



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: 04/14/09
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas Fayram, Deputy Public Works Director, 568-3436

SUBJECT: A Status Report on Ordinance No. 4654 Amending Chapters 29 and 24A of the
Santa Barbara County Code Relating to Stormwater Runoff Controls

County Counsel Concurrence

As to form: No

Auditor-Controller Concurrence

As to form: No

Other Concurrence:

As to form: No

Recommended Actions:

Accept the following status report for FY 2007-08 Ordinance No. 4654 on storm water discharges as regulated under Chapter 29 of Santa Barbara County Code.

Summary Text:

On September 25, 2007, your board approved an amendment to Chapter 29 (with revisions to Chapter 24A) and requested staff to provide a status report after the first year of implementation.

Throughout the year, County practices to identify and abate polluted discharges, through creek walks, complaints, referrals from other agencies, routine business inspections, etc. continued as in the past. As directed by your board, where businesses or properties were investigated, prior notice was provided. In most situations, violations were minor and easily corrected by willing property owners. Occasionally, written notification of violation was warranted due to magnitude or severity, and included reference to County Code Section 29-53.

Since July 1, 2007, there were ten cases where written notice of violation was sent to a private property owner identifying a potential for polluted discharge, or evidence of polluted discharge, into the County's storm drain system. The ten included five residential homeowners and five businesses. Each notice included a requirement to correct or abate the polluted discharge within a stated time frame.

In these ten cases, follow-up inspections resulted in correction and/or compliance within the stated time frame. There were no further enforcement actions, such as an appeal (Section 29-54) or County-initiated abatement (29-51).

Background:

Chapter 29 was amended to provide additional authority and clarification to prevent and abate discharge of pollutants into the County's storm drain system. This amendment was a requirement of the State of California's NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (General Permit). Amendments to Chapter 29 are intended to protect receiving waters from water quality impacts by establishing penalties and abatement procedures for such violations.

The amendments to Chapter 29 did not replace or supersede existing County Codes regulating liquid waste discharge, hazardous materials or solid waste. Rather, the amended code addressed sources of pollution that may not be otherwise addressed by these other regulations and clarified the role of Public Works Director in enforcement of the code. In particular, it provided specific language defining polluted discharges to the storm drain system, and included procedures for inspection by County staff with requirements for abatement of polluted discharges. The amended code does not seek to regulate State-permitted, State-regulated, or otherwise exempt discharges such as those from agriculture.

Performance Measure:

Adoption and implementation of the amended code was a reported Measurable Goal in the County of Santa Barbara Storm Water Management Program for FY 2007-08 which is a performance measure.

Fiscal and Facilities Impacts:

Costs associated with implementation and enforcement of the revised code were included in the adopted 07/08 budget under the Water Agency cost center of the Water Resources Division of the Public Works Department on page D-318 in the budget book.

Budgeted: Yes

Special Instructions:

None.

Attachments:

Approved ordinance entitled "An Ordinance Amending Chapters 29 and 24A of Santa Barbara County Code"

Authored by: Cathleen Garnand, Civil Engineer Associate 568-3561

cc: