



City of Santa Barbara
Parks and Recreation Department

Memorandum

DATE: July 15, 2003

TO: Mayor and Council

FROM: Creeks Restoration and Water Quality Improvement Citizens Advisory Committee

SUBJECT: RECOMMENDATIONS REGARDING APPROVAL AND IMPLEMENTATION OF DRAFT STORM WATER MANAGEMENT PROGRAM

On June 18, 2003, the Creeks Restoration and Water Quality Improvement Program Citizens Advisory Committee (Creeks Advisory Committee) reviewed and considered the June 6, 2003 Draft Storm Water Management Plan (SWMP) as proposed by City Staff. After a robust discussion, the Creeks Advisory Committee voted (6/2) to endorse the draft with one amendment and a series of parallel recommendations for further Council consideration. A discussion of these matters is summarized below.

1. SWMP Amendment: Expediting Implementation of Storm water Control Measures to take place in Year One:

The Committee unanimously recommended (8/0) that the schedule for developing and implementing minimum control measure goals be expedited. Specifically, the Committee asked that the Runoff Control Goals 1 and 2 be completed in Year one and that Goals 3 and 4 be initiated in Year one. City staff was in general agreement with this direction and agreed to revise the draft to reflect these schedule changes.

2. Consideration of Erosion and Stormwater Quality provisions contained in Appendix B of the Draft Creek Development Standards:

The committee discussed the value of augmenting the SWMP with the provisions contained within Appendix B of the Draft Creek Development Standards (CDS) as a practical method of responding to observed inadequate storm water controls on city-approved projects. The observation was made that the proposed standards contained within Appendix B had undergone public review as a part of the Draft CDS process and could easily be implemented before the onset of the coming rainy season, in order to rectify inadequate implementation and monitoring of construction site best management practices. A motion was made, seconded and passed 4/3 that the City Council consider implementation of the measures contained in Appendix B, separate from the Draft CDS process in order to have additional

pollution control assurances in place prior to the 2003-2004 rainy season. The main comment raised in opposition to the motion was that the committee as a whole had not discussed, or had a briefing on the Appendix, therefore, it did not seem prudent for the committee to recommend something that the committee had not formally discussed. There was also concern that there was insufficient City staff to support increased inspections, and that a larger program would require additional funds. However, there was general agreement that existing construction site run-off controls were inadequate to prevent sedimentation and water quality impacts from hillside grading and development.

3. Adoption of a mandatory fines for construction site runoff permit violations:

The Committee discussed, motioned and unanimously passed (8/0) a recommendation that the City Council adopt a 'no tolerance' policy with regard to the issuance of warnings regarding permit violations related to water quality control measures by imposing a mandatory \$100 fine for first offenses. This recommendation was also supported by members of the public who offered comments at the CAC meeting. The Committee also recommended that the City Council further adopt a "three strikes" policy requiring the maximum fine allowable for the third violation of construction site runoff control requirements.

4. Adoption of a Specific Work Plan for SWMP Implementation:

The Committee discussed and recommended (7/0, one abstention) that the City adopt a specific work plan for implementation of the SWMP, and that the work plan be developed within 90 days of its transmittal to the Regional Water Quality Control Board. By specifying time frames, staffing and methods of ensuring effective implementation of best management practices prior to the 2003-2004 rainy season, construction site runoff controls could be more effectively communicated, implemented and monitored to avoid or minimize adverse sedimentation and water quality impacts during and after storms. The Committee also identified the need for effective pre-construction education as part of an effective work program.

5. Inclusion of fuel management within riparian areas as activities subject to Erosion and Stormwater Control Measures:

The Committee discussed and unanimously approved (8/0) a recommendation that the City incorporate vegetation removal and fuel management activities in riparian zones in its erosion control and storm water quality provisions. In order to minimize erosion into streams and to preserve native riparian vegetation, plans should be prepared and approved prior to brush clearing activities. Such plans should be coordinated with the Community Development Department or Creeks Restoration and Water Quality Improvement Program if the activity falls under the jurisdiction of another department (i.e., City or County Fire). Currently, there appear to be some ambiguities regarding the extent of erosion control requirements for agency-sponsored brush clearance within riparian areas.

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The Creeks Advisory Committee appreciates the opportunity to offer constructive advice to the Council as the Storm Water Management Plan is finalized and forwarded on to the Regional Water Quality Control Board. Members of the Committee will be present when the Council discusses this matter in order to answer questions and provide additional perspective.

cc: James Armstrong, City Administrator
Tony Nisich, Public Works Director
Steve Mack, Water Supply Manager
Richard C. Johns, Parks and Recreation Director
Jill Zachary, Creeks Restoration/Clean Water Manager