

**LAND USE ELEMENT HILLSIDE AND WATERSHED PROTECTION POLICIES 7, 3, 4,
AND 5 (COASTAL PLAN POLICIES 3-19, 3-15, 3-16 AND 3-17)**

POLICY INTERPRETIVE AND IMPLEMENTATION GUIDELINES

The purpose of these guidelines is to promote consistent implementation of the Santa Barbara County Comprehensive Plan's water-quality related policies by providing clear interpretation of the Comprehensive Plan, and addressing the requirements of U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Storm Water Regulations. These guidelines apply to all new development and redevelopment projects proposed in the urban and rural unincorporated areas of the County. These guidelines apply to any project that has the potential to generate point source discharges, or storm water runoff that is directly or indirectly discharged to storm drains, creeks, streams, rivers, the ocean, or other receiving water bodies in Santa Barbara County.

Land Use Element Hillside and Watershed Protection Policy 7 & Coastal Plan Policy 3-19:

“Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste shall not be discharged into or alongside coastal streams or wetlands either during or after construction.”

Interpretive and Implementation Guidelines

The following definitions shall be used to interpret this policy:

- A. “Degradation” of water quality means a negative alteration to the physical, chemical, or biological qualities of surface water (including storm water runoff) or groundwater compared to existing conditions. Degradation includes detrimental impacts to aquatic and terrestrial organisms, adverse effects on aesthetic qualities (due to sheens, sediment, floatable material, etc.), or other negative impacts to the beneficial uses¹ of receiving water.
- B. “Pollutant” means any chemical or substance that degrades the physical, chemical, or biological properties of the environment. Water pollutants include those listed in the policy, and as defined by the State Water Resources Control Board include but are not limited to: paints, varnishes, and solvents; hydrocarbons and metals from vehicle use or business operations; non-hazardous solid wastes; yard wastes; sediment from construction activities (including silts, clays, slurries, concrete rinsates, etc.); ongoing sedimentation due to changes in land cover or land use; nutrients, pesticides, herbicides, and fertilizers (e.g., from landscape maintenance); hazardous substances and wastes; sewage, fecal coliform, animal wastes, and pathogens;

¹ Beneficial uses for Santa Barbara County are identified by the Regional Water Quality Control Board in the Water Quality Control Plan for the Central Coastal Basin, or Basin Plan, and include (among others) recreation, agricultural supply, groundwater recharge, fresh water habitat, estuarine habitat, support for rare, threatened or endangered species, preservation of biological habitats of special significance.

dissolved and particulate metals; sediments, floatables; metals and acidity from mining operations; heat; discarded equipment.

- C. “Discharge” as addressed by this policy includes point source discharges (i.e., from outfall pipes) and non-point source discharges (i.e., overland runoff or sheetflow) that flow directly or indirectly into receiving waters (e.g., creeks, streams, rivers, the ocean or other receiving water bodies), or into storm drains that subsequently flow into receiving waters. The term includes both construction and post-construction discharges.

To be consistent with this policy the discharge of pollutants from newly developed and redeveloped sites must be reduced to the “maximum extent feasible”. This can be achieved through the implementation of non-structural or structural best management practices (BMPs) and maintenance of the BMPs over the life of the project. BMPs are methods, activities, maintenance procedures, or other management practices for reducing the amount of pollution entering a water body. Non-structural BMPs include but are not limited to site designs that reduce the area and connectivity of impervious surfaces, protection or restoration of native vegetation, wetlands and riparian corridors, and where applicable, parking lot sweeping programs to remove accumulated debris, oil and grease. Structural BMPs include but are not limited to storm water treatment facilities, grassed swales, bio-swales, porous pavement and storm drain treatment systems (e.g., catch basin filters).

- A. In order of preference, the following BMPs shall be used to minimize water quality impacts associated with new development and redevelopment projects in urban and rural areas:
- 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., bio-swales, vegetative buffers, constructed or artificial wetlands);
 - mechanical or structural treatment (e.g., storm drain filters and inserts).
- B. Combinations of BMPs listed above may be required to reduce runoff and water quality impacts to achieve consistency with this policy.
- C. Adequate space on each project site shall be reserved to incorporate the BMPs.
- D. Provisions shall be made for maintenance of BMPs over the life of the project.

Land Use Element Hillside and Watershed Protection Policy 3 & Coastal Plan Policy 3-15:

“For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.”

Land Use Element Hillside and Watershed Protection Policy 4 & Coastal Plan Policy 3-16:

“Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained through the development process to remove sediment from runoff waters. All sediment shall be retained on-site unless removed to an appropriate dumping location.”

Land Use Element Hillside and Watershed Protection Policy 5 & Coastal Plan Policy 3-17:

“Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized as rapidly as possible with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices.”

Interpretive and Implementation Guidelines

The following definitions shall be used to interpret these policies:

- A. “Grading” is defined in the Grading Ordinance Chapter 14, Section 7 (Definitions).
- B. “Necessary grading” is grading associated with, and integral to, the proposed development required to establish reasonable use of a legal lot. Only necessary grading shall be permitted on hillsides. (This policy is best understood when read in conjunction with Hillside and Watershed Protection Policies 1 and 2.) For example, necessary grading does not include grading conducted for the purposes of enhancing views or for accessory uses not associated with the reasonable use of the lot.
- C. “Hillsides” means land with slopes exceeding 20%.
- D. “Clearing of land” means the removal of vegetation, structures or other objects.
- E. As defined in the Grading Ordinance, the rainy season is the period from November 1 through April 15.
- F. “Appropriate non-native plants” means drought tolerant species that may not be native to Santa Barbara County, but are not invasive species².

These policies address the discharge of pollutants (including, but not limited to, soil, sediment, and construction waste) from grading and construction activities. To be consistent with these policies, the discharge of pollutants must be reduced to the maximum extent feasible through the

² A list of invasive exotic species of concern in California can be obtained at the California Exotic Pest Plant Council (CalEPPC) - Internet address: <http://www.caleppc.org/info/plantlist.html>. The Sunset Western Garden Book has examples of drought tolerant non-native plants suitable for the climatic, edaphic, and hydrologic conditions in Santa Barbara County. However, proposed non-native plants should not appear on the CalEPPC list and should not be used.

implementation of BMPs and maintenance of the BMPs throughout and, if necessary, after the grading and construction period.

- A. In addition to structural erosion and sediment control measures (e.g., hay bales, silt fences, sediment basins, etc.), the following BMPs shall be used to the maximum extent feasible to reduce storm water pollution from construction sites:
- 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;
 - avoidance of grading on slopes over 20% during the rainy season;
 - protection of existing native vegetation and enhancement of sensitive areas (e.g., wetlands and riparian corridors);
 - prohibitions of non-storm water discharges (e.g., concrete truck washout, slurry cuts, etc.) into storm drains or other water bodies;
 - 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.).
- B. Adequate room shall be made available on the construction site to accommodate the best management practices throughout and after construction.
- C. All best management practices shall be maintained in working order.