



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: CEO  
Department No.: 012  
For Agenda Of: 7/10/12  
Placement: Administrative  
Estimated Tme: N/A  
Continued Item: No  
If Yes, date from: N/A  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Chandra Wallar, County Executive Officer  
Director  
Contact Info: Alice McCurdy, Deputy Director, Planning and Development, 568-2518  
Joy Hufschmid, Project Clean Water Manager, 568-3373  
Bob Nisbet, Director, General Services, 560-1011

**SUBJECT: Comments on the Draft Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region**

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**County Counsel Concurrence**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors receive and file comments prepared by the County's Planning and Development, Public Works, and General Services Departments.

**Background:**

The Central Coast Regional Water Quality Control Board (Water Board) recently proposed requirements to control stormwater runoff from new development and redevelopment. These draft requirements are intended to implement requirements of the Clean Water Act. The Water Board released the draft requirements for public comment, with a deadline of July 6, 2012 (Attachment A).

County staff has reviewed the Draft Post-Construction Requirements and prepared comments to be considered by the Water Board (Attachment B). Staff has identified numerous areas of concern, including:

- The proposed requirements will put in place standards that have not been tested for technical feasibility and are unattainable in many situations.

- The proposed runoff retention/infiltration standards may not be attainable given natural and historical conditions on the South Coast.
- The proposed regulations provide no exemption for projects that cannot meet the standards due to technical factors.
- The proposed regulations would increase both the cost and the complexity of development for both private and County projects.
- The proposed regulations would have the unintended consequence of pushing development pressure to rural areas, thereby undermining other overarching planning goals such as sustainability.
- Since they would apply not only to new development but also to redevelopment, the regulations would impede the smart re-use of land.
- Potential grounds for an unfunded mandate claim may exist because the proposed requirements go beyond federally mandated requirements.

The County is committed to working with the Central Coast Regional Water Quality Control Board to resolve these issues and craft post-construction requirements that are both successful and cost-effective.

**Special Instructions:**

The Clerk of the Board shall forward a copy of the minute order to the Planning and Development Department, Attention: David Villalobos, Hearing Support.

**Attachments:**

Attachment A: Notice of Opportunity for Public Comment, California Regional Water Quality Control Board Central Coast Region

Attachment B: Santa Barbara County Comment Letter

**Authored by:**

Paul Clementi, Associate Planner, Long Range Planning Division, (805) 568-2011