



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: 1/30/2018
Placement: Administrative
Estimated Time: 2/27/2018, Dept-15 min
3/13/2018, Admin
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott D. McGolpin, P.E., Director, 568-3010
Director(s)

Contact Info: Mark A. Schleich, P.E., Deputy Director 882-3605

SUBJECT: **Ordinances Amending Chapters 24A and 29-24 of the Santa Barbara County Code Relating to Fines and Penalties for Violations Regarding to Discharge to the Laguna County Sanitation District Treatment System – Third, Fourth and Fifth Supervisorial Districts**

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Set a hearing on the Departmental Agenda of February 27, 2018 to consider the introduction (first reading) of ordinances amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to administrative fines and penalties for violations to Chapter 29, Article III – Discharge into Laguna County Sanitation District Treatment System.
- b) Set a hearing on the Administrative Agenda of March 13, 2018 to:
 - i. Consider adoption (second reading) of ordinances amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to administrative fines and penalties for violations to Chapter 29, Article III – Discharge into Laguna County Sanitation District Treatment System.

Auditor-Controller Concurrence

As to form: N/A

- ii. Read the title of the ordinances and waive the reading of the ordinances in full.
- iii. Find that the proposed ordinance amendments are 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 pursuant to 14 CCR 15308 (Actions by Regulatory Agencies for the Protection of the Environment) and approve the filing of a Notice of Exemption on that basis.

Summary Text:

This item is on the agenda in order to consider adoption of ordinances amending existing County Code sections related to enforcement of discharge violations to the Laguna County Sanitation District collection and treatment systems. Amendments to Chapter 24 allow for the enforcement provisions contained in this chapter for violations to Chapter 29 Articles I and III. Amendments to Chapter 29 Section 24 update Ordinance 2707 adopted in 1975 related to enforcement of violations pursuant to current state codes. These actions are recommended in order to protect the health and welfare of people, property and the environment and to comply with State Water Resources Control Board adopted *Order No. 2006-0003, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*.

Background:

The State Water Resources Control Board adopted *Order No. 2006-0003, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems* on May 2, 2006 in order to better control efforts related to the prevention sewer system overflows. This Order set standards for sewer system management including the control of illicit wastes that can cause sanitary sewer overflows resulting in harm to the health and welfare of people and the environment. In response, the Laguna County Sanitation District requested the County amend Article III of County Code Chapter 29 in 2013 to regulate the discharge of fats, oils and grease from food service establishments to the Laguna County Sanitation District sewer system and treatment plant. Unfortunately, adequate enforcement capabilities do not currently exist for most discharge violations of any kind. This action, therefore, provides updated mechanisms for enforcement of violations.

Specifically, it is proposed to make County Code Section 24A consistent with other County Code sections for administrative fines and appeals. In addition, Chapter 29 Section 24 would be amended to be consistent with applicable state codes (Health and Safety Code, Government Code, Water Code and the Fish and Game Code) as they pertain to county sanitation districts. The ordinances will allow for imposition of civil liabilities and the issuance of administrative complaints with civil penalties, which may be assessed on the tax roll as a lien if delinquent.

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.

Staff recommends adoption of these actions to provide updated and more efficient means for enforcement of violations in order to be more in line with the goals of the State Order.

Fiscal and Facilities Impacts:

None with this action.

Fiscal Analysis:

There is no cost associated with the adoption of the proposed ordinances.

Staffing Impacts:

There are no staffing impacts associated with these actions.

Special Instructions:

- A. Clerk of the Board to publish a copy of the amended ordinance or summary of the ordinance with the names of the member of the Board voting for and against the amendment within 15 days of the adoption of the ordinance pursuant to Government Code Section 25124 in the Santa Maria Times.
- B. Post the attached NOE.
- C. Clerk of the Board to forward copies of the NOE, minute order and certified copies of the amended ordinances to:
 - (1) Martin Wilder, Laguna County Sanitation District in Santa Maria,
 - (2) Sheila de la Guerra, Resource Recovery & Waste Management Division in Santa Barbara.

Attachments:

- Attachment A: Ordinances
- Attachment B: Ordinances with underline/strikethrough
- Attachment C: Public Notice
- Attachment D: Notice of Exemption

Authored by:

Martin Wilder, P.E., Utilities Manager, 739-8750

Copy:

County Counsel
File - Ordinances