Ord. No. 1530, § 1, 12-7-2010)

Section 3: The City Clerk shall certify to the passage of this ordinance and cause the same to be published as required by law, and the same shall take effect as provided by law.

APPROVED AND ADOPTED this ____ day of _____, _____.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) **ss.**
CITY OF SAN CLEMENTE)

I, **JOANNE BAADE**, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. _____ having been regularly introduced at the meeting of _____, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the ____ day of _____, _____, and said ordinance was adopted by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this ____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

APPROVED AS TO FORM:

CITY ATTORNEY



Excellence
Integrity
Service

COUNTY OF ORANGE HEALTH CARE AGENCY/ENVIRONMENTAL HEALTH

Ocean Bacteriological Monitoring Program – **October 2018**

Enterococcus (ENT), Fecal Coliform (FC), Total Coliform (TC); Number of Colony Forming Units per 100 ml Sample

Page 1 of 2

7.A.

Sample Location	Bacteria Type	10/2 TUES	10/3 WED	10/4 THUR	10/5 to 10/11 Tide	10/6 SAT	10/9 TUES	10/10 TUES	10/12 0.32"	10/16 TUES	10/23 TUES	10/24 to 10/28 Tide	10/25 THUR	10/30 TUES
Poche Beach UP POCHEu	Enterococcus Fecal Coliforms Total Coliforms	< 9 < 9 = 20	< 9 < 9 = 20	= 480 = 180 = 970			= 9 < 9 = 30	< 9 = 60 = 140			< 9 < 9 < 9		= 20 < 9 = 9	= 9 < 9 < 9
Poche Creek ZERO POCHEz	Enterococcus Fecal Coliforms Total Coliforms	= 370 = 50 = 510	= 210 = 130 = 760	= 2700 = 2300 = 6300			= 91 < 9 = 280	= 900 = 800 = 4900			= 250 = 40 = 650		= 340 = 160 = 1700	= 30 < 9 = 60
Poche Creek DOWN POCHED	Enterococcus Fecal Coliforms Total Coliforms	< 9 < 9 = 9	< 9 < 9 = 9	= 180 = 90 = 610			= 9 < 9 < 9	= 9 = 9 = 20			= 9 = 9 = 30		< 9 < 9 = 9	< 9 < 9 = 9
Poche Beach S-15	Enterococcus Fecal Coliforms Total Coliforms	= 20 = 9 = 9		= 420 = 310 = 1000				= 30 = 20 = 150			< 9 < 9 = 30			< 9 < 9 < 9
Pico Drain UP PICOu	Enterococcus Fecal Coliforms Total Coliforms													
Pico Drain ZERO PICOz	Enterococcus Fecal Coliforms Total Coliforms	< 9 < 9 = 9				= 9 = 130 = 980	< 9 < 9 < 9			< 9 < 9 = 9	= 20 < 9 < 9			= 9 < 9 < 9
Pico Drain DOWN PICOd	Enterococcus Fecal Coliforms Total Coliforms													
North Beach S-17	Enterococcus Fecal Coliforms Total Coliforms	< 9 < 9 = 20				= 20 = 9 = 20	= 9 < 9 < 9			< 9 < 9 = 30	= 9 < 9 < 9			< 9 < 9 < 9
El Portal ZERO ELPORTALz	Enterococcus Fecal Coliforms Total Coliforms									= 20 = 9 = 20	= 9 < 9 = 80			= 9 < 9 < 9
Mariposa Beach ZERO MARIPOz	Enterococcus Fecal Coliforms Total Coliforms	= 9 = 9 = 9								= 9 < 9 = 9	< 9 = 9 = 40			< 9 < 9 = 9
Linda Lane Beach ZERO LINDALz	Enterococcus Fecal Coliforms Total Coliforms	= 50 = 9 = 30				= 40 = 40 = 1000	= 40 < 9 = 40			< 9 < 9 = 60	= 9 = 9 = 60			< 9 < 9 = 20
South Linda Lane ZERO SLINDALz	Enterococcus Fecal Coliforms Total Coliforms	= 9 = 9 = 9				= 20 = 20 = 150	< 9 < 9 = 20			< 9 = 9 < 9	= 30 = 9 = 50			= 9 = 9 = 9



COUNTY OF ORANGE HEALTH CARE AGENCY/ENVIRONMENTAL HEALTH

Ocean Bacteriological Monitoring Program – **October 2018**

Enterococcus (ENT), Fecal Coliform (FC), Total Coliform (TC); Number of Colony Forming Units per 100 ml Sample

Sample Location	Bacteria Type	10/2 TUES	10/3 WED	10/4 THUR	10/5 to 10/11 Tide	10/6 SAT	10/9 TUES	10/10 TUES	10/12 0.32"	10/16 TUES	10/23 TUES	10/24 to 10/28 Tide	10/25 THUR	10/30 TUES
450' North of Pier S-19	Enterococcus Fecal Coliforms Total Coliforms	< 9 = 9 = 30				< 9 = 30 = 320		< 9 = 50 = 91		= 30 < 9 = 30	= 70 = 110 = 180			< 9 < 9 = 9
Pier UP PIERu	Enterococcus Fecal Coliforms Total Coliforms	= 9 < 9 = 30		= 9 < 9 = 9				= 40 = 270 = 320			= 30 = 40 = 140			= 30 = 9 = 9
Pier ZERO PIERz	Enterococcus Fecal Coliforms Total Coliforms	< 2 = 30 = 9		= 4 < 9 = 9				= 7 = 60 = 91			= 46 = 160 = 1770			= 36 = 50 = 290
Pier DOWN PIERd	Enterococcus Fecal Coliforms Total Coliforms	= 9 = 9 < 9		< 9 < 9 = 20							< 9 < 9 = 150			= 40 = 9 = 40
Trafalger Cnyn UP TRFCYnu	Enterococcus Fecal Coliforms Total Coliforms													
Trafalger Cnyn ZERO TRFCYNz	Enterococcus Fecal Coliforms Total Coliforms	< 9 < 9 < 9				< 9 < 9 = 9		< 9 < 9 < 9		< 9 < 9 < 9	< 9 < 9 = 40			= 9 = 20 = 40
Trafalger Cnyn DOWN TRFCYNd	Enterococcus Fecal Coliforms Total Coliforms													
Rivera ZERO RIVERAz	Enterococcus Fecal Coliforms Total Coliforms	< 9 < 9 < 9				< 9 < 9 < 9		< 9 < 9 < 9		< 9 = 9 < 9				< 9 < 9 = 9
Avenida Calafia S-21	Enterococcus Fecal Coliforms Total Coliforms	< 9 < 9 < 9				< 9 < 9 < 9		= 9 < 9 = 9		< 9 < 9 = 9	< 9 < 9 = 20			< 9 = 9 = 9
Las Palmeras S-23	Enterococcus Fecal Coliforms Total Coliforms	< 9 < 9 = 9						< 9 < 9 < 9		< 9 < 9 < 9				= 9 < 9 = 20

AB411 Single Sample Standards

Enterococci 104
 Fecal Coliforms 400
 Total Coliforms 10,000
 Fecal Total Coliform ratio; >1000 total coliforms if ratio exceeds 0.1

Bold numbers indicate exceedance of single sample standards

**Blue header and number indicate rain event date and amount
 + or - 6' high tide event**



COUNTY OF ORANGE HEALTH CARE AGENCY/ENVIRONMENTAL HEALTH

Ocean Bacteriological Monitoring Program – November 2018

Enterococcus (ENT), Fecal Coliform (FC), Total Coliform (TC); Number of Colony Forming Units per 100 ml Sample

7.A.

Sample Location	Bacteria Type	11/5 to 11/9 Tide	11/6 TUES	11/8 THUR	11/9 FRI	11/10 SAT	11/14 WED	11/19 MON	11/20 TUES	11/21 to 11/26 Tide	11/29 0.30"			
Poche Beach UP POCHEu	Enterococcus Fecal Coliforms Total Coliforms							= 30 = 10 = 280						
Poche Creek ZERO POCHEz	Enterococcus Fecal Coliforms Total Coliforms		< 9 < 9 = 9				< 9 < 9 = 9	= 1730 = 340 = 11000						
Poche Creek DOWN POCHEd	Enterococcus Fecal Coliforms Total Coliforms							< 9 < 9 < 9						
Poche Beach S-15	Enterococcus Fecal Coliforms Total Coliforms		< 9 < 9 = 20				< 9 < 9 = 9	= 20 < 9 = 380						
Pico Drain UP PICOu	Enterococcus Fecal Coliforms Total Coliforms													
Pico Drain ZERO PICOz	Enterococcus Fecal Coliforms Total Coliforms		< 9 = 9 = 40				< 9 = 30 < 9	< 9 < 9 < 9						
Pico Drain DOWN PICOd	Enterococcus Fecal Coliforms Total Coliforms													
North Beach S-17	Enterococcus Fecal Coliforms Total Coliforms		= 9 < 9 < 9				< 9 < 9 = 9	< 9 = 9 = 70						
El Portal ZERO ELPORTALz	Enterococcus Fecal Coliforms Total Coliforms		< 9 < 9 = 20				< 9 < 9 < 9	= 20 = 9 = 20						
Mariposa Beach ZERO MARIPOz	Enterococcus Fecal Coliforms Total Coliforms		= 9 = 40 = 120				< 9 = 9 = 20	= 40 = 80 = 200						
Linda Lane Beach ZERO LINDALz	Enterococcus Fecal Coliforms Total Coliforms		= 9 = 20 = 80				= 9 = 20 = 20	= 40 = 140 = 180	< 9 < 9 < 9					
South Linda Lane ZERO SLINDALz	Enterococcus Fecal Coliforms Total Coliforms		= 100 = 60 = 210	< 9 = 20 = 40			< 9 = 20 = 50	= 110 = 90 = 200						



COUNTY OF ORANGE HEALTH CARE AGENCY/ENVIRONMENTAL HEALTH
Ocean Bacteriological Monitoring Program – November 2018
Enterococcus (ENT), Fecal Coliform (FC), Total Coliform (TC); Number of Colony Forming Units per 100 ml Sample
 Page 2 of 2

Sample Location	Bacteria Type	11/5 to 11/9 Tide	10/3 WED	11/8 THUR	11/9 FRI	11/10 SAT	11/14 WED	11/19 MON	11/20 TUES	11/21 to 11/26 Tide	11/29 0.30"			
450' North of Pier S-19	Enterococcus Fecal Coliforms Total Coliforms		= 40 = 9 = 140				= 50 = 40 = 40	= 9 = 70 = 130						
Pier UP PIERu	Enterococcus Fecal Coliforms Total Coliforms		= 70 = 1000			= 60 = 90 = 20	< 9 < 9 < 9	= 9 = 30 = 40						
Pier ZERO PIERz	Enterococcus Fecal Coliforms Total Coliforms		= 70 = 130 = 170	= 36 = 450 = 750	= 240 = 60 = 140		= 7 < 9 < 9	< 9 = 30 = 30						
Pier DOWN PIERd	Enterococcus Fecal Coliforms Total Coliforms					= 180 = 320 = 550	< 9 < 9 = 9	< 9 < 9 = 9						
Trafalger Cnyn UP TRFCYnu	Enterococcus Fecal Coliforms Total Coliforms													
Trafalger Cnyn ZERO TRFCYNz	Enterococcus Fecal Coliforms Total Coliforms		= 9 < 9 < 9				< 9 < 9 < 9	= 9 < 9 < 9						
Trafalger Cnyn DOWN TRFCYNd	Enterococcus Fecal Coliforms Total Coliforms													
Rivera ZERO RIVERAz	Enterococcus Fecal Coliforms Total Coliforms		= 9 < 9 < 9				< 9 < 9 < 9	< 9 < 9 = 9						
Avenida Calafia S-21	Enterococcus Fecal Coliforms Total Coliforms		< 9 < 9 < 9				< 9 < 9 < 9	< 9 < 9 < 9						
Las Palmeras S-23	Enterococcus Fecal Coliforms Total Coliforms		< 9 = 20 = 9				< 9 < 9 < 9	< 9 < 9 < 9						

AB411 Single Sample Standards

Enterococci 104
 Fecal Coliforms 400
 Total Coliforms 10,000
 Fecal Total Coliform ratio; >1000 total coliforms if ratio exceeds 0.1

Bold numbers indicate exceedance of single sample standards
Blue header and number indicate rain event date and amount
+ or - 6' high tide event



**CITY OF SAN CLEMENTE • ENVIRONMENTAL PROGRAMS
OCTOBER 2018 CLEAN OCEAN PROGRAM UPDATE**

7.B

Meetings

10/3	Eco-Ambassador Program Planning	(D. McIntosh, C. Mallett)
10/3	Legal/Regulatory Meeting	(C. Mallett)
10/4	Trash Provision Ad Hoc Meeting	(C. Mallett)
10/9	H2O for HOAs Workshop Planning Mtg	(C. Mallett, N. Beach)
10/10	Webinar: Whale Tail Grant Program	(C. Mallett)
10/14-17/18	CA Stormwater Quality Assoc. Meeting	(C. Mallett)
10/18	OC Recycling Coordinators Meeting	(D. McIntosh)
10/22	S. Orange County Water Quality Improvement Plan Meeting	(C. Mallett)
10/23	Regional Public Education Subcommittee	(C. Mallett)
10/23	Multi-family Pilot Program Meeting w/CR&R (Cynthia/Danna)	(D. McIntosh, C. Mallett)
10/24	Shopping Cart Advertising - Ralph's Markets (Danna)	(D. McIntosh, C. Mallett)
10/29	Legal/Regulatory Meeting	(C. Mallett)
10/31	Public Ed Collateral Meeting	(C. Mallett)

Public Outreach

10/25	EcoHero Outreach assembly at Truman Benedict (Danna)	(D. McIntosh)
	PRINT / INTERNET	
October	San Clemente Times digital advertising box ad/web /mobile - 35K impressions	
10/11	San Clemente Times ad, "Stormwater pollution prevention tips before it rains"	
10/25	San Clemente Times ad, "Stormwater pollution prevention tips before it rains"	
	TELEVISION/MEDIA EXPOSURE	
10/1, 8, 15, 22, 29	Community Calendar, Cox Ch. 30 - Universal Waste Collection Service	
10/1, 8, 15, 22, 29	Community Calendar, Cox Ch. 30 - What To Do If You See A Spill	
On going	PSA- Public Service Announcement on Cox Ch. 854, "The Ocean Begins at Your Front Door - Litter"	
On going	PSA- Public Service Announcement on Cox Ch. 854, "The Ocean Begins at Your Front Door - General"	

Staff Training

10/1	Webinar: Nature-based Stormwater Projects	(C. Mallett)
10/10	The Key To Achieving Zero Waste Webinar (Danna)	(D. McIntosh)
10/18	OC Recycling Coordinators Meeting (Danna)	(D. McIntosh)
10/23	Schoolyard Cleanup Program Webinar (Danna)	(D. McIntosh)
10/24	Measuring Your Website's Community Engagement Webinar (Danna)	(D. McIntosh)

Storm Drain Maintenance Program

Catch Basins Cleaned	9
Storm Drain Line Inspected	91 linear feet

Street Sweeping Program

Material Collected/Recycled:	79,560 lbs. debris (39.78 tons)	October, 2018
# of Parking Citations Issued:	468	October, 2018

Water Quality Code Compliance

Verbal Warnings	0
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Notices of Non-Compliance	2
Administrative Citations	3
Stop Work Notices	0
Door Tags	1
NPDES Compliance Letters	0
Admin Hearing	1
Expanded Polystyrene Complaints	0

Water Quality Inspections

Commercial Inspections	0
Construction Inspections	1
Municipal Inspections	5
Water Quality Mgmt Plan Inspections	16

Recycling & Solid Waste Program

Red Tag Violation Warnings	59
Waste Management Plans	63
Complaints and Calls Received	87
Abandoned Bulky Item Requests	66

12/5/2018
12:13:35PM

City of San Clemente
Chronology by Officer Case Type and Action Type
For the Period 10/1/2018 thru 10/31/2018

Case No. Date Opened /Closed	Case Name Case Type Sub-Type	Site Address Parcel No.	Watershed Assigned to:
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ENV2018-0115	Concrete Spill Ave. Pico & I-5 North on Ramp		
10/4/2018 10/4/2018	ENVIRONMENTAL	XXXX Ave. Pico I-5 N. On Rai	M02
COMPLAINT TAKEN			DANIEL DECURTINS

Date	Action Type	Action Notes
10/11/2018	CLOSED CASE	(10/11/2018 4:53:50 PM DDC) Action Created (10/11/2018 4:53 PM DDC) Concrete discharge from a concrete truck on the I-5 North on-ramp. City staff was unable to identify the truck because it was gone by the time city crews arrived. City staff cleaned the spill. No further action is required.

1 Sub Total

ENV-PATHOGENS/COLIF

ENV2018-0120	Sewer Back-Up Discharge To Street		
10/30/2018	ENVIRONMENTAL	408 Avenida Santa Barbara	M00
COMPLAINT TAKEN	ENV-PATHOGENS/COLIF	692-026-17	DANIEL DECURTINS

Date	Action Type	Action Notes
10/30/2018	OWNER CONTACTED	(10/30/2018 3:06:16 PM DDC) Action Created (10/30/2018 3:06 PM DDC) Advised to: Educate residents about proper disposal of materials down the toilet to avoid back-ups in the future.

1 Sub Total **ENV-PATHOGENS/COLIF**

ENV-STYROFOAM

ENV2018-0125	15358 - Styrofoam		
10/31/2018 10/31/2018	ENVIRONMENTAL	1925 S El Camino Real	M00
COMPLAINT TAKEN	ENV-STYROFOAM	690-401-38	DANIEL DECURTINS

Date	Action Type	Action Notes
10/31/2018	NOTICE OF NON-COMPLIANCE	(11/8/2018 4:48:29 PM DDC) Action Created (11/8/2018 4:48 PM DDC) Advised to: Replace all styrofoam containers (EPS) (Clam shells, containers and Cups) at this location by 3:00 PM on 11/20/2018.

1 Sub Total **ENV-STYROFOAM**

ENV-WASTEWATER

ENV2018-0101	15481		
8/22/2018 10/1/2018	ENVIRONMENTAL	126 W Canada	M02
COMPLAINT TAKEN	ENV-WASTEWATER	692-395-38	DANIEL DECURTINS

Date	Action Type	Action Notes
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City of San Clemente
Chronology by Officer Case Type and Action Type

For the Period 10/1/2018 thru 10/31/2018

Case No.	Case Name	Site Address	Watershed
Date Opened /Closed	Case Type Sub-Type	Parcel No.	Assigned to:
10/1/2018	ADMIN HEARING	(10/3/2018 10:55:36 AM DDC) Action Created (10/3/2018 10:55 AM DDC) Mr. Gity did not show up the the administrative hearing. The hearing officer will make his judgement based on the evidence presented. (11/16/2018 8:59 AM DDC) Due to scheduling of the notification of the hearing and the appellants availability, and oversights on the part of the Post office Mr. Gity did not recieve notification of the hearing. Mr Gity was granted another hearing on 11/6/2018.	

ENV2018-0106			
<i>Date</i>	<i>Action Type</i>	<i>Action Notes</i>	
9/21/2018 9/21/2018 COMPLAINT TAKEN	Irrigation Runoff ENVIRONMENTAL ENV-WASTEWATER	4151 Costero Risco 678-151-13	M01 DANIEL DECURTINS
10/2/2018	PHONE CALL	(10/4/2018 9:10:54 AM DDC) Action Created (10/4/2018 9:14 AM DDC) Spoke with Dibakr Barua about the door tag that was left at his house. He wanted to know what he can do to ensure that his irrigation does not runoff into the street. I informed him that he should adjust the sprinklers and the time that they water the grass in front of his house. He also suggested that he may consult with a landscape company.	

ENV2018-0116			
<i>Date</i>	<i>Action Type</i>	<i>Action Notes</i>	
10/11/2018 10/11/2018 COMPLAINT TAKEN	Wash Water Dumping In Parking Lot ENVIRONMENTAL ENV-WASTEWATER	223 Avenida Del Mar A 058-112-19	M00 DANIEL DECURTINS
10/11/2018	\$100 ADMIN CITATION ISSUED	(10/23/2018 10:27:52 AM DDC) Action Created (10/23/2018 10:27 AM DDC) Advised to: Properly dispose of mop wash water to the sanitary sewer (mop sink) and not dump water outdoors.	

ENV2018-0117			
<i>Date</i>	<i>Action Type</i>	<i>Action Notes</i>	
10/11/2018 10/11/2018 COMPLAINT TAKEN	15487 AAA Septic Pumping Wash Water ENVIRONMENTAL ENV-WASTEWATER	223 Avenida Del Mar A	M00 DANIEL DECURTINS
10/11/2018	\$100 ADMIN CITATION ISSUED	(10/23/2018 10:56:02 AM DDC) Action Created (10/23/2018 10:56 AM DDC) Advised to: Clean up wash water and utilize best management practices to contain and clean-up wash water used in grease interceptor maintenance and grease collection operations.	

ENV2018-0122			
<i>Date</i>	<i>Action Type</i>	<i>Action Notes</i>	
10/31/2018 10/31/2018 COMPLAINT TAKEN	15357 VCI Construction, Inc Waste Water Discharge ENVIRONMENTAL ENV-WASTEWATER	XXX Mariposa and El Camino	M00 DANIEL DECURTINS

City of San Clemente
Chronology by Officer Case Type and Action Type
For the Period 10/1/2018 thru 10/31/2018

Case No. Date Opened /Closed	Case Name Case Type Sub-Type	Site Address Parcel No.	Watershed Assigned to:
10/31/2018	\$100 ADMIN CITATION ISSUED	(11/1/2018 4:04:10 PM DDC) Action Created (11/1/2018 4:04 PM DDC) Advised to: Immediately discontinue all prohibited discharges without a discharge permit.	
10/31/2018	\$100 ADMIN CITATION ISSUED	(11/1/2018 4:05:01 PM DDC) Action Created (11/1/2018 4:05 PM DDC) Advised to: Implement proper required best management practices to properly contain and dispose of waste water.	

6 Sub Total **ENV-WASTEWATER**

9 Total of ALL Actions



**CITY OF SAN CLEMENTE • ENVIRONMENTAL PROGRAMS
NOVEMBER 2018 CLEAN OCEAN PROGRAM UPDATE**

7.B

Meetings

11/7	WQIP Performance Metrics Workshop	(C. Mallett)
11/14	Global Green Eco-Ambassador Workshop	(D. McIntosh, C. Mallett)
11/15	Trash and Debris Task Force	(C. Mallett)
11/27	South Orange County WQIP Meeting	(C. Mallett)

Public Outreach

11/10	Compost Give-Away Event	(D. McIntosh, C Mallett, D. DeCurtins)
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PRINT / INTERNET

November	San Clemente Times digital advertising box ad/web /mobile - 35K impressions
11/8	San Clemente Times ad, "Environmental Sustainability Grant Program"
11/22	San Clemente Times ad, "Environmental Sustainability Grant Program"

TELEVISION/MEDIA EXPOSURE

11/5, 12. 19, 26	Community Calendar, Cox Ch. 30 - Universal Waste Collection Service
11/5, 12. 19, 26	Community Calendar, Cox Ch. 30 - What To Do If You See A Spill
On going	PSA- Public Service Announcement on Cox Ch. 854, "The Ocean Begins at Your Front Door - Litter"
On going	PSA- Public Service Announcement on Cox Ch. 854, "The Ocean Begins at Your Front Door - General"

Staff Training

11/7	Webinar: Impacts on Compliance for Jurisdictions	(D. McIntosh)
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Storm Drain Maintenance Program

Catch Basins Cleaned	13
Storm Drain Line Inspected	0

Water Quality Code Compliance

Verbal Warnings	8
Notices of Non-Compliance	0
Administrative Citations	3
Stop Work Notices	0
NPDES Compliance Letters	0
Door Tags	6
Admin Hearing	1
Expanded Polystyrene Complaints	0

Water Quality Inspections

Commercial Inspections	0
Construction Inspections	1
Municipal Inspections	3
Water Quality Mgmt Plan Inspections	1

Recycling & Solid Waste Program

Red Tag Violation Warnings	48
Waste Management Plans	69
Complaints and Calls Received	83
Abandoned Bulky Item Requests	62

City of San Clemente
Chronology by Officer Case Type and Action Type
For the Period 11/1/2018 thru 11/30/2018

Case No. Date Opened Status	Case Name Case Type Sub-Type	Site Address Parcel No.	Watershed
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CE-HEALTH AND SAFETY

CE2018-1035	NOC: Hazardous Materials & Snipe Sign		
11/10/2018	CODE ENFORCEMENT	924 Calle Negocio	
CLOSED	CE-HEALTH AND SAFETY	688-031-06	

Date *Action Type*

11/27/2018 PHONE CALL

11/27/2018 SITE VISIT

2 Sub Total **CE-HEALTH AND SAFETY**

ENV-HYDROCARBONS

ENV2018-0130	Power Stearing Fluid Leak		
11/5/2018	ENVIRONMENTAL	2928 Arreos	M01
COMPLAINT TAKEN	ENV-HYDROCARBONS	680-341-05	

Date *Action Type*

11/5/2018 VERBAL WARNING

1 Sub Total **ENV-HYDROCARBONS**

ENV-MISCELLANEOUS

ENV2018-0133	15473 Excel Paving Co - Prohibited Discharge		
11/13/2018	ENVIRONMENTAL	XXX Calle Puente	M00
COMPLAINT TAKEN	ENV-MISCELLANEOUS		

Date *Action Type*

11/13/2018 \$100 ADMIN CITATION ISSUED

11/13/2018 \$100 ADMIN CITATION ISSUED

ENV2018-0145	Hazardous Waste Left at Dumpster		
11/27/2018	ENVIRONMENTAL	920 Calle Negocio	M02
COMPLAINT TAKEN	ENV-MISCELLANEOUS	688-031-06	

Date *Action Type*

11/27/2018 PHONE CALL

11/27/2018 SITE VISIT

4 Sub Total **ENV-MISCELLANEOUS**

ENV-WASTEWATER

ENV2018-0101	15481		
8/22/2018	ENVIRONMENTAL	126 W Canada	M02
COMPLAINT TAKEN	ENV-WASTEWATER	692-395-38	

Date *Action Type*

11/6/2018 ADMIN HEARING

City of San Clemente
Chronology by Officer Case Type and Action Type
For the Period 11/1/2018 thru 11/30/2018

Case No. Date Opened Status	Case Name Case Type Sub-Type	Site Address Parcel No.	Watershed
ENV2018-0126 11/1/2018 COMPLAINT TAKEN	15440 - La Siesta Mexican Food - WASH WATER DISCHARGE ENVIRONMENTAL ENV-WASTEWATER	920 N EL CAMINO REAL 692-395-25	M00
<i>Date</i>	<i>Action Type</i>		
11/1/2018	\$100 ADMIN CITATION ISSUED		
11/1/2018	\$100 ADMIN CITATION ISSUED		
ENV2018-0127 11/13/2018 COMPLAINT TAKEN	Over Irrigation ENVIRONMENTAL ENV-WASTEWATER	128 Avenida W Santiago 692-152-37	M00
<i>Date</i>	<i>Action Type</i>		
11/1/2018	DOOR TAG		
ENV2018-0131 11/6/2018 COMPLAINT TAKEN	Wash water Discharge to MS4 ENVIRONMENTAL ENV-WASTEWATER	6171 Camino Forestal 678-081-19	M01
<i>Date</i>	<i>Action Type</i>		
11/6/2018	VERBAL WARNING		
ENV2018-0132 11/14/2018 COMPLAINT TAKEN	Car Washing In Driveway ENVIRONMENTAL ENV-WASTEWATER	304 Avenida Del Mar 692-054-30	M00
<i>Date</i>	<i>Action Type</i>		
11/14/2018	VERBAL WARNING		
11/14/2018	VERBAL WARNING		
ENV2018-0134 11/14/2018 COMPLAINT TAKEN	Non-Stormwater Discharge from Curb Core ENVIRONMENTAL ENV-WASTEWATER	314 Avenida Santa Barbara 692-041-12	M00
<i>Date</i>	<i>Action Type</i>		
11/14/2018	DOOR TAG		
ENV2018-0135 11/14/2018 COMPLAINT TAKEN	Irrigation Runoff ENVIRONMENTAL ENV-WASTEWATER	233 Avenida Rosa 058-102-16	M00
<i>Date</i>	<i>Action Type</i>		
11/14/2018	DOOR TAG		
ENV2018-0136 11/13/2018 COMPLAINT TAKEN	Irrigation Non-stormwater Discharge ENVIRONMENTAL ENV-WASTEWATER	252 W. Marquita	M00
<i>Date</i>	<i>Action Type</i>		

City of San Clemente
Chronology by Officer Case Type and Action Type
For the Period 11/1/2018 thru 11/30/2018

Case No. Date Opened Status	Case Name Case Type Sub-Type	Site Address Parcel No.	Watershed
11/13/2018	DOOR TAG		
ENV2018-0137	Over Irrigation		
11/6/2018 COMPLAINT TAKEN	ENVIRONMENTAL ENV-WASTEWATER	145 W Mariposa 058-131-24	M00
<i>Date</i>	<i>Action Type</i>		
11/6/2018	DOOR TAG		
ENV2018-0138	Car Washing In Street		
11/13/2018 COMPLAINT TAKEN	ENVIRONMENTAL ENV-WASTEWATER	134 Avenida De La Grulla 692-363-34	M00
<i>Date</i>	<i>Action Type</i>		
11/13/2018	VERBAL WARNING		
11/13/2018	VERBAL WARNING		
ENV2018-0140	15474 Non-Stormwater Discharge		
11/27/2018 COMPLAINT TAKEN	ENVIRONMENTAL ENV-WASTEWATER	1450 N El Camino Real B 692-362-01	M00
<i>Date</i>	<i>Action Type</i>		
11/27/2018	\$100 ADMIN CITATION ISSUED		
11/27/2018	\$100 ADMIN CITATION ISSUED		
11/27/2018	PHONE CALL		
11/30/2018	OWNER CONTACTED		
11/30/2018	1ST LETTER SENT		
ENV2018-0142	Non-Stormwater Discharge - Wash Water		
11/27/2018 COMPLAINT TAKEN	ENVIRONMENTAL ENV-WASTEWATER	144 W Mariposa 058-052-16	M00
<i>Date</i>	<i>Action Type</i>		
11/27/2018	VERBAL WARNING		
11/27/2018	VERBAL WARNING		
ENV2018-0143	Power Washing Into Street		
11/27/2018 COMPLAINT TAKEN	ENVIRONMENTAL ENV-WASTEWATER	204 Calle Conchita 692-252-28	M00
<i>Date</i>	<i>Action Type</i>		
11/27/2018	DOOR TAG		

City of San Clemente
Chronology by Officer Case Type and Action Type
For the Period 11/1/2018 thru 11/30/2018

Case No. Date Opened Status	Case Name Case Type Sub-Type	Site Address Parcel No.	Watershed
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ENV2018-0144 11/27/2018 COMPLAINT TAKEN	Non-stormwater Discharge - Curb Core ENVIRONMENTAL ENV-WASTEWATER	206 Calle Conchita 692-252-27	M00
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<i>Date</i>	<i>Action Type</i>
11/27/2018	VERBAL WARNING
11/30/2018	PHONE CALL

ENV2018-0150 11/19/2018 COMPLAINT TAKEN	Non-Stormwater Discharge - POOL FILTER CLEANING ENVIRONMENTAL ENV-WASTEWATER	2997 Calle Gaucho 680-191-22	M01
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<i>Date</i>	<i>Action Type</i>
11/19/2018	VERBAL WARNING

24 Sub Total **ENV-WASTEWATER**

31 **Total of ALL Actions**



Memorandum Utilities Department

9.A.

December 10, 2018

To: Coastal Advisory Committee
From: Cynthia Mallett, Environmental Programs Supervisor
Subject: **Potential Future Agenda Items**

The following is a list of potential topics that the CAC is considering for future meetings, based on input from CAC members during prior meetings and staff recommendations.

January 2019

1. Environmental Sustainability Grant Proposals – Voting Item
2. Poche Falconry Project – Voting Item
3. Contract for Stormwater Monitoring and Technical Support Services
4. Eco-Ambassador Program Update
5. Pier Bird Deterrent Update
6. January 9, 2019: Anaerobic Digester Tour: Perris, CA

February 2019

1. Shredding Event: February 9: City Maintenance Yard

March 2019

April 2019

1. Events
 - a. April 13, 2019: Earth Day at Parque Del Mar
 - b. April 13, 2019: Spring Garden Fest at Community Center