

BMP 5.1 Update Land Use Policies

Measurable Goal 5.1.1: *Update all policies, practices, and procedures applied to discretionary new and redevelopment projects to protect water quality consistent with the requirements of General Permit and Attachment 4(B) prior to SWMP implementation.*

Status: Complete and ongoing. See Annual Report Year 1 and SWMP for historical detail.

As a condition of participating in the Joint Effort, the County of Santa Barbara is committed to accomplishing certain milestones. The first is concerned with Low Impact Development. During Year 5, the land use permit application was revised and the County’s Guide to Low Impact Development was published. The permit application refers to the Guide, and sets minimum LID measures to be identified in project application submittals.

The development permit makes clear that certain discretionary projects subject to the Attachment 4 must include minimum LID measures for the application to be deemed complete.

See example permit: <http://sbcountyplanning.org/PDF/C/DVPSubReqAPP.pdf>

Proposed Modifications: None.

Planned Year 6 Activities: Continue requiring applicants to submit LID measures on applicable development associated with discretionary project applications.

BMP 5.2 Implement Design Standards for Post-Construction BMPs Per NPDES General Permit Including Provisions of Attachment 4(B)

Measurable Goal 5.2.1: *Apply design standards to 100% of all applicable projects.*

Status: Complete and ongoing.

Case Intake and Development Review. All discretionary projects are reviewed and analyzed by P&D development review staff based upon Comprehensive Plan policies, CEQA thresholds of significance, and standard conditions of approval, as described in the SWMP. Upon application receipt, intake planners must determine if the application is an NPDES Attachment 4(B)2 category project in type or scale, or if the parcel is in a creek or flood area overlay. If so, these cases are distributed to Public Works, Water Resources Division for additional review.

MCM 5.0 Post-Construction Storm Water Management in New and Redevelopment

As described in the SWMP, it is the practice of P&D to review all discretionary projects and condition as appropriate for water quality design standards consistent with Attachment 4(B), except for design standards described in Attachment 4(B)(2a) and 4(B)(2i) which are instead reviewed/approved by the Public Works Department.

Of the new applications forwarded to Water Resources Division for review and analysis, 5 were subject to the water quality treatment control design standards of Attachment 4.B.2i, and 4 were subject to the peak runoff design standards of Attachment 4.B.2a.

Name	Case	Treatment	Peak Runoff
Terrace Ranch Rezone	10DVP-11	Yes	Yes
Zacara Ranch	10DVP-12	Yes	No*
Rice Ranch	10DVP-18	Yes	Yes
El Camino Real Winery	11DVP-01	Yes	Yes
Bridlewood Winery	11RVP-14	Yes	Yes
Total		5	4

* These cases do not increase peak runoff rates because they are redevelopment on existing impervious area with no increase in impervious area and no increase in runoff rates. They are therefore not conditioned by Flood Control in accordance with Attachment 4.B.2a.

Plan Check/Final Clearance. Once an application is submitted and deemed complete, and after a decision-maker approval, the plan check process begins. This includes detailed review and approval of plans and calculations. A final maintenance agreement is approved and recorded with the County Clerk-Recorder, which defines the maintenance responsibilities of the property owner for the life of the project. The maintenance agreement is a long-term deed restriction that remains with the property in perpetuity. Prior to a final approval process, Occupancy Clearance, the applicant must provide an Engineer’s Certificate that verifies the treatment measures were installed as directed by the Engineers and approved by the County.

During Year 5, the following cases were processed for plan check of submittals under Public Works conditions for water quality treatment control BMPs..

Name (Location)	Case #	Date Cond. Ltr / Date Plan Check Fees	Status
Betteravia Government Center	No case #	October 2010	Final plans reviewed. Project on hold due to Board Supervisors
Edison St. Gas Station, Chumash Tribe	9DVP-28	June 2011	Under review. Maintenance Agreement approved. Not under construction.
Crane School	9CUP-48	April 2011	Final plans approved May 2011. Maintenance Agreement required (to be recorded after completion of subsequent phases).
La Barge Winery	08DVP-32	April 2011	Final plans approved. Maintenance agreement pending.

Name (Location)	Case #	Date Cond. Ltr / Date Plan Check Fees	Status
Presquile Winery – Arc Vineyards	07DVP-00009	August 2010	Plans appr'd and Maintenance Agreement recorded. Pending Engr's Certificate.

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

Planned Year 6 Activities: Ongoing requirements will continue to be implemented.

BMP 5.3 Evaluate Program Efficacy

Measurable Goal 5.3.1: *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)*

Status: Complete. This measurable goal was accomplished through a consultant evaluation of the County's approach. See discussion Year 1 Report.

Proposed Modifications: None.

Planned Year 6 Activities: Measurable Goal is completed; no further activities proposed except through ongoing evaluation of effectiveness as described below.

5.3.2 Measurable Goal: *Develop or modify relevant policy, procedures, or standard conditions to meet or exceed all of the requirements in the General Permit including Attachment 4(B). (Year 2).*

Status: Complete and ongoing.

Proposed Modifications: No modifications to this measurable goal are proposed.

Planned Year 6 Activities: Measurable Goal is completed; no further activities proposed except through ongoing evaluation of effectiveness as described below.

BMP 5.4 Discretionary Permit Review Process: Project Evaluations

Measurable Goal 5.4.1. *Evaluate 100% of all discretionary projects receiving approval for construction, implementation, and, as appropriate, proper functioning and maintenance of water quality measures*

Status: Complete. All projects issued a discretionary permit (CUPs, DVPs, etc.) undergo regular inspection during construction to ensure compliance with permit conditions and

mitigation measures. Construction practices must comply with all conditions of approval, the design must be consistent with final approved plans, construction must meet all codes and standards, and the final project must comply with any conditions of use or final design conditions such as landscaping. Site inspections for permit compliance are performed by the Development Review Division of the Planning & Development Department. Inspections are tracked through the Accela permit tracking system.

Conditioning a project begins at the time the application is submitted. A lengthy process of development review and project adjustment ensues. This is followed by decision maker hearings where new requirements may be imposed. Once approved, the developer must then submit for building and grading permits. Many projects never make it this far, much less get constructed. Therefore, it takes many years between conditioning, plan checking, and construction of treatment control BMPs.

General Permit Section B.e.4 requires the County to “ensure adequate long-term operation and maintenance of BMPs”. To ensure operation and maintenance, all projects are required to enter into an approved maintenance agreement with the County to assure perpetual maintenance of treatment control facilities by the property owner. The maintenance agreement gives the County the ability to go onto private property to verify proper operations and perform maintenance, if necessary, at the property owner’s expense. Also, because maintenance of the facility is also a condition of development, failure to maintain the facilities is a zoning violation.

All discretionary projects with post-construction mitigation measures to protect water quality are inspected during construction by Planning & Development staff. In addition, projects that have structural treatment control measures must be certified and stamped by the design engineer upon completion and prior to final Occupancy Clearance. All projects conditioned by Public Works staff under General Permit Attachment 4.B.2.i are tracked using an excel spreadsheet. The spreadsheet contains the following fields:

Post Construction Tracking				
Name				
Address				
Responsible Contact				
Phone				
APN				
Permit No.				
Recorded Agmt				
Engineer				
Treatment Feature(s)				
Inspections	Date		Comments	
-				

The following table lists those projects tracked during Year 5 and their status:

Name (Location)	Case #	Features	Status
Cate School (Montecito)	06RVP-00013	Numerous	Inspected; complete
Creekside Village (Los Alamos)	08DVP-00011	Bioswales, disconnected downspouts.=	Inspected; in progress
Isla Vista Parking (881 Embarcadero Road)	08DVP-00023	Filterra	Inspected; complete
Evergreen Shopping (Orcutt)	07DVP-00009	Bioswale and two drop inlet filters	Inspected; phase II not yet started.
Gunner Commercial (Montecito)	08DVP-00028	Porous concrete	Inspected; in progress
Orcutt Union Plaza (Orcutt)	06DVP-00016	Parking bioretention	Inspected; pending engineer's certificate.
Westmont College (Montecito)	06APL-00000-00044	Numerous	Inspected; complete.

Proposed Modifications: Ongoing evaluation of treatment control measures will continue; no changes are recommended.

Planned Year 6 Activities: Continued inspections to verify compliance with measures as projects are constructed. Continue tracking all conditioned projects.

Measurable Goal 5.4.2: *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)..*

Status: No enforcement actions were taken in Year 5 because no violations were found.

Proposed Modifications: None.

Planned Year 6 Activities: No change in activities proposed.

BMP 5.5 Staff Training

Measurable Goal 5.5.1: *75% attendance by P&D permit and review staff involved in design review at annual storm water trainings by Year 1.*

Status: Completed. See Year 1 Annual Report.

Proposed Modifications: NA.

Planned Year 5 Activities: Continue to provide training to all existing and new P&D staff. See MG 5.5.2.

Measurable Goal 5.5.2: *100% attendance by P&D permit and review staff involved in design review at annual storm water trainings or through videotape by Year 2*

Status: All P&D development review staff received training by PCW staff during Year 5. The training focused on new application requirements for Low Impact Development. Results from the Year 4 survey were used to emphasize areas where results showed decline such as information needed for application completeness.

A schedule of P&D staff training is provided below in Table 5-3.

Table 5-3 Development Review Staff Training

Date	Staff	#	Total staff	Percent trained	Meet Measurable Goal?
Nov 22, 2010	D-Rev South	8	8	100%	Yes
Nov 22, 2010	D-Rev North	9	9	100%	Yes

Proposed Modifications: Most development review staff have been with the County for a number of years and are very knowledgeable in reviewing projects and requiring measures that are protective of water quality. Annual training has become unnecessary for all except newly hired employees. This measurable goal has been met for the five-year program implementation period; going forward PCW proposes to revise this measurable goal to require training as needed and appropriate.

Planned Year 6 Activities: Continue to provide training to all existing and new planning staff as needed and appropriate.

Measurable Goal 5.5.3: *Achieve participation of 100% of all new planning staff in a County water quality training (in-house). (Years 1-5)*

Status: There were no new staff in Year 5.

Proposed Modifications: Ongoing commitment will continue; no modifications are recommended.

Planned Year 6 Activities: Continue to provide training to all new P&D staff.

Measurable Goal 5.5.4: *Provide effectiveness assessment and follow-up to assure that planners understand County responsibilities and their role implementing this program.*

Status: Training of development review staff in Year 5 focused on implementation of LID through existing policy and practice, revisions to the Land Use Permit application (see discussion above MG 5.5.1), and publication of a new County Guide to Low Impact Development. During this transition period and continuing today, there was and is a great deal of communication between PCW and Planning & Development's management and development review staff to ensure a smooth and effective roll-out of the enhanced program. PCW staff acts as an ongoing technical resource to planners in designing appropriate LID features into projects and was instrumental in ensuring that updates to the Accela permit tracking system and to the new permit application were in place at the appropriate time. In addition, because the majority of development review planners have years of experience in implementing both LID and water quality measures, they are very capable of understanding both the County responsibilities and their role in implementing this program, as demonstrated during the Water Board staff audit of the County's development review process in February of 2011. Because of the close working relationship between Planning & Development (which is responsible for reviewing projects and applying conditions) and PCW (which is responsible for managing and reporting on the SWMP) effectiveness assessment and follow-up is continuous and ongoing.

Proposed Modifications: This measurable goal was added in 2008; no modifications are proposed.

Planned Year 6 Activities: Effectiveness assessment and follow-up will be continuous and ongoing. Refresher training on LID and documentation and electronic tracking of LID measures will be provided as needed.

BMP 5.6 Incentive Program for Innovative Site Design

Measurable Goal 5.6.1: *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).*

Status: See discussion in Year 3 and 4 Annual Reports.

Proposed Modifications: No modifications.

Planned Year 6 Activities: Continue to work toward integrating water quality criteria and low impact development in the development review process in coordination with the Regional Board and other municipalities through the Joint Effort.

Measurable Goal 5.6.2: *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).

Status: An award program was established in Year 4. This program awards a Certificate of Recognition for excellent LID implementation on new and redevelopment projects. The recognition is based upon a review and assessment of the following: number of innovative measures in proportion to size and scale of development, ease of long-term inspection and maintenance, and point of completion.

This year two projects were awarded a certificate of recognition:

Foxen Winery & Vineyard
7600 Foxen Canyon Road
Santa Maria, CA

Cate School
1960 Cate Mesa Road
Carpinteria, California 93013

Cate School was also recognized for protecting “creeks and riparian habitat with Low Impact Development” through a resolution at the Board of Supervisor’s meeting of April 19, 2011.

Proposed Modifications: None proposed.

Planned Year 6 Activities: Projects that meet the standards of the award program will be recognized in Year 6.

BMP 5.7 Enforceable Mechanisms to Implement Hydromodification Controls and Low Impact Development (LID)

Measurable Goal 5.7.1: *Analyze all applicable codes, regulations, standards, and/or specifications and identify modifications and/or additions necessary to effectively implement hydromodification controls and LID. Q2*

Status: As a condition of participating in the regional joint effort to develop hydromodification controls, the County prepared a detailed Gap Analysis that analyzes all existing applicable codes, regulations, standards, and specifications that may need to be modified to effectively implement hydromodification controls and LID. It includes a table that identifies specific LID objectives; the relevant County code, policy or practice; whether each of these is supportive, neutral or hinders the LID objective; and recommended modifications. This Gap Analysis was submitted to Water Board staff 30 days following the end of Quarter 2 of the two-year joint effort calendar (ending March 31, 2011).

As discussed above under Measurable Goal 5.1.1 the County currently requires LID through the development review process. Enforceable mechanisms are already in place to require LID

on discretionary projects and condition as appropriate for water quality design standards. These enforceable mechanisms include Comprehensive Plan policy, Board-approved interpretation of that policy, CEQA thresholds of significance related to water quality impacts and standard conditions of approval. To make these requirements clearer to applicants and at the same time assure that LID is considered early in the design process, the Land Use Permit application addressing LID was revised. The revision makes clear that certain discretionary projects subject to Attachment 4 must include minimum LID measures for the application to be deemed complete. Modifications to effectively implement hydromodification controls will be made once more detail on those controls is known later in the joint effort process.

Proposed Modifications: This measurable goal was completed in spring 2011.

Planned Year 6 Activities: None proposed.

Measurable Goal 5.7.2: *Approve new and/or modified enforceable mechanisms that effectively resolve regulatory conflicts and implement hydromodification controls and LID in new and redevelopment projects. Q8*

Status: The County is committed to participating in the regional joint effort to develop hydromodification control criteria within a two year period and will make continual progress in preparing for eventual implementation.

Proposed Modifications: This is a new measurable goal added to our SWMP in February 2010; no modifications are proposed.

Planned Year 6 Activities: None; The County will approve necessary modifications to codes, regulations, standards, and specifications to effectively implement hydromodification controls and LID by the end of Quarter 8 of the two-year joint effort calendar (ending December 31, 2012).

Measureable Goal 5.7.3: *Apply new and/or modified enforceable mechanisms to all applicable new and redevelopment projects. Q9*

Status: New and/or modified enforceable mechanisms will be applied to applicable projects once the regional joint effort to develop hydromodification control criteria has been successfully completed.

Proposed Modifications: This is a new measurable goal added to our SWMP in February 2010; no modifications are proposed.

Planned Year 5 Activities: None; The County will begin applying enforceable mechanisms to applicable new and redevelopment projects once the regional joint effort to develop hydromodification control criteria has been successfully completed. This is anticipated in Quarter 9. Based on the current anticipated schedule, Quarter 9 ends March 31, 2013.

BMP 5.8 Hydromodification Control Criteria and Applicability Thresholds

Measurable Goal 5.8.1: *Derive municipality-specific criteria for controlling hydromodification in new and redevelopment projects using Water Board-approved methodology developed through the Joint Effort. Q8*

Status: New criteria for controlling hydromodification in new and redevelopment projects using Water Board-approved methodology will be derived once the methodology has been developed through the Joint Effort process.

Proposed Modifications: This is a new measurable goal added to our SWMP in February 2010; no modifications are proposed.

Planned Year 5 Activities: None; The County will begin to derive new criteria for controlling hydromodification once the methodology has been developed by the Water Board and its technical consulting team, estimated to be in Quarter 4 of the two-year joint effort calendar (ending December 31, 2011). The criteria will be finalized by Quarter 8 (ending December 31, 2012).

Measurable Goal 5.8.2 *Select applicability thresholds for applying hydromodification control criteria to new and redevelopment projects that are consistent with long-term watershed protection. Q8*

Status: The County will begin to develop applicability thresholds for applying hydromodification control concurrent with development of the criteria. New criteria using Water Board-approved methodology will be derived once the methodology has been developed through the Joint Effort process.

Proposed Modifications: This is a new measurable goal added to our SWMP in February 2010; no modifications are proposed.

Planned Year 5 Activities: None; The County will begin to develop applicability thresholds once the methodology has been developed by the Water Board and its technical consulting team, estimated to be in Quarter 4 (ending December 31, 2011). The applicability thresholds will be finalized by Quarter 8 (ending December 31, 2012).

BMP 5.9 Implementation Strategy for LID and Hydromodification Control

Measurable Goal 5.9.1: *Develop, advertise and make available LID BMP Guidance suitable for all stakeholders (Q4).*

Status: In Year 5, the County published the *Guide to Low Impact Development*. This document lists the measures necessary to comply with the County's LID criteria. The publication is available at <http://www.sbprojectcleanwater.org/Documents/NewAndRedevelopment/Guidance%20Manual%20v2.pdf>.

Also, a simpler tri-fold brochure explaining LID was also developed for handout at the planning / zoning counters. The tri-fold does not list the measures necessary to comply with County criteria, instead focusing on what LID is, why it is important, and where to go for more information. This publication would be suitable for smaller projects that are not required to implement LID but may chose to do so.

Proposed Modifications: None proposed.

Planned Year 6 Activities: Revise the Guide and Brochure as-needed. Provide copies to the public at the planning/zoning counters.

Measurable Goal 5.9.2: *Develop, advertise and make available specific guidance on how to achieve and demonstrate compliance with the hydromodification control criteria and LID requirements to new and redevelopment project applicants (Q8).*

Status: The County will begin to develop specific guidance on how to achieve and demonstrate compliance with the hydromodification control criteria and LID concurrent with development of the criteria. New criteria using Water Board-approved methodology will be derived once the methodology has been developed through the Joint Effort process.

Proposed Modifications: This is a new measurable goal added to our SWMP in February 2010; no modifications are proposed.

Planned Year 6 Activities: None; The County will begin to develop specific guidance once the methodology has been developed by the Water Board and its technical consulting team. The guidance will be finalized by Quarter 8 (ending December 31, 2012).

Measurable Goal 5.9.3: *Document goals, schedules, and target audiences for education and outreach the County will conduct in support of the following strategic objectives: enforceable mechanisms, hydromodification control criteria, applicability thresholds, LID BMP design, and compliance with LID and hydromodification control criteria (Q2).*

Status: The County prepared a table identifying the goals, schedules and target audience for the education and outreach related to new hydromodification controls and LID. This table

along with a listing of all education and outreach related to implementation of interim LID standards that have already occurred was submitted to Water Board staff 30 days following the end of Quarter 2 of the two-year joint effort calendar (ending March 31, 2011). Additional informational and training workshops will be held concurrent with development of the criteria itself. The development community will be encouraged to actively participate in development of hydromodification control criteria in order to build their capacity to propose, design and construct projects which control hydromodification and to ensure that pending hydromodification control requirements can be implemented.

Proposed Modifications: This measurable goal was completed in spring 2011.

Planned Year 6 Activities: None proposed. Training on specifics of hydromodification control requirements and applicability thresholds will occur by the end of Quarter 8, (ending December 31, 2012).

Measurable Goal 5.9.4: *Provide hydromodification control and LID training to P&D permit and review, inspection, and enforcement staff (Q8).*

Status: LID training was provided to P&D staff on November 22, 2010. Once the hydromodification control criteria are developed, the training will be modified to address any and all new requirements and how to condition projects appropriately. P&D staff involved in project permitting will be encouraged to actively participate in development of hydromodification control criteria to ensure that any new procedures related to pending hydromodification control requirements can be implemented.

Proposed Modifications: This is a new measurable goal added to our SWMP in February 2010; no modifications are proposed.

Planned Year 6 Activities: None; Training to P&D staff on hydromodification control will occur once the regional joint effort has been successfully completed. Based on the current anticipated schedule, training will occur in Quarter 8 (ending December 31, 2012).

Measurable Goal 5.9.5: *Develop Tracking Report indicating the County's accomplishments in education and outreach supporting implementation of LID and hydromodification control for new and redevelopment project (Q8).*

Status: PCW has already started tracking education and outreach efforts supporting implementation of LID. Tracking of efforts related to hydromodification control will begin once the regional Water Board and technical consulting team has completed preparation of the methodology.

Proposed Modifications: This is a new measurable goal added to our SWMP in February 2010; no modifications are proposed.

Planned Year 6 Activities: PCW will continue to track education and outreach efforts supporting implementation of LID.

Measurable Goal 5.9.6: *Apply LID principals and features to all applicable new and redevelopment projects (Q2, Q8).*

Status: As discussed above under Measurable Goals 5.1.1, 5.7.1 and 5.9.1, the County currently requires LID through the development review process and enforceable mechanisms are already in place. A new item was added to the Land Use Permit application that requires minimum LID measures for certain discretionary projects for the application to be deemed complete.

Proposed Modifications: This is a new measurable goal added to our SWMP in February 2010; no modifications are proposed.

Planned Year 6 Activities: The County will continue to apply LID principals and features to applicable projects.

Measurable Goal 5.9.7: *Develop Tracking Report, for the period Q2 to Q8, identifying LID design principles and features incorporated into each applicable new and redevelopment project (Q9)*

Status: The County began tracking LID principles and features that are applied to projects through the Accela permit tracking and reporting system at the beginning of the joint effort calendar (January 1, 2011).

Proposed Modifications: This is a new measurable goal added to our SWMP in February 2010; no modifications are proposed.

Planned Year 6 Activities: PCW will continue to track LID principles and features that are applied to projects.