



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: 1/14/14
Placement: Administrative
Estimated Tme: 2/04/14, Dept. 15 min
2/11/14, Admin
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 D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: Ordinance Amending Chapter 29 of the Santa Barbara County Code Relating to the Stormwater Management and Discharge Control Ordinance, All Districts

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: N/A

Recommended Actions:

- a) Set a hearing on the Departmental Agenda of February 4, 2014 to consider the introduction (first reading) of an ordinance amending Article IV of Chapter 29 of the Santa Barbara County Code Relating to Stormwater Management and Discharge Control (Attachment A) (read title and waive further reading beyond the title); and
- b) Set hearing on the Administrative Agenda of February 11, 2014 to:
 - i. Consider adoption (second reading) of an ordinance amending Article IV of Chapter 29 of the Santa Barbara County Code Relating to Stormwater Management and Discharge Control (Attachment A); and
 - ii. Find that the proposed ordinance amendment is for the protection of the environment and does not involve construction activities or relaxation of standards and is therefore exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15308 (Actions by Regulatory Agencies for the Protection of the Environment) and approve the filing of a Notice of Exemption (Attachment C) on that basis.

Summary Text:

These actions recommend amendments to the existing Stormwater Management and Discharge Control Ordinance. The current ordinance was adopted by the Board of Supervisors in 2007 in order to identify and control stormwater pollution sources and to comply with requirements of the County's Storm Water Management Program. Amendments to the current ordinance are intended to implement new *Resolution No. R3-2013-0032 Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region* and to comply with state regulations pursuant to State Water Resources Control Board Order No. 2013-0001 *Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) General Permit*. These actions are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15308 as they are being implemented to protect the environment.

Background:

The County is mandated under federal Clean Water Act and its implementing regulations for the National Pollutant Discharge Elimination System (NPDES) to enroll in the Phase II Municipal Storm Water Program and to prepare and implement a storm water management program. The County's Storm Water Management Program was approved by the Regional Water Quality Control Board in July, 2006. Article IV of Chapter 29 related to Stormwater Management and Discharge Control was adopted by the Board of Supervisors in September 2007. In February 2013 the State Water Resources Control Board reissued the Phase II Municipal Permit with additional requirements for municipalities to prohibit non-incident irrigation runoff. It further requires the County to certify that it has adequate legal authority to control pollutant discharge into and from the County's storm drain system and to meet all requirements of the Phase II Municipal Permit. In July 2013, the Central Coast Regional Water Quality Control Board (Regional Board) approved new *Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region*. These new rules, which establish criteria and thresholds for storm water control measures on new and redevelopment projects, must be implemented no later than March 6, 2014. Amendments to Article IV of Chapter 29 relating to Stormwater Management and Discharge Control are necessary to establish authority to implement and to be in compliance with the new NPDES stormwater requirements. Additional minor edits are being made at this time to update definitions, add references to appropriate codes, and to clarify language in the existing ordinance.

Fiscal and Facilities Impacts:

None with this action. Implementation of the County's stormwater management program and the Post-Construction Requirements was anticipated with adoption of the FY 2013-2014 Project Clean Water budget.

Fiscal Analysis:

There is no cost associated with the proposed ordinance amendment.

Staffing Impacts:

There are no staffing impacts associated with this action.

Special Instructions:

Direct the Clerk of the Board after the January 14, 2013 hearing to:

At least 10 days prior to February 4 and February 11, 2014, publish the attached Notice of Public Hearing on January 17 and 24, 2013 pursuant to Government Code Section 6066 in the Santa Barbara Newspress and the Santa Maria Times.

Direct the Clerk of the Board after the February 21, 2014 hearing to:

1. Publish a copy of the amended ordinance or summary of the ordinance with names of the members of the Board of Supervisors voting for or against the amendment within 15 days of adoption of the ordinance pursuant to Government Code Section 25124 in the Santa Barbara Newspress and Santa Maria Times;
2. Post the attached CEQA NOE; and
3. Send copies of the NOE, minute order, and a certified copy of the amended ordinance to the Water Resources Division, Attn: Christina Lopez.

Attachments:

Attachment A: Ordinance

Attachment B: Ordinance with underline/strikethrough

Attachment C: Notice of Exemption

Attachment D: Public Notice

Authored by: Joy Hufschmid, Project Clean Water Manager, 568-3373