



**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: 08/21/07  
Placement: Departmental  
Estimated Tme: 20 minutes on  
08/21/07 and 10 minutes  
on 09/11/07  
Continued Item: yes  
If Yes, date from:  
Vote Required: Majority

**TO:** Board of Supervisors  
**FROM:** Public Works Scott McGolpin, Interim Public Works Director, 568-3010  
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436  
**SUBJECT:** **Hearings to Adopt an Ordinance entitled “An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code” relating to Stormwater Runoff Controls**

**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: No

**Recommended Actions:**

On August 21, 2007 (ESTIMATED TIME: 20 MINUTES):

- a) Consider the introduction (First Reading) of an ordinance entitled, “An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code” relating to Stormwater Runoff Controls; and

On September 11, 2007 (ESTIMATED TIME: 10 MINUTES)

- a) Consider Adoption (Second Reading) of an ordinance entitled, “An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code” relating to Stormwater Runoff Controls.

**Summary Text:** The Board continued the first reading to introduce an ordinance entitled, “An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code”; to August 21, 2007 and set the date of September 11, 2007 as the second reading.

It is proposed to revise the County Code to add sections as required by the State of California (Through the County’s NPDES Phase II Permit) intended to prevent and abate discharge of pollutants into the environment through a discharge control ordinance with associated administrative fines.

The County's Storm Water Management Program, approved by the Regional Water Quality Control Board (RWQCB) in July, 2006, includes a requirement for the County to adopt a discharge ordinance during the first General Permit term (July 1, 2006 to June 30, 2007). County staff anticipated this requirement and developed a draft Ordinance in 2004. The draft was discussed in two public workshops, revised and then held pending final approval of the County Storm Water Management Program. In January and February, 2007, public workshops were again held and comments were solicited from the RWQCB. The proposed Ordinance reflects input from these workshops.

As proposed, the new Ordinance does not replace or supersede existing County Codes regulating liquid waste discharge, hazardous materials or solid waste. Rather the new Ordinance will address any sources of pollution not addressed by these other regulations (such as carpet cleaning waste and paint waste). Using the same approach, the Ordinance does not seek to regulate State permitted or exempt discharges (such as those from agriculture).

The attached revised proposed ordinance adds a timeframe for remediation (30 days), which was inadvertently left out of Section 29-55, and substitutes clearer language in Section 29-51 that landowner responsibility is confined to their property and in Section 29-63 regarding criminal prosecution. The clearer language regarding property owner responsibility was requested by the AAC and the building industry in recent workshops.

**Background:**

In 1998, at the direction of the Santa Barbara County Board of Supervisors, Project Clean Water was established to identify and control storm water pollution sources. U.S. EPA promulgated NPDES permit regulations in December 1999, requiring permits for small municipalities to manage pollution in runoff from publicly owned "storm sewers" which include above ground and below ground storm drains.

The State Water Resources Control Board has adopted further regulations controlling pollutants present in storm water and other forms of urban runoff in the form of a "General Permit" published in 2003. Pursuant to these regulations, the County of Santa Barbara is responsible for implementing a Storm Water Management Program in the unincorporated urbanized areas of the South Coast, Santa Ynez Valley, and Santa Maria Valley.

**Performance Measure:**

Performance measure 0146 states, "Achieve 100% of the Measurable Goals in the County of Santa Barbara Storm Water Management Program for FY 2006-07". Adoption of this Ordinance is a Measurable Goal in the County of Santa Barbara Storm Water Management Program for FY 2006-07.

**Fiscal and Facilities Impacts:**

Costs associated with adoption of the proposed Ordinance were included in the Adopted 06/07 Budget under the Water Agency cost center of the Water Resources Division of the Public Works Department on page D-322 in the budget book. Anticipated costs for implementation including enforcement will be included in future Project Clean Water budgets.

Budgeted: Yes

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

After the September 11, 2007 hearing, direct the Clerk of the Board to:

1. Publish a copy of the Ordinance or summary of with names of the members of the BOS voting for or against the Ordinance in the Santa Barbara News Press within 15 days of adoption of the Ordinance; and
2. Send a copy of the adopted Ordinance, stamped Notice of Exemption, and minute order to the Water Resources Division office; Attn: Christina Lopez.

**Attachments:**

Ordinance entitled “An Ordinance Amending Chapters 29 and 24A of Santa Barbara County Code”

**Authored by:** Robert Almy, Water Agency Manager, 568-3542