STATE OF CALIFORNIA—THE RESOURCES AGENCY GRAY DAVIS, GOVERNOR

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Tu 10

Staff: JCK, CRO, RPC, & DCL-SF

Staff Report: December 17, 1999

Hearing Date: January 11, 2000

Item Number: Tu#

To: California Coastal Commissioners and Interested Persons

From: Peter M. Douglas, Executive Director
Jaime C. Kooser, Deputy Director, Energy, Ocean Resources and Water Quality
Cy R. Oggins, Coordinator, Coastal Nonpoint Source Pollution Control Program
Ross P. Clark, Coastal Nonpoint Source Pollution Control Program
Derek C. Lee, Coastal Nonpoint Source Pollution Control Program

Subject: A. *Plan for California's Nonpoint Source Pollution Control Program*
B. Memorandum of Understanding Between the Commission and the State Water Resources Control Board
C. California Coastal Commission's *Plan for Controlling Polluted Runoff*

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1. STAFF RECOMMENDATION

A. *Plan for California's Nonpoint Source Pollution Control Program*

Motion: I move that the Commission adopt the *Plan for California's Nonpoint Source Pollution Control Program* as revised on December 14, 1999 and direct the Executive Director to submit the *Plan* to the National Oceanic and Atmospheric Administration and the U.S. Environmental Protection Agency for approval.

Recommendation: The staff recommends a yes vote. Passage of the motion will result in adoption of the *Plan for California's Nonpoint Source Pollution Control Program.*

Resolution: The Commission hereby adopts *Plan for California's Nonpoint Source Pollution Control Program* on the grounds that the plan carries out the requirements of Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 that require each coastal state to prepare a Coastal Nonpoint Pollution Control Program to reduce significant sources of nonpoint source pollution (polluted runoff) into coastal waters, and the requirements of Section 319 of the Clean Water Act.

B. Memorandum of Understanding Between the Commission and the State Water Resources Control Board

Motion: I move that the Commission authorize the Executive Director to enter into a Memorandum of Understanding with the State Water Resources Control Board that substantially conforms with the draft Memorandum of Understanding attached to the staff report.

Recommendation: The staff recommends a yes vote. Passage of the motion will result in delegation of authority to the Executive Director to enter into a Memorandum of Understanding with the State Water Resources Control Board that substantially conforms with the draft Memorandum of Understanding attached to the staff report.

Resolution: The Commission hereby authorizes the Executive Director to enter into a Memorandum of Understanding with the State Water Resources Control Board on the grounds that the Memorandum of Understanding will ensure administrative coordination and further the implementation of the Commission's efforts to prevent and control polluted runoff.

C. California Coastal Commission's *Plan for Controlling Polluted Runoff*

Motion: I move that the Commission adopt the California Coastal Commission's *Plan for Controlling Polluted Runoff.*

Recommendation: The staff recommends a yes vote. Passage of the motion will result in adoption of the California Coastal Commission's *Plan for Controlling Polluted Runoff.*

Resolution: The Commission hereby adopts the *Plan for Controlling Polluted Runoff (CPR Plan)* on the grounds that, in conjunction with the State *Plan for California's Nonpoint Source Pollution Control Program,* the *CPR Plan* carries out the requirements of Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 that require each coastal state to prepare a Coastal Nonpoint Pollution Control Program to reduce significant sources of NPS pollution into coastal waters.

2. SUMMARY OF THE NPS PROGRAM PLAN

Nonpoint source (NPS) pollution, also known as polluted runoff, is the leading cause of coastal and inland water quality impairments in California. Public agencies, watershed groups, and other public and private entities have implemented and are currently implementing actions to prevent and control NPS pollution. This NPS Program Plan, entitled *Plan for California's Nonpoint Source Pollution Control Program*, provides a framework to focus, expand, and coordinate actions Statewide over the next 15 years.

In conformance with Section 6217 of Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) that requires each coastal state to prepare a Coastal Nonpoint Pollution Control Program (CNPCP) to reduce significant sources of NPS pollution into coastal waters, and in conformance with Clean Water Act (CWA) Section 319, the NPS Program Plan:

1. Adopts 61 management measures (MMs) as goals for six NPS categories (agriculture, forestry, urban areas, marinas and recreational boating, hydromodification, and wetlands/riparian areas/vegetated treatment systems);

2. Provides a 15-year strategy to fully implement the MMs;

3. Continues use of the "Three-Tiered Approach" used by the State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCBs) to address NPS pollution problems (Tier 1: Self-Determined Implementation of Management Practices, Tier 2: Regulatory Based Encouragement of Management Practices, and Tier 3: Effluent Limitations and Enforcement Actions);

4. Provides the first of three 5-year implementation plans targeting activities for specific MMs consistent with State and regional priorities in specific watersheds and also establishes mechanisms for: (a) coordination among agencies, (b) participation by the public, (c) provision of assistance technically and financially, (d) adoption of additional MMs if needed, (e) definition and delineation of Critical Coastal Areas (CCAs) and implementation of actions to preserve and protect CCAs, and (f) monitoring and reporting of program effectiveness.

5. Promotes long-term interagency coordination among State agencies of the Resources Agency and California Environmental Protection Agency (Cal/EPA), as well as other State, local and federal agencies;

6. Identifies back-up authorities and enforceable policies and mechanisms for the 61 MMs adopted by the State; and

7. Allows for adoption of the MMs as regulations after each 5-year implementation plan cycle if adequate progress in NPS pollution control has not been demonstrated.

The NPS Program Plan also includes: (1) a Memorandum of Understanding (MOU) between the Commission and SWRCB to promote the continued close collaboration between the two State lead agencies (Attachment 1); (2) a memorandum that the Secretaries of the Resources Agency and Cal/EPA will be asked to sign directing all departments and boards within their agencies to use their respective authorities to implement the Program Plan (Attachment 2); and (3) a memorandum that the Secretaries of the Resources Agency and Cal/EPA will be asked to sign asking the California Department of Transportation (Caltrans), Department of Food and Agriculture, and Department of Health Services to use their respective authorities to implement the Program Plan (Attachment 3).

This final draft of the NPS Program Plan has been extensively revised to address federal, state agency and public concerns. The NPS Program Plan is the State's final submittal to satisfy the

requirements specified by the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (USEPA) for CNPCP approval and NPS Program upgrade (see Chronology, Attachment 6).[1] Following adoption by the Commission and State Water Resources Control Board, the Executive Directors of the Commission and SWRCB will submit the revised NPS Program Plan to the federal agencies for full approval.

Full approval of the NPS Program Plan will ensure that the State remains eligible for continued full funding of the Commission's coastal zone management program and the SWRCB's NPS pollution control program. States that fail to submit an approvable program face annual reductions in two important grant programs until a program is submitted and approved.

3. UPDATE SINCE THE DECEMBER 1999 COMMISSION HEARING

The NPS Program Plan before the Commission includes several changes made since the Commission reviewed the Plan in December. In particular, staffs of the Commission and SWRCB revised the Plan to address public comments raised at the State Water Resources Control Board November 29, 1999 Workshop and the Commission's December 8, 1999 meeting (Attachments 4 and 5). Specific issues addressed in the revised Plan that are of interest to the Commission include:

- Addition of specific dates for the completion of needed Program Plan details, including dates for completion of interagency agreements, and inclusion of a new table that summarizes key deadlines;
- A commitment to establish and enter into the first five-year plan all relevant information, including numeric program performance measures, by October 1, 2000;
- Provision for a biennial workshop coincident with the State's biennial report, and a list of questions that the Commission and SWRCB staffs will address in the report/workshop;
- Language clarifying that the Commission will review new Local Coastal Programs (LCPs), LCP amendments, and coastal development permit applications brought before it for appropriate NPS pollution prevention and control activities;
- A commitment by the SWRCB staff to make available for public review and comment a draft of the enforcement guidance required pursuant to Porter-Cologne Act section 13369 by January 1, 2001;

On December 14, 1999, the State Water Resources Control Board unanimously adopted the NPS Program Plan as revised by Commission and SWRCB staff.

[1] NOAA and USEPA reviewed the 1995 version of the CNPCP and certified individual sections of the program with full approval or a conditional approval. For sections that received a conditional approval, the State was required to meet the conditions set by the federal agencies by December 1999.

4. REVISIONS TO JULY 1999 AND NOVEMBER 1999 DRAFTS OF THE NPS PROGRAM PLAN

Commission staff and State Board staff have received comments from a number of agencies and interested parties. The comments letters (provided along with an addendum to the staff report at the December Commission meeting) included the following:

1) Letter signed by Ms. Linda Sheehan for Center for Marine Conservation, and for Ms. Ann Notthoff (Natural Resources Defense Council), Mr. Mark Gold (Heal the Bay), and Mr. Zeke Grader (Pacific Coast Federation of Fishermen's Association), dated December 6, 1999.

2) Joint comments from the National Oceanic and Atmospheric Administration (NOAA) and Environmental Protection Agency (USEPA) dated November 29, 1999 and December 1, 1999.

3) Joint letter signed by Ms. Linda Sheehan for Center for Marine Conservation, Ms. Ann Notthoff for the Natural Resources Defense Council, Mr. Mark Gold for Heal the Bay, Mr. Zeke Grader for the Pacific Coast Federation of Fishermen's Association, and Mr. Steve Fleischli for Santa Monica BayKeeper, dated December 1, 1999.

4) Letter by Mr. Bob Caustin, Defend the Bay (Newport Bay), dated November 29, 1999.

5) Personal communication from Dr. Holly Price, Monterey Bay National Marine Sanctuary, to Mr. Ross Clark (Commission staff), December 2, 1999.

In response to these comments, Commission and Board staff made changes to the Plan, Volume I, entitled *Nonpoint Source Program Strategy and Implementation Plan, 1998-2013*. Text of all the changes to the November draft of the Plan is provided in Attachment 4. The NPS Program Plan (December 14, 1999 revised draft) also includes numerous changes made since the July 1999 initial public draft. Revised sections that are of specific interest to the Commission are outlined below.

Vision and Goals

The NPS Program Plan is intended to focus and expand the State's efforts over the next 15 years to prevent and control NPS pollution. The vision of the NPS Program is to reduce and prevent NPS pollution so that the waters of California support a diversity of biological, educational, recreational, and other beneficial uses. The goals of California's NPS Program are:

- Implement MMs
- Coordinate with public and private partners in all aspects of the program
- Target program activities
- Provide financial and technical assistance and education
- Track, monitor, assess, and report program activities

To ensure that the NPS Program goals are met, the NPS Program Plan includes MMs that are appropriate for implementation in California, and an iterative 15-Year Program Strategy and

5-Year Implementation Plan. Additional steps in California's long-term strategy and initial short-term plan are to:

- Adopt NPS MMs by the SWRCB and CCC as goals or through a rulemaking, as necessary, to ensure that they are implemented statewide by the year 2013;
- Establish and enter into the first five-year plan all relevant information for each process element for each primary and secondary management measure by July 1, 2000, with the exception of numeric program performance measures. Numeric program performance measures will be established for each primary and secondary management measure in the first five-year plan by October 1, 2000. The revised five-year plan will be distributed to the public by November 1, 2000.
- Publish a MMs Guidance document that includes examples of management practices that achieve the goals of each MM;
- Build a foundation for agencies with authorities related to the NPS Program to coordinate and collaborate in problem solving, implementation, monitoring, and assessment (e.g., review and revise existing agency agreements or develop new agency agreements; convene an interagency committee or similar working forum);
- Increase funding and enhance education to help implement MMs statewide; and
- Report and conduct a workshop every two years on the status of the NPS Program.

Program Process

For the NPS Program Plan to be useful and responsive throughout its 15-year duration, previous experience (e.g., in implementing MMs) must be integrated into present and future planning and implementation efforts. During the next 15 years and beyond, agencies and other stakeholders should be able to: (1) assess the present Program's activities; (2) target efforts; (3) plan future actions based on past and present goals and objectives; (4) coordinate federal, State, and local agencies' and stakeholders' efforts; (5) implement collaborated actions; (6) obtain data on water quality and implementation effectiveness from tracking and assessment documentation, TMDLs, and other agency and citizen monitoring programs; and (7) reassess the Program's progress and effectiveness.

Fifteen-Year Program Strategy

The 15-Year Program Strategy outlines how California will seek to achieve the vision and goals of the NPS Program. The complexity of the State's NPS issues makes effective coordination of the various activities imperative. Specifically, the 15-Year Strategy (1) identifies the SWRCB, RWQCBs, and CCC as the lead agencies for implementation of the Plan, (2) fosters interagency cooperation and facilitates public participation through the establishment of formal agreements and formation of new Technical Advisory Committees (TACs) and an Interagency Coordinating Committee (IACC), and (3) enhances use of broad-based local stewardship to prevent and control NPS pollution, backed up by enforceable authorities. Recommendations from the 1995 TACs and from additional agency and stakeholder meetings convened by the SWRCB and Commission staffs in 1998 and 1999 are a central part of the NPS Program.

Five-Year Implementation Plans

Nested within the 15-Year Program Strategy are three 5-Year Implementation Plans that describe the Who, What, Where, When and How of Program implementation. In each 5-Year Plan, California will target implementation actions where the NPS Program can make a difference in correcting current and potential problems. Included in the NPS Program Plan is the first 5-Year Plan. The first 5-Year Plan identifies a set of MMs on which to target NPS Program efforts. The Plan also identifies a series of actions related to (1) assessing water quality conditions and/or institutional efforts (2) targeting implementation based on geographic regions or other criteria; (3) performing planning activities; (4) coordinating public and private efforts; (5) implementing the targeted MMs; and (6) obtaining data on water quality and implementation effectiveness. The Plan also identifies agencies responsible for MM implementation and includes actions, performance measures, milestones, and a commitment to report on program effectiveness.

Targeting

The State will target efforts during the first five years to implement selected MMs to control NPS pollution and enhance administrative coordination, public participation and education, technical assistance and tracking and monitoring. Many of the targeted MMs will require continued implementation beyond five years. Similarly, sustained NPS pollution prevention and control efforts may be needed for certain geographic areas. During the assessment processes in 2001 and 2006, these MMs and areas will be identified and incorporated into the next implementation cycle. Future targeting efforts will coordinate with agency and public actions that focus on water resources in general, and NPS problems in particular (e.g., future targeting efforts will use the most up-to-date assessment information and suggestions provided by other agencies and the public).

Critical Coastal Areas (CCAs)

CZARA Section 6217(b)(2) requires that the State enhance management of the land and water uses surrounding sensitive coastal waters. These areas are defined as CCAs. A primary goal of CCA designation is to channel program resources to protect special coastal habitats from NPS pollution degradation through the implementation of additional MMs. To coordinate actions within CCAs, the Program will establish an interagency committee—led by the CCC in coordination with the State Coastal Conservancy, SWRCB, six coastal RWQCBs, and the public—to identify CCAs and develop additional MMs necessary to protect these areas.[2] In addition, the CCC will continue to use its existing authority under the California Coastal Management Program to ensure that all appropriate MMs are implemented and, where appropriate, that additional MMs are developed to protect CCAs and coastal waters. Other

[2] As described in the NPS Program Plan, federal guidance provides the states with flexibility in their approach to identifying CCAs. California will use a combination of the two approaches outlined in the USEPA/NOAA Guidance for delineating CCAs: (1) areas in which new or substantially expanding land uses may cause or contribute to the impairment of coastal water quality and (2) areas that contain or are adjacent to threatened or impaired coastal waters. Specifically, California will designate special sections within the California coastal zone as CCAs. These include environmentally sensitive habitat areas (ESHAs) currently designated in California's coastal zone management program and Areas of Special Biological Significance, as well as California's National Estuarine Research Reserves, National Estuary Programs, and National Marine Sanctuaries.

agency and public actions will also be coordinated to protect the adjacent portions of the inland watersheds that impact the environmental processes within the coastal zone.

CCA designation will help the State to protect pristine, threatened, and impaired waters that may be degraded by new or substantially expanding land use near the coastal zone by coordinating additional agencies and initiating special programs. Because CCA designation is a continuing process, sensitive coastal habitats that may become threatened by new or expanding development can be targeted as a priority in the future. Additionally, CCA designation will provide resources to special coastal areas that do not achieve priority ranking within other sections of this plan.

New and innovative MMs will be developed when needed to provide additional protection for the CCAs from NPS pollution degradation. For example, the CCA Committee could use the CCC's Permit Tracking System (PTS) for analyzing the cause-and-effect relationship between land use management practices and water quality. The CCA Committee will work with appropriate agencies and researchers to develop these additional MMs with special considerations for the physical and biological characteristics of the CCAs and the nature of contamination in the adjacent threatened or impaired coastal waters.

Interagency Coordination

The SWRCB, RWQCBs, and the CCC are the lead agencies for developing the program and coordinating its implementation. However, all State, local, and federal agencies, and other public and private interests, have a critical role in NPS pollution prevention and control.

The State will enhance agency coordination by developing a formal agreement (MOU) between the SWRCB and the CCC. While the key elements of the NPS Program have been developed through a cooperative partnership without a formal agreement, an MOU will clarify the roles and responsibilities of each agency over the next 15 years. This MOU is being submitted with the Program Plan for approval by the SWRCB and CCC (Attachment 1). The State will ensure that agencies with the ability to implement aspect of this Plan are effectively linked with the lead agencies by developing (or revising) other MOUs or Management Agency Agreements (MAAs). MOUs and MAAs between the lead agencies and several implementing agencies already exist. As provided in the Plan, the State will revise several existing formal agreements, and will encourage the development of additional MOUs and MAAs as a mechanism for officially designating other agencies with the responsibility and authority to implement aspects of the Plan. The State will continue to modify these agreements as needed throughout the life of the Program Plan.

In addition to using formal agreements to establish coordination, the SWRCB and CCC will establish and lead an Interagency Coordinating Committee (IACC) to provide a regular working forum to collaborate in implementation and problem solving. We currently envision several roles for the IACC. First, where programmatic or policy conditions present problems for watershed management, the SWRCB and CCC, through the IACC, will act as a conduit for addressing and resolving those problems. The IACC will also be asked to evaluate agency functions and to recommend improvements that can benefit water quality on a statewide basis for various categories of activities. IACC TACs in four major issue areas—assessment, technical assistance,

education, and regulation—may also be established. A role of these TACs would be to identify opportunities for improved coordination and implementation. Staff would work with the TACs to ensure that the problems facing watershed groups are clearly understood and to provide a vehicle for implementing changes in State activities.

Involve the Public and Stakeholders

As outlined in the NPS Program Plan, a first step to support and encourage public participation will be to establish the IACC and include a public representative on the Assessment TAC to participate in problem-solving activities. In addition, the Plan provides for public participation in the State Water Quality Assessment (statewide citizen monitoring network), CCAs, specific workgroups [e.g., the Coordinated Resource Management and Planning (CRMP) process], tracking MM implementation and effectiveness, and developing additional MMs. The first five-year review period will be another critical point for public and stakeholder involvement. The public will participate in the review of the first five-year plan assessment and in the development of future priorities and objectives.

Financial Assistance (Funding) and Technical Assistance

The NPS Program Plan recognizes that individuals, watershed groups, communities, and public agencies have varying levels of technical and financial capabilities related to water quality and habitat protection and restoration. The State commits to providing assistance though funding when available as well as management practice manuals, training, assistance in developing ordinances and regulations, monitoring, and modeling to predict and assess the effectiveness of any additional NPS MMs. The NPS Program will depend largely on funding received through the CWA Section 319, State appropriations, and the contributions of local governments, non-governmental organizations, private individuals and other entities. Available NPS Program funding will be directed at supporting activities that implement the MMs as identified in the CAMMPR Document (Volume II of the Plan). The SWRCB and CCC will also seek additional funding so that the activities contained within this Plan will be completed. Implementation difficulties related to funding limitations will be identified and addressed as provided for through periodic program reviews.

Track, Monitor, Assess and Report

The NPS Program Plan identifies a process to determine success in achieving short- and long-term goals. This process includes four critical elements.

- Track management measure implementation. Tracking MM implementation is an initial component of the monitoring strategy. NPS MMs are implemented on-the-ground using management practices. The State must assess the success of Program actions in part through the tracking of the implementation of management practices.
- Monitor Program effectiveness in controlling pollution. The Plan's monitoring elements focus on the onsite evaluation of management practice effectiveness and the ability to avoid pollution generation. In addition to supporting existing agency monitoring programs, the Plan commits to integrating citizen monitoring into the State NPS Program.

- Assess success in achieving the Plan's objectives and milestones. Evaluating success of the NPS Program will include the elements of tracking and monitoring above, as well as a systematic evaluation of whether the State has achieved the short- and long- term goals of the Program.
- Report on program effectiveness. Making Program information available for external review enables public participation in the periodic assessment and refinement processes. The timeliness of meeting the objectives and performance measures noted in the 5-Year Implementation Plan will be determined and reported biennially.

Achieving the State's Water Quality Vision

The elements above make up an evolving and iterative process repeated in each of the three 5-year implementation cycles. As an overall goal, all the identified MMs for the prevention and control of NPS pollution will be implemented in the appropriate watersheds by the end of the fifteen years, and the quality of the States' waters will have measurably improved.

5. COASTAL COMMISSION ACTIONS TO ADDRESS NPS POLLUTION

In addition to carrying out the existing programs detailed in the NPS Program Plan, the Commission continues to enhance and modify its programs to better manage polluted runoff by building on technical assistance tools, improving public education, increased coordination and interaction with the RWQCBs, and through effective use of its regulatory authorities. Specific actions are identified in the Commission's *Plan for Controlling Polluted Runoff* (Coastal CPR Plan; Attachment 7) which the Commission last reviewed in June 1999. The Coastal CPR Plan is now complete. The revised plan identifies how the Commission staff will implement MMs.

Commission staff emphasize providing ongoing technical support and coordination for identifying and addressing potential water quality impacts of development proposals by providing specific language that implements best management practices. Also, staff will develop a model "Nonpoint Source Element" and guidance for Commission staff and local government staffs to use when amending, updating, or preparing new LCPs. Commission staff is also considering ways to increase its participation in watershed management efforts that will restore, protect, or enhance coastal resources. One identified mechanism is to revise the "Procedural Guidance Manual" to include guidance for incorporation of coastal resource concerns into watershed plans.

Finally, the Coastal CPR Plan actions have been incorporated into the statewide NPS Program Plan to serve as the Commission's contribution to preventing and controlling polluted runoff. The Commission remains dedicated to protecting water quality in the coastal zone.

ATTACHMENTS TO THE STAFF REPORT

Attachment 1: Memorandum of Understanding between CCC and SWRCB

Attachment 2: Memorandum from the Secretaries of the Resources Agency and Cal/EPA directing all departments and boards within their agencies to use their respective authorities to implement the Program Plan

Attachment 3: Memorandum from the Secretaries of the Resources Agency and Cal/EPA asking the California Department of Transportation (Caltrans), Department of Food and Agriculture, and Department of Health Services to use their respective authorities to implement the Program Plan

Attachment 4: Table of Revisions to November 1999 Draft NPS Program Plan

Attachment 5: SWRCB and CCC Staffs' Response to the December 6, 1999 letter from Center for Marine Conservation et al.

Attachment 6: Chronology

Attachment 7: California Coastal Commission's *Plan for Controlling Polluted Runoff*

D R A F T

Attachment 1

MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA COASTAL COMMISSION

This Memorandum of Understanding (MOU) is between the State Water Resources Control Board (SWRCB) and the California Coastal Commission (CCC). The SWRCB is part of the California Environmental Protection Agency (Cal/EPA), and the CCC is part of the California Resources Agency.

AGENCIES AGREE AS FOLLOWS:

A. PURPOSE

The purpose of this MOU is to promote protection of (1) water quality and (2) the uses and resources dependent on clean water from the potential adverse effects of nonpoint source (NPS) pollution. The SWRCB and CCC concur that the State will benefit from a unified and cooperative program to protect and restore water quality.

B. AUTHORITY

The authority of the SWRCB and CCC are defined by federal and State law described as follows:

1. The SWRCB and CCC, in coordination with the nine Regional Water Quality Control Boards (RWQCBs), are the lead State agencies in California for the development and implementation of the *Plan for California's Nonpoint Source Pollution Control Program: 1998-2013* (Program Plan) which has been prepared pursuant to the Federal Clean Water Act section 319 (33 U.S.C. §1329) and Coastal Zone Management Act section 6217 (16 U.S.C. §1455b).

2. The SWRCB and the RWQCBs are the State agencies with primary responsibility for coordination and control of water quality throughout California. The SWRCB and RWQCBs are the State agencies authorized under the Clean Water Act and State law to designate beneficial uses of the State's waters and establish water quality objectives for protecting those uses. The SWRCB and RWQCBs have a variety of regulatory powers under which they investigate water quality issues; adopt water quality control plans, regulations, and policies; prohibit waste discharges in certain areas; and issue permits regulating waste discharges affecting water quality. The SWRCB is required to provide information to the public regarding water quality issues. The SWRCB also administers several loan and grant programs for the protection of water quality, including the NPS grant program under the Federal Clean Water Act section 319 (33 U.S.C. §1329). RWQCBs also have the authority to order cleanup of waste discharges and to take enforcement actions against waste dischargers, including imposing administrative civil liability.

3. The CCC has the primary responsibility for implementation of the California Coastal Act and has been designated the State coastal zone planning and management agency for any and all purposes and may exercise any and all powers set forth in the Federal Coastal Zone Management Act of 1972 (16 U.S.C. §1451, et seq.) and any amendments thereto or other federal laws that relate to the planning or management of the coastal zone. The California Coastal Act mandates the protection and restoration of coastal waters. The CCC certifies local coastal programs and approves coastal development permits, energy projects, and federal projects within the Coastal Zone in accordance with water quality policies in the California Coastal Act. The CCC protects water quality through the management of development that generates runoff, creates spills, or otherwise affects water quality. The CCC also implements educational and technical assistance programs and coordinates with other agencies to address land-use and development activities that may generate polluted runoff.

4. According to Public Resources Code section 30400, in the absence of specific authorization by law or by agreement with the CCC, no State agency shall exercise any powers or carry out any duties or responsibilities established by the California Coastal Act or by the Federal Coastal Zone Management Act of 1972 or any amendment thereto.

5. According to Public Resources Code section 30412, the CCC, subject to limited exceptions regarding wastewater treatment plants, shall not modify, adopt conditions, or take any action in conflict with any determination by the SWRCB or any RWQCB in matters relating to water quality or the administration of water rights.

C. IMPLEMENTATION

Effective implementation of the Program Plan requires continued collaboration between the SWRCB and CCC. The SWRCB and the CCC therefore agree to:

1. To continue to work cooperatively to implement the Program Plan;
2. To be partners in the administrative coordination of California's Nonpoint Source Pollution Control Program (NPS Program);
   a. The SWRCB and CCC will be joint partners in developing, implementing, and participating in interagency coordinating committees;
   b. The SWRCB will act as the lead coordinating agency with Cal/EPA members; the CCC will act as the lead coordinating agency with Resources Agency members;

c. The SWRCB will serve as the liaison with the U.S. Environmental Protection Agency (USEPA); the CCC will serve as the liaison with the National Oceanic and Atmospheric Administration (NOAA);

3. To implement and to track the implementation of applicable management measures and management practices related to NPS pollution prevention and control;

4. To modify or add to the Program Plan, including the actions identified in the Five-Year Implementation Plans (Volume 1) and the management measures in *California Management Measures for Polluted Runoff* (CAMMPR) (Volume 2), in a joint effort;

5. To meet on a regular basis (quarterly) to assess Program implementation, to discuss existing and proposed projects of mutual interest, and to consider changes to the Program Plan or MOU;

6. To have staff and management actively participate in regular updates on implementation of the Plan and identify concerns regarding the coordination and control of water quality due to changes in laws, regulations, policies, water quality control plans, or local coastal programs;

7. To work cooperatively through the legislative process to the extent permitted by law and Governor's Office procedures to further the NPS Program;

8. To work cooperatively in the budgetary process to support NPS Program activities;

9. To jointly convene public workshops to develop the next Five-Year Implementation Plan, no later than three years after the effective date of each Five-Year Implementation Plan;

10. To report biennially on program effectiveness;

11. To improve communication with the members of the CCC, SWRCB, and RWQCBs by:

    a. SWRCB staff and CCC staff jointly presenting an annual status report to the CCC and the SWRCB Members regarding the NPS program;

    b. SWRCB and RWQCB staffs consulting with CCC staff regarding NPS projects implemented or ordered by the SWRCB or a RWQCB requiring a coastal development permit issued or reviewed by the CCC. CCC staff will brief Commission Members in advance and take other actions needed to expedite a decision on the project. CCC staff will consult with SWRCB and RWQCB staffs regarding any of their projects that require SWRCB approval; and SWRCB and RWQCB staffs will brief SWRCB Members in advance and take other actions needed to expedite a SWRCB decision on the project.

D. RESERVATION OF AUTHORITY

Nothing herein shall be construed in any way as limiting the authority of the SWRCB or CCC in carrying out their respective legal responsibilities for management, regulation, coordination, and control of water quality or land uses affecting water quality.

Nothing herein shall be construed to prohibit the establishment of MOUs/Management Agency Agreements/Memoranda of Agreements with State or other agencies by either the SWRCB or CCC.

E. MODIFICATION OR RECISION

This MOU shall become effective upon the date of final signature and shall continue in effect until modified by the mutual written consent of both parties or until terminated by either party upon a 30-day advance written notice to the other party.

State Water Resources Control Board
Approves

_____
Walt Pettit, Executive Director
December **, 1999

California Coastal Commission
Approves

_____
Peter M. Douglas, Executive Director
December **, 1999

California Environmental Protection Agency
Concurs

_____
Winston Hickox
Agency Secretary
December **, 1999

California Resources Agency
Concurs

_____
Mary Nichols
Secretary for Resources
December **, 1999

K.HARRIS:jmits(9/23,10/6/99);mtorr(10/13/99)(11/2/99)(11/9/99)
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D R A F T

TO: Distribution List

FROM: Winston H. Hickox
Secretary for Environmental Protection
California Environmental Protection Agency

Mary D. Nichols
Secretary for Resources
Resources Agency

DATE:

SUBJECT: CALIFORNIA'S NONPOINT SOURCE POLLUTION CONTROL PROGRAM

By this memorandum, we are requesting your assistance in addressing nonpoint source (NPS) pollution by implementing the Plan for California's Nonpoint Source Pollution Control Program (Program Plan) (Attachment). NPS pollution, also known as polluted runoff, is the leading cause of water quality impairments in California and nationally. Nonpoint sources are the major contributor of pollution to impacted water bodies including surface, ground, and coastal waters in California. Your participation is needed if we are going to protect and restore the myriad of beneficial uses our water resources support and the economic benefit derived from these uses.

This memorandum underscores the commitment of both the California Environmental Protection Agency and Resources Agency to protect the beneficial uses and restore the quality of California's waters. In order to achieve measurable improvements, we are directing all Departments, Boards, and Regional Water Quality Control Boards (RWQCBs) within our Agencies to use their respective authorities to implement the Program Plan to prevent and control NPS pollution affecting State surface, ground, and coastal waters.

We commend those Departments and Boards that have worked with the State Water Resources Control Board (SWRCB) and California Coastal Commission (CCC) in the development of the Program Plan's Fifteen-Year Program Strategy and Five-Year Implementation Plan (Volume I) and the California Management Measures for Polluted Runoff (Volume II). Effective implementation of the Program Plan requires continued collaboration among all responsible State agencies as well as coordination among federal and local agencies and public groups.

The SWRCB and CCC, in conjunction with the nine ~~Regional Water Quality Control Boards~~ RWQCBs, are the lead agencies in coordinating implementation of the Program Plan. To ensure success of the Program Plan, we are directing our Departments, Boards, and RWQCBs ~~Boards~~ to undertake several important program actions.

- Each Department or Board shall designate a lead staff person to be responsible for coordinating with the SWRCB and CCC on NPS issues.

- Each Department or Board shall identify through a five-year plan appropriate actions to implement management measures for which they have authorities and are targeted in the first Five-Year Implementation Plan.

- Each Department or Board shall ensure that actions to implement its respective portions of the Program Plan are tracked, monitored, assessed, and reported to the SWRCB and CCC consistent with State law (Water Code sections 13165 and 13369 [AB 227]) and the requirements of the Program Plan.

- Each Department or Board in consultation with the SWRCB and CCC shall consider the need to establish or revise existing formal agreements with the SWRCB and CCC to ensure successful implementation of the Program Plan.

In addition, we encourage each Department or Board to adopt policies that support the Program Plan.

Please reply to (to be determined) (California Environmental Protection Agency) or Maria Rea (California Resources Agency) by December, 1999 with the name, telephone number, and e-mail address of your designated lead staff person. If you have any questions, please call (to be determined) at (to be determined) or Ms. Rea at (916) 653-5656.

Attachment

cc: William Lyons, Jr., Secretary
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D R A F T

Attachment 3

TO: William Lyons, Jr., Secretary
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FROM: Winston H. Hickox
Secretary for Environmental Protection
California Environmental Protection Agency

Mary D. Nichols
Secretary for Resources
Resources Agency

DATE:

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TABLE OF REVISIONS TO NOVEMBER 1999 DRAFT NPS PROGRAM PLAN

Page or section # 11/99 draft	Revised page or section #	Subject	Changes Made	Revisions (12/8/99)	Revisions (12/14/99)
	v - vi	Table ES-1	Added Table ES-1 containing specific deadlines for the completion of needed Program Plan details (see attached).		✓
2	2	Revised goal	Revised goal as follows: **Implement Management Measures** • Ensure the protection and restoration of the State's water quality, existing and potential beneficial uses, critical coastal areas, and pristine areas by implementing MMs to prevent and control NPS pollution. All MMs will be implemented, where needed, by 2013. MMs serve as general goals for the control and prevention of polluted runoff. Site specific management practices are then used to achieve the goals of each MM.		✓
2	2	Additional steps	Added following statement as second bullet: • Establish and enter into the first five-year plan all relevant information for each process element for each primary and secondary management measure by July 1, 2000, with the exception of numeric program performance measures. Numeric program performance measures will be established for each primary and secondary management measure in the first five-year plan by October 1, 2000. The revised five-year plan will be distributed to the public by November 1, 2000.		✓
2	3	Additional steps	Modified last bullet to read: • Report and conduct a workshop every two years (biennially) on the status of the NPS Program		✓
7	8-9	Role of state and federal agencies	Added language to specifically outline in six points the role of all State and federal agency partners	✓	
29	31	Critical coastal areas (CCAs)	"Areas of Special Biological Significance" added as criterion for designation of CCAs	✓	
31-32	34-35	Table 8 on Targeted MMs	Added language to clarify the various activities and programs involved in implementing the Urban MMs	✓	
39-40	43	Watershed Management Initiative (WMI)	Added language to state that RWQCBs will incorporate their respective Program Plan activities in the WMI chapters during the annual updating process	✓	
42	45-46	CCC review of coastal development permits and local coastal programs	Added language to clarify that CCC staff will be trained in using the *Procedural Guidance Manual* and that staff are currently requesting erosion and sediment control plans and other measures to reduce polluted runoff. Also added new line that reads: In short, the CCC will review new LCPs, LCPAs, and CDP applications brought before it for appropriate NPS pollution prevention and control activities.	✓	✓
46	49	Involve stakeholders	Added language related stating that a specific objective of the SWRCB in the NPS Program is: • Making available for public review and comment a draft of the enforcement guidance required pursuant to Porter-Cologne Act section 13369 by January 1, 2001.		✓
48	51	Formal agency coordination	Added language requesting all implementing agencies to submit a five-year implementation plan.	✓	
49	52	Formal agency coordination	Included the Monterey Bay National Marine Sanctuary Water Quality Protection Program MOU in Table 10.	✓	

Page or section # 11/99 draft	Revised page or section #	Subject	Changes Made	Revisions (12/8/99)	Revisions (12/14/99)
49-50	52-54	Formal agency coordination	Modified language to include the following commitments: • Formalize interagency agreements as soon as possible. • Update or develop new agreements with BLM, CDPR, and NRCS by December 31, 2001, and • Develop a schedule by December 31, 2001, for updating or developing additional MAAs and MOUs. Pages 52-53 of the revised Program Plan reads as follows: The SWRCB and CCC are committed to formalizing inter-agency agreements. In 2000-2001, the SWRCB and CCC will initiate reviews of existing MOUs/MAAs and will work with other agencies to identify opportunities for new agreements. The review will address such issues as existing limitations related to Program implementation and will determine the appropriate mechanisms for correcting concerns. The SWRCB and CCC will subsequently develop those MOUs/MAAs that are identified as being both feasible and necessary to ensure the implementation of the priority measures identified in the first five-year plan. Specifically, the SWRCB and CCC will update existing or develop new MOUs/MAAs with the BLM, CDPR, and NRCS by December 31, 2001. In addition, by December 31, 2001, the SWRCB and CCC will develop a schedule for the updating or developing additional MOUs/MAAs necessary to fulfill the goals and objectives of the Program Plan.		✓
50	54	Five-year implementation plans	Added language to detail components of the plans, including implementation of MMs, tracking of implementation and effectiveness, and program review.	✓	
69	73	Technical assistance section	Added language to include the Model Urban Runoff Program	✓	
71-72	76	Track, monitor, assess and report section	Added language stating that: In addition, the SWRCB, pursuant to Porter-Cologne Act section 13181(b)(1), will prepare and complete an inventory of existing water quality and monitoring activities within State coastal watersheds, bays, estuaries, and coastal waters, by January 1, 2000, to the extent that funds are available for this purpose. Also added language to state the SWRCB's plan pursuant to Porter-Cologne sections 13192 and 13181 to assess and report on the status of current regional WQ monitoring programs by 11/30/2000, and to develop a comprehensive WQ monitoring program by 01/01/2001 to the extent that funds are available.	✓	✓
72	77	Tracking MM implementation	Added language to clarify that the tracking program will include specific performance measures and goals (examples provided) to be developed through an interagency effort and public participation	✓	
77	82	Assessing internal program	Added language to consider funding for implementation of the Program Plan as part of the biennial review/workshop: In addition, the biennial review/workshop will discuss funding for implementation of the Program Plan. Issues to be discussed will include, but are not limited to, the following: (1) significant funding needs integral to the success of the Program Plan; (2) an analysis of funding mechanisms that can be used to continue needed MM development and research; (3) monitoring activities; and (4) long-term funding such as Section 319 grants, the State budget process, and statewide initiatives.		✓

Page or section # 11/99 draft	Revised page or section #	Subject	Changes Made	Revisions (12/8/99)	Revisions (12/14/99)
86	92	Five-Year Implementation Plan Introduction/ Structure	Added language to address gaps in 5-year Plan tables: Certain process elements for some of the targeted MM categories have not been identified due to the lack of information at this time. All relevant information for each process element for each primary and secondary management measure will be established and entered into the first five-year plan by July 1, 2000, with the exception of numeric program performance measures. Numeric program performance measures will be established for each primary and secondary management measure in the first five-year plan by October 1, 2000. If more data, another agency commitment, or some other piece of information is needed in order to fill in a particular piece of the matrix, the steps that will be taken to fill in that missing information will be described. The revised five-year plan will be distributed to the public (as an addendum to the Program Plan) by November 1, 2000.		✓
86	92-93	Five-Year Implementation Plan and 2001 & 2003 biennial reports	Language added to detail eight questions to be addressed in the biennial reports/workshops. The reports to be produced in 2001 and 2003 will provide details to address questions such as: 1. Have the activities identified in the five-year plans been completed and have the associated performance measures been achieved? 2. Has a MM implementation tracking system been established? Based on that system, what is the extent of MM implementation for all source categories throughout the State? 3. Has the interagency coordinating committee become active and successful in fostering implementation? 4. Has the SWRCB/RWQCBs published NPS enforcement guidance in 2001 as per CWC section 13369(a)(2)(B)? 5. Has the technical assistance to landowners and managers been improved through the issuance of technical guides, information sharing, "field-level" assistance and/or other activities? 6. Have other State and federal agencies, and non-governmental entities become involved in implementing the NPS Program? Where necessary, have formal agreements been established to enhance the effectiveness of these partnerships? 7. Has the planning process for the next five-year plan (2003-2008) been established to achieve more specific plans that include measurable objectives and that involve a wide range of key stakeholders? 8. Have adequate efforts been made to identify funding needs and mechanisms to ensure continuing MM implementation and Program Plan success?		✓
87	94	Agriculture section	Clarified that the erosion & sedimentation MM is meant for agricultural practices affecting coastal and inland water bodies	✓	
91-93	98-100	Agriculture: erosion and sediment control	Added language to detail stakeholder activities in RWQCBs 3 and 4 and the Monterey Bay National Marine Sanctuary Water Quality Protection Program Agriculture and Rural Lands Plan	✓	
97	104	Implementing Action	Included CA Farm Bureau's NPS pilot projects and the Monterey Bay National Marine Sanctuary Water Quality Protection Program Agriculture and Rural Lands Plan	✓	
115	122	Implementing Action	Included the Model Urban Runoff Program	✓	

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115	122	Implementing Action	Added action stating that the CCC will review new LCPs, LCPAs, and CDP applications brought before it for appropriate NPS pollution prevention and control.		✓
125	132	Marinas section	Added language to explain why commercial and military ports are not targeted in the Program Plan and that the Marinas MMs are meant for both coastal waters and inland surface water bodies	✓	
148	156	Critical coastal areas (CCAs)	Included "Areas of Special Biological Significance" as criterion for designation of CCAs.	✓	
Section III	Section III	Five-year Implementation Plan tables	Blank rows for process elements will be added. All relevant information for each process element for each primary and secondary management measure will be established and entered into the first five-year plan by July 1, 2000, with the exception of numeric program performance measures. Numeric program performance measures will be established for each primary and secondary management measure in the first five-year plan by October 1, 2000. If more data, another agency commitment, or some other piece of information is needed in order to fill in a particular piece of the matrix, the steps that will be taken to fill in that missing information will be described. The revised five-year plan will be distributed to the public (as an addendum to the Program Plan) by November 1, 2000.		✓

Table ES-1

Summary of major tasks that the NPS Program lead agencies seek to complete as of 2003 (the end of initial five-year implementation period)

	Plan section
Assess Program Activities	
• The State will continue use of the State's Water Quality Assessment (WQA) as the primary tool for assessing NPS pollution statewide. **By August 1, 2001**, the SWRCB will provide WQA data prepared pursuant to CWA sections 305(b) and 303(d) on the Internet for public reference and to help monitor and track the effectiveness of the NPS Program. The data, included on the GeoWBS database, will identify water body size, degree to which beneficial uses are supported, affected beneficial uses, pollutants, and pollution sources.	II-B
• **By August 1, 2001**, the State with the assistance of U.C. Davis's Information Center for the Environment (ICE) will complete development of a database that will enable State agencies to geographically track implementation of management measures (MMs) and management practices (MPs).	II-G
Target Efforts	
• **On even-numbered years** or as required by the USEPA, the SWRCB will prepare the CWA section 303(d) and TMDL priority lists that will assist the State in targeting priorities by water body, geographic region, pollutant, etc.	II-C
• **By December 31, 2000**, the CCA Committee will develop an initial list of CCAs where targeted implementation of MMs will occur.	
Plan Activities Based on Program Goals and Objectives	
• **By July 1, 2000** and annually thereafter, the SWRCB, CCC, and RWQCBs will prepare joint annual workplans for NPS Program activities to include information on use of funding sources (including bond funds).	II-D & Apx C
• **By July 1, 2000**, the CCC will update its in-house Procedural Guidance Manual to reflect newest development of NPS MMs and to provide guidance for updates and amendments to LCPs and development of new LCPs.	
• Pursuant to the **schedules listed in Appendix C**, the RWQCBs will develop TMDLs.	
Coordinate Efforts of Federal, State, and Local Agencies and Stakeholders	
• **By January 31, 2000**, the SWRCB and CCC will sign an MOU designed to enhance coordination between these agencies.	II-E
• **By July 1, 2000**, the SWRCB and CCC will convene the initial meeting of the Interagency Coordinating Committee (IACC). **By September 30, 2000** the CCC and SWRCB will convene the initial meeting of the CCA Committee.	
• **By July 1, 2000**, the SWRCB and CCC will initiate the development of 5-year implementation plans for Cal/EPA, Cal/RA, and other agencies with a goal of completing 50 – 100% of these plans by December 31, 2000.	
• **By July 1, 2000**, the SWRCB and CCC will begin the process to update existing MOUs/MAAs (e.g., agreements with the State Board of Forestry/Dept. of Forestry, Dept. of Pesticide Regulation, and Dept. of Food and Agriculture), and develop new MOUs/MAAs with other agencies as needed. **By August 1, 2003**, the SWRCB and CCC will prepare a schedule for completing any necessary remaining MOUs/MAAs.	

	Plan section
Implement coordinated actions • **By July 1999 and each year thereafter,** the SWRCB and RWQCBs will support activities using CWA 319 funds to implement the CAMMPR MMs. • **By February 2001,** the SWRCB will develop guidance to be used by the SWRCB and RWQCBs in establishing the process by which the SWRCB and RWQCBs will enforce their authorities as outlined in this Program Plan (CWC section 13369). • **By July 1, 2002,** the State will prepare CA MM implementation guidance. Links to existing guidance for implementation of MMs and MPs will be provided on the NPS Program website(s) in the interim (examples of existing guidance used in CA include NRCS technical guides and Storm Water Quality Task Force Manuals). • Pursuant to the **schedules listed in Appendix C,** the RWQCBs will begin implementation of TMDL implementation plans.	II-F
Track and monitor results of implemented actions • By **November 30, 2000,** the SWRCB will assess and report to the Legislature on the SWRCB's and RWQCBs' current surface water quality monitoring programs for the purpose of designing a proposal for a comprehensive surface water quality monitoring program for the State [as provided for in CWC section 13192]. • By **January 1, 2001,** the SWRCB will prepare and submit to the Legislature a report that proposes the implementation of a comprehensive program to monitor the quality of state coastal watersheds, bays, estuaries, and coastal waters and their marine resources for pollutants [as provided for in CWC section 13181(c)].	II-G
Report on Program results • **By August 1, 2000 and annually thereafter,** the SWRCB will submit to the Legislature and make available to the public, copies of and a summary of information in all SWRCB and RWQCB reports that contain information related to NPS pollution and that the SWRCB or RWQCB are required to prepare in the previous fiscal year pursuant to CWA sections 303, 305(b), and 319 and CZARA section 6217. [CWC section 13369(b)] • **By August 1, 2001 and August 1, 2003,** the SWRCB and CCC will complete biennial reports, for evaluation by USEPA and NOAA as well as other agencies and the public, regarding the State's progress in implementing the NPS Program.*	II-G

* The reports to be produced in 2001 and 2003 will provide details to address questions such as:

1. Have the activities identified in the five-year plans been completed and have the associated performance measures been achieved?
2. Has a MM implementation tracking system been established? Based on that system, what is the extent of MM implementation for all source categories throughout the State?
3. Has the interagency coordinating committee become active and successful in fostering implementation?
4. Has the SWRCB/RWQCBs published NPS enforcement guidance in 2001 as per CWC section 13369(a)(2)(B)?
5. Has the technical assistance to land owners and managers been improved through the issuance of technical guides, information sharing, "field-level" assistance and/or other activities?
6. Have other State and federal agencies, and non-governmental entities become involved in implementing the NPS Program? Where necessary, have formal agreements been established to enhance the effectiveness of these partnerships?
7. Has the planning process for the next five-year plan (2003-2008) been established to achieve more specific plans that include measurable objectives and that involve a wide range of key stakeholders?
8. Have adequate efforts been made to identify funding needs and mechanisms to ensure continuing MM implementation and Program Plan success?

SWRCB and CCC Staffs' Response to the December 6, 1999 letter from Center for Marine Conservation (CMC) et al.

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
1	Add the following just before the goal entitled "Track, Monitor, Assess and Report Program Activities"	**Protect and Enhance Water Quality** Upon full implementation of the Program, all beneficial uses that are currently impaired by nonpoint source pollution will be met, and all state water quality standards (including but not limited to those in the California Toxics Rule, the Ocean Plan, the Basin Plans, and other standards) shall be met in water bodies receiving nonpoint source pollution.	The NPS Program Plan requires implementation of all MMs by the year 2013. Full implementation of the MMs at that time will not guarantee satisfying all water quality objectives in all the State's waters. Due to the diffuse nature of NPS pollution, it may take a number of years after final implementation for all water quality standards influenced only by NPS to achieve water quality standards. To clarify the State's goal related to protecting and enhancing water quality, the following language has been added to the "Implement Management Measures" goal on page 2 of the revised Program Plan: **Implement Management Measures** • ~~Improve~~ Ensure the protection and restoration of the State's water quality ~~and~~, existing and potential beneficial uses, critical coastal areas, and pristine areas by implementing MMs to prevent and control NPS pollution. All MMs will be implemented, where needed, by 2013. MMs serve as general goals for the control and prevention of polluted runoff. Site specific management practices are then used to achieve the goals of each MM.

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
90 -156	Ensure that each MM contains rows for all process elements identified on p. 86 of Plan--"(1) assess problems, (2) target resources, (3) plan activities, (4) coordinate with other agencies, (5) implement MMs, (6) track and monitor actions, and (7) report on the effectiveness of the Program Plan." This includes adding rows even if there currently is no information to put in those rows. Particular attention should be paid to making sure each MM has rows for the process elements "track and monitor" and "report on effectiveness."	(No proposed language.)	The revised Program Plan will include rows for all process elements.
2	Add the following sentences as the first bullet on page 2	• Establish and enter into the first five-year plan all relevant information for each process element for every management measure by March 31, 2000, with the exception of numeric performance objectives. Numeric performance objectives will be established for each management measure in the first five-year plan by June 30, 2000. The revised five-year plan will be distributed to the public by July 31, 2000.	SWRCB and CCC agree with the context of the comment but find the timeline specified to be unrealistic. The following language with revised timelines has been added to page 2 of the revised Program Plan: • Establish and enter into the first five-year plan all relevant information for each process element for each primary and secondary management measure by July 1, 2000, with the exception of numeric program performance measures. Numeric program performance measures will be established for each primary and secondary management measure in the first five-year plan by October 1, 2000. The revised five-year plan will be distributed to the public by November 1, 2000.

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

SWRCB and CCC Staffs' Response to the December 6, 1999 letter from Center for Marine Conservation (CMC) et al.

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
86	Add the following sentences … just before the last full paragraph on page 86:	All relevant information for each process element for every management measure will be established and entered into the first five-year plan by March 31, 2000, with the exception of numeric performance objectives. Numeric performance objectives will be established for each management measure in the first five-year plan by June 30, 2000. If more data, another agency commitment, or some other piece of information is needed in order to fill in a particular piece of the matrix, the steps that will be taken to fill in that missing information will be described. The revised five-year plan will be distributed to the public (as an addendum to the Program Plan) by July 31, 2000.	Page 92 of the revised Program Plan has been modified as follows: Eight process elements are prescribed for each of the MM categories. They are to: (1) assess problems; (2) target resources; (3) plan activities; (4) coordinate with agencies and the public; (5) implement MMs; (6) track and monitor actions; and (7) report on the effectiveness of the Program Plan. … Certain process elements for some of the targeted MM categories have not been identified due to the lack of information at this time. All relevant information for each process element for each primary and secondary management measure will be established and entered into the first five-year plan by July 1, 2000, with the exception of numeric program performance measures. Numeric program performance measures will be established for each primary and secondary management measure in the first five-year plan by October 1, 2000. If more data, another agency commitment, or some other piece of information is needed in order to fill in a particular piece of the matrix, the steps that will be taken to fill in that missing information will be described. The revised five-year plan will be distributed to the public (as an addendum to the Program Plan) by November 1, 2000.
34	Add a new sentence after the bottom of last paragraph on page 34 that reads:	Among other things, the basin plans should be amended to ensure that all new development and redevelopment captures, infiltrates or treats urban runoff from the 85% percentile storm, or 10% of the fifty-year storm, by a date no later than December 31, 2003, as detailed in the first five-year plan.	This comment is rejected for the following reasons: (1) including such language in the Program Plan could be considered "regulatory", require approval by the State Office of Administrative Law, and prolong final implementation of the Program Plan; and (2) the appropriate forum for proposed amendments to Basin Plans is the RWQCBs' triennial review process, not the Program Plan. Therefore no changes to the Program Plan are recommended.

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

SWRCB and CCC Staffs' Response to the December 6, 1999 letter from Center for Marine Conservation (CMC) et al.

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
42	Add a new sentence after the second sentence in the first full paragraph on page 42 that reads:	The CCC will review all coastal development permits for adequate implementation of appropriate management measures.	Language has been added to page 45 of the revised Plan to clarify that staff will be trained in using the *Procedural Guidance Manual* and that staff are currently requesting erosion and sediment control plans and other measures to reduce polluted runoff. In addition, the following paragraph has been added to page 46 of the revised Program Plan: In short, the CCC will review new LCPs, LCPAs, and CDP applications brought before it for appropriate NPS pollution prevention and control activities.
42	Add to the end of the second full paragraph on page 42 the following sentence:	The CCC will review new LCPs, and proposed amendments to LCPs, brought before it for appropriate nonpoint pollution prevention activities.	
115 (Urban Runoff matrix)	Add the following two new "Actions" for the "Implement" process element for Management Measure Category 3.1:	• Ensure that all new development and redevelopment captures, infiltrates or treats urban runoff from the 85% percentile storm, or 10% of the fifty-year storm, by a date no later than December 31, 2003.	This comment is rejected for the following reasons: (1) it is not specified which agency is responsible for this action (SWRCB, RWQCBs, or CCC) and if it is the SWRCB/RWQCBs, including such language in the Program Plan could be considered "regulatory," require approval by the State Office of Administrative Law, and prolong final implementation of the Program Plan; and (2) the appropriate forum for proposed amendments to Basin Plans is the RWQCBs' triennial review process, not the Program Plan. Therefore no changes to the Program Plan are recommended.
		• Review new LCPs, and proposed amendments to LCD's, brought before the CCC for nonpoint pollution prevention; review all coastal development permits for adequate implementation of appropriate management measures.	The following action has been added under the Implement process element for MM Category 3.1: Review new LCPs, LCPAs, and CDP applications brought before the CCC for appropriate NPS pollution prevention and control.

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

Attachment 5

SWRCB and CCC Staffs' Response to the December 6, 1999 letter from Center for Marine Conservation (CMC) et al.

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
2	At the end of the third bullet (after "forum"), add:	", and ensure that needed agency agreements are updated or developed as soon as possible, but no later than December 31, 2001 for priority agreements (including but not limited to DPR, BLM and NRCS) and by December 31, 2003 for all other agreements;"	Pages 51-53 of the revised Program Plan include the following changes: 1. All implementing agencies are requested to submit a five-year implementation plan; 2. The Monterey Bay National Marine Sanctuary Water Quality Protection Program MOU is included in Table 10; 3. The SWRCB and CCC commit to developing a schedule to update or develop additional MAAs/MOUs by 2001; and 4. The SWRCB and CCC commit to formalizing interagency agreements as soon as possible. The last paragraph of page 52 and first paragraph of page 53 of the revised Program Plan reads: The SWRCB and CCC are committed to formalizing interagency agreements. In 2000-2001, the SWRCB and CCC will initiate reviews of existing MOUs/MAAs and will work with other agencies to identify opportunities for new agreements. The review will address such issues as existing limitations related to Program implementation and will determine the appropriate mechanisms for correcting concerns. The SWRCB and CCC will subsequently develop those MOUs/MAAs that are identified as being both feasible and necessary to ensure the implementation of the priority measures identified in the first five-year plan. Specifically, the SWRCB and CCC will update existing or develop new MOUs/MAAs with the BLM, CDPR, and NRCS by December 31, 2001. In addition, by December 31, 2001, the SWRCB and CCC will develop a schedule for the updating or developing additional MOUs/MAAs necessary to fulfill the goals and objectives of the Program Plan.
19	Add a new paragraph at the end of the page:	The SWRCB, Regional Boards, and CCC shall ensure that agency agreements needed for implementation of all aspects of the Program Plan shall be updated or developed as soon as possible, but no later than December 31, 2001 for priority agreements (including but not limited to DPR, BLM and NRCS), and by December 31, 2003 for all other agreements.	
49	Add a new paragraph at the end of the top paragraph (before the start of Table 10):	The SWRCB, Regional Boards, and CCC shall ensure that agency agreements needed for implementation of all aspects of the Program Plan shall be updated or developed as soon as possible, but no later than December 31, 2001 for priority agreements (including but not limited to DPR, BLM and NRCS), and by December 31, 2003 for all other agreements.	

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

Attachment 5

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
7 and other sections in the Program Plan concerning the Regional Boards	• … A separate memo should be drafted and sent from Winston Hickox, Cal/EPA to the RWQCBs, specifically directing them to undertake all appropriate process elements contained in the overall Program and first five-year plan, particularly implementation of the MMs…. • A new paragraph "5." should be added after paragraph 4 in the draft SWRCB Resolution adopting the NPS Pollution Control Program (the following paragraphs would be renumbered accordingly). This new paragraph would read as follows …	(The following paragraphs should be inserted into the Program itself on the bottom of page 7) The SWRCB, Regional Boards, and CCC, each and together, will implement and ensure the implementation of the Program Plan. In particular, the SWRCB, Regional Boards, and CCC will implement and ensure the implementation of all process elements identified within this Program Plan for each management measure, within each appropriate geographic area. The Regional Boards will be an integral part of this effort, and shall incorporate activities related to the Program Plan into the WMI chapters and Basin Plans. The Regional Boards also will participate actively in the biennial and five-year reviews and in new planning activities. The Regional Boards shall track implementation and effectiveness of the management measures by management measure and source category, and shall provide this information to the State Water Board regularly.	The revised Program Plan addresses these concerns as follows: 1. Language has been added to page 43 of the revised Program Plan to state that RWQCBs will incorporate their respective Program Plan activities in the WMI chapters during the annual updating process. 2. Language has been added to page 8 of the revised Program Plan to specifically outline in six points the role of all State and federal agencies in the NPS Program. 3. Additional language has been added to the original letter emphasizing the RWQCBs' responsibilities, and the RWQCB Chairpersons have been added to the distribution list. Therefore no additional changes to the Program Plan are recommended.
	• The Regional Boards should be added as a named party to the MOU between the State Water Board and the CCC, and should be referenced throughout that document (see attached mark-up of current draft MOU).		This comment is rejected. The SWRCB and CCC have been designated as the water quality and coastal land use agencies respectively for implementing CZARA and should be the only signatories to the MOU.

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

SWRCB and CCC Staffs' Response to the December 6, 1999 letter from Center for Marine Conservation (CMC) et al.

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
2	Revise the last bullet on page 2 to require annual, not biennial, status reports; also in paragraph 10 of the MOU bet. the State Board and CCC.	To maximize opportunities for public input, the SWRCB, Regional Boards and CCC shall conduct an annual, joint workshop at which they will describe the progress made to date with respect to implementation of all aspects of the Program Plan. In conjunction with this workshop, the SWRCB, Regional Boards and CCC will provide the public with the opportunity to comment on the state's progress either at the workshop, or within a reasonable time after the workshop. The SWRCB, Regional Boards and CCC will consider such comments and act on them as appropriate.	SWRCB and CCC staffs recognize the usefulness of status reports and workshops, but consider biennial scheduling rather than annual scheduling more effective. As such the revised Program Plan provides for biennial joint workshops rather than annual workshops. The last bullet on page 2 of the revised Program Plan has been modified as follows: • Report and conduct a workshop every two years (biennially) on the status of the NPS Program. The Program Plan identifies numerous other annual reports that are to be developed. In addition, language has been added to page 82 of the revised Program Plan to detail nine specific areas to be included in the biennial review reports.
46	Add the following paragraphs after the end of the paragraph at the top of page 46 (before the first full paragraph on that page):	The SWRCB shall provide a specific opportunity for the public to comment on the enforcement guidance that the SWRCB is required to prepare by February 1, 2001 pursuant to SB 227. The SWRCB shall prepare the draft guidance and distribute it for public review sufficiently before the deadline in SB 227 so as to ensure that the public has a meaningful opportunity for comment, and that the SWRCB has sufficient time to respond to and, as appropriate, incorporate such comments.	Language has been added to Page 49 of the revised Program Plan stating that a specific objective of the NPS program is: • Making available for public review and comment a draft of the enforcement guidance required pursuant to Porter-Cologne Act section 13369 by January 1, 2001.

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
2	After the third bullet (before the bullet beginning "Increase funding . . ."), add a bullet that reads:	Complete, by December 31, 2000, a financial plan for Program Plan implementation that identifies current and projected funding needs and existing, potential and likely funding sources, for all elements of the Program Plan.	SWRCB and CCC staffs recognize the significance of adequate and consistent funding to the success of the Program Plan. as described on page 82 of the revised Program Plan the following issue will also be considered in the biennial review process:
43	Add a new section after "Annual Workplans" entitled "Financial Plan," which will read as follows:	**Financial Plan** The significance of adequate and consistent funding to the success of the Program Plan cannot be overestimated. In light of the need for clear, comprehensive financial planning, the SWRCB, Regional Boards and CCC together will complete and distribute to the public, by December 31, 2000, a financial plan for Program Plan implementation that identifies current and projected funding needs and existing, potential and likely funding sources, for all elements of the Program Plan. This financial plan shall be updated at least annually. The financial plan shall address specifically any significant funding needs integral to the success of the Program Plan. This shall include, but not be limited to: (a) an evaluation of funding sources for implementation of urban runoff management measures in areas covered by Phase I and II NPDES permits; (b) an analysis of funding mechanisms that can be used to continue needed management measure and monitoring activities after expiration of Section 319 or other funding for such activities; (c) a review of opportunities and plans for state budget funding; and (d) a discussion of funding plans in the event that statewide initiatives, such as Propositions 12 and 13, pass, as well as proposals for future initiatives that would more directly address nonpoint pollution control.	Funding for implementation of the Program Plan, including, but not limited to, the following issues: • Significant funding needs integral to the success of the Program Plan; • An analysis of funding mechanisms that can be used to continue needed MM development and research, • Monitoring activities; and • Long-term funding such as Section 319 grants, the State budget process, and statewide initiatives. In addition, the following question will be addressed in the 2001 and 2003 biennial reports as shown on page 93 of the revised Program Plan: 8. Have adequate efforts been made to identify funding needs and mechanisms to ensure continuing MM implementation and Program Plan success?

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

SWRCB and CCC Staffs' Response to the December 6, 1999 letter from Center for Marine Conservation (CMC) et al.

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
76	Add the following sentences to the end of the paragraph that concludes at the top of page 76:	A standardized, statewide monitoring system is essential to ensuring that the success of the management measure activities is evaluated accurately, and that the information collected is useful for evaluation purposes on both a regional and statewide basis. The SWRCB and Regional Boards, in coordination with the CCC and other state and federal agencies with water quality monitoring responsibilities, shall develop a statewide, standardized nonpoint pollution monitoring program, including standardized protocols, by December 31, 2001. This program shall integrate, to the maximum extent possible, the monitoring activities of both the State and Regional Boards and other agencies with monitoring responsibilities.	SWRCB and CCC staffs' have added language to page 76 of the revised Program Plan to state the SWRCB's plan to develop a comprehensive water quality monitoring program plan by January 1, 2000 and report on the status of current regional water quality monitoring programs by November 30, 2000. In addition, as discussed above, staff recommends discussing funding for long-term monitoring in the biennial report and workshop as described on page 93 of the revised Program Plan.
77	Add the following sentences to the end of the paragraph that concludes at the top of page 77 (before the section on "Assessing Internal Program"):	To achieve the goal that the statewide, standardized monitoring program be funded and implemented fully, the SWRCB and Regional Boards will work with all state and federal agencies with funding and responsibility for water quality monitoring in California to identify: individual agency and discharger monitoring activities (including but not limited to municipal and industrial stormwater permits and waste discharge requirements from dredging activities), gaps in needed monitoring, and potential agencies and funding sources to fill those gaps. The SWRCB will report to the public and the Legislature annually on specific funding needs for identified monitoring activities as part of the financial planning process, in order to maximize the likelihood of obtaining funding for such activities.	See comments above.

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

SWRCB and CCC Staffs' Response to the December 6, 1999 letter from Center for Marine Conservation (CMC) et al.

Page # – 11/99 Draft	CMC et al. Comments (12/6)	CMC et al. Proposed Text	SWRCB and CCC Staff Response
2	Add a new bullet to the end of the list on page 2	• As part of the five-year plans, include maps depicting existing and projected management measure coverage throughout the state, on both a five-year and fifteen-year basis. The maps for the first five-year plan shall be completed and distributed to the public by March 31, 2000.	SWRCB and CCC staffs recognize the fundamental importance of mapping for tracking activities, assessing program effectiveness, and future targeting. Due to the technical and scientific complexity of such mapping activities, the staffs recommend that this issue be addressed within the appropriate IACC Technical Advisory Committee. Existing efforts are underway through UCD-ICE to provide the NPS Program with the capability of determining the areal extent of MM implementation.
30	Add at the bottom of the page (before Table 8) a new paragraph that reads as follows:	Each five-year plan will be accompanied by maps depicting existing and projected management measure coverage throughout the state, both with respect to the current five-year plan and over the entire fifteen-year period. The maps for the first five-year plan shall be completed and distributed to the public (as an addendum to the Program Plan) by March 31, 2000.	
iv (Executive Summary)	Add a new "paragraph 8" that states:	8. Contains specific deadlines for the completion of needed Program details.	The Executive Summary of the revised Program Plan includes a new Table ES-1 that contains specific deadlines for the completion of needed Program Plan details.

Underlined language was adopted by the State Water Resources Control Board on December 14, 1999 as recommended by SWRCB and CCC staffs.

1990	Congress passes the 1990 Coastal Zone Act Reauthorization Amendments (CZARA).
1991	CCC and SWRCB staffs jointly begin work on developing a State Coastal Nonpoint Pollution Control Program (CNPCP).
1993	Pursuant to CZARA § 6217(g), USEPA publishes the *Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters* (the "g-Guidance"). NOAA and USEPA publish the *CNPCP Program Development and Approval Guidance* which describes requirements that states must meet in developing and implementing CNPCPs.
1994	SWRCB initiates a review of NPS pollution management in California using 10 Technical Advisory Committees (TACs). CCC staff participates in TACs on Urban Runoff, Marinas and Recreational Boating, & Hydromodification, Wetlands, and Riparian Areas.
1995	➢ **1/95**: The TACs present their findings and recommendations at a SWRCB workshop. ➢ **9/95**: In Eureka, the Commission opens its public hearing on the CNPCP submittal; the hearing is left open to allow further testimony at the October meeting in San Diego. In Sacramento, the SWRCB holds its hearing on and approves the CNPCP submittal. The SWRCB submits the CNPCP to NOAA and USEPA in order to meet CZARA statutory deadlines. ➢ **10/95**: The Commission approves the submittal of the CNPCP to NOAA and USEPA. An attached "Resolution" clarifies the Commission's position on certain elements of the submittal. ➢ **12/95**: The Commission reviews a *Polluted Runoff Management Strategy for the Coastal Commission* (Polluted Runoff Strategy).
1996	➢ **9/96**: NOAA and USEPA issue preliminary draft findings/conditions for California's CNPCP.
1997	➢ **2/97**: CCC staff updates the Commissioners and the public on the status of the CNPCP and presents a revised Polluted Runoff Strategy. ➢ **3/97**: CCC and SWRCB staffs jointly respond to the federal draft findings/conditions. ➢ **8/97**: CCC and SWRCB staffs develop jointly with NOAA and USEPA a CZARA Action Plan that outlines a framework and activities for the State to achieve an approvable program under CZARA § 6217 while improving the State NPS program. ➢ **12/97**: CCC staff updates the Commissioners and the public on the status of the CNPCP and staff activities pursuant to the Commission's Polluted Runoff Strategy.
1998	➢ **1/98**: NOAA and USEPA publish in the *Federal Register* their final draft proposed findings on and conditional approval of California's CNPCP, and a draft Environmental Assessment. ➢ **3/98**: CCC and SWRCB staffs submit a draft Management Measures Review document to USEPA and NOAA as agreed to in the 8/97 CZARA Action Plan. NOAA and USEPA publish in the *Federal Register* Proposed Administrative Changes to the CNPCP Guidance. The proposed changes address coastal states' requests for greater flexibility in program implementation. ➢ **05/98**: CCC staff provides annual update on NPS-related activities to Commissioners and public. ➢ **6/98**: NOAA and USEPA publish in the *Federal Register* their final Findings and conditions on California's CNPCP and final Administrative Changes. ➢ **12/98**: CCC and SWRCB hold public workshops on the NPS Program in Sacramento and Long Beach. CCC and SWRCB staffs submit a draft 15-year Program strategy and a more detailed 5-year Implementation Plan to NOAA and USEPA for review.
1999	➢ **06/99**: CCC staff provides annual update on NPS-related activities to Commissioners and public and presents an updated draft Polluted Runoff Strategy [renamed *Plan for Controlling Polluted Runoff* (Coastal CPR Plan)]. ➢ **07/99**: CCC and SWRCB staffs release for public review the draft *Plan for California's Nonpoint Source Pollution Control Program* (NPS Program Plan). An agency workshop is held in Sacramento, and public workshops are held in Sacramento and Los Angeles. ➢ **11/99**: CCC and SWRCB staffs release a revised draft NPS Program Plan. On 11/29, the State Water Resources Control Board holds a Workshop on the Plan. ➢ **12/99**: On 12/8, the Commission holds a hearing on the NPS Program Plan, and directs staff to continue to address public comments. On 12/14, the State Water Resources Control Board unanimously adopts the NPS Program Plan as revised by Commission and SWRCB staff.

STATE OF CALIFORNIA—THE RESOURCES AGENCY GRAY DAVIS, *GOVERNOR*

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The California Coastal Commission's *Plan for Controlling Polluted Runoff* (Coastal CPR Plan)

[Plan for the period July 1, 1999 through June 30, 2003]

SUMMARY

The mission of the California Coastal Commission is to "protect, conserve, restore, and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations" (Strategic Plan, June 1997). Objective 1.1 of the Commission's Strategic Plan is to "reduce polluted runoff." Polluted runoff, also known as nonpoint source (NPS) [1] pollution, is a significant cause of harmful impacts to coastal waters and habitats, and thus impedes full achievement of the Commission's goals.

The Commission's *Plan for Controlling Polluted Runoff* (*Coastal CPR Plan*), previously entitled the *Polluted Runoff Strategy*, outlines the Commission's authorities to address polluted runoff and identifies actions, with timelines and milestones, to achieve the Commission's objective to reduce polluted runoff. [2] The four program enhancements that comprise the *Coastal CPR Plan* are developed from the Commission's existing and newly developed tools and programs related to the management of polluted runoff. Implementation of the *Coastal CPR Plan* will help to direct Commission staff's efforts to prevent and control polluted runoff, thus leading to improved coastal water quality and enhanced coastal resources and uses.

PART ONE: INTRODUCTION

A. BACKGROUND

The California Coastal Act (PRC §§ 30000 *et seq.*) mandates the protection and restoration of coastal waters (Table 1). The Commission certifies Local Coastal Programs (LCPs) and approves coastal development permits (CDPs), energy projects, and federal (federally approved, conducted or funded) 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 implements educational and technical assistance programs and coordinates with other agencies to address land-use and development activities that may generate polluted runoff.

[1] A list of abbreviations used in this document is provided in Part Three, Attachment 1.

[2] Information on the Commission's Coastal Nonpoint Pollution Control Program—including the *Coastal CPR Plan*, reports to Commissioners, and links to related information—is available on the Commission Home Page at http://ceres.ca.gov/coastalcomm.

Table 1. Coastal Act Policies Relevant to the Control of Polluted Runoff

§	Summary of 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.
30706 (b)	Minimize harmful effects to coastal waters, including water quality, from the nature, location, and extent of any fill (seaward of the mean high tide line within the jurisdiction of ports), including disposal of dredge spoils, and minimize reductions of volume, surface area, or circulation of water.
30708 (a) and (d)	Locate, design, and construct all port-related development so as to (a) minimize substantial environmental impacts and (d) provide for other beneficial uses consistent with the public trust, including, but not limited to, recreation and wildlife habitat uses, to the extent feasible.

Nonpoint sources, including natural sources, are the major contributor of pollution to impacted streams, lakes, marine waters, groundwater basins, wetlands and estuaries in California, and are an important contributor of pollution to harbors and bays [California CWA § 305(b) Report on Water Quality, 1998]. Closures of beaches and shellfish beds due to contamination indicate that coastal areas are also affected by polluted runoff. In 1996, 187 beaches were closed or posted, representing 3,118 days of beach closure. Data from the National Shellfish Registry reveal that more than 1,500 acres of potential shellfishing beds were closed in California in 1995. According to the National Oceanic and Atmospheric Administration (NOAA), polluted runoff contributed to 100 percent of these closures.

B. THE *COASTAL CPR PLAN*

The Commission's *Plan for Controlling Polluted Runoff* (*Coastal CPR Plan*), previously entitled the *Polluted Runoff Strategy*, outlines the Commission's authorities to address polluted runoff and identifies actions to achieve the Commission's objective to reduce polluted runoff. The *Coastal CPR Plan* specifies the Commission's role in addressing polluted runoff within the confines of existing budgets, staffing, and statutory authority.

The *Coastal CPR Plan* is linked to the *Plan for California's Nonpoint Source Pollution Control Program: 1998 –2013* (1998 State NPS Plan) completed by the staffs of the State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCBs), and Coastal Commission. The Commission, SWRCB, and RWQCB are working together and with other public and private entities to upgrade and implement the State NPS Pollution Control Program for the protection of water quality and to comply with the requirements of the federal Clean Water Act (CWA) and federal Coastal Zone Act Reauthorization Amendments of 1990 (CZARA).[3] The 1998 State NPS Plan includes three elements:

1. *California's Management Measures for Polluted Runoff* (CAMMPR) which identifies management measures appropriate for implementation in California and existing State authorities to implement the management measures.[4] The management measures address six land-use categories: agriculture, forestry, urban areas, marinas and recreational boating, hydromodification, and wetlands and riparian areas (see Part 3, Attachment 3 of this document).
2. A 15-Year Program Strategy: a statewide strategy to implement, through self-determined mechanisms and enforceable policies, the management measures over a 15-year period.

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[3] Under CZARA, coastal states must enhance cooperation between their land and water use management agencies, identify management measures to prevent and control polluted runoff, and ensure that enforceable mechanisms exist where voluntary efforts are insufficient to restore and protect State waters. California intends to implement a comprehensive State NPS Pollution Control Program under the CWA and CZARA rather than develop a separate new NPS program for the coastal zone. In July 1998, the U.S. Environmental Protection Agency (EPA) and NOAA—the lead federal agencies that administer the CWA and CZARA respectively—conditionally approved California's submittal pursuant to CZARA, and subsequently provided guidance to California regarding elements needed for the State to achieve full approval (see Part Three, Attachment 2 of this document).

[4] Management measures serve as general goals for the control and prevention of polluted runoff; site-specific management practices are used to achieve the goals of each management measure.

3. The first of three 5-Year Implementation Plans: a more specific plan that outlines the State's strategies and priorities for implementing management measures during the next five years.

The 15-Year Strategy and 5-Year Plan also identify a process and actions for six Program Areas—administrative coordination, public participation, technical assistance, critical coastal areas, additional management measures, and monitoring.

Concurrent with the upgrade of the State NPS Pollution Control Program, the Commission staff is conducting numerous efforts to enhance the coastal program's management of polluted runoff. The primary focus of this work is to make the Commission's current operations more effective in addressing land use activities that generate polluted runoff, including obtaining and applying new information. In 1995, staff—with the help of an internal task force and discussions with Commissioners—prepared a strategy to address polluted runoff in the coastal zone that added detail to areas that were not fully described in the CNPCP as originally submitted. The Commission's Management Team approved the *Polluted Runoff Strategy of the California Coastal Commission*, which Commissioners reviewed at the February 1997 public hearing. Since that date, the plan has been revised (now titled *Coastal CPR Plan)* to include the most recent changes to the Commission's and the State's NPS strategy.

The *Coastal CPR Plan* is comprised of four interrelated elements with actions and milestones. The elements are: (1) Implementation of Management Measures through Planning, Regulation, and Technical Assistance; (2) Administrative Coordination; (3) Public Participation and Education; and (4) Funding. Many of the actions identified in the *Coastal CPR Plan* have been incorporated into the 15-Year Program Strategy and 5-Year Implementation Plan elements of the State NPS Pollution Control Program. These actions are expected to help facilitate implementation of the State NPS Pollution Control Program as well as to improve the coastal program's overall treatment of water quality-related issues. Implementation of the *Coastal CPR Plan* will occur over the next four years (1999 through 2002) in order to remain consistent with the timeline of the first 5-Year Implementation Plan outlined in the 1998 State NPS Plan. The 1998 State NPS Plan begins in July 1998—the date of the Final Conditional Approval by EPA and NOAA.

In implementing the *Coastal CPR Plan*, the Commission recognizes the need to use limited resources efficiently as well as to ensure actions are tailored to match the diversity of California's climate and land use activities. 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 actions that are appropriate for development, and being able to forge strong partnerships with the agencies and individuals that must be involved in implementing those actions.

PART TWO: *COASTAL CPR PLAN* ACTIONS

Summary: At-A-Glance Matrix of Actions

	Management Measure area						CZARA Program Area					
	Agriculture	Forestry	Urban	Marinas & Boating	Hydromodification	Wetlands and Riparian Areas	Administrative coordination	Public participation	Technical assistance	Critical coastal areas	Additional MMs	Monitoring
1.0 Implementation of Management Measures through Planning, Regulation, and Technical Assistance												
1.1 Implement and periodically update the CCC's *Coastal CPR Plan*. Provide opportunities for public comment.							x	x				
1.2 Provide ongoing technical support and coordination to assist CCC and local government staffs in identifying and examining potential water quality impacts of development proposals, and identifying management measures and practices to address the impacts.	x	x	x	x	x	x	x		x	x		
1.3 Track the CCC's implementation of management measures to control polluted runoff.	x	x	x	x	x	x						x
1.4 Develop a model "Nonpoint Source Element" and guidance for CCC and local government staffs to use when amending, updating, or preparing new LCPs.	x	x	x	x	x	x	x		x			
1.5 Assist in the development of mapping and other technical analysis tools to make land use and water quality information more accessible to agency staffs and the public.							x		x			
1.6 Pursue changes to the Checklists in Appendices G and H of the CEQA Guidelines to address and identify polluted runoff as a potential significant environmental effect.	x	x	x	x	x	x			x			
1.7 Continue to promote implementation of the Model Urban Runoff Program (MURP).			x				x		x			
2.0 Administrative Coordination												
2.1 Continue working with SWRCB, RWQCBs, and other agencies to achieve full approval of, and implement, California's NPS Program pursuant to the CWA and CZARA.	x	x	x	x	x	x	x	x	x	x	x	x
2.2 Continue to identify and implement interagency (i.e., local, regional, State and federal) pollution-control projects to implement management measures.	x	x	x	x	x	x	x		x			
2.3 Conduct periodic meetings over the next 4 years between each CCC district office and the staffs of the six corresponding coastal RWQCBs for the purpose of developing stronger, long-term ties with the RWQCBs.							x					
2.4 Incorporate into the Los Angeles Basin Contaminated Sediments Task Force efforts all applicable State NPS strategies to prevent and control polluted runoff.					x		x					

PART TWO: *COASTAL CPR PLAN* ACTIONS

Summary: At-A-Glance Matrix of Actions

	Management Measure Area						CZARA Program Area					
	Agriculture	Forestry	Urban	Marinas & Boating	Hydromodification	Wetlands and Riparian Areas	Administrative coordination	Public participation	Technical assistance	Critical coastal areas	Additional MMs	Monitoring
2.5 Continue coordination with the Monterey Bay NMS WQPP and pursue opportunities for applying NPS Management Measures through WQPP strategies.	x	x	x	x	x	x	x	x	x	x	x	x
2.6 Assist the Morro Bay NEP and Central Coast RWQCB in preparing a Base Programs Analysis that contains strategies that apply and implement NPS Management Measures.	x	x	x	x	x	x	x	x	x	x	x	x
2.7 Participate in interagency taskforces and watershed efforts where CCC staff involvement can make a significant impact.							x	x	x	x		
2.8 Monitor legislation related to the CCC's polluted-runoff activities and respond to requests for information by legislators, their staffs, other agencies, and the public.							x					
2.9 Establish Interagency Coordinating Committee and act as participating member.							x	x	x	x	x	x
2.10 Establish Technical Advisory Committees for: assessment, technical assistance, education, and regulation and act as a participating member.							x	x	x			x
2.11 Develop and lead CCA assessment committee.								x	x	x	x	
2.12 Participate in regional forums regarding monitoring and research needs; provide a State perspective to regional planning.	x	x	x	x	x	x	x		x		x	x
3.0 Education and Public Participation												
3.1 Work with SWRCB to develop a comprehensive education program for the NPS Program.	x	x	x	x	x	x	x	x	x	x	x	x
3.2 Provide forums to engage the public in implementing California's NPS Program.								x	x			
3.3 In coordination with the SWRCB and other entities, develop and/or provide educational information on polluted runoff.	x	x	x	x	x	x	x	x				
3.4 Complete the current CCC's Boating Clean and Green Campaign, and assess program priorities and support agencies for the future.				x			x	x	x			

PART TWO: *COASTAL CPR PLAN* ACTIONS

Summary: At-A-Glance Matrix of Actions

	Management Measure area						CZARA Program Area					
	Agriculture	Forestry	Urban	Marinas & Boating	Hydromodification	Wetlands and Riparian Areas	Administrative coordination	Public participation	Technical assistance	Critical coastal areas	Additional MMs	Monitoring
3.5 Identify long-term funding source/agency for the California Clean Boating Network in order to continue conducting public outreach, manage marina and boating impacts, and assist in developing and implementing State NPS Program management measures and strategies.				x			x	x	x			
3.6 Coordinate with Monterey Bay National Marine Sanctuary Water Quality Monitoring Program public education program.	x		x	x	x	x	x	x		x		x
3.7 Coordinate Citizen Monitoring through agency coordination, encourage the use of data and develop monitoring strategies that provide needed information.							x	x	x	x	x	x
4.0 Funding												
4.1 Submit requests and justifications for State General Fund support of water quality planner positions at the CCC to provide technical review of projects.							x		x			
4.2 Continue on an annual basis over the next 4 years the identification of potential grant and funding sources to support and expand the CCC's polluted runoff control activities.							x		x			
4.3 Provide funding through the Whale-Tail License Plate and LCP grant programs to implement projects that achieve applicable *Coastal CPR Plan* objectives.			x	x				x				x

1.0 Implementation of Management Measures through Planning, Regulation and Technical Assistance

Objectives:

A. Coordinate Commission activities related to the prevention and control of polluted runoff.

B. Enhance CCC and local government staff capabilities and expertise to implement polluted-runoff management measures [the *California Management Measures for Polluted Runoff* (CAMMPR) Report identifies 61 management measures to prevent and control polluted runoff].

C. Improve permitting processes—including the review of applications for projects that may generate polluted runoff, as well as post-permit follow-up and condition-compliance review—and facilitate changes in LCPs to address runoff concerns.

D. Provide technical assistance to coastal cities and counties, other agencies, and the public.

Planning, Regulation and Technical Assistance								
Actions		**Performance Measures (Products)**	**Years:***				**Notes**
			99	00	01	02	
1.1	Implement and periodically update the CCC's *Coastal CPR Plan*. Provide opportunities for public comment.	Annual reports to Coastal Commission.	x	x	x	x	• Annual reports and updates are presented at Commission hearings, thus providing opportunities for public comment. The last update was in May 1998.
		Periodic updates of the *Coastal CPR Plan.*				x	
1.2	Provide ongoing technical support and coordination to assist CCC and local government staffs in identifying and examining potential water quality impacts of development proposals, and identifying management measures and practices to address the impacts.	Regular communication between the CCC's CPR Program staff and district office Water Quality Coordinators (WQCs), including through a newsletter and annual meetings.	x	x	x	x	• Actions in CCC's 1997 CPR Strategy. • Over 200 Manuals have been distributed to local, State and federal agency staffs and the public to date. • WQCs were assigned in 1996. In 1996-97, CPR Program staff held workshops for CCC and local government staffs. • In 1997, CCC staff created Summaries for 25 CCAs. The Summaries include maps, watershed group and agency contacts, and information on LCPs, RWQCB Basin Plans, TMDLs, NPDES storm water permits, etc.
		An update of the CCC (1996) *Procedural Guidance Manual: Addressing Polluted Runoff in the California Coastal Zone: 2nd Edition* to assist staffs in implementing NPS management measures through CDPs, LCPs, and related processes.	x				
		An update and distribution of Water Quality Summaries of land use and water quality information in Critical Coastal Areas (CCAs).	x		x		

Planning, Regulation and Technical Assistance								
	Actions	**Performance Measures (Products)**	**Years:***				**Notes**
			99	00	01	02	
1.3	Track the CCC's implementation of management measures to control polluted runoff.	Development of runoff-specific tracking elements for the CCC's Permit Tracking System (PTS) and Wetlands Tracking System (WETS), with guidance to staff to track permits, federal consistency projects, and LCP updates/amendments.				x	• WETS is a Microsoft Access® database program used to track wetlands-related projects permitted by the CCC. WETS is as an issue-specific component of, and works in conjunction with, the CCC's more general PTS.
		Annual summaries of management measure implementation. [Include summaries in staff's annual reports (see Action 1.1).]		x	x	x	
1.4	Develop a model "Nonpoint Source Element" (NPSE) and guidance for CCC and local government staffs to use when amending, updating, or preparing new LCPs.	Matrix, and evaluation for consistency and effectiveness, of grading, zoning, and septic tank policies, ordinances and programs of local governments in the Monterey Bay region (cross-reference with Action 2.5).	x				• Action in CCC's 1997 CPR Strategy. • In 1996, CPR Program staff inventoried runoff-related policies and ordinances in 16 LCPs for areas adjacent to State-designated "threatened and impaired water bodies." In 1997, staff piloted a methodology to review LCPs to assess management-measure implementation. • NPSE development will be coordinated with the CCC's Local Assistance Grants and Regional Cumulative Assessment Project (ReCAP) teams.
		Recommendations for policies and ordinances that implement CAMMPR management measures that can be incorporated into LCPs and General Plans.	x				
		Update of 1 to 5 LCPs to incorporate a NPSE by end of year 5.				x	
1.5	Assist in the development of mapping and other technical analysis tools to make land use and water quality information more accessible to agency staffs and the public.	Trainings for CCC and other agency staffs to use tools developed through the CCC's Watershed Analysis Tool for Environmental Review (WATER) project and CoastWatch Change Analysis Protocol Project (C-CAP).		x			• Action in 1997 CPR Strategy. • In 1997, CCC staff held a workshop for agencies in the Central Coast to distribute WATER compact disks and provide training on their use. The technical skills and professional contacts developed for the WATER project could be used to conduct further trainings and/or produce a similar product for other watersheds.
		Assemble a Geographic Information System (GIS) for another section of the coast, using WATER as the model (pending available funding and staff).				x	

* July 1999 to June 2000 = Year 2 of the State NPS Program 5-Year Action Plan

Planning, Regulation and Technical Assistance								
Actions		**Performance Measures (Products)**	**Years:***				**Notes**
			99	**00**	**01**	**02**	
1.6	Pursue changes to the Checklists in Appendices G and H of the CEQA Guidelines to address and identify polluted runoff (NPS pollution) as a potential significant environmental effect.	A revised CEQA Guidelines Checklist (requires Resources Agency approval).		x			• The 1995 Urban Technical Advisory Committee (TAC) Report and the 1997 Resources Agency Ocean Resources Agenda recommend revising the CEQA Guidelines. In 1998, the CCC submitted a petition, supported by the MURP partners, to the Resources Agency to revise the CEQA Guidelines checklists.
		Inclusion of revised checklists in MURP Manual and *Procedural Guidance Manual.*		x			
1.7	Continue to promote implementation of the Model Urban Runoff Program (MURP).	Participation in a joint project with the City of Watsonville and the MBNMS to develop an urban runoff program for Watsonville using the MURP Manual. Refinement of the MURP after completion of the joint project.	x				• Action in 1997 CPR Strategy. • MURP is a how-to-guide for local governments to address polluted runoff in urban areas, that was developed by the Cities of Monterey and Santa Cruz, CCC, Monterey Bay National Marine Sanctuary (MBNMS), Central Coast RWQCB, Association of Monterey Bay Area Governments, and Woodward-Clyde Consultants. Monterey, Santa Cruz and Watsonville are developing runoff programs using MURP.
		Distribution of MURP Manual, on compact disk or paper, to all local governments with LCPs, and placement of MURP on CCC (or other) web site for public use.	x			x	
		Assistance in developing a training module for implementing MURP in MBNMS-area cities (cross-reference with Action 2.5).				x	

2.0 Administrative Coordination

Objectives:

A. Coordinate the CCC's CPR Program with other State, local, federal and regional programs so that land use activities that generate polluted runoff are more effectively reviewed and addressed.

B. Play a lead role in working with other agencies to coordinate the review of activities in "critical coastal areas" (CCAs).[4]

C. Continue, and where feasible increase, CCC staff involvement in interagency taskforces and watershed management activities.

Administrative Coordination								
Actions		**Performance Measures (Products)**	**Years:***				**Notes**
			99	00	01	02	
2.1	Continue working with the State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCBs), and other agencies to achieve full approval of, and implement, California's NPS Program pursuant to the CWA and CZARA.	Full approval of the NPS Program pursuant to the CWA and CZARA by the U.S. Environmental Protection Agency (EPA) and National Oceanic and Atmospheric Administration (NOAA).	x				• Action in 1997 CPR Strategy (CCC *Coastal CPR Plan* actions are included as elements of the State's 5-year NPS Program Action Plan). • The SWRCB and CCC have worked in partnership since 1991 to develop California's NPS Program. Full approval is expected in 1999. • In 1998-99, the SWRCB and CCC held agency and public meetings on the draft CAMMPR report, 15-year Implementation Strategy, and 5-year Action Plan. • The CCC will evaluate the use of the "Coastal 8" group as a forum to identify and coordinate activities in CCAs.
		Publication of the *California Management Measures for Polluted Runoff* (CAMMPR) Report, 15-year Implementation Strategy, and first 5-year Action Plan.	x				
		Coordination in developing agency 5-year Action Plans that may result in cooperative strategies and formal agreements.		x			
		Process to identify Critical Coastal Areas (CCAs), and improve coordination among agencies and the public in these areas.	x			x	

[4] The primary goal of CCA designation is to channel program resources to protect special coastal habitats from NPS pollution degradation through the implementation of additional MMs. CCAs will be designated in areas of the California coastal zone (1) in which new or substantially expanding land uses may cause or contribute to the impairment of coastal water quality and (2) that contain or are adjacent to threatened or impaired coastal waters.

Administrative Coordination								
Actions		**Performance Measures (Products)**	**Years:*** 99	00	01	02	**Notes**
2.2	Continue to identify and implement interagency (i.e., local, regional, State and federal) pollution-control projects to implement management measures.	Application of the Elkhorn Slough model interagency, streamlined permit process coordinated by the Natural Resources Conservation Service (NRCS) to other coastal regions (e.g., Morro Bay and Watsonville Slough watersheds).	x	—	—	x	• Action in 1997 CPR Strategy. • The Elkhorn Slough project—a 5-year general consistency determination by the NRCS (CD-051-098, May 1998) to implement BMPs on and adjacent to agricultural lands in the Elkhorn Slough watershed—assists landowners to install BMPs to enhance erosion control, pesticide and nutrient management, wetlands conservation and restoration, wildlife habitat protection, flood control and streambank stabilization. The project began in Summer 1998; as of Spring 1999, 20 farms were signed on to implement BMPs.
		Identification of other projects that use the CCC's authorities (e.g., the federal consistency process) to promote BMP installation in the coastal zone.		—	—	x	
		Implementation with Caltrans of the Coast Highway Management Plan.				x	
2.3	Conduct periodic meetings over the next 4 years between each CCC district office and the staffs of the six corresponding coastal RWQCBs for the purpose of developing stronger, long-term ties with the RWQCBs.	Periodic meetings between each CCC district office and the staffs of the six corresponding coastal RWQCBs.	x	x	x	x	• Action in 1997 CPR Strategy. • CCC district staff have met at least once with RWQCB staff since 1996. • The CCC's CPR Program staff will help district office staffs to coordinate their meetings with the RWQCB staffs. Discussion topics can include TMDL and NPDES storm water issues.
2.4	Incorporate into the Los Angeles Basin Contaminated Sediments Task Force (CSTF) efforts all applicable State NPS strategies to prevent and control polluted runoff.	Watershed management and source reduction components of the Contaminated Sediments Long-term Management Strategy.		—	—	x	• Under the CSTF (Chapter 897, CWC § 13396.9), the CCC, Los Angeles RWQCB and other entities are developing a long-term management plan for dredging and disposal of contaminated sediments for coastal waters adjacent to LA County.

* July 1999 to June 2000 = Year 2 of the State NPS Program 5-Year Action Plan

Administrative Coordination								
	Actions	**Performance Measures (Products)**	**Years:*** 99	00	01	02	**Notes**
2.5	Continue coordination with the MBNMS Water Quality Protection Program (WQPP) and pursue opportunities for applying NPS Management Measures through WQPP strategies.	Continued participation in WQPP interagency planning meetings.				x	• Action in 1997 CPR Strategy. • The CCC is currently a signatory on the MBNMS WQPP Memorandum of Agreement (MOA). The MOA addresses the implementation of nonpoint source pollution planning and control measures prepared under CZARA § 6217.
		Completion of CCC tasks identified in WQPP Action Plans.				x	
		Feasibility study with timeline and milestones needed to establish a WQPP Council or discussion of barriers to establishment.	x				
		Feasibility study with timeline and milestones for an alternative financing workshop.	x				
2.6	Assist the Morro Bay National Estuary Program (NEP) and Central Coast RWQCB in preparing a Base Programs Analysis that contains strategies that apply and implement NPS Management Measures.	A final Morro Bay NEP Base Programs Analysis document and future implementation.				x	• Action in 1997 CPR Strategy.
2.7	Participate in interagency taskforces and watershed efforts where CCC staff involvement can make a significant impact.	Increased CCC staff participation in watershed activities. [Summaries of activities will be included in staff's annual reports (see Action 1.1).]				x	• Action in 1997 CPR Strategy [relates also to Technical Assistance, Education and Public Participation, and Funding elements of the *Coastal CPR Plan*]. • This action can facilitate sharing of resources with other federal, State, and local agencies involved in efforts to prevent and control polluted runoff.
2.8	Monitor legislation related to the CCC's polluted-runoff activities and respond to requests for information by legislators, their staffs, other agencies, and the public.	Summaries of related legislation will be included in the staff's annual reports (see Action 1.1).	x	x	x	x	•

Administrative Coordination							
2.9	Establish Interagency Coordinating Committee and act as participating member.	IACC oversight documents and 2003-2008 Implementation Strategy.		x	-	x	• IACC will play a key role in targeting future MMs and developing additional MOUs.
2.10	Establish Technical Advisory Committees for: assessment, technical assistance, education, and regulation and act as a participating member.	Technical advisory summaries regarding specific issues will be included in biannual reports	x	x	x	x	•
2.11	Develop and lead CCA assessment committee	CCA criteria, maps, implementation strategies, funding of special projects and implementation of Additional MMs.		x	x	x	• CCAs will be targeted for special resources yearly.
2.12	Participate in regional forums regarding monitoring and research needs; provide a State perspective to regional planning.	Special studies, reports and guidance manuals. Tracking and monitoring information included in biannual reports.		x		x	•

3.0 Education and Public Participation

Objective:

A. Promote coastal stewardship and a more informed citizenry through public education.

B. Engage the public in implementing actions of the CCC's *Coastal CPR Plan* and California's NPS Program.

Education and Public Participation								
Actions		Performance Measures (Products)	Years:* 99	00	01	02	Notes
3.1	Work with the SWRCB to develop a comprehensive education program for the NPS Program.	A comprehensive education program for the NPS program.	x				• The NPS Program emphasizes education in the State's 5- and 15-year implementation strategies.
3.2	Provide forums to engage the public in implementing California's NPS Program.	Presentations at CCC hearings, stakeholder workshops, boat shows, environmental fairs, conferences, etc.	x	x	x	x	• In 1998-99, CCC staff helped to organize and participated in numerous stakeholder workshops, boat shows, environmental fairs and conferences.
		Communication network to inform stakeholders about opportunities for public participation in the program.	x	x	x	x	
3.3	In coordination with the SWRCB and other entities, develop and/or provide educational information on polluted runoff.	Educational information, NPS links, and list of contacts provided on the CCC web page.	x				• The CCC's web page includes sites for the CCC Coastal Nonpoint Pollution Control Program, California Clean Boating Network (CCBN), and Contaminated Sediments Taskforce. • More than 25,000 people annually participate in the Adopt-A-Beach Program which was started in 1985. • Save-Our-Seas Program information is currently provided in Spanish. • Assessments require additional funding. • Installation of additional displays will require additional funding.
		Expansion of Adopt-A-Beach to include a beach monitoring element.				x	
		Integration of NPS information into Coastal Access and Resource Guides, Save-Our-Seas Program, and SEACamp curriculum.				x	
		Assessment of runoff educational programs in California, including public awareness surveys, and evaluation of effectiveness.				x	
		Posting of NPS information in existing displays at coastal access points (e.g., State Parks, piers, and boat ramps), and, where feasible, installation of additional displays.				x	

Education and Public Participation								
	Actions	**Performance Measures (Products)**	**Years:***				**Notes**
			99	00	01	02	
3.4	Complete the current CCC's Boating Clean and Green Campaign, and assess program priorities and support agencies for the future.	Action Plan for future CCC Boating Campaign.	x				• Action in 1997 CPR Strategy. • The grant-funded BC&G Campaign is scheduled to end in April 2000. The Campaign addresses proper disposal and/or recycling of waste oil at harbors and marinas by providing educational materials and facilitating installation of services needed by boaters in San Diego, Los Angeles, and San Francisco Bay. • Recent work completed includes a *Boating Clean and Green Survey*, the *Used Oil Collection and Related Services for Boaters in SF Bay-Delta* guide, Used Oil Forum in Stockton (10/98) and Boating into the 21st Century Conference in Dana Point (12/98).
		Conferences to provide technical assistance for local assistance for local agencies regarding installing oil-related services for boaters.				x	
		Research of target audience in Southern California to analyze: (1) boater practices that result in hydrocarbon discharges and failure to recycle oil; (2) existing recycling and waste disposal services for boaters; (3) outreach methodologies most likely to succeed for boating.	x				
		Statewide "Dockwalker" trainings (volunteers who distribute information to boaters at the waterfront).	x	x	x	x	
3.5	Identify long term funding source/agency for the California Clean Boating Network in order to continue conducting public outreach, manage marina and boating impacts, and assist in developing and implementing State NPS Program management measures and strategies.	Educational materials including a Catalog of Marina and Boater Pollution Education Materials and *Pollution Solutions* binders that contain exemplary education products that address pollutants associated with marina and boater activities.				x	• Action in 1997 CPR Strategy. • To date, the CCBN has distributed more than 300 copies of the *Pollution Solutions* binders to coastal marinas and interested groups who reproduced the contents for distribution to users of the marina environment. • Vendor workshops can help to promote a better understanding of the need for the construction and maintenance of vessel sewage pumpout facilities, to get greater commitment for constructing pumpouts, and to provide assistance in applying for Clean Vessel Act grant funds.
		A list of options for less toxic products and distribution of the list to marinas, boatyards, and marine products stores.		x			
		Opportunities to provide information related to vessel sewage, including an information "clearinghouse" and vendor workshops.				x	

Education and Public Participation								
	Actions	**Performance Measures (Products)**	**Years:***				**Notes**
			99	00	01	02	
3.6	Coordinate with Monterey Bay National Marine Sanctuary Water Quality Monitoring Program public education program.	Complete a set of education / outreach programs and initiate public outreach.					•The Monitoring Coordinator would assist local groups to develop programs that address regional issues, provide scientifically valid information, and facilitate the public education process.
3.7	Coordinate Citizen Monitoring through agency coordination, encourage the use of data and develop monitoring strategies that provide needed information.	Develop and disseminate WQ monitoring plans		x	x	x	•Such monitoring programs can have an invaluable impact on the participant's views of water quality impacts and often the participants become some of the best-educated and dedicated stewards of their watersheds and coastal waters. •The Commission's Public Education Program has identified Water Quality Education as a next step.
		create and staff a Citizen Monitoring Coordinator		x	x	x	
		Convene a Citizen workshop/conference				x	

4.0 Funding

Objectives:

A. Seek stable, long-term support of the coastal program's efforts to improve coastal water quality.

B. Use CCC's Environmental License Plate and LCP Program grants, where feasible, to fund projects that implement management measures or result in the adoption of policies and ordinances to control polluted runoff.

Funding								
	Actions	**Performance Measures (Products)**	**Years:***				**Notes**
			99	**00**	**01**	**02**	
4.1	Submit requests and justifications for State General Fund support of water quality planner positions at the CCC to provide technical review of projects submitted to the Commission.	Budget Change Proposals (BCPs) as needed.	x				• Action in 1997 CPR Strategy.
4.2	Continue on an annual basis over the next 4 years the identification of potential grant and funding sources to support and expand the CCC's polluted runoff control activities.	Development of appropriate grant proposals with notification to Coastal Commission on grants received. [A report on grants received will be included in staff's annual reports (see Action 1.1).]	x	x	x	x	• Action in 1997 CPR Strategy.. • CCC activities to control polluted runoff have been enhanced by grants from NOAA, EPA, SWRCB, RWQCB, Resources Agency, Integrated Waste Management Board, and others.
4.3	Provide funding through the Whale-Tail License Plate and LCP grant programs to implement projects that achieve applicable *Coastal CPR Plan* objectives.	Grants for projects that result in the implementation of education management measures for the control of polluted runoff. [A report on grants issued will be included in staff's annual reports (see Action 1.1).]				x	Citizen Monitoring is one possible education funding possibility. First Flush Campaign has been identified as a targeted endeavor.

PART THREE: ATTACHMENTS

Attachment 1

List of Abbreviations

BC&G – Boating Clean and Green

BMP – Best Management Practice

CAMMPR – *California's Management Measures for Polluted Runoff*

CCA – Critical Coastal Area

CCBN – California Clean Boating Network

CCC – California Coastal Commission

CDP – Coastal Development Permit

CEQA – California Environmental Quality Act

CNPCP – Coastal Nonpoint Pollution Control Program

CPR –Controlling Polluted Runoff

CWA – Clean Water Act (Federal)

CWC – California Water Code

CZARA – Coastal Zone Act Reauthorization Amendments of 1990

CZMA – Coastal Zone Management Act

EPA – U.S. Environmental Protection Agency

ESHA – Environmentally Sensitive Habitat Area

LCP – Local Coastal Program

MBNMS – Monterey Bay National Marine Sanctuary

MM – Management Measure

MURP – Model Urban Runoff Program

NEP – National Estuary Program

NMS – National Marine Sanctuary

NOAA – National Oceanic and Atmospheric Administration

NPDES – National Pollutant Discharge Elimination System

NPS – Nonpoint source

NPSE – Nonpoint Source Element

PRC – Public Resources Code

PTS – Permit Tracking System

ReCAP – Regional Cumulative Assessment Project

RWQCB – Regional Water Quality Control Board

SWRCB – State Water Resources Control Board

TMDL – Total Maximum Daily Load

USC – United States Code

WATER – Watershed Analysis Tool for Environmental Review

WETS – Wetlands Tracking System

WQC – Water Quality Coordinator

WQPP – Water Quality Protection Program

Attachment 2

Summary of Federal Findings: California's NPS Program (July 1998)

Element	Findings	Conditions/Timeline (if any)	
Agriculture	☐ **Conditioned.** • CA includes a confined animal facility MM that is in conformity with the CZARA § 6217(g) Guidance and enforceable policies and mechanisms to implement the MM. CA does not include MMs in conformity with (g) Guidance for other agriculture subcategories.	• CA will include MMs in conformity with the (g) Guidance for all agricultural categories.	JULY 2000 (2 years)
	• CA identifies backup enforceable authorities for implementation, but does not demonstrate ability of the authorities to ensure widespread implementation throughout the § 6217 management area.	• CA will develop a strategy to implement MMs throughout the § 6217 management area.	DEC 1999* (1 year)
Forestry	☑ **Approved.** CA includes MMs for Forestry that are in conformity with the CZARA § 6217(g) Guidance, and enforceable policies/mechanisms for implementation. However, additional MMs are necessary to attain and maintain water quality standards (see Additional Management Measures).		
Urban Development	☐ **Conditioned.** • CA does not include MMs in conformity with the CZARA § 6217(g) Guidance.	• CA will include MMs in conformity with the (g) Guidance.	JULY 2000
	• CA identifies a back-up enforceable authority/ mechanism but does not demonstrate the authority's ability to ensure implementation throughout the § 6217 management area.	• CA will develop a strategy to implement MMs throughout the § 6217 management area.	DEC 1999
Marinas and Recreational Boating	☐ **Conditioned.** • CA does not include MMs in conformity with the CZARA § 6217(g) Guidance.	• CA will include MMs in conformity with the (g) Guidance.	JULY 2000
	• CA includes enforceable policies/mechanisms to: (1) address the Siting/Design MMs, but cannot ensure implementation for all marinas; and (2) implement some Operation/Maintenance MMs–and identifies a backup enforceable policy/mechanism–but has not demonstrated the authority's ability to ensure implementation throughout the § 6217 management area.	• CA will develop a strategy to implement MMs throughout § 6217 management area.	DEC 1999
Hydromodification	☐ **Conditioned.** • CA does not include MMs in conformity with the CZARA § 6217(g) Guidance.	• CA will include MMs in conformity with the (g) Guidance.	JULY 2000
	• CA identifies a back-up enforceable authority/mechanism but does not demonstrate the authority's ability to ensure implementation throughout the § 6217 management area.	• CA will develop a strategy to implement MMs throughout the § 6217 management area.	DEC 1999

* The July 1998 NOAA and EPA Findings had a one-year deadline (until July 1999) for California to comply with several of the conditions. NOAA and EPA are now providing additional time, generally on the order of six months, to meet the 1-year conditions (Letter from Joseph A. Uravitch, NOAA and Dov Weitman, EPA, March 11, 1999.) The Clinton Administration's Clean Water Action Plan also specifies a December 1999 deadline for full approval of state coastal nonpoint programs.

Element	Findings	Conditions/Timeline (if any)	
Wetlands, Riparian Areas, & Vegetated Treatment Systems (VTSs)	❒ **Conditioned.** • CA includes MMs in conformity with the CZARA § 6217(g) Guidance to promote wetland/riparian area restoration and use of VTSs but CA does not include MMs for wetland/riparian area protection. • CA identifies a back-up enforceable authority/ mechanism but does not demonstrate the authority's ability to ensure implementation throughout the § 6217 management area.	• CA will include MMs in conformity with the (g) Guidance. • CA will develop a strategy to implement MMs throughout the § 6217 management area.	JULY 2000 DEC 1999
Administrative Coordination	❒ **Conditioned.** CA does not include adequate mechanisms to improve coordination among State agencies and between State/local officials to implement CNPCP.	CA will include mechanisms to ensure coordination among agencies and State/local officials.	DEC 1999
Public Participation	☑ **Approved.** CA provides opportunities for public participation in CNPCP development and implementation.		
Technical Assistance	❒ **Conditioned.** CA does not include programs that will provide technical assistance to local governments and the public for implementing additional MMs.	CA will develop new, and/or expand existing, programs to provide technical assistance	July 2001
Critical Coastal Areas	❒ **Conditioned.** CA does not identify and include a process for the continuing identification of CCAs adjacent to impaired and threatened coastal waters.	CA will identify CCAs beyond the coastal zone and within watersheds draining into Monterey Bay.	DEC 1999
Additional Management Measures	❒ **Conditioned.** CA does not 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	CA shall: • develop a process to apply additional MMs in CCAs and in areas where necessary to attain and maintain water quality standards. • identify additional MMs for forestry necessary to attain and maintain water quality standards.	JULY 2000 DEC 1999
Monitoring	❒ **Conditioned.** CA does not include a plan to assess over time the extent to which implementation of the MMs is in reducing pollution loads and improving water quality.	CA will include a plan for assessing over time the success of the MMs in reducing pollution loads and improving water quality	DEC 1999
Strategy and Evaluation for Back-up Authorities	❒ **Conditioned.** CA will develop a strategy to implement, throughout the § 6217 management area, the MMs for agriculture, urban areas, marinas, hydromodification, and wetlands.		DEC 1999
Boundary	☑ **Approved.** CA includes the entire State as the management area within which it will implement its NPS Program; this boundary is sufficient to control the land and water uses that have or are reasonably expected to have a significant impact on coastal waters.		

Attachment 3

CAMMPR Quick Reference Guide

Background

Degradation of water resources from nonpoint source (NPS) pollution is considered to be the leading cause of water quality impairments both nationally and in California. Most NPS problems are related to land use practices. In California, numerous State, federal and local agencies, as well as landowners and non-governmental organizations (NGOs), are involved with efforts to prevent or control NPS pollution. These efforts are often supported by and coordinated through California's NPS Program under the State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCBs), and through the California Coastal Commission's (CCC) Coastal Nonpoint Pollution Control Program. The goals of current efforts are to upgrade the State's NPS Management Plan consistent with the guidance of the U.S. Environmental Protection Agency (USEPA),[1] and to ensure that the Plan effectively addresses nonpoint sources affecting coastal waters as required by Section 6217 of the 1990 Coastal Zone Act Reauthorization Amendments (CZARA).

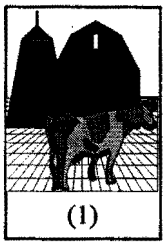
Implementation of Management Measures

CZARA requires coastal states to develop and implement management measures for NPS pollution to restore and protect coastal waters.[2] The management measure approach is technology-based rather than water-quality-based. The management measures are organized into six categories or "sectors":

(1) Agriculture;
(2) Forestry (Silviculture);
(3) Urban Areas;
(4) Marinas and Recreational Boating;
(5) Hydromodification Activities; and
(6) Wetlands, Riparian Areas, and Vegetated Treatment Systems.

All six categories are present in California.

Fact Sheets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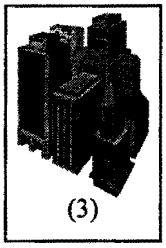
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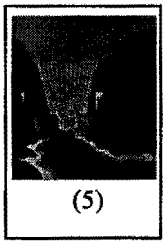
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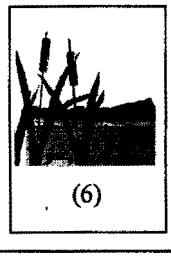
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[1] California's NPS Program was established more than ten years ago in response to the requirements of federal Clean Water Act § 319(h). The federal Clean Water Action Plan calls on all states to upgrade their NPS Programs in order to be eligible for additional funding in federal fiscal year 2000 and beyond.

[2] Management measures are defined in CZARA § 6217(g)(5) as "economically achievable measures for the control of the addition of pollutants from existing and new categories and classes of nonpoint sources of pollution, which reflect the greatest degree of pollutant reduction achievable through the application of the best available nonpoint pollution control practices, technologies, processes, siting criteria, operating methods, or other alternatives." The USEPA § 6217(g)-Guidance lists 56 management measures to control or prevent NPS pollution affecting coastal waters (these measures can be viewed at http://www.epa.gov/OWOW/NPS/MMGI).

The management measures form the core of the State's upgraded NPS Management Plan, and provide goals to which various management practices are applied. The SWRCB, CCC and other State agencies are developing a *Management Measure Review Document* that delineates each management measure as applicable in California. The original CZARA § 6217(g) management measure language has been retained for nearly all of the management measures. California has modified the management measure language only slightly; in almost all cases the modifications have made the management measures more protective of the environment. The SWRCB, CCC and each of the Regional Water Quality Control Boards evaluated each management measure. In addition, each state agency that was designated in the document evaluated the management measures for appropriateness for California. California has included an additional management measure for education and outreach to each nonpoint source category to reflect the State's intention to promote public awareness and involvement in controlling nonpoint source pollution. This brings the total number of management measures in California to 61. Background information on these management measures is provided in the attached Fact Sheets.

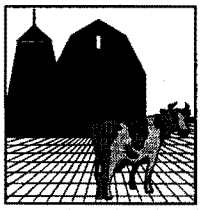
Not all of the identified management measures may be needed to address the nonpoint sources at a specific site. For example, forestry and construction operations that do not use chemicals would not need to implement chemical-control management measures. Similarly, farms or other agriculture enterprises that do not have animals as part of the enterprise would not need to implement the management measures that address confined animal facilities or grazing. Other operations will have more than one source to address and may need to employ two or more measures to address the multiple sources. Application of the measures should be coordinated to produce an overall system that adequately addresses all sources for the site in a cost-effective manner.

Many operations may already be in compliance with the measures needed to address the nonpoint sources associated with them. Existing NPS progress will be recognized and appropriate credit given for a practice that is in existence and operational. Existing practices, plans, and systems should be viewed as building blocks for the management measures and may need no additional improvement. For cases where existing source control is inadequate to achieve conformity with the needed management measures, only one or two more practices may need to be added to achieve conformity.

Finding solutions to NPS pollution poses unique challenges. While increased use of existing regulatory authorities can help to address certain categories of NPS pollution (such as the relatively recent effort to issue permits for the most significant municipal stormwater discharges), California will need to rely on a wide range of tools, activities, and authorities to effectively address NPS pollution statewide. In particular, these efforts need to focus on better integration and coordination at the State level and collaborative approaches to establish ongoing community-based stewardship.

CAMMPR FACT SHEET No. 1

Agriculture Management Measures



The SWRCB, CCC, and other State agencies have identified seven management measures (MMs) to address agricultural nonpoint sources of pollution that affect State waters. The agricultural MMs include practices and plans installed under various NPS programs in California, including systems of practices commonly used and recommended by the U.S. Department of Agriculture (USDA) as components of Resource Management Systems, Water Quality Management Plans and Agricultural Waste Management Systems.

California's agriculture management measures:

1.A Erosion and Sediment Control

1.B Facility Wastewater and Runoff from Confined Animal Facilities

1.C Nutrient Management

1.D Pesticide Management

1.E Grazing Management

1.F Irrigation Water Management

1.G Education/Outreach

According to the USEPA (1993), agriculture contributes more than half of the pollution entering the Nation's waterbodies; recent studies have identified it as the greatest source of water pollution in the United States. The primary agricultural NPS pollutants are nutrients, sediment, animal wastes, pesticides, and salts. Agricultural activities may also affect habitat through physical disturbances caused by livestock or equipment, or through the management of water.

Management Measures:

- **Erosion and Sediment Control.** MM 1A addresses NPS problems associated with soil erosion and sedimentation. Where erosion and sedimentation from agricultural lands affects coastal waters, landowners shall design and install a combination of practices to remove solids and associated pollutants in runoff during all but the larger storms. Alternatively, landowners may apply the erosion component of a Conservation Management System (CMS) as defined in the USDA Field Office Technical Guide.

- **Facility Wastewater and Runoff from Confined Animal Facilities.** Pursuant to MM 1B, facility wastewater and contaminated runoff from confined animal facilities must be contained at all times. Storage facilities should be of adequate capacity to allow for proper waste water use and should be constructed so they prevent seepage to ground water, and stored runoff and accumulated solids from the facility shall be managed through a waste use system that is consistent with MM 1C.

- **Nutrient Management.** MM 1C addresses the development and implementation of comprehensive nutrient management plans for areas where nutrient runoff is a problem affecting coastal waters. Such plans would include a crop nutrient budget; identification of the types, amounts and timing of nutrients necessary to produce a crop based on realistic crop yield expectations; identification of hazards to the site and adjacent environment; soil sampling and tests to determine crop nutrient needs; and proper calibration of nutrient equipment. When manure from confined

animal facilities is to be used as a soil amendment and/or is disposed of on land, the plan shall discuss steps to assure that subsequent irrigation of that land does not leach excess nutrients to surface or ground water.

- **Pesticide Management.** Implementation of MM 1D is intended to reduce contamination of surface water and ground water from pesticides. Elements of this measure include reductions in pesticide use; evaluation of pest, crop and field factors; use of Integrated Pest Management (IPM); consideration of environmental impacts in choice of pesticides; calibration of equipment; and use of anti-backflow devices. IPM is a key component of pest control. IPM strategies include evaluating pest problems in relation to cropping history and previous pest control measures, and applying pesticides only when an economic benefit will be achieved. Pesticides should be selected based on their effectiveness to control target pests and environmental impacts such as their persistence, toxicity, and leaching potential.

- **Grazing Management.** MM 1E is intended to protect sensitive areas (including streambanks, lakes, wetlands, estuaries, and riparian zones) by reducing direct loadings of animal wastes and sediment. Upland erosion can be reduced by, among other methods: (1) maintaining the land consistent with the California Rangeland Water Quality Management Plan or Bureau of Land Management and Forest Service activity plans or (2) applying the range and pasture components of a Conservation Management System. This may include restricting livestock from sensitive areas by providing livestock stream crossings and by locating salt, shade, and alternative drinking sources away from sensitive areas.

- **Irrigation Water Management.** MM 1F promotes effective irrigation while reducing pollutant delivery to surface and ground waters. Pursuant to this measure, irrigation water would be applied uniformly based on an accurate measurement of cropwater needs and the volume of irrigation water applied, considering limitations raised by such issues as water rights, pollutant concentrations, water delivery restrictions, salt control, wetland, water supply and frost/freeze temperature management. Additional precautions would apply when chemicals are applied through irrigation.

- **Education/Outreach.** The goal of MM 1G is to implement pollution prevention and education programs to reduce NPS pollutants generated from the following activities as applicable:

  a. Activities that cause erosion and loss of sediment on agricultural land and land that is converted from other land uses to agricultural land;

  b. Activities that cause discharge from confined animal facilities to surface waters;

  c. Activities that cause excess delivery of nutrients and/or leaching of nutrients;

  d. Activities that cause contamination of surface water and ground water from pesticides;

  e. Grazing activities that cause physical disturbance to sensitive areas and the discharge of sediment, animal waste, nutrients, and chemicals to surface waters;

  f. Irrigation activities that cause NPS pollution of surface waters.

CAMMPR FACT SHEET No. 2

Forestry (Silviculture) Management Measures

The SWRCB, CCC, and other State agencies have identified 12 management measures (MMs) to address various phases of forestry operations relevant to controlling nonpoint sources of pollution that affect State waters. The forestry MMs are for the most part a system of practices used and recommended by the Board of Forestry and Department of Forestry and Fire Protection in rules or guidance.

California's forestry (silviculture) management measures:

2.A Preharvest Planning
2.B Streamside Management Areas
2.C Road Construction/Reconstruction
2.D Road Management
2.E Timber Harvesting
2.F Site Preparation/Forest Regeneration
2.G Fire Management
2.H Revegetation of Disturbed Areas
2.I Forest Chemical Management
2.J Wetlands Forest
2.K Education/Outreach
2.L Postharvest Evaluation

On a national level, silviculture contributes approximately 3 to 9% of NPS pollution to the Nation's waters (USEPA, 1992a). Without adequate controls, forestry operations may degrade the characteristics of waters that receive drainage from forest lands. For example (1) sediment concentrations can increase due to accelerated erosion, (2) water temperatures can increase due to removal of overstory riparian shade, (3) dissolved oxygen can be depleted due to the accumulation of slash and other organic debris, and (4) concentrations of organic and inorganic chemicals can increase due to harvesting and fertilizers and pesticides.

Management Measures:

- **Preharvest Planning.** Pursuant to MM 2A, silvicultural activities shall be planned to reduce potential delivery of pollutants to surface waters. Components of MM 2A address aspects of forestry operations, including: the timing, location and design of harvesting and road construction; site preparation; identification of sensitive or high-erosion risk areas; and the potential for cumulative water quality impacts.

- **Streamside Management Areas (SMAs).** SMAs protect against soil disturbance and reduce sediment and nutrient delivery to waters from upland activities. MM 2B is intended to safeguard vegetated buffer areas along surface waters to protect the water quality of adjacent streams.

- **Road Construction/Reconstruction.** Pursuant to MM 2C, road construction/reconstruction shall be conducted so as to reduce sediment generation and delivery. This can be accomplished by, following preharvest plan layouts and designs for road systems, incorporating adequate drainage structures, properly installing stream crossings, avoiding road construction in SMAs, removing debris from streams, and stabilizing areas of disturbed soil such as road fills.

- **Road Management.** MM 2D describes how to manage roads to prevent sedimentation, minimize erosion, maintain stability, and reduce the risk that drainage structures and stream crossings will fail or become less effective. Components of this measure include inspections and maintenance actions to prevent erosion of road surfaces and to ensure the effectiveness of stream-crossing structures, and appropriate methods for closing roads that are no longer in use.

- **Timber Harvesting.** MM 2E addresses skidtrail location and drainage, management of debris and petroleum, and proper harvesting in SMAs. Timber harvesting practices that protect water quality and soil productivity also have economic benefits by reducing the length of roads and skidtrails, reducing equipment and road maintenance costs, and providing better road protection.

- **Site Preparation & Forest Regeneration.** Impacts of mechanical site preparation and regeneration operations—particularly in areas with steep slopes or highly erodible soils, or where a site is in close proximity to a waterbody—can be reduced by confining runoff onsite. MM 2F addresses keeping slash material out of drainageways, operating machinery on contours, timing activities, and protecting ground cover in ephemeral drainage areas and SMAs. Careful regeneration of harvested forest lands is important in protecting water quality from disturbed soils.

- **Fire Management.** Prescribed fire practices for site preparation and methods to suppress wildfires should as feasible be conducted in a manner that limits loss of soil organic matter and litter and that reduces the potential for runoff and erosion. Fires on steep slopes or adjacent to streams and that remove forest litter down to mineral soil are most likely to impact water quality.

- **Revegetation of Disturbed Areas.** MM 2H addresses the rapid revegetation of areas disturbed during timber harvesting and road construction—particularly areas within harvest units or road systems where mineral soil is exposed or agitated (e.g., road cuts, fill slopes, landing surfaces, cable corridors, or skidtrails) with special priority for SMAs and steep slopes near drainageways.

- **Forest Chemical Management.** Application of pesticides, fertilizers, and other chemicals used in forest management should not lead to surface water contamination. Pesticides must be properly mixed, transported, loaded, and applied, and their containers disposed of properly. Fertilizers must also be properly handled and applied since they also may be toxic depending on concentration and exposure. Components of MM 2I include applications by skilled workers according to label instructions, prescription of the type and amount of chemical to be applied, use of buffer areas for surface waters to prevent direct application or deposition, and spill contingency planning.

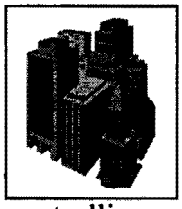
- **Wetland Forest Management.** Forested wetlands provide many beneficial water quality functions and provide habitat for aquatic life. Activities in wetland forests shall be conducted to protect the aquatic functions of forested wetlands.

- **Postharvest Evaluation.** The goal of MM 2K is to incorporate postharvest monitoring, including: a) implementation monitoring to determine if the operation was conducted according to specifications, and b) effectiveness monitoring after at least one winter period to determine if the specified operation prevented or minimized discharges.

- **Education/Outreach.** The goal of MM 2L is to implement pollution prevention and education programs to reduce NPS pollutants generated from applicable silvicultural activities.

CAMMPR FACT SHEET No. 3

Urban Management Measures



The SWRCB, CCC, and other State agencies have identified 15 management measures (MMs) to address urban nonpoint sources of pollution that affect State waters. With approximately 80% of the nation's population living in coastal areas, controlling polluted runoff in urban areas is a challenge. Negative impacts of urbanization on coastal and estuarine waters are well documented in a number of sources, including California's Clean Water Act §305(b) and §319 reports and the Nationwide Urban Runoff Program.

California's urban management measures:

3.1 Runoff from Developing Areas
- **A. Watershed Protection**
- **B. Site Development**
- **C. New Development**

3.2 Runoff from Construction Sites
- **A. Construction Site Erosion and Sediment Control**
- **B. Construction Site Chemical Control**

3.3 Runoff from Existing Development
- **A. Existing Development**

3.4 Onsite Disposal Systems (OSDSs)
- **A. New OSDSs**
- **B. Operating OSDSs**

3.5 Transportation Development (Roads, Highways, and Bridges)
- **A. Planning, Siting, and Developing Roads and Highways**
- **B. Bridges**
- **C. Construction Projects**
- **D. Chemical Control**
- **E. Operation and Maintenance**
- **F. Road, Highway, and Bridge Runoff Systems**

3.6 Education/Outreach
- **A. Pollution Prevention/Education: General Sources**

Major pollutants found in runoff from urban areas include sediment, nutrients, oxygen-demanding substances, road salts, heavy metals, petroleum hydrocarbons, pathogenic bacteria, and viruses. Suspended sediments constitute the largest mass of pollutant loadings to receiving waters from urban areas. Construction is a major source of sediment erosion. Petroleum hydrocarbons result mostly from automobile sources. Nutrient and bacterial sources include garden fertilizers, leaves, grass clippings, pet wastes, and faulty septic tanks. As population densities increase, a corresponding increase occurs in pollutant loadings generated from human activities. Many of these pollutants enter surface waters via runoff without undergoing treatment.

Urban runoff management requires that several objectives be pursued simultaneously. These objectives include the following (American Public Works Association, 1981):

- Protection and restoration of surface waters by the minimization of pollutant loadings and negative impacts resulting from urbanization;
- Protection of environmental quality and social well-being;
- Protection of natural resources, e.g., wetlands and other important aquatic and terrestrial ecosystems;

- Minimization of soil erosion and sedimentation problems;
- Maintenance of the predevelopment hydrologic conditions;
- Protection of ground-water resources;
- Control and management of runoff to reduce or prevent flooding; and
- Management of aquatic and riparian resources for active and passive pollution control.

Management Measures:

The control of urban NPS pollution requires the use of two primary strategies: the prevention of pollutant loadings and the treatment of unavoidable loadings. California's urban management measures are organized to parallel the land use development process in order to address the prevention and treatment of NPS pollution loadings during all phases of urbanization; this strategy relies primarily on the watershed approach, which focuses on pollution prevention or source reduction practices. A combination of pollution prevention and treatment practices is favored because planning, design, and education practices are generally more effective, require less maintenance, and are more cost-effective in the long term.

The major opportunities to control NPS loadings occur during the following three stages of development: (1) the siting and design phase, (2) the construction phase, and (3) the post-development phase. Before development occurs, land in a watershed is available for a number of pollution prevention and treatment options, such as setbacks, buffers, or open space requirements, as well as wet ponds or constructed urban runoff wetlands that can provide treatment of the inevitable runoff and associated pollutants. In addition, siting requirements and restrictions and other land use ordinances, which can be highly effective, are more easily implemented during this period. After development occurs, these options may no longer be practicable or cost-effective. MMs 3.1A through 3.1C address the strategies and practices that can be used during the initial phase of the urbanization process.

The control of construction-related sediment loadings is critical to maintaining water quality. The implementation of proper erosion and sediment control practices during the construction stage can significantly reduce sediment loadings to surface waters. MMs 3.2A and 3.2B address construction-related practices.

After development has occurred, lack of available land severely limits the implementation of cost-effective treatment options. MM 3.6A focuses on improving controls for existing surface water runoff through pollution prevention to mitigate nonpoint sources of pollution generated from ongoing domestic and commercial activities.

CAMMPR FACT SHEET No. 4

Marinas & Recreational Boating Management Measures

The SWRCB, CCC, and other State agencies have identified 16 management measures (MMs) to address marina and recreational boating sources of nonpoint pollution. Because marinas are located at the water's edge, pollutants generated from marinas and boats are less likely to be buffered or filtered by natural processes. When boating and related activities (e.g., marinas and boat maintenance areas) are poorly planned or managed, they may threaten the health of aquatic systems and pose other environmental hazards. The USEPA (1993) identifies several sources of pollution associated with marinas and boating activities:

- Poorly flushed waterways;
- Pollutants discharged from boats (recreational boats, commercial boats, and "live-aboards");
- Pollutants carried in stormwater runoff;
- Physical alteration of wetlands and of shellfish/ other benthic communities during construction of marinas, ramps, and related facilities;
- Pollutants generated from boat maintenance activities on land and in the water.

California's marina and recreational boating management measures:

4.1 Assessment, Siting and Design
- **A. Water Quality Assessment**
- **B. Marina Flushing**
- **C. Habitat Assessment**
- **D. Shoreline Stabilization**
- **E. Storm Water Runoff**
- **F. Fueling Station Design**
- **G. Sewage Facilities**
- **H. Waste Management Facilities**

4.2 Operation and Maintenance
- **A. Solid Waste Control**
- **B. Fish Waste Control**
- **C. Liquid Material Control**
- **D. Petroleum Control**
- **E. Boat Cleaning and Maintenance**
- **F. Maintenance of Sewage Facilities**
- **G. Boat Operation**

4.3 Education/Outreach
- **A. Public Education**

California's management measures are intended to be applied to control impacts to water quality and habitat from marina siting and construction (new and expanding marinas), and marina and boat operation and maintenance. The measures are designed to reduce NPS pollution by requiring the best possible siting for marinas and maintenance areas, providing for the best available design and construction practices and appropriate operation and maintenance practices, and encouraging the development and use of effective pollution control and education efforts. The management measures cover the following operations and facilities (USEPA, 1993):

- Any facility that contains 10 or more slips, piers where 10 or more boats may tie up, or any facility where a boat for hire is docked;
- Any residential or planned community marina with 10 or more slips;
- Any mooring field where 10 or more boats are moored;
- Public or commercial boat ramps;
- Boat maintenance or repair yards that are adjacent to the water, and any Federal, State, or local facility that involves recreational boat maintenance or repair on or adjacent to the water.

Assessment, Siting and Design Management Measures:

- **Water Quality Assessment** — Consider impacts to water quality in siting and designing new and expanding marinas.
- **Marina Flushing** — Site and design marinas to provide for maximum flushing and circulation of surface waters, which can reduce the potential for water stagnation, maintain biological productivity, and reduce the potential for toxic accumulation in bottom sediment.
- **Habitat Assessment** — Site and design marinas to protect against adverse impacts on fish and shellfish, aquatic vegetation, and important local-, State-, or federal-designated habitat areas.
- **Shoreline Stabilization** — Stabilize shorelines where shoreline erosion is a pollution problem.
- **Storm Water Runoff** — Implement runoff control strategies to remove at least 80% of suspended solids from storm water runoff coming from boat maintenance areas (some boat yards may conform to this provision through NPDES permits).
- **Fueling Station Design** — Locate and design fueling stations to contain accidental spills; provide containment equipment and spill contingency plans to ensure quick spill response.
- **Sewage Facilities** — Install pumpout, pump station, and restroom facilities at new and expanding marinas where needed to prevent sewage discharges directly to State waters.
- **Waste Management Facilities** — Install facilities at new and expanding marinas where needed for the proper recycling or disposal of solid wastes (e.g., oil filters, lead acid batteries, used absorbent pads, spent zinc anodes, and fish waste as applicable) and liquid materials (e.g., fuel, oil, solvents, antifreeze, and paints).

Operation and Maintenance Management Measures:

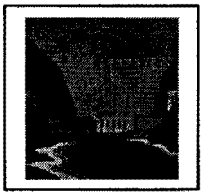
- **Solid Waste Control** — Properly dispose of solid wastes produced by the operation, cleaning, maintenance, and repair of boats to limit entry of these wastes to surface waters.
- **Fish Waste Control** — Promote sound fish waste management, where fish waste is a NPS problem, through a combination of fish cleaning restrictions, education, and proper disposal.
- **Liquid Material Control** — Provide and maintain the appropriate storage, transfer, containment, and disposal facilities for liquid materials commonly used in boat maintenance, and encourage recycling of these materials.
- **Petroleum Control** — Reduce the amount of fuel and oil that leaks from fuel tanks and tank air vents during the refueling and operation of boats.
- **Boat Cleaning and Maintenance** — Minimize the use of potentially harmful hull cleaners and bottom paints, and prohibit discharges of these substances to State waters.
- **Maintenance of Sewage Facilities** — Maintain pumpout facilities in operational condition and encourage their use so as to prevent and control untreated sewage discharges to surface waters.
- **Boat Operation** — Prevent turbidity and physical destruction of shallow-water habitat resulting from boat wakes and propwash.

Education and Outreach Management Measures:

- **Public Education** — Institute public education, outreach, and training programs to prevent and control improper disposal of pollutants into State waters.

CAMMPR FACT SHEET No. 5

Hydromodification Management Measures



The SWRCB, CCC, and other State agencies have identified seven management measures (MMs) to address hydromodification sources of nonpoint pollution affecting State waters. Hydromodification includes modification of stream and river channels, dams and water impoundments, and streambank/shoreline erosion.

California's hydromodification management measures:

5.1 Channelization/Channel Modification
- **A. Physical & Chemical Characteristics of Surface Waters**
- **B. Instream & Riparian Habitat Restoration**

5.2 Dams
- **A. Erosion & Sediment Control**
- **B. Chemical & Pollutant Control**
- **C. Protection of Surface Water Quality & Instream and Riparian Habitat**

5.3 Streambank & Shoreline Erosion
- **A. Eroding Streambanks & Shorelines**

5.4 Education/Outreach
- **A. Pollution Prevention/Education**

Channel modification activities are undertaken in rivers or streams to straighten, enlarge, deepen or relocate the channel. These activities can affect water temperature, change the natural supply of fresh water to a waterbody, and alter rates and paths of sediment erosion, transport, and deposition. Hardening the banks of waterways with shoreline protection or armor also accelerates the movement of surface water and pollutants from the upper reaches of watersheds into coastal waters. Channelization can also reduce the suitability of instream and streamside habitat for fish and wildlife by depriving wetlands and estuarine shorelines of enriching sediments, affecting the ability of natural systems to filter pollutants, and interrupting the life stages of aquatic organisms (USEPA, 1993).

Dams can adversely impact hydrology and the quality of surface waters and riparian habitat in the waterways where the dams are located. A variety of impacts can result from the siting, construction, and operation of these facilities. For example, improper siting of dams can inundate both upstream and downstream areas of a waterway. Dams reduce downstream flows, thus depriving wetlands and riparian areas of water. During dam construction, removal of vegetation and disturbance of underlying sediments can increase turbidity and cause excessive sedimentation in the waterway.

The erosion of shorelines and streambanks is a natural process that can have either beneficial or adverse impacts on riparian habitat. Excessively high sediment loads resulting from erosion can smother submerged aquatic vegetation, cover shellfish beds and tidal flats, fill in riffle pools, and contribute to increased levels of turbidity and nutrients.

Management Measures:

Channelization/Channel Modification. California's management measures for channelization and channel modification promote the evaluation of channelization and channel modification projects. Channels should be evaluated as a part of the watershed planning and design processes, including watershed changes from new development in urban areas, agricultural drainage, or forest clearing. The purpose of the evaluation is to determine whether resulting NPS changes to surface water quality or instream and riparian habitat can be expected and whether these changes will be good or bad. Existing channelization and channel modification projects can be evaluated to determine the NPS impacts and benefits associated with the projects. Modifications to existing projects, including operation and maintenance or management, can also be evaluated to determine the possibility of improving some or all of the impacts without changing the existing benefits or creating additional problems. In both new and existing channelization and channel modification projects, evaluation of benefits and/or problems will be site-specific.

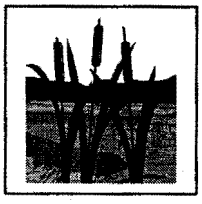
Dams. The second category of management measures address NPS pollution associated with dams. Dams are defined as constructed impoundments that are either (1) 25 feet or more in height *and* greater than 15 acre-feet in capacity, or (2) 6 feet or more in height *and* greater than 50 acre-feet in capacity. MMs 5.2A and 5.2B address two problems associated with dam construction: (1) increases in sediment delivery downstream resulting from construction and operation activities and (2) spillage of chemicals and other pollutants to the waterway during construction and operation. MM 5.2C addresses the impacts of reservoir releases on the quality of surface waters and instream and riparian habitat in downstream.

Streambank and Shoreline Erosion. The third category of hydromodification measures addresses the stabilization of eroding streambanks and shorelines in areas where streambank and shoreline erosion creates a polluted runoff problem. Bioengineering methods such as marsh creation and vegetative bank stabilization are preferred. Streambank and shoreline features that have the potential to reduce polluted runoff shall be protected from impacts, including erosion and sedimentation resulting from uses of uplands or adjacent surface waters. This MM does not imply that all shoreline and streambank erosion must be controlled; the measure applies to eroding shorelines and streambanks that constitute an NPS problem in surface waters.

Education/Outreach. MMs 5.4A and 5.4B focus on the development and implementation of pollution prevention and education programs for agency staffs and the public, as well as the promotion of assistance tools that emphasize restoration and low-impact development. Education, technical assistance, incentives, and other means can be used to promote projects that reduce NPS pollutants, which retain or re-establish natural hydrologic functions (e.g., channel restoration projects and low-impact development projects), and/or which prevent and restore adverse effects of hydromodification activities.

CAMMPR FACT SHEET No. 6

Wetlands and Riparian Areas Management Measures



The SWRCB, CCC, and other State agencies have identified four management measures (MMs) to promote the protection and restoration of wetlands and riparian areas and the use of vegetated treatment systems as means to control nonpoint sources of pollution. Wetlands and riparian areas reduce polluted runoff by filtering out runoff-related contaminants such as sediment, nitrogen and phosphorus; thus maintaining the water quality benefits of these areas is important. These areas also help to attenuate flows from higher-than-average storm events. This protects downstream areas from adverse impacts such as channel scour, erosion and temperature and chemical fluctuations. Changes in hydrology, substrate, geochemistry, or species composition can impair the ability of wetland or riparian areas to filter out excess sediment and nutrients, and so can result in deteriorated water quality. The following activities can cause such impairment: drainage of wetlands for cropland, overgrazing, hydromodification, highway construction, deposition of dredged material, and excavation for ports and marinas.

California's management measures for wetlands and riparian areas and vegetated treatment systems:

6A. Protection of Wetlands & Riparian Areas

6B. Restoration of Wetlands & Riparian Areas

6C. Vegetated Treatment Systems

6D. Education/Outreach

Management Measures:

- **Wetlands/Riparian Areas Protection**. Implementation of MM 6A is intended to protect the existing water quality improvement functions of wetlands and riparian areas as a component of NPS programs.

- **Wetlands/Riparian Areas Restoration.** Wetlands and riparian area restoration (MM 6B) refers to the recovery of a range of previously-existing functions by reestablishing hydrology, vegetation, and structure characteristics. Damaged or destroyed wetland and riparian areas should be restored where restoration of such systems will significantly abate polluted runoff.

- **Vegetated Treatment Systems.** MM 6C promotes the installation of vegetated treatment systems (e.g., artificial or constructed wetlands) in areas where these systems will serve a polluted runoff-abatement function. Vegetated filter strips and engineered wetlands remove sediment and other pollutants from runoff and wastewater, and prevent pollutants from entering adjacent waterbodies. Removal typically occurs through filtration, deposition, infiltration, absorption, adsorption, decomposition and volatilization.

- **Education/Outreach.** MM 6D promotes the establishment of programs to develop and disseminate scientific information on wetlands and riparian areas and to develop greater public and agency staff understanding of natural hydrologic systems—including their functions and values, how they are lost, and the choices associated with their protection and restoration.