

**CALIFORNIA COASTAL COMMISSION**

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November 19, 1997

**Th 6a****To:** California Coastal Commissioners

**From:** Peter M. Douglas, Executive Director  
Tami Grove, Deputy Director  
Cy R. Oggins, Coastal Nonpoint Pollution Control Program Coordinator

**Subject:** Briefing on status of California's Coastal Nonpoint Pollution Control Program & update on staff activities pursuant to the CCC's Polluted Runoff Strategy

**NOTE** — This is an informational item only; no formal action is needed. It is recommended that interested public be afforded an opportunity to comment.

**SUMMARY**

In late November or December 1997, the U.S. Environmental Protection Agency (EPA) and National Oceanic and Atmospheric Administration (NOAA) will publish in the *Federal Register*<sup>1</sup> their proposed findings on California's Coastal Nonpoint Pollution Control Program (CNPCP) which the California Coastal Commission (CCC) and State Water Resources Control Board (SWRCB) developed pursuant to Section 6217 of the 1990 Coastal Zone Act Reauthorization Amendments (CZARA).<sup>2</sup> The CCC staff anticipates that the proposed findings will not differ greatly from the EPA-NOAA preliminary draft findings issued in 1996 (Attachment 1). In 1996, EPA and NOAA found that California's CNPCP submittal was encouraging because of its broad scope in terms of State authorities and programs to address nonpoint source pollution (polluted runoff), its Statewide applicability, and the watershed approach being proposed. However, EPA and NOAA anticipated that the submittal would be "conditionally" approved, asking the State to address perceived shortcomings including the need to provide specifics regarding implementation of the CNPCP. The first part of this report discusses the pending proposed federal findings.

The second part of this report is an update on several activities that the CCC staff is implementing to enhance the State coastal program's management of polluted runoff. These activities are being conducted pursuant to the CCC's Polluted Runoff Strategy, which the Commission last reviewed in February 1997 (Attachment 2).

<sup>1</sup> Internet addresses to obtain *Federal Register* notices are at <http://www.gpo.ucop.edu:80/search/fedfld.html> and <http://law.house.gov/7.htm>.

<sup>2</sup> Acronyms used in this Report and Attachments include:

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|---|--|
| ➤ CCBN = California Clean Boating Network                     | ➤ MURP = Model Urban Runoff Program                      |
| ➤ CCC = California Coastal Commission                         | ➤ NOAA = National Oceanic and Atmospheric Administration |
| ➤ CNPCP = Coastal Nonpoint Pollution Control Program          | ➤ NPS = Nonpoint Source                                  |
| ➤ CZARA = Coastal Zone Act Reauthorization Amendments of 1990 | ➤ RWQCB = Regional Water Quality Control Board           |
| ➤ EPA = Environmental Protection Agency                       | ➤ SWRCB = State Water Resources Control Board            |
| ➤ MM = management measure                                     | ➤ WMI = Watershed Management Initiative                  |

## 1.0 STATUS OF THE COASTAL NONPOINT POLLUTION CONTROL PROGRAM

### a. Background: Program Development

CZARA Section 6217 requires California, through a partnership between its coastal management and water quality programs, to prepare a CNPCP in order to reduce significant sources of nonpoint source pollution into coastal waters. In passing CZARA, Congress identified nonpoint source pollution as a significant factor in coastal water degradation and noted that "there is a clear link between coastal water quality and land use activities along the shore." A central purpose of CZARA Section 6217 is (1) to prompt coastal states to evaluate how their nonpoint source water pollution control programs are protecting coastal waters, (2) to enhance cooperation between land and water use management agencies, and (3) to ensure that enforceable mechanisms exist where voluntary efforts are not sufficient to restore and protect coastal waters.

In September 1995, the CCC and SWRCB jointly submitted the CNPCP to EPA and NOAA after more than three years of development.<sup>3</sup> California's CNPCP submittal package included two principal documents: (1) *California's Coastal Nonpoint Pollution Control Submittal*, which includes an account of existing programs related to the management of nonpoint pollution, and (2) *Initiatives in Nonpoint Source Management*, which describes several initiatives to improve California's Nonpoint Source Program [the initiatives build upon recommendations of Technical Advisory Committees (TACs) that were convened to help evaluate the State program]. In general, California's CNPCP does not contain new regulatory programs, but instead relies upon existing voluntary and regulatory programs being implemented at the State and local levels. In order to satisfy the requirements of CZARA and obtain federal approval of the CNPCP, the State must:

1. show how the State will implement, through enforceable policies or mechanisms, management measures to control polluted runoff;<sup>4</sup>
2. identify land uses which individually or cumulatively may cause or contribute significantly to a degradation of coastal waters;
3. identify "Critical Coastal Areas" and identify and implement additional measures where necessary to achieve and maintain water quality standards in the Critical Coastal Areas;
4. provide technical assistance to local governments and the public to implement the management measures;
5. provide opportunities for public participation in CNPCP development and implementation;
6. establish mechanisms to improve coordination among state and local land and water use agencies; and
7. monitor management measure implementation.

<sup>3</sup> The Commission held public hearings on the CNPCP in September and October 1995. The Commission finished its hearings on the CNPCP after the submittal to EPA/NOAA in order to meet statutory deadlines.

<sup>4</sup> The management measures must be equally or more effective than those listed in the *Guidance Specifying Management Measures for Sources of Nonpoint Pollution to Coastal Waters* (the "g-Guidance") which the EPA (1993) issued pursuant to CZARA Section 6217(g). The g-Guidance specifies 56 management measures for control of water quality impacts from six land-use sectors: agriculture, forestry, urban development, hydro-modification, marinas/recreational boating, and wetlands/riparian areas.

**b. Status of the Federal Review of the CNPCP**

In late November or December 1997, EPA and NOAA will publish in the *Federal Register* their proposed findings on California's CNPCP along with a draft Environmental Assessment (EA) prepared pursuant to the National Environmental Policy Act. The CCC staff anticipates that the proposed findings will not differ greatly from the EPA-NOAA 1996 preliminary findings and draft conditional approval of California's CNPCP (Attachment 1 summarizes the 1996 draft findings). Following publication of the proposed findings and EA in the *Federal Register*, the public will have 30 days to comment on these documents. EPA and NOAA will subsequently prepare and publish final findings and a response to public comments. If EPA and NOAA determine that the State does not adequately address the requirements of CZARA, so as to complete an approvable program within the time periods and conditions specified in the final findings, the CCC and SWRCB will face significant program sanctions [i.e., potential loss of substantial federal funds for the CCC's core coastal management program (Coastal Zone Management Act Section 306) and the SWRCB's nonpoint source pollution control program (Clean Water Act Section 319).

Full approval by EPA and NOAA of the 29 state CNPCPs developed nationwide is identified as a high-priority element of Vice President Al Gore's new Clean Water Initiatives Strategy. In an October 18, 1997 Memorandum, the Vice President directed federal departments and agencies to develop an aggressive plan of action that addresses three major goals: (1) enhanced protection from public health threats posed by water pollution; (2) more effective control of polluted runoff; and (3) promotion of water quality protection on a watershed basis.

In August 1997, the CCC and SWRCB staffs negotiated an agreement with the EPA and NOAA and developed an action plan that outlines a framework and activities for the State to achieve an approvable program under CZARA Section 6217, while improving California's nonpoint source program. (The CZARA Action Plan is included as an attachment to Item Th-6b on the CCC's December agenda.) Pursuant to this action plan, the CCC and SWRCB—within the constraints of available staff, financial resources, and their respective statutory authorities—will work jointly to prepare a comprehensive CNPCP Implementation Strategy that includes the following elements:

1. a Management Measures Review document that, among other purposes, identifies management measures that are appropriate for use in California and that are equally or more effective than the EPA (1993) *g-Guidance* management measures;
2. a 15-year Implementation Strategy that generally describes how the CNPCP will be incrementally implemented Statewide consistent with CZARA Section 6217; and
3. a detailed 5-year Action Strategy that addresses the first-tier of priorities consistent with the 15-year Implementation Strategy.

The CCC and SWRCB anticipate implementing these strategies through a combination of (1) the CCC's Polluted Runoff Strategy (Attachment 2), (2) the SWRCB and Regional Water Quality Control Board (RWQCB) "Watershed Management Initiative" process (which is evolving as an effort to re-orient many of the RWQCBs programs on a watershed basis), and (3) interagency taskforces to guide and coordinate the work of other agencies and local governments that relates to polluted-runoff management efforts.

## **2.0 UPDATE ON ACTIVITIES PURSUANT TO CCC POLLUTED RUNOFF STRATEGY**

The CCC's Polluted Runoff Strategy is comprised of five interrelated elements: (1) Planning and Regulatory Controls; (2) Interagency Coordination; (3) Technical Assistance, Outreach, and Education; (4) Watershed Planning; and (5) Funding (see Attachment 2). Current activities related to these elements are summarized below.

### **1. Development of an approvable CNPCP (Interagency Coordination)**

As reported above, the CCC staff is working to ensure that effective coordination mechanisms are in place with the SWRCB and RWQCBs to develop and implement a federally approvable State CNPCP. The August 1997 CZARA Action Plan that the CCC and SWRCB staffs developed jointly with the staffs of the EPA and NOAA is one such mechanism. Pursuant to this Action Plan, the CCC and SWRCB will jointly prepare a Management Measure Review document and a comprehensive CNPCP Implementation Strategy (these are anticipated requirements of the conditional approval of California's CNPCP by the EPA and NOAA).

### **2. Addressing of polluted runoff issues through planning and permitting processes and grant-funded projects (Planning and Regulatory Controls/Funding)**

The CCC's Non-point Water Pollution Program staff continues to work with the CCC's designated District water quality coordinators to address potential runoff impacts associated with development projects, and on several occasions staff has addressed water quality-related concerns in permits and planning issues that have been brought before the Commission.

The CCC staff also continues to seek potential funding sources and to develop appropriate grant proposals to support and expand the CCC's polluted runoff control activities. Recent grant-funded projects include CCC staff work on CNPCP implementation, the preparation of a Base Program Analysis for the Morro Bay National Estuary Program, the Model Urban Runoff Program, the *Boating Clean and Green Campaign*, and the Watershed Analysis Tool for Environmental Review (WATER) project; recent work on each of these projects is described below. The CCC staff will also continue to submit budget requests and justifications for State General Fund support of a water quality planner position at the CCC to enable the continuation of a systematic polluted runoff focus throughout coastal program activities.

### **3. Outreach with local governments and RWQCBs, distribution of the CCC's *Procedural Guidance Manual* and other NPS information, and other related efforts (Interagency Coordination/Technical Assistance, Outreach, & Education/Planning & Regulatory Controls)**

To date, the CCC staff has met with the staffs of several local governments and all six coastal RWQCBs. In June 1997, the CCC, Central Coast RWQCB, and Monterey Bay NMS staffs held a local government/multi-agency workshop in the Monterey Bay region; local government staffs attended from Santa Cruz and Monterey Counties, and the Cities of Santa Cruz, Monterey, Watsonville, Salinas, and Marina. The CCC staff have also met with staffs in

Sonoma County, City of Morro Bay, Santa Barbara County, and Ventura County, and additional meetings are being planned. Information discussed and/or distributed at the local government/RWQCB meetings included the CCC's *Procedural Guidance Manual*, proposed CEQA Guidelines Checklists, information on CZARA and California's CNPCP submittal (including the opportunity for comments on the pending *Federal Register* notice of the NOAA/EPA findings on the State CNPCP), and other NPS-related information. The SWRCB and CCC are currently evaluating the use of the SWRCB's Watershed Management Initiative process as a potential long-term coordination mechanism.

4. **Participation in Morro Bay NEP Base Program Analysis development & Monterey Bay NMS Water Quality Protection Program (Interagency Coordination/Technical Assistance, Outreach, & Education/Watershed Planning)**

Under a grant from the SWRCB, the CCC staff is assisting in the preparation of a Base Program Analysis for the Morro Bay National Estuary Program (NEP). This document, which will be included in the NEP Comprehensive Conservation Management Plan, will describe the institutional framework associated with water and habitat protection in the Morro Bay estuary and its watershed. It will also make recommendations for changes in plans, policies, ordinances, etc. to more effectively protect water and habitat quality.

To date, the CCC and Central Coast RWQCB staffs have prepared and distributed institutional inventories of local government, State, and federal agencies that have a role in water quality/ habitat protection in Morro Bay's watershed. Current work includes a program analysis which includes (1) a description of gaps, overlaps, inconsistencies, and appropriateness of the institutional framework for protection of water and habitat quality in Morro Bay and its watershed, and (2) a findings and recommendations from the analysis which will enhance water and habitat protection in the watershed while minimizing regulatory and economic burden. The analysis of local jurisdictions will focus on the Local Coastal Programs (LCPs) for the City of Morro Bay and the County of San Luis Obispo. Specific recommended language for incorporation into Morro Bay's LCP update will be included as an attachment to the analysis and provide a general basis for other LCP updates that follow.

The CCC staff continues to participate in other water quality- and watershed management-related efforts, including the development and implementation of action plans for addressing polluted runoff in the Monterey Bay National Marine Sanctuary (NMS).

5. **Model Urban Runoff Program (Interagency Coordination/Technical Assistance, Outreach, & Education/Planning & Regulatory Controls)**

The **Model Urban Runoff Program (MURP)** is an ongoing collaboration between the CCC, the Cities of Monterey and Santa Cruz, the Monterey Bay NMS, and the Association of Monterey Bay Area Governments (AMBAG). The goal of MURP is to establish urban runoff management programs in the Cities of Monterey and Santa Cruz and to develop a model framework that can be used to develop similar programs in other coastal cities. The MURP project began in July 1996 and is expected to be completed in April 1998. Work done in the

MURP project to date has focused on developing components of the urban runoff programs that will be tailored to the Cities of Monterey and Santa Cruz; the MURP team is currently integrating the components into the actual program for the two cities. Work to date includes:

- review of existing runoff management programs, policies, and implementation mechanisms, and assessment of how the new urban runoff program(s) will interact within these established parameters;
- assessment of watershed resources, watershed problems, and opportunities for improving water quality and the management of urban runoff within the jurisdictional boundaries of the two cities [in this analytic mapping exercise, opportunities for water quality improvements (structural and non-structural measures) were identified based upon watershed and water quality constraints and issues];
- development of management and maintenance options using best management practices (BMPs); individual pollution control strategies and programs (e.g., for commercial facilities, municipal operations, construction sites, etc.) were developed as components of the overall runoff program;
- development of public education and outreach materials [in addition to developing materials, this portion of the project has included workshops and demonstrations for elected officials (i.e., city councils) as well as general public outreach (e.g., teacher seminars, school demonstrations, etc.)]; and
- development of municipal planning tools that will be used to implement the program (e.g., runoff ordinances, revised CEQA Guidelines checklists, and funding mechanisms that will be tied into the requirements of the individual pollution control strategies and programs).

In addition to finishing the individual runoff programs for the Cities of Monterey and Santa Cruz, the major focus of MURP from present until project completion will be technical training and the development of the "model" program. Technical training will involve regional workshops on implementing program BMPs for construction sites and municipal operations; the workshops are anticipated in February of 1998. The final model framework or program will be developed based upon the lessons learned from developing the individual runoff programs for the Cities of Monterey and Santa Cruz. The MURP team is currently developing a model program outline as well as the generic components (e.g., model ordinances) of what is envisioned as an off-the-shelf reference tool for other small municipalities.

6. **Boating Clean and Green Campaign & California Clean Boating Network (Technical Assistance, Outreach, & Education/Interagency Coordination)**

The CCC's boater education program is working on several strategies to educate boaters and reduce nonpoint source pollution. One strategy is the *Boating Clean and Green Campaign*. The *Campaign* is currently conducting research into the practices and awareness of boaters with respect to managing used oil and preventing oil and fuel discharges. Information derived from this research will be used at two upcoming conferences in April 1998 which will present boater used oil management and spill prevention strategies to local government and marina operators. The *Campaign* is also developing 20,000 "boater kits," which will include bilge

pads, a clean-and-green boating video, magnets, and environmental/safety information for boaters. The CCC staff will distribute the kits at boat shows and boat dealerships throughout the San Francisco Bay/Delta, Los Angeles County, Orange County, and San Diego County.

Another strategy for promoting boater education is the CCC's continued coordination of the **California Clean Boating Network (CCBN)**. CCBN members (which include public members and staffs from the CCC, State Lands Commission, Department of Fish and Game, Department of Boating and Waterways, NOAA, U.S. Coast Guard, and other agencies) continue to identify effective outreach techniques. The boater education program has also expanded its efforts to coordinate several State boating education programs. As Southwestern Regional Coordinator of the "National Clean Boating Campaign," the program is organizing an outreach campaign to be conducted for one week in July 1998. Locally, the boater education program and the San Francisco Baykeeper will be handing out "boater kits" from the Baykeeper's soon-to-be-launched compressed natural gas powered "green" boat. The boater education program is assisting the Baykeeper to ensure that this boat is maintained and retrofitted using the most environmentally sound products and equipment available.

#### 7. **WATER Project (Technical Assistance, Outreach, and Education/Interagency Coordination)**

In 1995, the CCC received funding from NOAA for a two-year project to develop a prototype geographic information system (GIS) aimed at interagency management of polluted runoff in the Monterey Bay region. The tool, called the **Watershed Analysis Tool for Environmental Review (WATER)**, integrates environmental data, interpreted satellite imagery and digital aerial photos from numerous federal, State and local sources into a single package. WATER's data layers—including, for example, soils, slopes, watersheds, habitat types, pollution sources, etc.—can be overlaid in any combination to help understand the relationships between various factors contributing to polluted runoff.

A key component of the WATER project has been the effort to provide assistance to local governments, many of whom are just beginning to use GIS. In October, the CCC conducted a one-day workshop providing hands-on training in the use of the WATER data layers to answer specific questions related to water quality. Because the data layers span a large region—from Santa Cruz County to San Luis Obispo County—all of the agencies with jurisdictions affecting water quality in the Monterey Bay NMS will have access to the same data sets. It is hoped this will greatly enhance the ability to cooperatively manage the resources of the region and to protect water quality in the Sanctuary. A set of four CD-ROMs containing the WATER data sets is in the final stages of production and will be distributed throughout the region in early December. The WATER project team is also setting up an Internet site in cooperation with California State University at Monterey Bay, so that students, faculty, and members of the public will have full access to regional data.

#### 8. **Other Recent Actions (Watershed Planning)**

In 1997, Governor Wilson signed into law Senate Bill 673. This law will appropriate \$100,000 from the General Fund for each of the next five fiscal years for the CCC and Los Angeles

RWQCB to jointly develop a long-term management plan for the dredging and disposal of contaminated sediments in coastal waters adjacent to Los Angeles County. Watershed management and source reduction are important components of this plan and one of the only permanent long-term solutions for managing contaminated dredge material. As prescribed in the law, the plan shall: (1) include identifiable goals for the purpose of minimizing impacts to water quality, fish, and wildlife through the management of sediments; (2) include measures to identify environmentally preferable, practicable disposal alternatives, (3) promote multi-use disposal facilities and beneficial reuse, and (4) support efforts for watershed management and source reduction to control contaminants and their sources. The appropriation commences with the 1997-98 fiscal year.



## Summary of 1996 Federal Preliminary Draft Findings for California's CNPCP

Findings Category	Finding	Federal Comments/Notes	Condition(s)	Timeline
I. Boundary (CNPCP Management Area)	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Conditioned	The CZARA § 6217 management area covers the entire State; thus the boundary is approved.	None	
II. Agriculture	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Conditioned	<p>➤ CNPCP includes MMs for confined animal facilities that are in conformity with the CZARA § 6217(g) Guidance, and enforceable policies/mechanisms to implement the MMs. However, the CNPCP does <u>not</u> contain MMs in conformity with g-Guidance for other agriculture subcategories.</p> <p>➤ State identifies "backup enforceable authorities" for implementation of the CNPCP. However, State does <u>not</u> demonstrate ability of the backup authorities to ensure widespread implementation throughout the 6217 management area.</p>	<p>➤ California will include MMs in conformity with the g-Guidance for <u>all</u> agricultural categories.</p> <p>➤ California will develop a strategy to implement the agricultural MMs throughout the § 6217 management area.</p>	<p><u>2</u> years</p> <p><u>1</u> year</p>
III. Forestry	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Conditioned	<p>➤ CNPCP includes (1) MMs for Forestry that are in conformity with the CZARA § 6217(g) Guidance; and (2) enforceable policies/mechanisms for implementation.</p> <p>➤ Additional MMs are necessary to attain and maintain water quality standards.</p>	None	
IV. Urban Development	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Conditioned	<p>➤ CNPCP does <u>not</u> contain MMs in conformity with the CZARA § 6217(g) Guidance.</p> <p>➤ The CNPCP identifies a back-up enforceable authority/mechanism but does <u>not</u> demonstrate the ability of the authority to ensure implementation throughout the 6217 management area.</p>	<p>➤ California will include MMs in conformity with the g-Guidance.</p> <p>➤ California will develop a strategy to implement MMs throughout the § 6217 management area.</p>	<p><u>2</u> years</p> <p><u>1</u> year</p>

# Summary of 1996 Federal Preliminary Draft Findings for California's CNPCP

Findings Category	Finding	Federal Comments/Notes	Condition(s)	Timeline
V. Marinas & Recreational Boating	<input type="checkbox"/> Approved	<ul style="list-style-type: none"> <li>➤ CNPCP does <u>not</u> contain MMs in conformity with the CZARA § 6217(g) Guidance.</li> </ul>	<ul style="list-style-type: none"> <li>➤ California will include MMs in conformity with the g-Guidance.</li> </ul>	<u>2</u> years
	<input checked="" type="checkbox"/> Conditioned	<ul style="list-style-type: none"> <li>➤ CNPCP includes enforceable policies/mechanisms to address the Marina Siting/Design MMs, but cannot ensure implementation for all marinas.</li> <li>➤ CNPCP includes enforceable policies/mechanisms to address implementation of <u>some</u> of the Marina Operation/Maintenance MMs, and identifies a backup enforceable policy/mechanism, but has <u>not</u> demonstrated the ability of the authority to ensure implementation throughout the 6217 management area.</li> </ul>	<ul style="list-style-type: none"> <li>➤ California will develop a strategy to implement MMs throughout the § 6217 management area.</li> </ul>	<u>1</u> year
VI. Hydromodification	<input type="checkbox"/> Approved	<ul style="list-style-type: none"> <li>➤ CNPCP does <u>not</u> contain MMs in conformity with the CZARA § 6217(g) Guidance.</li> </ul>	<ul style="list-style-type: none"> <li>➤ California will include MMs in conformity with the g-Guidance.</li> </ul>	<u>2</u> years
	<input checked="" type="checkbox"/> Conditioned	<ul style="list-style-type: none"> <li>➤ CNPCP identifies a back-up enforceable authority/mechanism but does <u>not</u> demonstrate the ability of the authority to ensure implementation throughout the 6217 management area.</li> </ul>	<ul style="list-style-type: none"> <li>➤ California will develop a strategy to implement MMs throughout the § 6217 management area.</li> </ul>	<u>1</u> year
VII. Wetlands, Riparian Areas, & Vegetated Treatment Systems	<input type="checkbox"/> Approved	<ul style="list-style-type: none"> <li>➤ CNPCP includes MMs in conformity with the CZARA § 6217(g) Guidance to promote (1) restoration of wetlands and riparian areas, and (2) use of Vegetated Treatment Systems; but CNPCP does <u>not</u> include MMs for the protection of wetlands and riparian areas</li> </ul>	<ul style="list-style-type: none"> <li>➤ California will include MMs in conformity with the g-Guidance.</li> </ul>	<u>2</u> years
	<input checked="" type="checkbox"/> Conditioned	<ul style="list-style-type: none"> <li>➤ CNPCP identifies a back-up enforceable authority/mechanism but does <u>not</u> demonstrate the authority's ability to ensure implementation throughout the 6217 management area.</li> </ul>	<ul style="list-style-type: none"> <li>➤ California will develop a strategy to implement MMs throughout the § 6217 management area.</li> </ul>	<u>1</u> year

# Summary of 1996 Federal Preliminary Draft Findings for California's CNPCP

Findings Category	Finding	Federal Comments/Notes	Condition(s)	Timeline
VIII Administrative Coordination	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Conditioned	CNPCP does <u>not</u> include adequate mechanisms to improve coordination among State agencies and between State and local officials in implementing the CNPCP.	California will include mechanisms to ensure coordination among agencies and between State/local officials.	1 year
IX. Public Participation	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Conditioned	CNPCP provides opportunities for public participation in CNPCP development/ implementation.	None	
X. Technical Assistance	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Conditioned	CNPCP does <u>not</u> include programs that will provide technical assistance to local governments and the public for implementing additional MMs.	California will develop programs or expand existing programs to provide technical assistance	3 years
XI. Critical Coastal Areas (CCAs)	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Conditioned	CNPCP does <u>not</u> identify and include a process for the continuing identification of CCAs adjacent to impaired and threatened coastal waters.	California will identify CCAs beyond the existing coastal zone boundary and within watersheds draining into Monterey Bay.	1 year
XII. Additional Management Measures	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Conditioned	CNPCP does <u>not</u> provide for the identification of additional MMs and the continuing revision of MMs applicable to CCAs and cases where the CZARA § 6217(g) MMs are implemented but water quality threats or impairments persist	➤ California shall develop a process to develop/revise MMs to apply in CCAs and in areas where necessary to attain and maintain water quality standards.	2 years
			➤ California will identify additional MMs for forestry necessary to attain/maintain water quality standards.	1 year
XIII Monitoring	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Conditioned	CNPCP does <u>not</u> include a plan to assess over time the extent to which implementation of the MMs is in reducing pollution loads and improving water quality.	California will include a plan that enables the State to assess over time the success of the MMs in reducing pollution loads and improving water quality	1 year
XIV. Strategy and Evaluation for Back-up Authorities	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Conditioned	California will develop a strategy to implement, throughout the § 6217 management area, the MMs for agriculture, urban areas, marinas, hydromodification, and wetlands.		1 year

**CALIFORNIA COASTAL COMMISSION**

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**POLLUTED RUNOFF STRATEGY OF  
 THE CALIFORNIA COASTAL COMMISSION  
 (February 1997)**

## 1.0 INTRODUCTION AND PURPOSE

The mission of the California Coastal Commission is to provide for the balanced use of the coastal zone and to protect, restore, and enhance coastal and marine ("coastal") resources for the continuing benefit of current and future generations. Polluted runoff ("nonpoint source pollution") is a significant cause of harmful impacts to coastal waters and habitats, and thus impedes full achievement of the Commission's objectives. In recent years, the Commission—in partnership with other public and private entities—has focused new attention on improving the management of polluted runoff that affects the coastal zone. This document outlines the Commission's authorities to address polluted runoff and summarizes the Commission's current Polluted Runoff Strategy.

The California Coastal Act mandates the protection and restoration of coastal waters pursuant to several sections of the Public Resources Code (see Table 1). The Commission certifies Local

**Table 1. Coastal Act policies relevant to the control of polluted runoff**

§	Coastal Act Policy
30012	Carry out a public education program to promote coastal conservation.
30230	Maintain, enhance, and where feasible restore marine resources.
30231	Maintain and, where feasible, restore biological productivity and the quality of coastal waters, streams, wetlands, estuaries and lakes through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.
30232	Protect against the spillage of crude oil, gas, petroleum products, or hazardous wastes.
30233	Limit the alteration of wetlands, coastal waters, estuaries; provide for feasible mitigation measures to minimize adverse environmental effects.
30235	Phase out or upgrade where feasible existing marine structures causing water stagnation contributing to pollution problems and fish kills.
30236	Limit hydromodification of rivers and streams; channelizations, dams, other substantial alterations of rivers and streams shall incorporate best mitigation measures feasible.
30240	Protect environmentally sensitive habitat areas (ESHAs). Site and design new development in areas adjacent to ESHAs to prevent significant adverse impacts.
30243	Protect long-term productivity of soils and timberlands.
30250	Site and design new development so as to not have significant adverse impacts, either individually or cumulatively, on coastal resources.
30251	Minimize alteration of natural land forms.
30253	Assure that new development is stable, has structural integrity, and does not contribute significantly to erosion.
30705	Control impacts of dredging in specified port areas.

Coastal Programs (LCPs) and approves coastal development permits (CDPs), energy projects, and federal (federally-approved, funded or conducted) projects consistent with these policies. By doing so, the coastal program protects water quality through the management of development that generates runoff or creates spills. The Commission also has a history of implementing educational and technical assistance programs and coordinating with other agencies to address land use and development activities that may produce polluted runoff.

In addition, Section 6217 of the Coastal Zone Reauthorization Amendments of 1990 (CZARA) [16 U.S.C. § 1455b] requires California, through a partnership between its coastal management and water quality programs, to prepare and submit a Coastal Nonpoint Pollution Control Program (CNPCP).<sup>1</sup> In the CNPCP, the State must (1) show how it will implement, through enforceable policies or mechanisms, specified management measures to control polluted runoff affecting the coastal zone, (2) identify "critical coastal areas" where additional management measures may be necessary,<sup>2</sup> (3) demonstrate how interagency coordination will be improved and assured; and (4) provide technical assistance to local governments and the public. The Commission and State Water Resources Control Board (SWRCB) submitted California's CNPCP to the U.S. EPA and NOAA in September 1995 after more than three years of development.

## **2.0 THE COMMISSION'S CURRENT MANAGEMENT OF POLLUTED RUNOFF**

Concurrent with the development of the State CNPCP, Commission staff undertook several efforts to enhance the coastal program's management of polluted runoff. The primary focus of this work was to make the Commission's current operations more effective in addressing land use activities that generate polluted runoff, including obtaining and applying new information on the subject. As part of this work, staff prepared an internal Polluted Runoff Strategy with the help of an internal task force and discussions with the Commission. The initial Strategy was approved by the Commission's Management Team and reviewed by Coastal Commissioners at a public hearing last year. This updated Strategy more fully articulates the Commission's role in addressing polluted runoff, adding detail to areas that were not fully described in the CNPCP as originally submitted. Many of the actions and programs contained in this Strategy obviously are expected to help to facilitate implementation of the CNPCP as well as to improve the coastal program's overall treatment of water quality-related issues.

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<sup>1</sup> At the federal level, Section 6217 is administered jointly by the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration (NOAA).

<sup>2</sup> Based on the SWRCB's designation of threatened and impaired waterbodies, California's CNPCP submittal identified 24 "Critical Coastal Areas" (the area adjacent to a coastal water which fails to meet water quality standards or protect designated beneficial uses after technology-based management measures have been generally applied to land uses responsible for the impairment). Critical Coastal Areas must receive more scrutiny through the application of additional management measures pursuant to CZARA Section 6217. The need for a CNPCP is reflected in the fact that SWRCB and RWQCBs have designated 105 waterbodies in the coastal zone [excluding waters within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC)] as "threatened and impaired" by polluted runoff. (This number does not include the coastal waterbodies also impacted by polluted runoff that are being considered for listing as threatened and impaired, or for which insufficient information exists to make a designation.)

In implementing the Strategy, the Commission recognizes the need to use limited resources efficiently as well as to ensure actions are properly tailored to match the diversity of California's climate and land use activities. With climate ranging from rainforest in the north to desert in the south, somewhat different approaches may need to be used when managing polluted runoff in various regions of the State. Part of this strategy is to focus attention where water quality problems exist and where the coastal program can make a difference in correcting those problems. This involves being able to make informed decisions about the kinds of management practices that are appropriate for the location, and being able to forge strong partnerships with the agencies and individuals that must be involved in the implementation of those management practices.

The Strategy is comprised of five interrelated elements, each of which is described in detail below. The five elements are:

1. Planning and Regulatory Controls;
2. Interagency Coordination;
3. Technical Assistance, Outreach, and Education;
4. Watershed Planning; and
5. Funding

**Element 1.0 Planning and Regulatory Controls**

**Goal:** To enhance the planning and regulatory functions of the California Coastal Commission (CCC) and Local Coastal Programs in ways that will control or prevent polluted runoff.

Action Plan	Activities that the CCC is undertaking to achieve goal include:
<p>1.1 Improve CCC and local government staff abilities to address polluted runoff through planning and permitting processes</p>	<ul style="list-style-type: none"> <li>➤ The CCC's Non-Point Water Pollution Program (NWPP) staff wrote the <i>Procedural Guidance Manual: Addressing Polluted Runoff in the California Coastal Zone</i> (2nd. Edition, 1996) and distributed it to all CCC planning staff. Follow-up workshops on the Manual were held to train CCC staff on water quality and management issues. The Manual is designed as a technical assistance and educational tool for planners to use to address nonpoint source (NPS) pollution issues when reviewing development projects at both the California Environmental Quality Act (CEQA) review and permit application stages. The Manual includes (1) flowcharts for planners to follow to incorporate CZARA Section 6217(g)-Guidance management measures and recommended Best Management Practices (BMPs) into project proposals; (2) information on how to prepare and review erosion control plans, drainage plans, landscaping plans, etc.; (3) model policies and ordinances that can be incorporated into local government programs during Local Coastal Program (LCP) development and updates.</li> <li>➤ One analyst in each CCC district office has been designated and trained as a "Water Quality Coordinator." Responsibilities include: coordinating water quality issues with local government and other agency staffs in the region; serving as in-house experts on BMPs and other runoff issues; and sharing information between other coordinators to ensure consistent statewide implementation of BMPs.</li> <li>➤ Through a Model Urban Runoff Program (MURP) project and the use of the <i>Procedural Guidance Manual</i>, the NWPP staff (through the Monterey Bay National Marine Sanctuary Water Quality Protection Program); is working with local governments to improve environmental review and address polluted runoff impacts in a more comprehensive manner (e.g., one goal of the MURP is to prepare proposed changes to the CEQA Guidelines Environmental Checklist).</li> </ul> <p><b>Future steps include:</b></p> <ul style="list-style-type: none"> <li>➤ Conduct, in coordination with Regional Water Quality Control Board (RWQCB) and other agency staffs, at least 3 local government workshops, designed in part to introduce the <i>Procedural Guidance Manual</i> and other tools that will help local government planners in the coastal zone respond to polluted runoff issues and concerns.</li> <li>➤ Develop mechanisms to monitor and document the effectiveness of measures applied through coastal program efforts.</li> </ul>

Action Plan	Activities that the CCC is undertaking to achieve goal include:
<p>1.2 Conduct long-term outreach to local governments to facilitate changes in LCPs and other CCMP-implementing processes</p>	<ul style="list-style-type: none"> <li>➤ The NWPP staff reviewed LCPs to identify "model" policies, ordinances, and administrative procedures that relate to the six categories of NPS pollution identified by the U.S. EPA (agriculture, forestry, urban development, marinas and recreational boating, hydromodification, and wetlands protection and restoration).</li> <li>➤ Through a separate grant project, NWPP staff analyzed 16 LCPs adjacent to threatened and impaired waterbodies to determine if and to what extent the LCPs contain policies/ordinances that are equivalent to the CZARA Section 6217(g)-Guidance management measures.</li> <li>➤ NWPP staff also developed a model framework for assessing cumulative impacts of development in the context of polluted runoff. This framework (1) describes land use and land cover changes and water quality trends in a pilot coastal watershed; (2) assesses LCP policies and coastal permit data collected on past, present, and projected land uses; and (3) correlates these data with water quality information for the watershed. Model LCP language developed to address polluted runoff and cumulative impacts in the pilot watershed will also serve to provide model language for LCPs statewide.</li> </ul> <p><b><u>Future steps include:</u></b></p> <ul style="list-style-type: none"> <li>➤ Identify and assess "gaps" in LCPs (LCPs that do not contain policies/implementing ordinances that adequately address management measures and/or BMPs to control polluted runoff) and pursue improvements through LCP amendments and other avenues;</li> <li>➤ Coordinate with the CCC's Regional Periodic Review process (a review of the coastal program's performance in different regions of the State) and develop a process to incorporate model polluted-runoff-control policies and ordinances into existing and new LCPs.</li> </ul>



## Element 2.0 Interagency Coordination

**Goal:** To improve the effectiveness of polluted-runoff management through increased interagency coordination

Action Plan	Activities that the CCC is undertaking to achieve goal include:
2.1 Ensure effective development and implementation of the Coastal Nonpoint Pollution Control Program (CNPCP) <sup>3</sup>	<p>➤ The CCC has completed one of the primary objectives of CZARA by forging a new partnership with the State's principal water quality management agency (the SWRCB).</p> <p><b>Future steps include:</b></p> <p>➤ Ensure that effective coordination mechanisms are in place with the SWRCB to respond to the pending final conditions placed on California's CNPCP by the U.S. EPA/NOAA;</p> <p>➤ Develop jointly with the SWRCB a comprehensive CNPCP Implementation Strategy (this is an anticipated requirement of the conditional approval of the State CNPCP by the U.S. EPA/NOAA);</p> <p>➤ Promote long-term coordination mechanisms to ensure an ongoing partnership between the Commission and SWRCB to carry out the CNPCP, as well as to build bridges between local, state, and federal entities that share a role in implementing the CNPCP;</p> <p>➤ Participate in the SWRCB's Watershed Management Initiative and related taskforces as appropriate;</p> <p>➤ Maintain the CCC's Non-Point Water Pollution Program statewide, working with the SWRCB and other groups to enhance CCC and local agency effectiveness in addressing land use activities that generate polluted runoff.</p>
2.2 Increase coordination with the Regional Water Quality Control Boards (RWQCBs)	<p>➤ The CCC's NWPP staff has coordinated initial meetings between Commission and RWQCB managers that are designed to seek common issues and projects, and to discuss sharing and consolidating resources and information such as Storm Water Permits, LCPs/General Plans, CEQA/NEPA review, and watershed planning.</p> <p><b>Future steps include:</b></p> <p>➤ Hold cross-training workshops for CCC staff and RWQCB staff.</p> <p>➤ Develop stronger, long-term ties with the RWQCBs to put into place the efforts discussed above into everyday practices.</p> <p>➤ Conduct, in coordination with the RWQCBs and other agency staffs, at least 3 local government workshops before Fall 1997 to improve polluted runoff management (see Element 1.1).</p>

<sup>3</sup> The CNPCP Implementation Strategy is also a critical element of the CCC's goal to enhance CCMP planning and regulatory functions (see Planning & Regulatory Controls, Element 1.0 of the Polluted Runoff Strategy).

Action Plan	Activities that the CCC is undertaking to achieve goal include:
<p>2.3 Participate in Local, Regional, and Statewide Programs</p>	<p>➤ The CCC has developed and/or participated in Local, Regional, and Statewide Programs, including the following:</p> <ul style="list-style-type: none"> <li>• the Monterey Bay National Marine Sanctuary (MBNMS) Water Quality Protection Program (WQPP);</li> <li>• the Santa Monica Bay and Morro Bay National Estuary Programs;</li> <li>• the Tijuana and Elkhorn Slough National Estuarine Research Reserve programs;</li> <li>• the Model Urban Runoff Program project for small (less than 100,000 population) cities and counties;</li> <li>• the SWRCB's Nonpoint Source Interagency Advisory Committee;</li> <li>• the State Storm Water Quality Task Force;</li> <li>• the development of management strategies for dredging projects (e.g., the Long-Term Management Strategy being devised for disposal of dredge materials from San Francisco Bay) which involve questions of water quality and habitat protection.</li> </ul> <p>➤ The CCC has also developed a proposed framework to assist current environmental monitoring activities in the Monterey Bay area through a consolidation of existing monitoring programs and the design of a plan to obtain comprehensive and standardized data. The framework also intends to ensure that monitoring programs are responsive to resource management questions.</p> <p><b><u>Future steps include:</u></b></p> <ul style="list-style-type: none"> <li>➤ Continue work on the projects listed above;</li> <li>➤ Work with the MBNMS WQPP and other agencies to promote the implementation of the proposed monitoring framework in the Monterey Bay area, and to identify how it may serve as a model to further other regional monitoring efforts;</li> <li>➤ Work with the MBNMS WQPP and other agencies (e.g., the Central Coast RWQCB and Natural Resources Conservation Service) to develop a plan to evaluate, and if feasible implement, the use of a streamlined permitting process for installation of agricultural BMPs in coastal watersheds (WQPP team leaders are looking to conduct a pilot project in the Central Coast that will evaluate the transferability of the streamlined process to other jurisdictions).</li> </ul>

**Element 3.0 Technical Assistance, Outreach, and Education**

**Goal:** To enhance the effectiveness of state and federal agencies, local governments, and the public in controlling polluted runoff through technical assistance and educational outreach

Action Plan	Activities that the CCC is undertaking to achieve goal include:
<p>3.1 Improve environmental review and polluted-runoff management through use of mapping and other technologies</p>	<p>➤ The CCC is developing land cover/land use change analysis techniques and identifying tools to make land use information more accessible to analysts and planners at the local, State, and federal levels. The tools are designed to help assess cumulative impacts, and to monitor concerns such as soil loss, wetland changes, and other impacts that may be associated with polluted-runoff impacts. Examples of CCC projects include the Central Coast CoastWatch Change Analysis Protocol Project (C-CAP) and the Watershed Analysis Tool for Environmental Review (WATER) project.</p> <p><b>Future steps include:</b></p> <p>➤ Establish a common base of information (e.g., compatible databases) for managing polluted runoff within a watershed, and ensure that the information developed is readily available to entities that can use it;</p> <p>➤ Transfer models developed in pilot watershed projects to other areas.</p>
<p>3.2 Assist in the development of public education programs and technical analysis tools to improve coastal water quality</p>	<p>➤ Through its participation in the California Clean Boating Network (CCBN), CCC NWPP staff conducted public outreach, developed a binder that includes exemplary education products that address pollutants associated with marina and boater activity, and distributed more than 300 copies of the binders to coastal marinas and interested groups who reproduced the contents for distribution to users of the marina environment. The CCBN is now coordinating its efforts with the MBNMS WQPP's work on managing marina and boating impacts.</p> <p>➤ CCC staff are undertaking other public education efforts including:</p> <ul style="list-style-type: none"> <li>• the Adopt-a-Beach program</li> <li>• the Save-Our-Seas curriculum; and</li> <li>• coordination with public education/outreach staff from the San Francisco Bay/Los Angeles-area NPDES Storm Water to reduce urban pollution from litter and improper disposal into storm drains</li> </ul> <p><b>Future steps include:</b></p> <p>➤ Begin work on an upcoming project to address the proper disposal and/or recycling of "waste oil" at harbors and marinas (the primary objectives of this project are to provide statewide education and to facilitate the installation of services needed by California's boaters in San Diego, Los Angeles, and San Francisco Bay in order to reduce emissions of oil and other pollutants associated with boating activities);</p> <p>➤ Evaluate the feasibility of developing, in coordination with the MBNMS WQPP, a special watershed module for the Adopt-a-Beach coastal clean-up activities in central California.</p>

#### **Element 4.0 Watershed Planning**

**Goal:** To continue and increase CCC involvement in watershed management and planning efforts

Action Plan	Activities that the CCC is undertaking to achieve goal include:
4.1 Continue CCC participation in watershed efforts Statewide	<p>➤ Maintain participation in watershed management efforts (e.g., Tijuana River, Santa Monica Bay, Malibu Creek, Morro Bay, and Elkhorn Slough)</p> <p><b>Future steps include:</b></p> <p>➤ Develop, for each CCC District office and local governments and for inclusion in the <i>Procedural Guidance Manual</i>, "Water Quality Summaries" that provide critical information (e.g., water and habitat quality, land uses, etc.) for Critical Coastal Areas designated by the SWRCB pursuant to the CNPCP.</p> <p>➤ Prioritize areas where CCC staff involvement in watershed efforts can make the biggest impact</p>

#### **Element 5.0 Funding**

**Goal:** To seek long-term funding, as well as supplemental special grants, to enable the CCC to carry forward an effective polluted runoff management strategy as part of the statewide coastal program

Action Plan	Activities that the CCC is undertaking to achieve goal include:
5.1 Seek stable support of coastal water quality related efforts	➤ Submit budget requests and justifications for State General Fund support of a water quality planner position at the CCC to enable the continuation of a systematic polluted runoff focus throughout coastal program activities.
5.2 Search out grant opportunities to supplement and advance the CCC Polluted Runoff Strategy	➤ Continue the identification of potential funding sources and develop appropriate grant proposals to support and expand the CCC's polluted runoff control activities.
5.3 Identify means to share resources	➤ Coordinate to the maximum extent feasible with similar federal, State, and local efforts related to polluted runoff management.

