

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE
AUGUST 4, 2009**

ITEM 5

SUBJECT

CONSIDERATION OF A RESOLUTION TO ALLOCATE \$600,000 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO THE CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD (CENTRAL COAST WATER BOARD) IN SUPPORT OF WORK ON SPECIFIC HYDROMODIFICATION METHODOLOGY TASKS THAT WILL BENEFIT THE REGIONAL BOARD AND THE STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD) AND MUNICIPALITIES

DISCUSSION

The Central Coast Water Board requests one-time funding of \$600,000 to support the development of a hydromodification control criteria methodology for 30-60 municipalities in the Central Coast Region.

The Central Coast Water Board and the Low Impact Development Center (CCLID Center) of Maryland established a Central Coast Low Impact Development Center in San Luis Obispo in 2008. The CCLID Center has since been providing high level technical expertise to the Regional Board, the State Water Board, municipalities, environmental groups, and consultants. The CCLID Center is providing a wide range of technical services, and is currently focused on assisting municipalities in complying with hydromodification control requirements.

Hydromodification control is a critical step in achieving healthy watersheds, and protecting water quality and beneficial uses over the long term. The attached proposal ([Attachment 1](#)) summarizes current hydromodification efforts and funding sources. Attachment 1 also discusses future low impact development projects that will assist municipalities in developing hydromodification controls. Attachment 1 provides answers to questions from the State Water Board about the existing work of the CCLID Center, its funding, and why CAA funds are appropriate for this next phase of work. If the State Water Board approves this funding request, the work would be completed by CCLID or other contractors. Contracting documents would focus on specific tasks to be completed by CCLID or other contractors.

The overall effort to develop a hydromodification control criteria methodology, and to implement the resulting criteria throughout the Central Coast, is a multi-year, multi-phase effort that will cost several million dollars. This proposal requests \$600,000 from the CAA to help fund the second phase of this multi-phase effort. The Project phases are as follows:

1. Form a Technical Advisory Committee of leading experts to do the initial groundwork for a statewide hydromodification control methodology. This effort is intended to provide input to the Phase II Stormwater Permit renewal process and also to lay the groundwork to integrate hydromodification control into multiple water quality regulations (e.g., TMDLs, NPDES permits). This phase is part of the State Water Board's statewide effort, and is the subject of a separate CAA request for \$120,000.

2. Develop the hydromodification control criteria methodology and apply it across the Central Coast Region including 30-60 municipalities. This phase intentionally overlaps with State Water Board staff's work to develop a statewide hydromodification control methodology, criteria, policy, and permit requirements, and will provide consistency among the Water Boards. This highly complex, scientific phase is the subject of this proposal, and is described in more detail below. The total cost of this phase is estimated to be \$1.5 to \$2 million. This proposal requests \$600,000 to help initiate this phase, and the Central Coast Water Board and the CCLID Center are also pursuing other funding sources to complete this phase.
3. Municipalities implement the resulting criteria in their jurisdictions. This phase requires municipalities to change their codes and regulations, create technical guidance and requirements, and create design standards and specifications. The Central Coast Water Board and the CCLID Center are pursuing other funding sources to assist municipalities with this phase. This phase is not discussed in this proposal.

All three phases above are part of the Central Coast Water Board's larger effort to protect healthy watersheds.

If the State Water Board approves this funding request, the Project will develop a science based methodology that municipalities can use to determine their own specific hydromodification control criteria. Municipalities can then propose the resulting hydromodification criteria to the Central Coast Water Board to meet the requirements of their NPDES Stormwater Permit. This Project is a key step in the Central Coast Water Board's progressive, stepwise process to achieve healthy watersheds.

The attached proposal provides detail on project products. However, a key product is:

- Provide the necessary foundation for any Water Board or municipality to determine appropriate hydromodification control criteria, regardless of additional funding. That is, the results of this work will be readily useable by others to take these concepts and establish their own locally specific criteria for their developers to use in designing projects and for the municipalities to use in approving projects.

The requested allocation is consistent with the purposes of Water Code §13442. Section 13442 provides that the State Water Board may order moneys to be paid from the CAA to a public agency with authority to cleanup or abate the effects of a waste "to assist it in cleaning up the waste or abating its effects on the waters of the state."

POLICY ISSUE

Should the State Water Board:

1. Approve one-time funding of \$600,000 from the CAA to the Central Coast Water Board to develop hydromodification control criteria for specific task work to be conducted from August 2009 through December 2010?
2. Require that the Central Coast Water Board prepare and submit a report no less than annually on its progress in finding a long-term, more stable funding source, as the CAA should not be viewed as a long-term funding source?

FISCAL IMPACT

As of June 16, 2009, the uncommitted CAA balance is approximately \$7.6 million according to the most current data.

REGIONAL BOARD IMPACT

Yes; the Central Coast Water Board.

STAFF RECOMMENDATION

That the State Water Board:

1. Approves one-time funding of \$600,000 from the CAA to the Central Coast Water Board in support of work on hydromodification control criteria for specific tasks that will benefit the Regional and State Water Board; and
2. Requires that the Central Coast Water Board prepare and submit a report no less than annually on its progress in finding a long-term, more stable funding source, as the CAA should not be viewed as a long-term funding source.

State Water Board action on this item will assist the Water Boards in reaching Goal 4 of the Strategic Plan Update: 2008-2012, to comprehensively address water quality protection and restoration, and the relationship between water supply and water quality, and describe the connections between water quality, water quantity, and climate change, throughout California's water planning processes. In particular, approval of this item will assist in fulfilling Objective 4.2 to provide a clear structure that readily conveys key elements (e.g., beneficial uses, potential impacts of climate change, water quality objectives, goals for watersheds, plans for achieving those goals, and monitoring to inform and adjust the plans) and that fully integrates other statewide plans and policies such as the California Ocean Plan.

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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2009-

TO ALLOCATE \$600,000 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO THE CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD (CENTRAL COAST WATER BOARD) IN SUPPORT OF WORK ON SPECIFIC HYDROMODIFICATION METHODOLOGY TASKS THAT WILL BENEFIT THE REGIONAL AND STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD) AND MUNICIPALITIES

WHEREAS:

1. The Central Coast Water Board requests one-time funding of \$600,000 for the development of hydromodification control criteria for addressing stormwater discharges from 30-60 municipalities in the Central Coast Region;
2. The overall effort to develop a hydromodification control criteria and to implement the resulting criteria throughout the Central Coast is a multi-year, multi-phase effort. This proposal requests \$600,000 from the CAA to develop hydromodification control criteria methodology specifically for municipal stormwater discharges and apply it across the Central Coast Region. This effort will build off the best scientific and technical principles on the subject of hydromodification impacts and control measures. Specific tasks include:
 - Characterizing the problem of hydromodification to encompass the downstream impacts of urbanization
 - Laying out objectives of the project, focusing on data reduction techniques, assessment methods, providing implementation strategies, and maintaining coordination with the Hydromodification/LID Technical Advisory Committee
 - Identifying sources of data and catalog availability
 - Reviewing and acknowledging contributions of previous studies
 - Gathering existing watershed data
 - Collecting field data to fill gaps
 - Identifying and classifying representative subwatershed areas and receiving water bodies with similar characteristics; and
3. The requested allocation is consistent with the purposes of Water Code Section 13442. Section 13442 provides that the State Water Board may order moneys to be paid from the CAA to a public agency with authority to cleanup or abate the effects of a waste "to assist it in cleaning up the waste or abating its effects on the waters of the state."

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves one-time funding of \$600,000 from the CAA to the Central Coast Water Board in support of work on hydromodification control criteria for specific tasks that will benefit the Regional and State Water Board;

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2. Requires that the Central Coast Water Board prepare and submit a report to the State Water Board no less than annually on its progress in finding a long-term, more stable funding source, as the CAA should not be viewed as a long-term funding source; and
3. The funds will be available until June 30, 2012. Any unexpended funds as of June 20, 2012 shall revert to the CAA, unless the Deputy Director or Assistant Deputy Director of the Division of Financial Assistance authorizes an extension.

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 August 4, 2009.

Jeanine Townsend
Clerk to the Board