

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE
MAY 6, 2008**

ITEM 8

SUBJECT

CONSIDERATION OF A RESOLUTION REQUIRING SUSTAINABLE WATER RESOURCES MANAGEMENT

DISCUSSION

Sustainable water resources management is vital to California's future. The State Water Resources Control Board and Regional Water Quality Control Boards (Water Boards) administer programs that affect the sustainability of the quality and quantity of water resources in California. In 2005, the State Water Resources Control Board (State Water Board) approved [Resolution No. 2005-006](#) adopting sustainability as a core value for the Water Boards' programs and policies. Since 2005, the Water Boards have initiated sustainable water resource management by beginning to incorporate low impact development (LID) practices and climate change strategies into policies and programs. However, more work is needed to develop a progressive regulatory system that requires sustainable water management strategies.

LID is a sustainable practice that benefits water supply and contributes to water quality protection. Unlike traditional stormwater management which collects and conveys runoff through a system of pipes and conveyances to surface waters, LID uses green infrastructure to detain, filter, and percolate water onsite. This innovative approach can help meet water quality and water supply objectives and maintain healthy, sustainable watersheds.

The Water Boards recognize the importance of continuing to apply LID principles in regulatory and financial assistance programs. These efforts will likely lead to broader implementation of LID Best Management Practices (BMP) that are effective at controlling high runoff rates and pollutant discharges.¹ The LID approach can be applied in a variety of settings including large rural areas; low, medium, and high-density development within urban areas; redevelopment of highly urbanized areas; and commercial and industrial development.²

Regional Water Quality Control Boards (Regional Water Boards) have already begun to integrate LID and other sustainable water management strategies into compliance documents. Examples of Regional Water Board efforts include working with stormwater permittees to implement aggressive infiltration BMPs and requiring municipalities to consider LID for new developments and redevelopment projects in municipal separate storm sewer system permits. However, LID is only one element of the sustainability equation. It is critical that flexibility be allowed as the Regional Water Boards work to implement sustainable water management strategies such as LID. For example, certain LID concepts such as use of porous pavements and irrigated landscaping may not be suitable for arid and semi-arid regions, due to limited rainfall and high evapotranspiration rates.

¹ *A Review of Low Impact Development Policies: Removing Institutional Barriers to Adoption*, LID Center, December 2007.

² *Low Impact Development Manual – Technical Guidance for Puget Sound*, Puget Sound Action Team, January 2005.

Regional Water Board staff is aware of ongoing studies intended to develop metrics for semi-arid areas and as studies are completed, climate appropriate metrics will be phased in to the permitting process. Flexibility is also needed in regions where infiltration is limited by poorly drained clay soil. In these cases, a modification may be needed to the design and implementation of the LID technique or other sustainable water management techniques can be used, such as xeriscaping. Certain sites, such as brownfields, may not be suitable for application of low impact development techniques. Flexibility will allow each Regional Water Board to include the appropriate sustainable water management strategy for a particular project, considering variations in climate, soil and other environmental factors.

An important component of implementing sustainable water management strategies is promoting and encouraging their use. The State Water Board has already begun to incorporate sustainability criteria into funding program guidelines. On April 1, 2008, the State Water Board adopted Guidelines for the Proposition 84 Areas of Special Biological Significance (ASBS) Grant Program. The ASBS Guidelines include bonus points for projects which include low impact development or redevelopment techniques, implement Ahwahnee Principles for Resource Efficient Land Use³, and capture and treat stormwater for reuse. Providing financial incentive to grant funded projects to use these sustainable management strategies helps increase implementation and provides examples of innovation for other projects to follow.

The Water Boards have provided training and guidance to help ensure successful implementation of LID practices. The Water Board Academy provided a series of LID training workshops throughout the state for Water Board staff and local governments. The training workshops allowed participants to learn about the variety of LID techniques available and network with other Regional Water Boards and stakeholders to share successes and lessons learned implementing LID. To further promote technology transfer, the State Water Board's Division of Financial Assistance website showcases funded LID projects.⁴

In addition to regulatory, financial assistance and training efforts, the Water Boards continue to coordinate with partners from other government agencies, non-profit organizations, and private industry and business to further enhance and encourage implementation of sustainable activities. For example, the Central Coast Regional Water Quality Control Board has developed an LID Center. The Center provides expert assistance for local planning and permitting agencies to design and build LID projects.

The State Water Board recognizes that another important component of implementing sustainable water resources management is the relationship between energy, water supply, water quality and natural resource protection. The State Water Board is committed to identifying policies and program areas to integrate climate change strategies and comply with the goals stated in Assembly Bill 32 (Chapter 488, Statutes of 2006). On August 23, 2007, the Water Boards and Department of Water Resources jointly hosted a public workshop on climate change. Water Boards' staff is also working with Air Resources Board staff and other agencies to develop greenhouse gas reduction strategies as part of the California Climate Action Team.

³ <http://water.lgc.org/ahwahnee-water-principles-1>.

⁴ http://www.waterboards.ca.gov/water_issues/programs/grants_loans/low_impact_development/index.shtml

California continues to live beyond its means in water and energy resources. The threats of urban sprawl, climate change, water overdraft, and emerging pollutants require the Water Boards to stretch the scope of traditional water quality control efforts. Sustainable water management means using innovative technology to protect, enhance, and increase the sustainability of watersheds. The Water Boards have initiated sustainable water resource management by beginning to incorporate LID practices and climate change strategies into policies and programs. However, more work is needed to develop a progressive regulatory system that requires sustainable water management.

POLICY ISSUE

Should the State Water Board:

1. Continue to commit to sustainability as a core value for all Water Boards' activities and programs?
2. Direct Regional Water Boards to aggressively promote LID Best Management Practices where appropriate and work with Dischargers to ensure proposed compliance documents include appropriate, sustainable water management strategies?
3. Direct State Water Board staff to assign a higher grant priority to LID projects, particularly those that are supported by local LID policies or ordinances?
4. Support training for Water Board staff and stakeholders to ensure successful implementation of LID practices?
5. Direct Water Boards' staff to coordinate with partners from other government agencies, non-profit organizations, and private industry and business to further enhance and encourage sustainable activities within the administration of Water Board programs and activities?
6. Direct State Water Board staff to identify policies and program areas to integrate climate change strategies and comply with the goals stated in Assembly Bill 32?
7. Direct Water Boards' staff to require sustainable water resources management such as LID and climate change considerations, in all future policies, guidelines, and regulatory actions?

FISCAL IMPACT

Modifying future policies, guidelines, and regulatory actions may require a minor workload increase. Existing staff resources will be redirected, as necessary, to implement this new requirement.

REGIONAL WATER BOARD IMPACT

Yes, all Regional Water Boards. Adopting the resolution may also require the Regional Water Boards to modify future policies, guidelines, and regulatory actions and may result in a minor workload increase.

STAFF RECOMMENDATION

The State Water Board should:

1. Continue to commit to sustainability as a core value for all Water Boards' activities and programs;
2. Direct Regional Water Boards to aggressively promote LID Best Management Practices where appropriate and work with Dischargers to ensure proposed compliance documents include appropriate, sustainable water management strategies;
3. Direct State Water Board staff to assign a higher grant priority to LID projects, particularly those that are supported by local LID policies or ordinances;
4. Support training for Water Board staff and stakeholders to ensure successful implementation of LID practices;
5. Direct Water Boards' staff to coordinate with partners from other government agencies, non-profit organizations, and private industry and business to further enhance and encourage sustainable activities within the administration of Water Board programs and activities;
6. Direct State Water Board staff to identify policies and program areas to integrate climate change strategies and comply with the goals stated in Assembly Bill 32; and
7. Direct Water Boards' staff to require sustainable water resources management such as LID and climate change considerations, in all future policies, guidelines, and regulatory actions.

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2008-

REQUIRING SUSTAINABLE WATER RESOURCES MANAGEMENT

WHEREAS:

1. Sustainable water resources management is vital to California's future;
2. California continues to live beyond its means in water and energy resources. The threats of urban sprawl, climate change, water overdraft, and emerging pollutants require the State Water Resources Control Board and Regional Water Quality Control Boards (Water Boards) to stretch the scope of traditional water quality control efforts;
3. Low Impact Development (LID) includes stormwater management techniques to maintain or restore the natural hydrologic functions of a site by detaining water onsite, filtering out pollutants, and facilitating the infiltration of water into the ground. This innovative approach helps meet water quality and water supply objectives and maintain healthy, sustainable watersheds;
4. Regional Water Quality Control Boards (Regional Water Boards) have already begun to integrate LID and other sustainable water management strategies into compliance documents;
5. The Water Boards recognize the importance of continuing to apply LID principles in regulatory and financial assistance programs to benefit water supply and contribute to water quality protection;
6. Training for Water Board staff and stakeholders is important to ensure successful implementation of LID practices;
7. The State Water Resources Control Board (State Water Board) recognizes the relationship between energy, water supply, water quality and resource protection, and has already begun to integrate climate change strategies into its policies and program areas; and
8. Continued coordination with partners from other government agencies, non-profit organizations, and private industry and business will enhance and encourage sustainable activities within the administration of Water Board programs and activities.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Continues to commit to sustainability as a core value for all Water Boards' activities and programs;
2. Directs Regional Water Boards to aggressively promote LID Best Management Practices where appropriate and work with Dischargers to ensure proposed compliance documents include appropriate, sustainable water management strategies;

D R A F T

3. Directs State Water Board staff to assign a higher grant priority to LID projects, particularly those that are supported by local LID policies or ordinances;
4. Supports training for Water Board staff and stakeholders to ensure successful implementation of LID practices;
5. Directs Water Boards' staff to coordinate with partners from other government agencies, non-profit organizations, and private industry and business to further enhance and encourage sustainable activities within the administration of Water Board programs and activities;
6. Directs State Water Board staff to identify policies and program areas to integrate climate change strategies and comply with the goals stated in Assembly Bill 32; and
7. Directs Water Boards' staff to require sustainable water resources management such as LID and climate change considerations, in all future policies, guidelines, and regulatory actions.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on May 6, 2008.

Jeanine Townsend
Clerk to the Board