

### **BMP 4.1 Grading Ordinance Revisions**

**Measurable Goal 4.1.1:** *Revise Grading Ordinance prior to SWMP implementation.*

**Status:** Complete. See Storm Water Management Program Chapter 4.0.

**Proposed Modifications:** This BMP is complete; no modifications are proposed.

**Future Plans:** No additional activities are proposed for this measurable goal. It was completed prior to Regional Board approval of the SWMP in July 2006.

### **BMP 4.2 Evaluate Grading Ordinance Efficacy**

**Measurable Goal 4.2.1:** *Compare the effectiveness of revised Grading Ordinance to the requirements of the construction minimum control measure and evaluate effectiveness. This will be based upon feedback from County inspectors, RWQCB staff, construction contractors, project owners and the public. This review will include records of violation cases and enforcement activities (Year 2).*

**Status:** Complete. See Annual Report Year 2.

**Proposed Modifications:** None.

**Future Plans:** No additional activities are proposed for this measurable goal.

**Measurable Goal 4.2.2:** *If it is determined that changes need to be made to better comply with this minimum control measure, staff will make recommendations to the County Board of Supervisors to modify or revise Grading Ordinance as necessary so that it meets or exceeds all of the requirements in the General Permit (Year 3).*

**Status:** Complete. Grading Ordinance revisions were developed during Year 4. The revised ordinance was made public on June 9, 2010 with two public workshops in Santa Barbara and two in Santa Maria. The revisions were approved by the County Board of Supervisors in November 9, 2010. See <http://santabarbara.legistar.com/Calendar.aspx>

The Grading Ordinance was revised to ensure that all drainages are adequately protected from construction and non-construction related activities including vegetation removal, landscaping, and clearing and grubbing. Changes include expanding the scope of the ordinance to include land clearing disturbances and regulating activities within 50 feet of any watercourse or drainage way. Changes to permit requirements will ensure regulatory oversight and the application of best management practices for newly defined non-agricultural land disturbance.

**Proposed Modifications:** None.

**Future Plans:** No additional grading code revisions are planned.

**BMP 4.3 Erosion & Sediment Control; Control of Construction-Related Wastes**

**Measurable Goal 4.3.1:** *Implement an approved Erosion and Sediment Control Plan (or SWPPP, as appropriate) on 100% of all applicable projects, as required under the Grading Ordinance.*

**Status:** Complete. All permitted construction projects<sup>1</sup> must have either an approved Erosion and Sediment Control Plan or, for those projects greater than 1.0 acre, a Storm Water Pollution Prevention Plan prepared under the requirements of 40 CFR Section 122 and the Clean Water Act. A County-approved Erosion and Sediment Control Plan (or Storm Water Pollution Prevention Plan) is required before an applicant can be issued a Grading Permit.

Therefore, 100% of all Grading Permits issued in Year 6 had either an Erosion and Sediment Control Plan or Storm Water Pollution Prevention Plan approved. In Year 6, there were 22 new Grading Permits with erosion control plans reviewed, and a total of 105 Grading Permits requiring Erosion and Sediment Control Plans (or Storm Water Pollution Prevention Plans) ongoing.

**Proposed Modifications:** Ongoing requirements will continue; no changes are recommended.

**Future Plans:** Ongoing requirements will be implemented on 100% of all relevant permit applications.

**BMP 4.4 Plan Review, Receipt and Consideration of Information Submitted by the Public, and Site Inspection and Enforcement**

**Measurable Goal 4.4.1:** *Conduct minimum of two County inspections per month during the rainy season (November 1 to April 15) on projects one acre or more of land disturbance.*

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<sup>1</sup> Erosion and Sediment Control Plans are required as part of the grading plan submittal for any new grading, excavations, fills, cuts, borrow pits, stockpiling, compaction of fill, and land reclamation projects on privately owned land where the transported amount of materials individually for any of the abovementioned operation, exceeds fifty (50) cubic yards; or the cut or fill exceeds three (3) feet in vertical distance to the natural contour of the land.

**Status:** In Year 6, there were a total of 33 active grading permits with construction activities disturbing one acre or greater. All of these projects received a minimum of two County inspections per month between November 1 and April 15.

**Proposed Modifications:** No changes are recommended to this measurable goal.

**Future Plans:** Ongoing program for inspections will continue.

**Measurable Goal 4.4.2:** *Conduct minimum of four County inspections throughout project duration during non-rainy season.*

**Status:** Complete. There were 24 active grading permits filed in Year 6 and a total of 71 permits ongoing. Inspections occurred a minimum of four times throughout the non-rainy season (July 1 – Oct 31 and April 16 – June 30).

**Proposed Modifications:** Ongoing requirements will continue; no changes to this measurable goal are recommended.

**Future Plans:** Ongoing program for inspections will continue.

**Measurable Goal 4.4.3:** *Take enforcement action at 100% of sites where BMPs failed, which may include verbal warnings, letters to correct, Stop Work Order, use of construction bonds, etc. Also may include cooperative enforcement coordination with RWQCB, where RWQCB violations have also occurred. Where a violation of Grading Ordinance has occurred, the results of enforcement actions will be provided in the Annual Report.*

**Status:** Complete. There were no Stop Work Orders or enforcement action requiring use of construction bonds or legal action. Verbal warnings or corrections are tracked through individual site field notes; records available upon request.

**Proposed Modifications:** Ongoing requirements will continue; no changes are recommended.

**Future Plans:** No additional activities proposed.

**Measurable Goal 4.4.4:** *Review and act on all information submitted by public (complaints and discoveries) to Project Clean Water concerning construction site activities within 24 hours.*

**Status:** Complete. There were no incidents (complaint or discovery) submitted to Project Clean Water in Year 6 related to construction activities.

**Proposed Modifications:** Ongoing commitment will continue; no changes recommended.

**Future Plans:** Continued response to all information submitted to Project Clean Water concerning construction site activities.

**Measurable Goal 4.4.5:** *Review and act on all info submitted by public to Building & Safety Division within three days.*

**Status:** Complete. It is Building & Safety policy to respond to all complaints within three days. All complaints called in to the County Planning & Development Department and referred to Grading Inspectors become a mandatory inspection, and are inspected within 48 hours.

**Proposed Modifications:** None.

**Future Plans:** County will review and act on all information submitted by the public to the Building & Safety Division within three days.

**Measurable Goal 4.4.6:** *Establish inventory of all sites with Grading Permits under active construction, and make that report available to the public if requested. Inventory will include the location and nature of construction activity, date permit was issued, date and nature of last inspection, date and nature of upcoming inspections, and status of violations and enforcement actions.*

**Status:** Complete.

**Proposed Modifications:** This measure was implemented in Year 1; no changes are recommended.

**Future Plans:** Ongoing tracking of active grading permits will be provided to the public upon request.

#### **BMP 4.5 Discretionary Projects - Land Use Permits**

**Measurable Goal 4.5.1:** *Review discretionary permit process and develop standard conditions and procedures to protect water quality during construction activities prior to SWMP implementation.*

**Status:** This measurable goal was completed prior to approval of the SWMP in July 2006. This included policy and standard conditions to protect water quality during construction and controls for erosion and non-storm water discharges – See SWMP.

**Proposed Modifications:** None.

**Future Plans:** No changes are anticipated to the land use permit process.

#### **BMP 4.6 Evaluate Land Use Permit Program Efficacy**

**Measurable Goal 4.6.1:** *Compare the effectiveness of existing zoning ordinance, policies, and procedures pursuant to the requirements of the construction minimum control measure and evaluate effectiveness (Year 2)*

**Status:** Complete. See Year 2 and Year 3 reports.

**Proposed Modifications:** None.

**Future Plans:** No additional activities are anticipated. This measurable goal is complete.

**Measurable Goal 4.6.2:** *Develop or modify relevant ordinance, policy, procedures, or standard conditions to meet or exceed all of the requirements in the General Permit.*

**Status:** See MG 4.2.2.

**Proposed Modifications:** None

**Future Plans:** No additional activities are anticipated. This measurable goal is complete.

#### **4.7 Staff Training**

**Measurable Goal 4.7.1:** *Train 100% of all County grading inspectors.*

**Status:** There are currently three grading inspectors from the Building and Safety Division, and one manager. All have extensive experience in construction site best management practices and inspection requirements and procedures. All grading inspectors have received appropriate training in the past and receive ongoing training through regularly scheduled staff meetings and through professional affiliations on an as needed basis.

**Proposed Modifications:** None.

**Future Plans:** Attendance at training workshop(s) or other appropriate venue for grading staff as needed.

**Measurable Goal 4.7.2:** *Train 100% of all permit and review staff in the appropriate selection and application of adopted Standard Conditions for construction related activities.*

**Status:** P&D development review staff reviewed clean water best management practices through ongoing management review and oversight. New training is on hold until the reissued Phase II General Permit is adopted by the State Water Board.

**Proposed Modifications:** None

**Future Plans:** Construction site best management practices are not anticipated to change significantly, however any new reporting or record-keeping requirements under the reissued Phase II General Permit will be addressed through modifications to the Accella tracking system if necessary.

#### 4.8 Construction Workshops

**Measurable Goal 4.8.1:** *Develop County-sponsored training/workshops directed toward the construction community with brochures and guidance materials developed and distributed to development and construction community (Year 2).*

**Status:** Complete in Year 2.

**Proposed Modifications:** None. This measure was completed in Year 2.

**Future Plans:** None. This measure was completed in Year 2.

**Measurable Goal 4.8.2:** *Post details of construction-related requirements on County website (Year 1).*

**Status:** Completed and ongoing. See <http://www.sbprojectcleanwater.org/construction.html>

The County's Building & Safety website also provides information on construction-related requirements including grading permit submittal requirements, fees, and application/permit status, with links to appropriate BMPs for submitting an Erosion and Sediment Control Plan or Stormwater Pollution Prevention Plan. See <http://sbcountyplanning.org/building/index.cfm>

**Proposed Modifications:** None. This measure was completed in Year 1.

**Future Plans:** Ongoing updates to websites, as needed and appropriate.