

CALIFORNIA COASTAL COMMISSION

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DATE: August 26, 2014

TO: Commissioners and Interested Parties

FROM: Charles Lester, Executive Director
Susan Hansch, Chief Deputy Director
Alfred Wanger, Deputy Director

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).**

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 \$580,000 over a 22-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. The staff also recommends that the Commission delegate the future responsibility for review, approval, execution, and oversight of annual or biannual interagency agreements providing funding for the Commission's role in the implementation of the California NPS Plan between the Coastal Commission and the State Water Resources Control Board (SWRCB) to the Executive Director or his designee, as authorized.

I. MOTION AND RESOLUTION

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 \$580,000 to undertake activities as recommended by staff related to the implementation of the *Plan for California's Nonpoint Source Pollution Control Program*, and delegate authority to the Executive Director, or his designee to enter into such agreements on an annual or biannual basis.

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in authorization of the Executive Director or his designee to enter into the appropriate agreements for accepting and then disbursing the available funds and enter into such agreements on an annual or biannual basis.

II. 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 included 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 third of three Five-Year Implementation Plans describing activities for which various agencies and entities are responsible under each MM until June 30, 2013; 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 \$580,000 over a 22-month period for Commission staff to participate in the implementation of the California NPS Plan. Specific tasks include:

- Working with the SWRCB, the Regional Water Quality Control Boards, the U.S. Environmental Protection Agency and other state agencies to develop a NPS Five-Year Implementation Plan for the years 2014-2019.
- Provide support to CCC planning staff in application of NPS MMs and Best Management Practices (BMPs).
- Identify specific areas of the coast where the quality of high-value coastal waters (e.g., Critical Coastal Areas and other Marine Protected Areas [MPAs]) is threatened or adversely impacted by

Recommended Approval of Agreement with SWRCB

land-based development. Identify and implement all appropriate management measures, and where necessary identify additional management measures, to protect those coastal waters.

- Facilitate a workgroup of State agencies and other interested parties to share information and take comments on evolving MMs and BMPs to reduce the impacts of marinas and recreational boating on coastal water quality.