



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: 06/05/07
Placement: Administrative
Estimated Tme: 20 minutes on
07/17/07 and 10 minutes
on 08/14/07
Continued Item: No
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: Set 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

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

- a) File the attached CEQA Notice of Exemption to Adopt an Ordinance entitled “An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code” (POST);
- b) Set the First Reading (for July 17, 2007 ESTIMATED TIME: 20 MINUTES) to Introduce an ordinance entitled, “An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code”;
- c) Set the Second Reading (for August 14, 2007 ESTIMATED TIME: 10 MINUTES) Adopt the ordinance entitled, “An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code”.

Summary Text: The Board shall set July 17, 2007 as the date for the first reading to introduce an ordinance entitled, “An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code”; and August 14, 2007 as the date of the second reading.

It is proposed to revise County Code to prevent and abate discharge of pollutants into the storm drain system 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 Ordinance does not replace or supersede existing County Code regulating liquid waste discharge, hazardous materials or solid waste. Rather the Ordinance is a backstop if any of these other regulations prove inadequate for controlling expected sources of pollution. Using the same approach, the Ordinance does not seek to regulate State permitted or exempt discharges (such as those from agriculture), so long as those discharges conform to the conditions of their permits or waivers.

Adoption of this ordinance is recommended to protect water quality within Santa Barbara County and required by the RWQCB.

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. The State now regards the County as being responsible for the quality of water flowing from publicly owned storm drains and waterways without regard to the ultimate source of any pollution.

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 June 5, 2007 hearing, direct the Clerk of the Board to:

1. Post the attached Notice of Exemption;
2. Publish notice of these two hearings pursuant to Section 6066 of the Government Code in the Santa Barbara News Press and the Santa Maria Times, a newspapers of general circulation (once at least ten days before the first hearing);

After the August 14, 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:

1. CEQA Notice of Exemption
2. Ordinance entitled "An Ordinance Amending Chapters 29 and 24A of Santa Barbara County Code"

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