



Public Hearing

Proposed Amendments to the California Ocean Plan

Model Monitoring
Vessel Waste Discharge Control
Non-Substantive Changes

November 1, 2011



The California Ocean Plan

- Establishes water quality objectives
- Includes Program of Implementation
 - Provides basis for regulation of wastes discharged into coastal waters



The California Ocean Plan: Applicability

- Near coastal ocean waters
 - Mean high tide to 3 nautical mile limit
 - Does not include enclosed bays, estuaries and coastal lagoons (defined in Ocean Plan)
- Discharges outside are regulated to ensure “no violation” within state ocean waters
- Point and non-point source discharges



The California Ocean Plan

- Ocean water quality standards are reviewed at least once every three years
- Triennial reviews include a public hearing to identify issues to be addressed
- The California Ocean Plan most recently updated in 2009



2011-2013 Triennial Review Workplan

- Six very high priority issues identified
 - Included Model Monitoring and Vessel Discharge
- Ten high priority issues identified
 - Included Non-substantive Changes



Recent Public Process

- Public Notice of Draft Amendments and Draft SED – August 25, 2011
- Revised Notice - September 1, 2011
- Written Comment Period ended October 24, 2011
- 25 comment letters received



Model Monitoring

- There is currently a general lack of consistency statewide in permit requirements for ocean discharge monitoring
- Amendment addresses:
 - Appendix III - Standard Monitoring and Reporting Requirements
 - Core and Regional Monitoring
 - NPDES Wastewater Point Sources
 - NPDES Storm Water Discharges
 - Non-Point Source Discharges
 - SWAMP Comparability



Some considerations regarding monitoring and the Ocean Plan

- Ocean Plan, like other water quality control plans, is approved by US EPA
- Permits must implement water quality control plans
- Water Code states that water quality control plans should include surveillance to determine compliance with objectives
- The State Water Board may set policy to require consistency in monitoring statewide
- SB 72 (2001) added a section to the Water Code, requiring the State Board to develop minimum monitoring requirements for Storm Water Permittees



Model Monitoring Approach

- Question Driven
- Originally developed by SCCWRP and member agencies
- Three Components
 - Core monitoring
 - Regional Monitoring
 - Special Studies



Model Monitoring Stakeholder Process

- Model Ocean Discharge Monitoring Meeting (Feb 2006)
- Preliminary Draft Amendment to Appendix III
 - Public meetings in Santa Rosa, Los Angeles, and Monterey (Aug 2006)
- Public Scoping Meeting in (June 2007)



Model Monitoring – Draft SED Alternatives

- Alt.1: No Action
- Alt.2: Use a model monitoring approach without minimum requirements
- Alt.3: Use a model monitoring approach with minimum requirements
- Alt.4: Use a prescriptive approach to all ocean discharges from all sources



Some Model Monitoring Comments Received

- Some support amendment but with certain recommended changes
- Others want us to withdraw amendment:
 - there is plenty of monitoring already required in Permits
 - too costly
 - Perceived duplication – TMDLs, ASBS, MPAs, AB411, MS4s, etc.



Vessel Waste Discharge Control

- Ocean Plan does not implement current water quality laws governing vessel waste discharges
 - Disconnect currently between the Ocean Plan and state and federal laws and regulations



Vessel Waste Discharge Control – Draft SED Alternatives

- Alt.1: No Action
- Alt.2: Amend Ocean Plan to reflect Federal and State law now in effect
- Alt.3: Prohibit all vessel discharges regardless of vessel size and waste type, including sewage

Some Vessel Discharge Comments Received

- Many support amendment but with certain recommended changes
- Examples of recommendations
 - Vessel should be defined as commercial (e.g. not include military vessels)
 - Remove “private” from vessel definition
 - No discharge of sewage regardless of NDZ designation by EPA
 - “Must not result in violations of state, federal and international laws” instead of Ocean Plan water quality objectives

Non-Substantive Changes

- Proposed changes:
 - Update Figure VIII-5
 - Rename Tables A-D
 - For example Table B is currently the first Table in the Ocean Plan, should be changed to Table 1
 - Other typographical changes



Nonsubstantive Amendments – example comment

- Aliso Outfall should be South Orange County Wastewater Authority



Next steps

- Consider and respond to all comments
- Change draft amendments (and SED) where appropriate
- Release draft changes and hold a Board Workshop to consider public comments on changes