

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.

Future Plans: New Post Construction Storm Water Management Requirements, expected to be adopted by the Water Board in fall 2012 will affect how development is reviewed and approved in the unincorporated urban areas. Significant expectations include new requirements to mitigate increases in runoff volume, and lower thresholds for applicability than currently regulated. County staff will review these new permit revisions once they are adopted, and determine which procedures in the development review process will need to be modified. In addition, revisions to the process will need to be communicated to applicants, so that the development community is prepared to design and submit information needed for permit approvals.

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.

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 reviewed by Water Resources Division, 10 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
12RZN – 02	The Golden Inn	Yes	Yes
12RVP - 08	Montecito YMCA	Yes	Yes
12DVP - 06	McDonalds	Yes	*No
12DVP - 02	Martian Winery	Yes	*No
11LUP - 830	Brown Horse Arena & Stalls	Yes	Yes
11DVP - 13	Sierra Madre Ranch Winery	Yes	Yes
11DVP - 12	Coastal Growers Storage	Yes	Yes
11DVP - 09	Claxton Winery	Yes	Yes
11DVP - 05	Rice Ranch	Yes	Yes
11DVP-4	761 Camino Pescadero	Yes	Yes
Total		10	8

* These cases do not increase peak runoff rates either because they are redevelopment on existing impervious area with no increase in impervious area or because they are a relatively small development on a relatively large undeveloped parcel with no impact to drainage courses or receiving waters. 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 6, the following cases were processed for plan check of submittals under Public Works conditions for water quality treatment control BMPs.

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

Name (Location)	Case #	Date Cond. Ltr / Date Plan Check Fees	Status
Edison St. Gas Station, Chumash Tribe	9DVP-28	June 2011	Review complete. Maintenance Agreement approved and recorded April 2012. Starting initial site inspections, not constructed..
Crane School	9CUP-48	April 2011	Final plans approved May 2011. Maintenance Agreement required (to be recorded after completion of subsequent phases). Project on hold.
Main Street Farms	07DVP-36 and 09AMD-11	Sept 10, 2010 / Oct 18, 2011	Review complete. Maintenance Agreement approved. Pending Engr's Certificate.
Camino Del Sur	08DVP-40	Jan 23, 2009 / Jul 28, 2011	Review complete. Maintenance Agreement approved and recorded (3/5/2012). Pending Engr's Certificate.
Coastal Growers Storage	07DVP-12-	Sep 15, 2011 / Feb 2012	Review complete. Maintenance agreement approved. Pending Engr's Certificate.

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

Future Plans: Ongoing requirements will continue to be implemented. Additional review is expected for projects subject to revised requirements under the new Post Construction Storm Water Management Requirements, expected to be adopted by the Water Board in fall 2012.

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.

Future Plans: County staff will compare new requirements to current policies, procedures, and standard conditions and revise as necessary.

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.

Future Plans: County staff will compare new requirements to current policies, procedures, and standard conditions and revise as necessary.

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 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. The following table lists those projects tracked during Year 6 and their status:

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

Name (Location)	Case #	Features	Status
Creekside Village (Los Alamos)	08DVP-11	Bioswales, disconnected downspouts.	Inspected; complete
Isla Vista Parking (881 Embarcadero Road)	08DVP-23	Filterra	Inspected; complete
Evergreen Shopping (Orcutt)	07DVP-9	Bioswale and two drop inlet filters	Inspected; phase II not yet started.
Gunner Commercial (Montecito)	08DVP-28	Pervious pavers	Inspected; pending engr's certificate
Orcutt Union Plaza (Orcutt)	06DVP-16	Parking bioretention	Inspected; pending engineer's certificate.
Westmont College (Montecito)	06APL44	Numerous	Inspected; complete.
Rice Cooler	06DVP-09	Bioswale and detention	Inspected; in progress
Dore Winery	07DVP-10	Bioswale, permeable paving, disconnected downspouts	Inspected. Complete.
Splash N Dash	07DVP-33	Bioswale	Inspected. In progress; pending engr's certificate.
Chisan Nursery	07DVP-35	Bioswales and detention	Inspected. Pending engr's certificate
Main Street Farms	07DVP-36	Bioswales and detention	Inspection in progress
Plantel Nursery	08DVP-7	Detention	Inspection in progress
Presquile Winery	08DVP-32	Bioswales, disconnection, detention	Inspected; pending engr's certificate
Camino Del Sur	08DV:-40	Porous pavement retention, bioretention	Inspected; pending engr's certificate
Red Diamond Cooler	09AMD-40	Detention	Inspected; pending engr's certificate
LaBarge Winery	10DVP-8	Bioswale, disconnected downspouts, detention	Inspected; pending engr's certificate

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

Future Plans: Continued inspections under the new Post Construction Requirements 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 6 because no violations were found.

Proposed Modifications: None.

Future Plans: 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.

Future Plans: 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: This measurable goal was modified in Year 5. All P&D development review staff received updates during Year 6 through regularly-scheduled staff meetings and through one-on-one consultation as-needed between planners and PCW staff.

Future Plans: Continue to provide training to all existing and new planning staff as needed and appropriate, consistent with the new Post Construction Requirements. During the first year implementation of LID / hydromodification requirements, there will be a greater need for training and effectiveness assessments. The frequency and intensity of trainings will diminish over the five-year implementation period as staff becomes familiar with the new requirements.

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 was no new staff in Year 6.

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

Future Plans: Continue to provide training to all new P&D staff as needed and appropriate; see MG 5.5.2.

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: Throughout Year 6, staff from Planning & Development (which is responsible for reviewing projects and applying conditions) and PCW (which is responsible for managing and reporting on the SWMP) maintained a close working relationship to implement the current LID and water quality treatment requirements. The effectiveness of communication and ability of P&D to effectively implement the permit requirements was verified by Water Board staff during the 2011 audit.

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

Future Plans: Because of the anticipated changes in LID / Hydromodification implementation under the new Post Construction Requirements, an effectiveness assessment and follow-up will be implemented once adopted by the State Water Board.

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.

Future Plans: 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: No new projects were completed in Year 6 for award.

Proposed Modifications: None proposed.

Future Plans: Gunner Commercial development at E. Valley Road and San Ysidro will be a recipient upon completion of this project.



Gunner Commercial Redevelopment, San Ysidro at E. Valley Road in Montecito

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.

Future Plans: 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.

Future Plans: The County will approve necessary modifications to codes, regulations, standards, and specifications to effectively implement hydromodification controls and LID as determined by the Water Board.

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.

Future Plans: The County will begin applying enforceable mechanisms to applicable new and redevelopment projects on the schedule determined by the Water Board once the regional joint effort to develop hydromodification control criteria has been successfully completed.

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.

Future Plans: The County will derive appropriate criteria for controlling hydromodification based upon the new requirements issued by Water Board.

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.

Future Plans: The County will develop applicability thresholds once the rules are adopted by the Water Board.

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.

Future Plans: 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.

Future Plans: The County will develop specific guidance based upon the methodology and schedule adopted by the Water Board

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.

Future Plans: None proposed. Additional training on specifics of hydromodification control requirements and applicability thresholds will occur based upon the methodology and schedule adopted by the Water Board.

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

Status: Once the hydromodification control criteria are developed, the training will be developed. P&D staff involved in project permitting will be encouraged to actively participate in development of implementation measures for hydromodification control, 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.

Future Plans: Training to P&D staff on hydromodification control will occur based upon the methodology and schedule adopted by the Water Board.

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.

Future Plans: 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 in Year 5 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.

Future Plans: 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.

Future Plans: PCW will continue to track LID principles and features that are applied to projects.