



Stormwater Ordinance Update

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Background

Stormwater Ordinance

The County of San Mateo Stormwater Ordinance is a local regulation for the unincorporated county area that implements a state-mandated program to protect and enhance watercourses, wetlands, the San Francisco Bay and Pacific Ocean by reducing pollutants and eliminating non-stormwater discharges into the County storm drain system. In most cases, stormwater entering storm drains is untreated and can carry pollutants and sediment directly to watercourses and waterbodies.

Background

Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit

The County of San Mateo is subject to an NPDES permit that is issued by the State Water Resources Control Board. The State Board's permit is updated periodically and implemented by region.

The San Francisco Bay Regional permit covers multiple cities, counties, water and flood control districts within the Bay Area.

The latest comprehensive update of the NPDES permit occurred in 2022, prompting this Stormwater Ordinance update.

Regulation Structure



Purpose & Applicability

Purpose

- To align with state-mandated requirements
- Provide the county with the authority to implement and enforce NPDES permit provisions
- Reflect the shared responsibility across county departments for coordination and compliance

Applicability

The Ordinance is applicable to private and public development and activities within the unincorporated county. Examples include:

- Watershed water quality testing
- Erosion and sediment control for development permits
- Trash capture devices in county road rights-of-way
- Non-stormwater discharges by businesses into county storm drains



Key Ordinance Changes

Shared County Responsibility for Administration

- Changes sole responsibility from Environmental Health Services to Sustainability, Planning and Building, Parks, Environmental Health, and Public Works

New and expanded definitions

- Expands Authorized Enforcement Officer to include multiple departments

Incorporation by Reference

- Incorporates the County Drainage Manual and Emergency Response Plans



Key Ordinance Changes

Incorporates New NPDES Permit Provisions

- Adds trash reduction measures for high trash generating areas (Bayside)
- Adds countywide surface treatment acreage requirement through green infrastructure

Legal Authority to Enforce

- Updated language throughout Ordinance to provide authority to enforce the NPDES permit (e.g., stop construction on a site where adequate controls are not in place)



Land Use Applicability

The updated Ordinance is consistent with land use regulations and continues to provide **authority** to support goals and policies in these regulations.

Local Coastal Program

Policies discussing minimum stormwater requirements and implementing BMPs when required by the Regional Board per municipal permit provisions:

- Policy 1.35 All New Land Use Development and Activities Shall Protect Coastal Water Quality
- Appendix 1.A Minimum Stormwater Pollution Prevention Requirements

Ordinance

Included in the Ordinance are requirements for:

- Best Management Practices for pollution prevention (Sections 4.100.140, 4.100.180)
- Authority to conduct routine inspections (Section 4.100.060) and stop construction and/or grading work on a site where adequate BMPs are not in place (Section 4.100.210)



Environmental Review

Adoption of the Stormwater Ordinance is categorically exempt under **California Environmental Quality Act Section 15308 (Class 8): Actions by Regulatory Agencies for Protection of the Environment.**

Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.



Next Steps

Community and Advisory Council meetings

- Midcoast Community Council
- North Fair Oaks Community Council
- Pescadero Municipal Advisory Council

Planning Commission for recommendation to Board of Supervisors

Board of Supervisors for Adoption



Questions and
Comments
Thank you.