

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200



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July 20, 2000

TO: Coastal Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Jaime C. Kooser, Deputy Director
Jack H. Gregg, Water Quality Unit Supervisor
Water Quality Unit Staff

SUBJECT: Annual update on staff's activities to enhance the State coastal program's management of polluted runoff (nonpoint source pollution).

SUMMARY

This report provides an annual update to Commissioners on activities undertaken by Commission staff to enhance the coastal program's management of polluted runoff.^{1,2} The staff last updated Commissioners in June 1999.

PROCEDURAL NOTE: This is an informational item only; no formal action is needed.

I. STATUS REPORT: JULY 1999 through JUNE 2000

This annual status report describes activities conducted by staff pursuant to the Commission's Plan for *Controlling Polluted Runoff*, the update of which was approved by the Commission in January 2000 along with the *Plan for California's Nonpoint Source Pollution Control Program*.

A. Creating A Water Quality Unit

Since July 1999, the Water Quality Unit has grown from two staff to a present size of five staff and one supervisor. The primary tasks of the unit in the past year are outlined below. In addition to taking the necessary steps to complete the tasks outlined in the CPR plan, the unit recognized the need for an initial set of goals to guide the Water Quality Unit's efforts. Therefore, in March

¹ Objective 1.1 of the Commission's Strategic Plan (June 1997) is to "reduce polluted runoff." Polluted runoff, also known as nonpoint source (NPS) pollution, is a significant cause of harmful impacts to coastal waters and habitats, and thus impedes full achievement of the Commission's goals.

² Information on the Coastal Commission's Coastal Nonpoint Pollution Control Program—including this update, previous reports to Commissioners, the January 2000 *Plan for California's Nonpoint Source Pollution Control Program* and *Coastal CPR Plan*, and Internet links to related information—is available on the Commission's Home Page @ <http://www.coastal.ca.gov/>

2000, the Water Quality Unit met and developed both a Mission Statement and list of initial goals.

Mission Statement:

To preserve, protect, and restore the ecological health and integrity of California's coastal environment by encouraging the use of water quality as a planning principle in Coastal Commission actions.

Initial Goals:

- **Promote intra-agency consistency in Coastal Commission actions regarding water quality**
- **Promote interagency coordination in addressing NPS pollution**
- **Provide leadership in implementing CA's NPS program**
- **Promote the watershed approach in addressing NPS pollution**
- **Promote public education and outreach efforts**
- **Provide intra- and inter-agency technical assistance**
- **Create a repository of water quality information for CCC staff**

STAFF INTRODUCTION

Funding for the Water Quality Unit consists of one State general fund position, two EPA 319h grant positions, two NOAA 309 / 6217 positions and one position funded by special legislation for dealing with contaminated sediments in the Los Angeles and Long Beach areas.

Under the direction of Jaime Kooser, Deputy Director, the Water Quality Unit consists of:

Jack Gregg	Water Quality Unit Supervisor
Carrie Bluth	Southern California Water Quality support
Ross Clark	Central California Water Quality support
Maile Gee	Contaminated Sediments Task Force Coordinator
Derek Lee	North Coast Water Quality Support and State Water Resources Control Board coordination
Al Wanger	State Water Resources Control Board coordination

B. Completion and adoption of the State NPS Pollution Control Program pursuant to the Clean Water Act (CWA) and Coastal Zone Act Reauthorization Amendments (CZARA) of 1990

In January 2000, the staff of the Commission's Coastal Nonpoint Pollution Control Program, the State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCBs) completed the final version of the *Plan for California's Nonpoint Source Pollution Control Program* for the protection of water quality and to comply with CWA and CZARA requirements. Under CZARA, coastal states must enhance cooperation between their land use and water management agencies, identify management measures to prevent and control polluted runoff, and ensure that enforceable mechanisms exist where self-determined ("voluntary") efforts are insufficient to restore and protect State waters.

In July 1998, NOAA and EPA published in the *Federal Register* their Final Conditional Approval of California's submittal, making full approval contingent upon further improvements to protect water quality and comply with federal requirements. The CCC Water Quality Unit and the State Board staff completed the revised plan to fulfill the Final Conditions for Approval and meet concerns and comments from the public and other State Agencies. The final draft of the State Plan was presented and approved by the Commission on January 11, 2000.

On July 17, 2000, NOAA and EPA fully approved the *Plan for California's Nonpoint Source Pollution Control Program* (Program Plan), submitted in accordance with §6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) and §319 of the Clean Water Act (CWA §319). California is only the third state in the country to gain full approval under CZARA, and is the first to receive joint approval under CZARA and the CWA for a statewide NPS Program that addresses both statutes.

The Program Plan is a significant commitment by the State to expand its efforts over the next 13 years to reduce and prevent nonpoint source pollution. The Plan includes three key components:

1. *California's Management Measures for Polluted Runoff* (CAMMPR) which identifies management measures appropriate for implementation in California and State authorities to implement the measures.
2. A 15-Year Program Strategy, which is the overall, general strategy to implement the management measures Statewide over a 15-year period.
3. The first of three 5-Year Implementation Plans, which are more specific plans, with objectives and milestones, that outline the State's specific strategies and targets for implementing management measures over a five-year period.

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.

C. Update of the Commission's January 2000 Plan for Controlling Polluted Runoff (Coastal CPR Plan)

As directed by the Commission, staff has revised the Commission's January 2000 *Plan for Controlling Polluted Runoff (Coastal CPR Plan)*. Staff has included guidance regarding performance standards for designing and sizing best management practices. The precise language added to the CPR Plan is:

At the January 2000 public hearing, the Commissioners directed the Coastal Commission staff, where appropriate, to apply numeric sizing criteria in the design and construction of post-construction treatment control best management practices (BMPs). Specifically, the guidance on numeric criteria would require consideration of treatment control BMPs for a project be designed to treat, infiltrate, or filter storm water runoff from each runoff event up to and including the 85th percentile 24-hour runoff event. Currently, within the coastal zone, only projects in Los Angeles County and cities within the county, and the City of Long Beach are subject to a similar requirement.³ Due to the variations in watershed geology and precipitation patterns, sizing criteria throughout the State need to take into account regional and/or local considerations. At this time, therefore, consideration of the "85th percentile, 24-hour" rule should be reserved only for areas already determined to be appropriate by the Regional Water Boards.

As currently drafted, many of the actions identified in the *Coastal CPR Plan* are included in the State NPS Pollution Control Program *15-Year Program Strategy* and first *5-Year Implementation Plan*. The actions are expected to 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 (Table 1).

D. Addressing Polluted Runoff Issues Through Planning And Permitting Processes And Through Funding Of Special Projects

The Commission's Water Quality Unit, district office staff (including designated water quality coordinators) and federal consistency staff are continuing to work together to review proposed development projects for potential runoff impacts and address water quality-related concerns in permits, planning issues, and federal consistency projects brought before the Commission. The staff also continues to seek potential funding sources and to develop appropriate grant proposals to support and expand the Commission's activities related to the prevention and control of polluted runoff.

³ The Executive Officer of the California Regional Water Quality Control Board – Los Angeles Region approved on March 8, 2000, per Board Resolution No. R-00-02, the Standard Urban Storm Water Mitigation Plans with requirements for Los Angeles County and cities in Los Angeles County, and the City of Long Beach, to incorporate numeric sizing criteria for post-construction treatment control BMPs in certain development categories. The San Diego Regional Water Quality Control Board is considering the adoption of similar BMP sizing criteria to be applied to eight categories of new and re-development in San Diego County and Cities.

Support to District Staff: Water Quality staff have worked with individual permit analysts to increase protection of water quality through permit review and technical assistance. In particular, the Water Quality Unit has provided review and comments on more than:

30 Coastal Development Permits

15 LCP amendments

3 Federal Consistency Reviews

Among those projects are the SR-56 Caltrans project, the Bolsa Chica LCP, the Irvine Company - Newport Coast Appeal, the Watsonville High School LCPA, the San Diego Homeporting project, and the Avila Beach Town Plan.

Procedural Guidance Manual update: The State 5-year Plan and the Commission CPR Plan both identify the importance of updating the Coastal Commission's Procedural Guidance Manual. The Procedural Guidance Manual provides valuable information on water quality issues pertaining to coastal planning and permitting, and is used by both Coastal Commission and local planning staff as guidance for Coastal Development Permit analysis. The update of the PGM is in draft form and is being reviewed by Water Quality Unit staff and the regional office water quality contact staff.

The PGM update includes several principle objectives:

1. Include the 61 Management Measures identified in the State Plan
2. Provide additional information on types of water quality impacts associated with development
3. Provide additional information on types of Best Management Practices to be used to limit water quality impacts from development
4. Utilize the CCC intranet system for easier distribution of the latest information and to facilitate updates of the PGM.

Local Assistance Grants: In March 2000, the Commission approved \$500,000 in local assistance grants to fund Local Coastal Program (LCP) work programs for eight cities and counties. The local governments receiving grants are: San Luis Obispo County (A&B), Pismo Beach, Carpinteria, City of San Diego, City of Santa Cruz, Santa Barbara County, Imperial Beach, Fort Bragg and Mendocino County.

In order to ensure that LCPs contain land use development mitigation measures that prevent and control polluted runoff, each of the grant awards was conditioned to require the inclusion of a polluted-runoff LCP component. To minimize the requirements to local government to address this condition, staff is currently finalizing a framework for polluted-runoff control for inclusion in LCPs. During the upcoming fiscal year, Commission staff intends to complete the framework that will provide policies and implementing ordinances that effectively control NPS pollution.

Model Urban Runoff Program: On June 22, the Commission, in partnership with the City of Watsonville and the Monterey Bay National Marine Sanctuary (NMS), held the first of three Model Urban Runoff Program (MURP) workshops.⁴ This workshop offered small cities a forum for developing their Stormwater Pollution Program. Topics included:

- Cost-effective implementation of urban runoff control programs that build on the experiences of other cities
- Updated materials in the MURP Workbook from Watsonville's experience implementing MURP
- Public education and involvement programs that have already been developed and can be easily adopted

The workshop included presentations and a question and answer session with the State Water Resources Control Board and Regional Water Quality Control Board staff. Cities and counties required under the EPA Phase II Stormwater regulation to develop a stormwater program had the opportunity to raise questions and concerns directly to the regulatory agencies. This process was of value to both the agencies and the municipalities, and overall the workshop was a major success.

A second and third workshop are scheduled for this fall and will include a workbook and materials addressing other portions of the Phase II requirements (e.g., illicit discharge detection, post construction runoff controls, and pollution prevention through good housekeeping).

⁴ MURP is a how-to-guide for local governments to develop, finance, and implement a comprehensive program to address polluted runoff in urban areas. The MURP Guidance document is intended to be an understandable "cookbook" to help small municipalities achieve clean water goals and prepare for regulatory requirements associated with the CWA and CZARA. MURP was developed in 1998 by the Cities of Monterey and Santa Cruz, Coastal Commission, Monterey Bay NMS, Association of Monterey Bay Area Governments, Woodward-Clyde Consultants, and Central Coast Regional Water Quality Control Board.

Monterey Bay National Marine Sanctuary: The partnership between the Sanctuary and the Commission has provided numerous opportunities for implementing the State Plan and the Commission's CPR plan. The Commission is a participating member of the Sanctuary Water Quality Protection Program and has worked on numerous joint activities including MURP, Citizen Monitoring and implementing the four Sanctuary Actions Plans. These programs provide on-the-ground water quality protection and avenues for public involvement. During the next few years, the WATER QUALITY Unit will seek additional partnerships with other Sanctuaries and Reserves.

Public Involvement: The Water Quality Unit is continuing to identify avenues for Public Involvement in the protection of coastal water quality. The Commission staff worked closely with several Non-Profit Organizations to incorporate their comments and concerns with the final draft of the State Plan. Many of those Non-Profit Organizations provided comment at the January CCC meeting. Most of their concerns were addressed in the final version of the State Plan.

Additional staff outreach efforts during the past year include:

- Convened the Interagency Coordinating Committee's initial meeting of 22 state agencies responsible for implementing the plan.
- Set up the structure for improving the water quality of Critical Coastal Areas.
- Helped identify funding opportunities for a regional coordinator to assist local groups with watershed and coastal monitoring programs.
- Participated in 11 Technical Advisory Committees to improve water quality throughout the state.
- Worked to further implement water quality protection in the Monterey Bay National Marine Sanctuary.
- Numerous meetings and consultations with Regional Board staff

E. Public Education and Involvement

The Commission's public education program is working on several strategies to involve the public in efforts to reduce NPS pollution. Accomplishments during the past year include;

- Snapshot Day 2000: The Commission participated in the first California Citizen Monitoring Snapshot Day (Earth Day 2000) where 300 people took water quality samples at 180 sites on Central Coast creeks and rivers. **This was the first time Californians have assessed the water quality of this many waterbodies on a single day.** Staff is working with the other participating groups to ensure that Snapshot Day becomes a yearly event. The Water Quality Unit is also reviewing the potential for coordinating such an event on other portions of the California Coast.
- Whale Tail License Plate Grants: The Commission's Whale Tail License Plate funded grants to nine organizations for marine and coastal education projects. Many of the grants were awarded to programs that address polluted runoff issues.

The Whale Tail grants will be brought before the Commission again in September. Among the proposed grants is one to support the formation of a new employment

position, the Monterey Bay National Marine Sanctuary (MBNMS) Citizen Water Quality Monitoring Coordinator. The MBNMS Water Quality Protection Program has suggested that this position is necessary for Citizen Water Quality Monitoring to achieve its full potential. The MBNMS and the Regional Water Quality Control Board will match the grant funds.

- **Boating Clean and Green Campaign:** Another Commission strategy is the *Boating Clean and Green (BC&G) Campaign*, which is a statewide boater education project conducted by Commission staff with funding from the California Integrated Waste Management Board (CIWMB).

The Commission has just received grant funding from the Integrated Waste Management Board to continue the Boating Clean and Green Campaign through Phase II of implementation. The Water Quality Unit is assisting the Public Education Unit in securing EPA Section 319h grant funds for Phase III of the Campaign. At the July Coastal Commission meeting, the Commission agreed to have Commissioner Sara Wan to write a letter to the State Water Resources Control Board in support of the Clean and Green Campaign 319h grant application. That letter has been sent and the State Board will hear staff ranking of applications in October.

In response to the success of this program in establishing a model outreach campaign, many agencies and organizations have requested additional outreach materials and continued support from the BC&G Campaign.

F. Contaminated Sediments Program

Pursuant to Senate Bill 673 (Karnette, 1997), the Los Angeles Basin Contaminated Sediments Task Force (Task Force) was established in 1997 and the California Coastal Commission and the Los Angeles Regional Water Quality Control Board are currently funded to work on Task Force issues through June of 2002. Through involvement with the Task Force, the CCC is taking a lead role, in coordination with the Los Angeles RWQCB and other agencies, in creating a long-term contaminated sediments management plan for the dredging and disposal of contaminated sediments from the coastal waters adjacent to Los Angeles County. Determining protective and cost-effective disposal alternatives, beneficial re-use, and source reduction and controls are critical issues for managing contaminated sediments.

Over the past two and one-half years, the Task Force has made considerable progress toward developing a long-term management plan. The Task Force formed four subcommittees to work on particular elements of the management plan, including the Upland Disposal and Beneficial Re-Use Subcommittee, the Aquatic Disposal and Dredge Operations Subcommittee, the Watershed Management and Source Reduction Subcommittee and the Implementation Subcommittee. The strategies developed by the Task Force for watershed management and source reduction are expected to be integrated as an important component of the Commission's *Coastal CPR Plan*.

The following list briefly highlights the major accomplishments of the multi-agency Contaminated Sediments Task Force over the past year:

- Coordination of the First Multi-User Contaminated Sediment Disposal Site
- October 1999 Streamlining Report - Recommendations to Improve Permitting Process
- November 1999 Strategy Adoption Process Report – Outline to Implement Long-Term Management Strategy
- Identification of Data Gaps by Subcommittees
- Funding for Management Plan Studies, including 2.03 million dollars in fiscal year 2000-2001 to carry out technical studies that have been recommended by the task force.
- Second Annual Public Workshop – November 1999
- Finalization of Multi-Agency Memorandum of Understanding
- Improved Internet Communication (<http://www.coastal.ca.gov/sediment/sdindex.html>)

In conclusion, the Water Quality Unit has made significant progress in many areas in the last year, and we are excited about our efforts for the coming year.

