

## 5.0 POST-CONSTRUCTION RUNOFF CONTROL

Responsible Person to Implement or Coordinate this Minimum Control Measure: County Planning and Development Director.

One of the best opportunities to reduce the generation of storm water pollution from urban runoff is through planning and design, before developments are built. Once built, it is complex and expensive to correct problems. This minimum control measure focuses on site planning and design considerations, which are most effective when addressed in the early stages of project development. Effective long-term management and maintenance are critical, so the best design opportunities are those with the least maintenance needs. The goal of the program is to integrate basic and practical storm water management techniques into new development to protect water quality.

### 5.1 Minimum Requirements

The State General Permit minimum control measure for post-construction runoff control requires that the County must, at a minimum:

- Develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the Small MS4 by ensuring that controls are in place that would prevent or minimize water quality impacts;
- Develop and implement strategies that include a combination of structural and/or non-structural BMPs;
- Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment to the extent allowable under local law; and
- Ensure adequate long-term operation and maintenance of BMPs.

Furthermore, the State General Permit requires “Those regulated traditional and non-traditional Small MS4s serving a population over 50,000 or that are subject to high growth (at least 25 percent over ten years) must comply with the requirements in Attachment 4 of this General Permit.” The requirements of Attachment 4, which address Receiving Water Limitations and Design Standards, apply to the County of Santa Barbara. The Receiving Water Limitations of Attachment 4(A) state that discharges shall not cause or contribute to an exceedence of water quality standards contained in a Statewide Water Quality Control Plan, the California Toxics Rule, or in the applicable RWQCB Basin Plan. Of relevance to this Minimum Control Measure are the standard condition requirements of Attachment 4(B). The County will comply with the provisions of this minimum control measure, including Attachment 4(B), through application of land use policy, design standards, California Environmental Quality Act (CEQA) review and impact mitigation, and through standard conditions. Enforcement is ensured through the zoning ordinance. Details of these programs are presented below.

### Background

Under state planning law and CEQA, the County Planning and Development Department (P&D) is responsible for evaluating new development and redevelopment projects, therefore P&D has a key role in implementing the NPDES Phase II post-construction runoff control measures.

In general, the County's existing land use policies and development review process provide a strong framework for water quality protection and compliance. To comply with NPDES Phase II objectives, the County must ensure consistent interpretation and application of policies, adequate implementation tools, and consistent and adequate implementation and enforcement of mitigation measures. To provide this, P&D staff recommended the following revisions that were formally adopted through approval by the County Board of Supervisors on September 24, 2002:

- Provide interpretive and implementation guidelines for key Comprehensive Plan policies addressing water quality (see Section 5.2.1 below);
- Revise County CEQA initial study checklist to bring attention to storm water pollution as an issue area on new development and redevelopment;
- Provide a new section to the Environmental Thresholds and Guidelines Manual to assess surface and storm water quality impacts, to determine whether impacts are significant and to provide a mitigation hierarchy; and
- Provide new conditions of approval and mitigation measures to ensure that projects are consistent with key policies and address identified CEQA impacts.

In addition to the efforts in P&D, the Public Works Department has developed criteria for hierarchy in approving new projects (site design, source control, treatment control) with design standards for post-construction treatment control BMPs. The design standards are conditioned by the Public Works Department through the *Standard Conditions for Project Plan Approval – Water Quality BMPs* shown in Appendix G and discussed below. The Public Works Department also provides review of new development projects as part of the County Subdivision Review Committee and during CEQA review. Their review assists P&D in assessing the need for, and the adequacy of, proposed storm water quality treatment measures as required by the County's Comprehensive Plan policies.

To assist in the evaluation of the County's compliance with the NPDES Phase II regulations, the County contracted with Science Applications International Corporation (SAIC) in 2000 to help review the County's current post-construction practices and policies. SAIC assisted P&D with review of the County's existing Land Use Element and Local Coastal Plan policies that address water quality, the County's CEQA initial study checklist, CEQA thresholds and guidelines, and standard conditions of approval and mitigation measures.

The results of this evaluation were presented to the public through a series of workshops held in Santa Maria, Buellton, and Santa Barbara over a period of several months. Public comment on this work provided clarification and improvements on the final recommendations. The recommendations on policy interpretations and guidelines were presented to the County Board of Supervisors on two separate occasions during the spring and summer of 2002, and were adopted by the Board on September 24, 2002.

The new Board-adopted interpretive guidelines clarify applicability and interpretation and provide more consistent policy application. Coupled with new CEQA significance guidelines, environmental thresholds and guidelines manual, and conditions of approval and mitigation measures, the new interpretation guidelines will enhance policy implementation to protect water quality. A copy of these guidelines, including specific language implementing the BMPs that will be required on all new development requiring permits can be found in Appendix F - New Development Policies and Guidelines. The specific items are summarized below.

## **5.2 Best Management Practices**

The County land use policies include a number of measures that address/protect storm water quality. They include requirements to: minimize grading (including limitations on grading on steep slopes); encourage good site design; provide development setbacks “buffers” from creeks and streams, and protect and restore sensitive habitats including wetlands. Review of surface water quality issues occurs during CEQA review and as a part of planning review (Staff Report preparation) during which projects are evaluated for consistency with the County’s Comprehensive Plan policies and Zoning Ordinance requirements. The protective policies and guidelines adopted by the County are discussed below. In addition, staff training will be conducted to provide for effective implementation of this minimum control measure.

### **5.2.1 Land Use Policy**

#### Interpretive and Implementation Guidelines.

Interpretive guidelines were developed and adopted by the County to promote the consistent interpretation and implementation of Santa Barbara County’s existing key Comprehensive Plan water quality policies. P&D has historically used interpretive guidelines as a tool for clarifying policy objectives (e.g., Land Use Development Policy [LUDP] 4, Lompoc Area Interpretive Guidelines). The interpretive guidelines for water quality policies are applied to all new development and redevelopment projects proposed in the unincorporated areas of the County that generate runoff that is directly or indirectly discharged to storm drains, creeks, streams, rivers, the ocean, or other receiving water bodies in Santa Barbara County. These guidelines provide County staff and the development community with a framework to identify appropriate water quality protection measures for proposed projects, including the development of reasonable and feasible BMPs.

The Comprehensive Plan provides policy guidance in three general areas that address water quality protection: policies that encourage environmentally sensitive site design (LUDP 2, Hillside and Watershed Protection Policies 1 and 2, Coastal Plan Policies 3-13 and 3-14), policies that address minimizing grading, erosion water quality degradation during construction (Hillside and Watershed Protection Policies 3, 4, 5 and 7, Coastal Plan Policies 3-15, 3-16, 3-17 and 3-19), and policies that address post-construction water quality (Hillside and Watershed Policies 7 and Coastal Plan Policy 3-19). Hillside and Watershed Protection Policy 7 and Coastal Plan Policy 3-19 provide the mandate for the County to require both structural and non-structural BMPs to comply with the post-construction storm water runoff management in new development and redevelopment.

Existing Comprehensive Plan riparian and wetland protection policies also address water quality protection through preservation and restoration of riparian corridors and vegetation. In December 2000, P&D issued a policy paper to staff on creek and riparian protection clarifying the intent and application of these policies. This paper addresses appropriate application of riparian buffers, when encroachment into buffers may be permitted, requirements for offsetting measures when encroachment is permitted, appropriate measures to physically delineate protected areas and other requirements for ensuring consistency with creek protection policies. Guidance material published by EPA in support of the Phase II regulations encourages controls such as buffer strips and riparian zone preservation to improve water quality. This P&D riparian policy paper combined with the additional policy guidance provided by the adopted interpretation guidelines is part of achieving compliance with the Phase II regulations.

These policies are intended to direct growth away from sensitive areas, encourage environmentally sensitive site design, protect wetland and riparian resources, and minimize degradation of water quality.

The implementation guidelines are shown in Appendix F. The following are examples of interpretive and implementation guidelines:

- Site planning to avoid, protect, and restore sensitive areas (e.g., wetlands and riparian corridors);
- Minimizing impervious surfaces and directly connected impervious surfaces, using existing natural features to allow for on-site infiltration of water;
- Vegetative treatment (e.g., bioswales, vegetative buffers, constructed or artificial wetlands);
- Mechanical or structural storm water treatment (e.g., storm drain filters and inserts);
- Adequate space on each project site shall be reserved to incorporate the BMPs;
- Site planning to avoid grading or vegetation removal on slopes over 20%;
- Site planning to avoid grading in areas containing soils with a high erosion hazard or in geologically unstable areas;
- Site planning to minimize grading or vegetation removal where slopes over 20% cannot be avoided to allow reasonable use of a legal lot;
- Protection of existing native vegetation and enhancement of sensitive areas (e.g., wetlands and riparian corridors);
- Good housekeeping practices (e.g., designated waste collection areas, designated areas for vehicle maintenance and washing, proper vehicle maintenance to avoid leaks, elimination of connections to storm drains, immediate clean up of spills, recycling and reuse of materials, etc.);
- Adequate room shall be made available on the construction site to accommodate the BMPs throughout and after construction;
- All BMPs shall be maintained in working order; and
- Provisions shall be made for maintenance of BMPs over the life of the project, or the period in which the development exists as permitted.

#### CEQA Initial Study Checklist Revisions

The CEQA Initial Study Checklist provides a preliminary analysis of the potentially significant environmental impacts of a proposed project. The Initial Study is used to determine whether a project may have a significant effect on the environment, to determine whether mitigation measures are available to reduce or eliminate the potential impact and thus to determine what type of CEQA document will be required (e.g., Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report). The County's initial study checklist was adapted from the recommended checklist contained in the State CEQA Guidelines. Historically, the County checklist combined water resources and flooding into one category and included only one direct question regarding project related water quality impacts. Revisions to the County Initial Study checklist have been made to specifically evaluate potential storm water quality impacts.

#### CEQA Guidelines for Water Quality

The 1995 Santa Barbara County Environmental Thresholds and Guidelines Manual includes guidelines and thresholds to determine the significance of program and project-related impacts under CEQA. The thresholds and guidelines are adopted by the Board of Supervisors and are applied to all new private and public projects. Prior to the revisions adopted by the Board in September 2002, there were no thresholds or guidelines specific to surface water quality. Surface water quality impacts have historically been evaluated through the related effects on biological resources or in coordination with the RWQCB and its water quality regulations. New guidelines were developed to provide more explicit guidance to determine when a project's water quality impacts may be considered significant. The new guidelines summarize EPA studies demonstrating adverse water quality impacts from construction activities and new development, provide guidance as to when a project's surface and storm water quality impacts may be considered significant, less than significant or cumulatively significant, and provide a mitigation hierarchy.

#### Standard Conditions of Approval/Mitigation Measures

P&D has developed "A Planners Guide to Conditions of Approval and Mitigation Measures." This document provides a list of recommended conditions of approval and mitigation measures for discretionary projects. The conditions in the document enforce existing state and local regulations, Comprehensive Plan policies and include mitigation measures for commonly occurring environmental impacts. The Conditions/Measures are developed in conjunction with other County departments (e.g., Flood Control, Fire, Environmental Health Services, Parks). Several new conditions have been added to the document and several conditions were revised to specifically address construction site pollution control and post-construction runoff control for new development and redevelopment. All CEQA mitigation measures include a monitoring requirement.

Examples of some of the measures are provided below. All of the conditions/mitigation measures are provided in Appendix F:

- Extensive mulching (2" minimum depth) in all landscaped areas to improve water-holding capacity of soils;
- Permeable surfaces such as turf block, porous pavement, unit pavers on sand, or intermittent permeable surfaces such as French drains shall be used for all parking areas, driveways, patios, sidewalks around buildings, etc.;
- The project shall provide for onsite retention of storm water runoff, infiltration, and recharge where feasible;
- Labeling of storm drains that dumping waste is prohibited (i.e., "Don't dump, drains to ocean");
- Biofilters/bioswales for projects of 5 or more lots;
- Permanent grass or vegetated swale for projects of 4 or less lots;
- Roof runoff collection and disposal system through infiltration, French drains, irrigation system, or landscaped areas;
- Fuel dispensing areas shall be covered with runoff directed away to prevent drainage across fueling area;
- Parking lot and storm drain cleaning program for lots greater than 5,000 square feet;
- Combination structural and non-structural BMPs to prevent pollutants from project site from entering storm drain; and
- Submittal of a Storm Water Quality Management Plan for any project identified as having a significant storm water quality impact, assuring long-term operation and maintenance of required BMPs

#### Standard Conditions for Project Plan Approval – Water Quality BMPs

Applicable design standards in Attachment 4 of the General Permit are applied during project review. P&D staff apply conditions on projects that cover most of the design standards defined in Attachment 4 of the General Permit, except for item B(2i) Design Standards for Structural or Treatment Control BMPs and B(2a) Peak Storm Water Runoff Discharge Rates. In that case, the Public Works Department, through Water Resources Division staff, reviews new development plans for consistency with these items through the *County of Santa Barbara Standard Conditions of Project Plan Approval – Treatment Control BMPs* (Appendix G) and the *Santa Barbara County Flood Control and Water Conservation District Standard Conditions of Project Plan Approval*. Public Works is responsible for issuing final plan check approvals and land use clearance on those projects conditioned for structural or treatment control BMPs.

Treatment Control BMPs. Structural water quality BMPs refer specifically to engineered treatment facilities that improve the quality of runoff from developed areas, such as detention ponds, treatment wetlands, bioswales, and filters sized to treat the design storm, as defined in Attachment 4 (B)(2i). BMP sizing requirements are defined based on an analysis of local rainfall data. The proposed standard conditions include sizing criteria for volume-based and flow rate-based treatment facilities. These criteria would provide treatment of storm water and nuisance flows prior to discharge into the storm drain system, creeks, or ocean.

Specifically, these standard conditions are required on all new or redevelopment projects that are one acre or larger in size for residential development, 0.5 acre or larger in size for commercial, industrial, and transportation/vehicle development, as well as all the categories required in Attachment 4 for discretionary projects. The County of Santa Barbara Standard Conditions require treatment control BMPs be installed to accommodate rainfall events up to 1.2 inches in volume for detention-based BMPs, or 0.3 inches per hour for flow-through facilities. Specific design standards for these facilities are provided in the County of Santa Barbara Standard Conditions, and the Public Works Department has the authority to accept the developer's design or waive all or part of the conditions based upon a demonstrated impracticability for a specific property or project, as defined in the General Permit Attachment 4 Section (B)(4).

This sizing criterion is based on storm event analysis and continuous rainfall/runoff simulation (SYNOP and SWMM) on rainfall data from 1948 to 1999. The criteria were developed for the County prior to publication of the General Permit and Attachment 4. Although the recommended methods in Attachment 4 are an adequate gross estimate for determining the stormwater quality design volume, the County's approach included both a storm event analysis (SYNOP) and a continuous rainfall/runoff simulation model (SWMM) for a more conservative and realistic criteria.

The first approach used to obtain the 1.2 inch sizing criteria was based on the U.S. EPA statistical rainfall analysis program SYNOP, which was used to convert the hourly rainfall data from two representative gages (Santa Maria airport NCDC 047946 and downtown Santa Barbara NCDC 047902) to individual storm events with inter-event mean times (the dry period used to separate and aggregate hours of rainfall into "events") of 6 hours or greater and total rainfall depth of 0.1 inches or greater (storms less than 0.1 inch were omitted because they do not typically generate creek flows or significant runoff). The criteria for Santa Barbara County did not analyze 24-hour storms as this typically truncates many storm events artificially (i.e., storm events often begin and end before and after midnight, respectively) and is not how storm events naturally occur.

A second more comprehensive approach was employed where long-term rainfall records were used together with a rainfall/runoff simulation model (SWMM) to assess the effects of potential design storm sizing requirements. For example, successive storm events may reduce the amount of runoff treated due to the fact that the volume-based facility has not completely emptied. Thus, the results from combining the two approaches provide a more accurate value than the 85<sup>th</sup> percentile value commonly used in other communities. However, if converted to the recommended approach of Attachment 4 (WEF Manual of Practice No. 23) the design storm would be between 0.59 inches (for Santa Maria) and 1.1 inches (for Santa Barbara). Thus, the County's criteria to treat a 1.2 inch event exceeds the requirements of Attachment 4. Similarly for flow-through facilities, using the method of Attachment 4 results in a treatment rate of 0.2 inches per hour (for Santa Maria) and 0.4 inches/hour (for Santa Barbara), the average of which is equal to the County's design criteria of 0.3 inches / hour.

Peak Storm Water Runoff Discharge Rates. The Santa Barbara County Flood Control and Water Conservation District reviews and conditions all ministerial projects that are located along the coast, creeks, rivers and/or special flood hazard areas or those that potentially adversely increase storm water runoff, and all projects that are subject to the County's discretionary review process. Flood Control conditions require that drainage shall be conveyed to established water courses in a non-erosive manner. This is assured through review of submittals including hydrologic studies of the entire watershed contributing drainage to the projects, pre-development and post-development analysis for the 5 through 100 year storm events, and mitigation provided for increased runoff such as retention basins.

### **5.2.2 Discretionary Permit Review Process**

The discretionary permit review process described below applies to all land use permits, including but not limited to those development and redevelopment projects that fall into one of the following categories:

- Single-family hillside residences
- 100,000 square foot commercial developments
- Automotive repair shops
- Retail gasoline outlets
- Restaurants
- Home subdivisions with 10 or more housing units
- Parking lots 5,000 square feet or more or with 25 or more parking spaces and potentially exposed to storm water runoff

Discretionary project applications are reviewed and projects conditioned as appropriate for water quality measures. Non-compliance is subject to penalties under the County Zoning Ordinances and may include a correction notice, stop work order, collection of any bonds, and establishing a time frame for developer to take corrective steps to resume work. The land use review process often starts prior to formal application ("pre-application") and continues through approval, construction and may include post-construction monitoring.

#### Pre-application Review

One venue for early identification of storm water quality impacts is the County's pre-application review process. The pre-application review meeting is held between P&D and a project applicant in advance of a formal project submittal. The pre-application meeting is voluntary but recommended for most moderately complex or complex projects where there is the potential for significant environmental impacts or policy concerns. During the meeting, staff provides a preliminary evaluation of environmental issues associated with the project and can advise the applicant on potential water quality policy and CEQA issues. Project design changes or mitigation measures may be identified to avoid policy conflicts and significant water quality impacts. During the review, a preliminary assessment of the project's consistency with the County's comprehensive plan policies (including the key water quality policies) is made. Staff also describe the required material necessary for a complete application submittal.

### Application Submittal

To proceed with development an applicant must first apply for a permit from P&D. Permitted uses and permit requirements are set forth in the County's Zoning Ordinances. As a part of the application package information and maps regarding proposed uses of the land and structures must be submitted. Planning & Development updated its application to ensure that sufficient information is provided to evaluate storm water impacts. Accordingly, the application package must also include information regarding current and proposed storm water drainage, proximity to creeks, proposed impermeable area, and proposed measures to reduce impacts to water quality.

### Application Review

Under the Permit Streamlining Act and CEQA for discretionary permits, P&D has 30 days from initial application submittal to determine application completeness. The application undergoes an internal P&D review and applications for discretionary permits and complex ministerial permit applications, are also reviewed by other departments with land use regulatory authority such as Public Works (concerning water quality and flood control) through the County's Subdivision and Development Review Committee. This provides another opportunity for the County and applicants to discuss project design and water quality protective measures that can be incorporated into the project. If a project has the potential to adversely affect storm water quality, a water quality advisory is included in the complete/incomplete letter.

### CEQA Review

Projects that are not ministerial or that are not otherwise exempt from CEQA are reviewed under the State and County CEQA guidelines. This includes preparation of an Initial Study to determine the scope and the significance of project impacts, including impacts to water quality, and to determine the level of environmental review required. The County's Initial Study checklist form has been updated to more specifically address urban storm water quality impacts. The County has also adopted new CEQA guidelines for surface and storm water quality to assist in the assessment of water quality impacts. The County has also developed new and revised water quality BMPs in its updated standard conditions of approval and mitigation measure manual to address water quality impacts. If water quality and other project impacts can be feasibly mitigated to a less than significant level, a Negative Declaration (ND) is prepared. If there is the potential for residually significant impacts an Environmental Impact Report (EIR) is prepared. The EIR can include identification of additional mitigation measures or alternative project designs, which reduce water quality impacts. Both the ND and EIR are subject to public review and comment, which provide an additional opportunity for the public to comment on water quality issues.

### Staff Report Preparation and Decision-maker Hearings

Ultimately, the project is subject to review by a County decision-making body. Depending on the project type, the decision maker can be the P&D Director, Zoning Administrator, Planning Commission, or Board of Supervisors.

Recommendations for approval or denial of the project are contained in a staff report or Board letter. Project approval can only be granted where the appropriate permit findings can be made, including a finding that the project is in conformance with the County's Comprehensive

and/or Coastal Plan policies. An inconsistency with the County's water quality policies would be grounds for project denial.

If mitigation measures are required to address significant water quality impacts or to address policy consistency, the measures will be adopted as Conditions of Approval. Violations of Conditions of Approval are considered to be violations of the Zoning Ordinance and may be subject to a variety of enforcement actions. This includes proper operation and maintenance of conditioned water quality BMPs and flow control facilities (i.e., retention basins).

#### Land Use Clearance and Permit Compliance

To implement the project's approval, the applicant must receive land use clearance from P&D and obtain applicable Building and Grading Permits. Planning staff verify that the project plans submitted for building and grading are consistent with the approved actions, and that any compliance items required to be completed prior to land use clearance are completed. This would typically include review of detailed design plans for water quality treatment facilities. To obtain clearance to use or occupy the development, the applicant must implement any water quality measures adopted as a Condition of Approval.

#### Inspection Procedures

P&D staff provides regular inspection of discretionary projects during construction to ensure compliance with permit conditions and mitigation measures under CEQA. Project conditions vary but often do include water quality protection. Measures to protect water quality may apply to construction activities (temporary) or long-term measures (permanent) built into the project (structural features, bioswales, drainage design, revegetation and landscaping, etc.). Some long-term measures require a maintenance program that is usually approved by P&D and administered by a homeowners association (i.e., residential subdivision) or business owner (i.e., commercial or industrial).

These site inspections by Development Review Division are conducted separately and in coordination with Building and Safety inspections, discussed above under the Grading Ordinance. If, upon inspection, a project is found to be in violation of a condition of approval, a corrective action such as "Correction Notice" or "Stop Work Order" may be issued.

As a condition of approval, applicants will be required to submit annual evidence of the proper use and maintenance of their water quality measures and site inspections will be conducted as needed by P&D or Public Works to confirm proper operation of water quality measures. Violations of Conditions of Approval are considered to be violations of the Zoning Ordinance and may be subject to a variety of enforcement actions.

#### **5.2.3 Staff Training**

Planning staff need ongoing training to recognize potential storm water impacts during design review, and to condition projects appropriately. Training can be used to initiate new staff, and to provide updates on innovative site design for existing staff. There is an existing monthly voluntary training curriculum offered to P&D staff which provides an opportunity for most staff to attend required training on the County's responsibilities under this Post-Construction

minimum control measure. This existing training program now includes a course on compliance with the County's NPDES permit requirements (i.e., implementation of this MCM). Those staff unable to attend training provided on the given dates will be required to review a videotape of the training and associated hand-outs summarizing the role and responsibilities of P&D staff. This will enable the training to reach 100% of all staff. Interactive teleconferencing between Santa Maria and Santa Barbara will be used during the trainings to improve attendance. Maintaining this training course and encouraging attendance are critical to successful implementation of this MCM.

#### **5.2.4 Incentive Program for Innovative Site Design**

The design community can provide the best source of innovative and appropriate techniques for site design that minimizes runoff. Examples of innovations include 100% vegetation cover for bioswales, use of sand filter/infiltration areas for recreation (i.e. volleyball), turf-grass roofing material, etc. Incentives that the County may consider include "fast-tracking" of projects through design review, reduction in permit fees, or direct financial incentives. Innovative projects can also be tracked and used as case-studies for the design/development community. The County will also consider annual awards for innovative projects to provide additional incentive as well as educational value.

### **5.3 Measurable Goals**

The following goals will be used to check progress each year as well as demonstrate the efforts made to reduce pollutants to the maximum extent practicable. The intent is to provide an opportunity to assess and evaluate the program and a feedback mechanism to measure and update the program as appropriate.

The following measurable goals will be applied toward the new development and redevelopment minimum control measure:

#### **BMP:** Update of Land Use Policies

- Completed; updated policies provide implementation framework for BMPs listed below. (year 0)

#### **BMP:** Implement Design Standards for Post-Construction BMPs Per NPDES General Permit Including Provisions of Attachment 4(B)

- Apply standards to 100% of applicable projects (years 1-5).

#### **BMP:** Evaluate Program Efficacy

- Compare the existing policies, procedures, and standard conditions to the Post-Construction Minimum Control Measure requirements and the specific requirements of the General Permit Attachment 4(B) (year 1).
- If it is determined that changes need to be made to better comply with those requirements, then the relevant policy, procedures, or standard conditions will be developed or modified so that they meet or exceed all of the requirements in the General Permit including Attachment 4(B) (year 2).



**BMP:** Discretionary Permit Review Process: Project Evaluations

- Evaluate 100% of all discretionary projects receiving approval for construction, implementation, and, as appropriate, proper functioning and maintenance of water quality measures (years 1-5).
- Take enforcement actions on 100% of all projects where there is non-compliance on conditioned projects with approved water quality design, operation and/or maintenance procedures (including a correction notice, Stop Work Order, collection of any bonds, and establishing a time frame for developer to take corrective steps to resume work) (years 1-5).

**BMP:** Staff Training

- 75% attendance by P&D permit and review staff involved in design review at annual storm water trainings by year 1.
- 100% attendance by P&D permit and review staff involved in design review at annual storm water trainings or through videotape by year 2.
- Achieve participation of 100% of all new planning staff in a County water quality training (in-house) (years 1-5).

**BMP:** Incentive Program for Innovative Site Design

- Establish an incentive program for developers/contractors who implement good site design. Incentives could be in the form of reduced fees or fast-tracking through permit process. This would also apply to remodels or redevelopment that requires a discretionary permit (year 3).
- Establish an annual award program in following year for the most innovative project approved by County. This program would include projects nominated by the County as well as the public. The number of projects and types of innovations that are nominated each year will be tracked and reported to determine whether there is an overall increase in projects with innovative site design or overall improvement in the type of innovations (year 4).

#### **5.4 Reporting**

Data collected for each measurable goal will be compiled, reviewed, and summarized in the annual reports. Significant variance from targets will be assessed and discussed in the annual reports to the RWQCB. Feedback from P&D staff, permittees, developers, stakeholders, etc. will be used to modify BMPs or the measurable goals, as appropriate; the basis for any changes will be included in the next annual report.

**Table 5-1  
BMP Implementation: Post Construction Runoff Control**

Year(s)	BMP / (POC)	Current Status	Implementation Details	Measurable Goals	Implementing Entity
0	Update Land Use Policies (Pathogens; Nutrients; Organic Enrichment/Low DO; Priority Organics; Sedimentation /Siltation; Fecal coliform; Total coliform; Heavy metals)	Updated policies adopted by Board of Supervisors in 2002.	Updated policies provide implementation framework for compliance with this MCM.	<ul style="list-style-type: none"> <li>• Completed</li> </ul>	County Planning and Development Department
1-5	Implement Design Per this MCM (Pathogens; Nutrients; Organic Enrichment/Low DO; Priority Organics; Sedimentation /Siltation; Fecal coliform; Total coliform; Heavy metals)	Design standards to protect water quality are required on all new and redevelopment projects through policy, CEQA, and Zoning Ordinances.	Treatment control BMPs are conditioned by Public Works; all other design standards are conditioned by P&D.	<ul style="list-style-type: none"> <li>• Apply standards to 100% of all applicable projects.</li> </ul>	County Planning and Development Department

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Year(s)	BMP / (POC)	Current Status	Implementation Details	Measurable Goals	Implementing Entity
1-5	Evaluate Program Efficacy	Design standards to protect water quality are required on all new and redevelopment projects through policy, CEQA, and Zoning Ordinances.	Existing policies, procedures, and standard conditions used to protect water quality will be evaluated through comparison to the General Permit requirements including Attachment(4).	<ul style="list-style-type: none"> <li>• Compare existing policies, procedures, and std conditions to the General Permit Attachment(4) requirements (year 1).</li> <li>• If it is determined that changes need to be made to better comply with those requirements, then the relevant policy, procedures, or standard conditions will be developed or modified so that they meet or exceed all of the requirements in the General Permit including Attachment 4(B) (year 2).</li> </ul>	Planning and Development Department; Public Works Department
1-5	Discretionary Permit Review Process: Project Evaluations (Pathogens; Nutrients; Organic Enrichment/Low DO; Priority Organics; Sedimentation /Siltation; Fecal coliform; Total coliform; Heavy metals)	Water quality measures are identified during pre-application review, application submittal and review, CEQA review. Project implementation verified through construction monitoring and applicant reporting.	Discretionary projects will be monitored for compliance with water quality measures, and non-compliance may include a correction notice, stop work order, collection of any bonds, and establishing a time frame for developer to take corrective steps to resume work.	<ul style="list-style-type: none"> <li>• Annually evaluate 100% of all discretionary projects for compliance with water quality measures.</li> <li>• Take enforcement actions on all non-compliant conditioned projects.</li> </ul>	County Planning and Development Department

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<b>Year(s)</b>	<b>BMP / (POC)</b>	<b>Current Status</b>	<b>Implementation Details</b>	<b>Measurable Goals</b>	<b>Implementing Entity</b>
1-5, incrementally	Staff Training (Pathogens; Nutrients; Organic Enrichment/Low DO; Priority Organics; Sedimentation /Siltation; Fecal coliform; Total coliform; Heavy metals)	Permitting and review staff. hold regular staff training on multiple subjects, including compliance with NPDES Permit conditions. Training materials including videotape of one training class are available.	Training can be used to initiate new staff, and to provide updates on innovative site design for existing staff. Training is critical to successful implementation of this MCM.	<ul style="list-style-type: none"> <li>• Existing staff attend annual training, 75% of all planners in year 1.</li> <li>• Train 100% of all planners annually by year 2.</li> <li>• New staff: 100% attendance in annual training.</li> </ul>	County Planning and Development Department & Project Clean Water
4-5	Incentive Program for Innovative Site Design (Pathogens; Nutrients; Organic Enrichment/Low DO; Priority Organics; Sedimentation /Siltation; Fecal coliform; Total coliform; Heavy metals)	Storm water issues are not covered by existing incentive programs.	The incentive program will encourage site design that minimizes runoff, while also educating the design/construction community.	<ul style="list-style-type: none"> <li>• Incentive program established by year 3.</li> <li>• Establish annual award program in following year 4.</li> </ul>	County Planning and Development Department & Project Clean Water