

CALIFORNIA COASTAL COMMISSION

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November 18, 2004

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To: California Coastal Commissioners

From: Peter M. Douglas, Executive Director
Al Wanger, Deputy Director, Energy, Ocean Resources and Water Quality

Subject: Agreement with the State Water Resources Control Board (SWRCB) for Commission to continue the implementation of the *Plan for California's Nonpoint Source Pollution Control Program (California NPS Plan)*.

1.0 STAFF RECOMMENDATION

The staff recommends that the Commission authorize the Executive Director to enter into an agreement with the SWRCB, and to make any amendments thereto, under which the Commission would receive \$400,000 over a 12-month period to continue and enhance the Commission's role in the implementation of the California NPS Plan. Specific staff responsibilities are described under "Scope of Work" below. Staff work pursuant to this agreement is consistent with the Commission's overall strategy for enhancing the coastal program's management of polluted runoff in the coastal zone.

2.0 MOTION AND RESOLUTION

Commission approval of the Agreement requires the following motion:

I hereby move that the Commission authorize the Executive Director to enter into an agreement with the State Water Resources Control Board, and to make any amendments thereto, for receiving \$400,000 to undertake activities as recommended by staff related to the implementation of the *Plan for California's Nonpoint Source Pollution Control Program*.

The staff recommends a "yes" vote on the foregoing motion.

3.0 SCOPE OF WORK

The SWRCB and CCC adopted, in December 1999, and January 2000, respectively, the California NPS Plan, which also received full approval from the National Oceanic and Atmospheric Administration and the U.S. Environmental Protection Agency on July 17, 2000. The California NPS Plan is a joint effort between the SWRCB and CCC to address nonpoint source (NPS) pollution using education and outreach, financial and technical assistance, and regulatory authorities when necessary. The interagency collaboration is a response to the 1990 Coastal Zone Act Reauthorization Amendments' (CZARA) mandate to establish a link between land use activities and coastal water quality, and the key elements identified in the 1996 Clean Water Act §319 program guidance. 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. The California NPS Plan includes the following key components:

1. Adoption of 61 NPS management measures (MMs) and a commitment to their full implementation statewide by 2013;
2. A Fifteen-Year Program Strategy that contains a phased watershed-based approach targeting those pollution problems that are most critical and amenable to prevention and remediation;
3. The first two of three Five-Year Implementation Plans describing activities for which various agencies and entities are responsible under each MM until June 30, 2008, and a schedule for the development of the final five-year plan; and
4. A framework for establishing interagency committees to assist in the implementation of the California NPS Plan.

Under the proposed **standard agreement** with the SWRCB, the Coastal Commission would receive \$400,000 over a 12-month period for Commission staff to participate in the implementation of the California NPS Plan. **Specific tasks include:**

- **Alternate with staff of the SWRCB NPS Section** to convene meetings of the 28 state agencies (the **Interagency Coordinating Committee**) that share in the responsibility for implementing the **California NPS Plan**;
- In coordination with the SWRCB NPS staff, evaluate the progress made by the implementing agencies during the two years between July 2003 and June 2005 and develop a Biennial Report;
- Continue the development of guidance materials and workshops on the impacts of land use to water quality for local governments and communities;
- Support the implementation of Storm Water National Pollutant Discharge Elimination System Permits and their equivalent through the incorporation of consistent water quality elements into LCPs;
- Coordinate with the national Nonpoint Education for Municipal Officials (NEMO) program to develop California's nonpoint outreach program targeting land use decision makers;
- Enhance outreach efforts for the Critical Coastal Areas (CCA) Program and select a short list of priority areas for the CCA Pilot Program implementation;
- Coordinate with federal staff at California Coast and Ocean Program facilities (e.g. Monterey Bay and Channel Islands National Marine Sanctuaries, Elkhorn Slough, San Francisco Bay National Estuarine Research Reserve and the Morro Bay National Estuary Program) to protect coastal resources from water quality impacts;
- Provide a leadership role in planning and implementing the 2005 California Coast-wide Snapshot Day event;
- Maintain the connection between the California Nonpoint Source program and beach water quality issues by participating in the California Clean Beach Advisory Group and the Beach Water Quality Workgroup;

- Continue the development of in-house informational and guidance materials so that Coastal Commission planning staff enhance their understanding of water quality policy, management practices, and design principles; and
- Track the requirement of NPS management measures in coastal development permits, federal consistency reviews, LCP certifications and amendments and other activities.