



## Legislation Details (With Text)

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**Title:** Community Development Agency, Environmental Management Division (EMD), recommending the Board provide conceptual review and authorization, as required by Board Policy A-3, for the EMD to prepare amendments to the County of El Dorado's Ordinance Code Chapter 8.39 - Well Standards, and Chapter 8.43 - Construction and Demolition Debris Recycling, to comply with revisions to local and State regulations.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/28/2015	1	Board of Supervisors	Approved	Pass

Community Development Agency, Environmental Management Division (EMD), recommending the Board provide conceptual review and authorization, as required by Board Policy A-3, for the EMD to prepare amendments to the County of El Dorado's Ordinance Code Chapter 8.39 - Well Standards, and Chapter 8.43 - Construction and Demolition Debris Recycling, to comply with revisions to local and State regulations.

**FUNDING:** N/A

### DEPARTMENT RECOMMENDATION

Chapters 8.39 and 8.43 of the County Ordinance Code require amending to incorporate and comply with local and state regulations. Pursuant to Board Policy A-3 amendments to county ordinance code must be presented to the Board of Supervisors for conceptual review and authorization.

Environmental Management Division (EMD) will be working with other county departments and divisions, as well as external stakeholders as appropriate, such as well drillers, SAGE (Surveyors, Architects, Geologists and Engineers), Builder's Exchange, and franchise waste haulers, on the development of the ordinance amendments

EMD recommends the Board provide conceptual approval and authorize EMD to amend Chapters 8.39 and 8.43 of the Ordinance Code to comply with local and state regulations and return to the Board with the amended ordinances for Board consideration (first and final readings). Examples of regulatory revisions are given below.

### DISCUSSION / BACKGROUND

#### Chapter 8.39 - Well Standards

The County Board of Supervisors first adopted the Well Ordinance in 1990, which was modeled after the State's model document. Since that time several changes to regulations and land use policy

have occurred, most notably the passage of the voter approved County General Plan (GP) in 2005. GP Objective 5.2.3 requires well water quality and quantity testing, limits development of parcels dependent upon groundwater to one (1) dwelling per five (5) acres, and stipulates that Environmental Management shall develop, administer and enforce the Well Ordinance. One example of State mandated changes is well water monitoring for potential impacts from onsite sewage disposal systems (AB 885).

#### Chapter 8.43 - Construction and Demolition Debris Recycling

On September 30, 2003 the Board adopted the Construction and Demolition Debris Recycling Ordinance Chapter 8.43 to further divert solid waste away from landfills pursuant to the California Integrated Waste Management Act of 1989 (also known as AB 939) requiring jurisdictions to divert a minimum of 50% of all solid waste from landfilling by the year 2000. The current ordinance only applies to the construction of planned developments (subdivisions) and the construction or demolition of single projects (residential and commercial) that exceed 5000 square feet in area.

The State Legislature adopted amendments to the California Green Building Standards Code (also known as CalGreen), effective January 1, 2011, specifically requiring a minimum of 50% Construction and Demolition debris be diverted from landfills. The County Solid Waste Management Plan adopted by the Board on 1/31/2012 (Legistar #12-0139) set a future goal of 75% landfill diversion. In January 2014 the State of California set the goal of 75% recycling, composting and source reduction of solid waste from landfilling by the year 2020. To help meet the State's 75% diversion goal, the State Legislature further amended CalGreen, effective January 1, 2014, lowering the threshold of several project categories required to meet the 50% diversion requirement.

#### **ALTERNATIVES**

N/A

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

#### **CAO RECOMMENDATION**

CAO recommending the Board provide conceptual review and authorization for the EMD to prepare the referenced amendments.

#### **FINANCIAL IMPACT**

There is no fiscal impact or change to Net County Cost associated with this item.

#### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

#### **STRATEGIC PLAN COMPONENT**

N/A

#### **CONTACT**

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