

PUBLIC WORKS

CALAVERAS COUNTY

Rob Houghton, P.E., Director

July 30, 2007

TO: Board of Supervisors

FROM: Rob Houghton

SUBJECT: PRESENTATION OF STORM WATER MANAGEMENT PLAN

PURPOSE OF STUDY SESSION

The purpose of this Study Session is to present a final draft of the County's "Storm Water Management Plan (Plan)" for public comment and review by the Board of Supervisors. A copy of the Plan is available on-line at www.co.calaveras.ca.us and hard copies of the Plan are available from Public Works.

REGULATORY BACKGROUND

As explained at a Study Session that was held on February 16, 2007, the Central Valley Regional Water Quality Control Board (Regional Water Board) has authority to regulate the discharges from "municipal separate storm water sewer systems" – commonly referred to as MS4s. These systems include publicly-owned and maintained roadside ditches, culverts, channels, and related systems for the collection and conveyance of storm water runoff. The Regional Water Board, in a letter to Public Works dated December 27, 2006, notified Public Works that selected community areas within the County were being designated as "regulated small MS4s". With this designation the County was required, among other things to prepare a Plan for review and acceptance by the Regional Water Board.

OVERVIEW OF THE STORM WATER MANAGEMENT PLAN (PLAN)

The required organization and content of the Plan are specified in a statewide General Permit that was adopted by the State Water Resources Control Board (State Water Board) for "Storm Water Discharges from Small Municipal Separate Storm Sewer Systems". Consistent with these requirements, the Plan provides background information about major surface water bodies within the County, identifies potential sources of storm water pollution from within the County, and includes a comprehensive program to reduce identified pollutant discharges. This program must include plans for the implementation of "best management practices" designed to reduce the discharge of pollutants to the "maximum extent practicable".

There are six categories of activity that must be addressed in this Plan. These categories are referred to as "minimum control measures" and include the following:

- Public Education and Outreach
- Public Participation and Involvement



- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Controls
- Post-Construction Storm Water Management in New Developments and Redevelopment Projects
- Pollution Prevention/Good Housekeeping for County Operations

Consistent with State Water Board requirements, the County Plan includes a summary of various activities within each category that must be implemented to meet regulatory requirements. The Plan includes a timeline for implementation of each proposed activity and summarizes the desired outcome. Although Public Works has primary responsibility for implementing many of the activities, other identified “pollutant control measures” must be implemented by the County’s Community Development Agency (CDA), by the Environmental Management Agency (EMA), or by the County Administrative Office (CAO). The responsible entity for entities for each activity is called out in the Plan.

At the Study Session, Public Works will present a more detailed overview of the specific activities that will need to be carried out and the associated timeline for implementation.

STATUS

As required by the Regional Water Board, a draft version of the County’s Plan was submitted to them for preliminary review on June 27, 2007. The Regional Water Board found that the Plan was in general conformance with associated regulatory requirements, but offered several comments requiring that the Plan include more detailed information about how specific control measures would be implemented and enforced. The draft final Plan currently being presented to the Board has been updated in response to these comments as well as input from local agencies. Draft copies of the Plan were also circulated internally to the County Administrative Office, Community Development, and Environmental Management for review and comment. A draft copy was also sent to CCWD.

As a participant in the Amador-Calaveras Watershed Project (sponsored by the Local Government Commission), Public Works has provided status updates to the group at recent meetings and we have sent an e-mail to all participating stakeholders advising them of the availability of the draft Plan on-line and notifying them of the scheduled Study Session. Stakeholders participating in the Watershed Project include representatives from MyValleySprings.com, Upper Mokelumne Watershed Council, CCWD, Angels Camp City Council, Foothill Conservancy, and Central Sierra Environmental Resource Council. We have also received an inquiry from the Calaveras Planning Coalition and have notified their facilitator about the upcoming Study Session and the availability of the draft Plan.

IMPACTS OF THE PLAN

As a “regulated MS4”, Calaveras County now has direct responsibility for controlling the quality of storm water run-off that flows into County-maintained storm drainage systems. Instead of targeting individual dischargers, the Regional Water Board will now hold the County responsible for any uncontrolled storm water discharges to County-maintained storm drain systems that adversely impact receiving water quality. Given this situation, the County

will need to establish the local authority necessary to control these discharges. This involves the adoption of various ordinances, guidelines, policies, and resolutions as described in the Plan.

In addition to being responsible for the regulation of all discharges into the County's storm drain system, the Regional Water Board will hold the County responsible for conforming to the statewide General Permit for Municipal Storm Water Discharges and for implementing all control measures contained in the County's Plan, as listed in Appendix C, Tables 1 through 6. This will necessarily involve increased level of effort and staff resources from Public Works, Community Development, Environmental Management, and the CAO.

There will also be significant impacts related to construction activity because of the anticipated adoption and enforcement of new grading standards as described below. To adequately monitor the implementation of erosion and sediment control measures, Public Works will need to intensify its inspection efforts and we will be proposing a new Grading Fee schedule for Board consideration in order to recover costs for this. With increased on-site inspections, it is likely that more local enforcement action may be needed to facilitate compliance with the new standards.

Development within designated "discharge permit areas" will be impacted as a result of the County's designation as a "regulated MS4". Any new development within these areas, as defined in the County Plan, will need to conform to State-mandated "new development design standards" for control of off-site pollutant discharges. Systems will also need to be established to ensure on-going maintenance of required control measures.

The County's on-going General Plan update process will need to include consideration of State-mandated requirements for the control of storm water runoff discharge rates, for the conservation of "natural areas", and for fostering development that will minimize adverse impacts on water quality and associated water resources.

There will also be impacts to the general public and to various businesses because the State Water Board requires that the County adopt and enforce an ordinance that will prohibit the discharge of virtually all "non-storm water" into the County storm drain system. This will, for example, require that all pressure washing businesses manage their discharge water to prevent direct discharge into the storm drainage system.

GRADING ORDINANCE

As required by the Regional Water Board and as provided for in the County Plan, Public Works is in the process of finalizing a draft Grading Ordinance for consideration by the Board. Currently the County simply requires compliance with the fairly generalized requirements that are contained in the California Building Code. The proposed new Ordinance will include these requirements plus additional measures designed, among other things, to better control off-site sediment discharges. The Ordinance will reference a "*Grading, Drainage, Erosion, and Sediment Control Design Manual*" that will include more detailed design guidelines and procedures needed to carry out the purposes of the

Ordinance. Currently, responsibility for regulation of grading activities is split between Public Works and CDA. The new Ordinance will propose that Public Works be designated as a single entity with direct responsibility, in coordination with CDA, for all grading work.

Prior to bringing the new Grading Ordinance and *Design Manual* to the Board for consideration, Public Works will initiate a 30-day public comment period. Public Works will post a draft copy of the documents on the County's web site by August 14, 2007, and notify local designers, engineers, developers, contractors, and other interested stakeholders of its availability and encourage their input. A draft version of the Grading Ordinance and *Design Manual* will be presented to the Board at a September 25 study session. Depending upon Board direction, Public Works anticipates bringing the new Grading Ordinance before the Board for a first reading at a regularly scheduled meeting before mid-October 2007.

NEXT STEPS

Following this Study Session and in consideration of input from the Board, Public Works will finalize the Plan and agendize it for adoption by Minute Order at an upcoming Board meeting. The approved Plan will then be submitted to the Regional Water Board for processing and acceptance. Once accepted, Public Works will need to submit Annual Reports to the Regional Water Board summarizing the status of regulatory compliance and describing the progress that has been made in completing identified control measures. An annual "municipal storm water discharge fee" of \$3,750.00 has been already been paid for the current year and will be due each year along with the County's Annual Report.

Public Works will be responsible for working with other County Agencies to ensure timely implementation of required control measures and to facilitate their compliance efforts. The most immediate milestone involves adoption of the Grading Ordinance as described above. Subsequent steps will involve incorporation of various control measures into the General Plan update process.

RH/JH/tw