

Edits to Proposed Ocean Plan Amendments

Related to
State Water Quality Protection Areas/Marine Protected
Areas

Division of Water Quality
Presented by Johanna Weston, Sea Grant Fellow
August 22, 2012



Overview

State Water Quality Protection Areas and Marine Protected Areas

- * History of process
- * Previous comments
- * Edits to:
 - * Draft SED document
 - * SWQPA/MPA Amendment



History of Process

- * Scoping Document → Scoping meeting → Comments
- * Draft SED → Public Board Hearing → Comments
- * Revised Draft SED → Public Workshop
- * Future: Board Adoption Meeting → Adoption?

What is the SWQPA Amendment?

- * Implementation of:
 - * State Water Board Resolution 2010-0057.
 - * State Water Board's California Ocean Plan Triennial Review Workplan 2011-2013 under Resolution 2011-0013.
- * Marine Managed Areas Improvement Act
- * Establishes a framework for intermediate level of water quality protection to protect or conserve marine life and habitat within State Marine Parks and State Marine Conservation Areas.



Major Comments Previously Received

- * Framework for SWQPA-GPs more stringent than current regulations for ASBSs.
- * SWQPA-GPs can be designated in enclosed bays and estuaries.
- * Proposed amendment currently designates SWQPA-GPs.
- * E.5(c)(3): “Non-storm water (dry weather) flows are effectively prohibited as required by the applicable permit. Where capacity and infrastructure exists, all dry weather flows shall be diverted to municipal sanitary sewer systems”.
- * Permitted discharges from underground service vaults

Draft SED Edits

- * Minor changes and updates
- * Reference to the ASBS Special Protections
- * Explanation of Public Process
- * Reference to the Proposed Ocean Plan Amendments for Trash

SWQPA/ MPA Amendment Edits

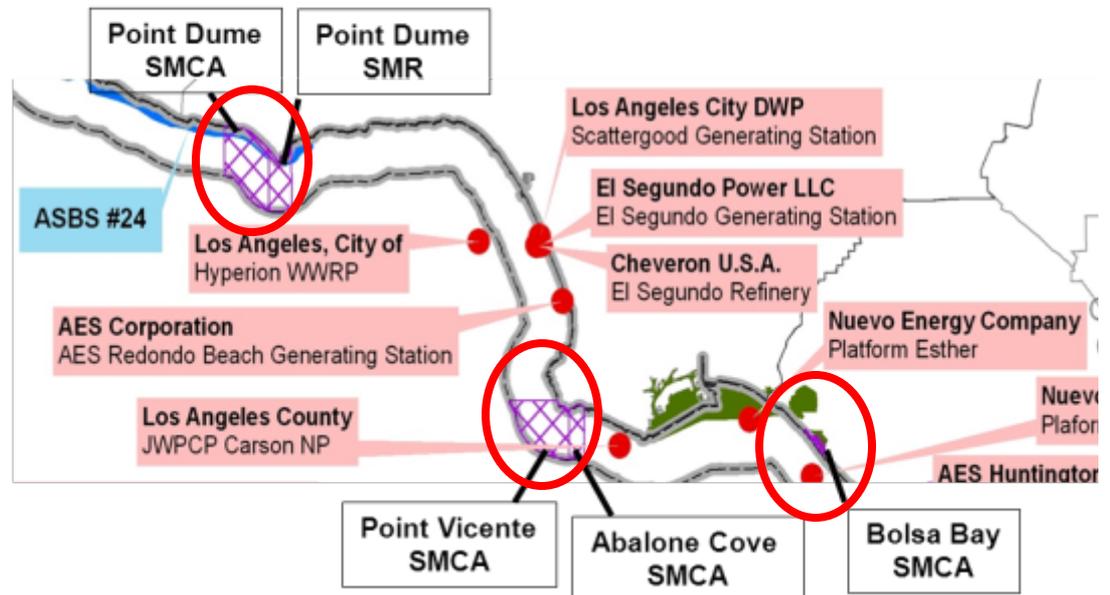
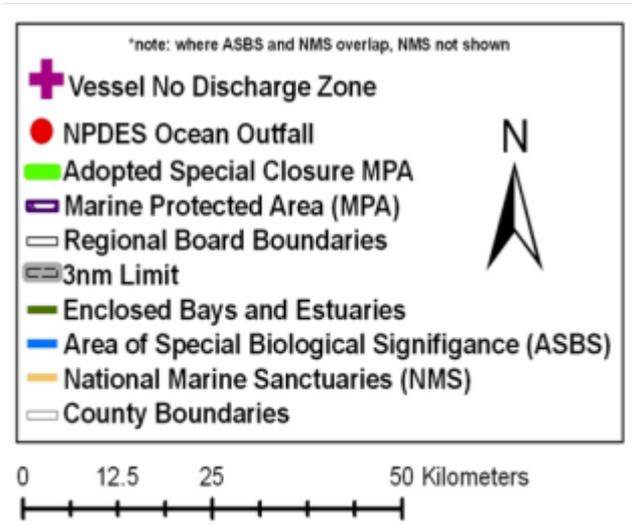
- * Removed “other unique and sensitive areas” language from designation of SWQPAs
- * Designation of State Marine Parks and Conservation Areas “may not serve as sole basis” for further regulation on existing wastewater plants
- * Added three new implementation provisions for waste water outfalls
 - * Includes a provision to address “non-storm water discharges” (e.g. permitted discharges from service vaults)

SWQPA/ MPA Amendment Edits

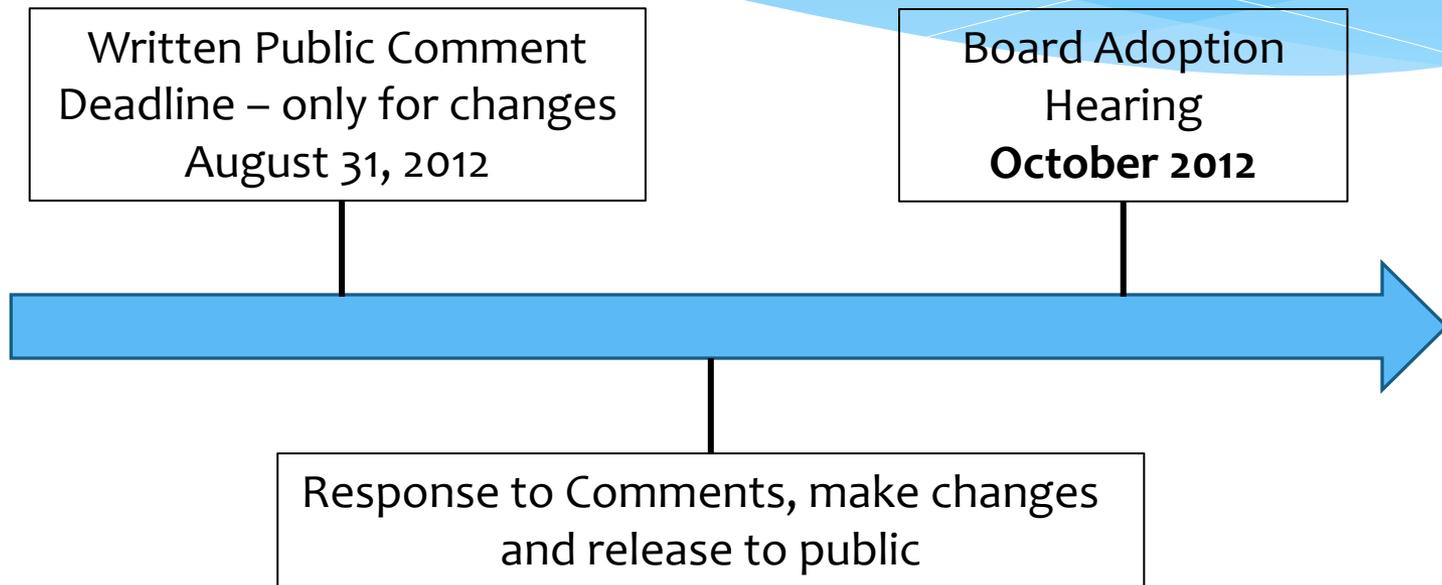
- * Removed trash prohibition from MS4 provisions
 - * Will be addressed in trash amendments to COP
- * No new surface water intakes but clarified that subsurface intakes allowed
- * Added the term “directly” when referring to new storm water discharges
- * Definitions changes
- * Nomination procedures title (Appendix IV) – clarification re: SWQPAs

Pictorial Example: State Water Quality Protection Areas – General Protection

INSERT OF COASTAL MAP OF REGIONS 4, 8, & 9 AND SOUTHERN CHANNEL ISLANDS



Next Steps – SWQPA/MPA Amendments



Questions?



Thank You

Edits to Proposed Ocean Plan Amendments

Related to
Model Monitoring, Vessel Discharge, Non-Substantive Changes

Division of Water Quality
Presented by Emily Siegel

August 22, 2012



Overview

Model Monitoring, Vessels, Non-substantive Amendments

- * History of process
- * Common comments
- * Edits to:
 - * Draft SED document
 - * Model Monitoring Amendment
 - * Vessel Discharge Amendment
 - * Non-Substantive Changes Amendment

History of Process

- * Draft Amendment released → Stakeholder meetings
→ Comments
- * Scoping meeting
- * Draft SED → Public Board Hearing → Comments
- * Revised Draft SED → Public Workshop
- * Future: Board Adoption Meeting → Adoption?

Background of Model Monitoring

- * Addresses four high priority issues from the Ocean Plan Triennial Review:
 - * Regional Ambient Water Quality Monitoring
 - * Standard Monitoring and Reporting Requirements
 - * Storm Water Discharges
 - * Non-point Source Discharges
- * Uses a question-driven model ocean discharge monitoring approach
 - Encourages regional monitoring
- * Provides consistent framework for planning and scaling NPDES monitoring
- * Considered for inclusion in Appendix III of Ocean Plan

Background Vessel Discharge

- * Ocean Plan currently does not implement water quality laws related to vessel discharge
 - * Specifically not applicable to the regulation of vessel discharges
 - * Inconsistency between state and federal laws and regulations
 - * Difficult for dischargers and regulators to interpret, implement and comply
- * Proposed language would implement existing laws and create consistency

Common Comments

- * Monitoring costs estimated too low
 - * New data used to update estimate
- * Clarification for storm water monitoring location
 - * To be conducted in receiving water
- * Bacteria Monitoring Frequency
 - * Changed to weekly monitoring
- * Vessels – better definitions/clarifications
- * Editorial feedback and updates

Draft SED Edits

- * Grammatical and editorial changes
- * Clarified references to Ocean Plan tables
- * Updated information related to Figures VIII-4 and -5
- * Updated MPA information
- * Included reference to SB 72, Section 13383.5
- * Aesthetics removed from EIA
- * Cost estimates updated (primarily for sampling):
\$28,328,780 → \$45,354,90

Model Monitoring



Model Monitoring Edits

- * Added reference to Title 40, CFR, Chapter 1, Part 122.2 to definition of point source (3.1.10)
- * Definitions added for:
 - * Indicator Bacteria
 - * Non-Storm Water Discharge
- * Clarified that storm water monitoring should be of receiving water

Model Monitoring Amendment

Indicator Bacteria Monitoring

- * **Point Sources**

- * Monitoring required weekly instead of five times per month
- * Clarified monitoring to be conducted on the shoreline
- * Added option to participate in a regional monitoring program

Model Monitoring Amendment

Indicator Bacteria Monitoring

* **Storm Water Sources**

- * Monitoring required weekly instead of five times per month
- * Clarified monitoring to be conducted on the shoreline
- * Clarified and defined dry weather flow
- * Edited questions to be addressed by dischargers:
 - * #3 and #5 were removed
 - * #6 (now #4) edited to address receiving water
- * Waiver of monitoring allowed by dischargers if BMPs have been installed and evaluated

Model Monitoring Amendment

Indicator Bacteria Monitoring

* **Non-Point Sources**

- * Monitoring required weekly instead of five times per month
- * Clarified monitoring is of receiving water
- * Clarified monitoring to be conducted on the shoreline
- * Clarified and defined dry weather flow
- * Edited questions to be addressed by dischargers:
 - * #3 and #5 were removed
 - * #6 (now #4) edited to address receiving water

Model Monitoring Amendment

Chemical Constituent Monitoring

- * **Point Sources**

- * Question #4 removed

- * **Non-Point Sources**

- * Question #4 edited
- * Question #5 removed
- * Clarified monitoring is of receiving water

Model Monitoring Amendment

Chemical Constituent Monitoring

* **Storm Water Sources**

- * Questions #3 and #5 removed
- * Clarified monitoring is of receiving water
- * Added language to allow waiver of monitoring if BMPs have been installed and evaluated
- * Addressed monitoring for dischargers with less than five outfalls
 - * Minimum of once per outfall per permit cycle
- * Addressed industrial storm water discharges
 - * Monitoring of runoff
 - * Additional receiving water sample collected during two storm events per year

Model Monitoring Amendment

Sediment Monitoring

- * **Storm Water Sources**

- * Clarified monitoring only for storm drains >72” in low energy environments (with sediment deposition)
- * Added language to allow waiver of monitoring if BMPs have been installed and evaluated

Model Monitoring Amendment

Aquatic Life Toxicity Monitoring

- * **Point Sources**

- * Clarified that monitoring is of effluent water
- * Added language to address discharges <0.1 MGD

- * **Storm Water Sources**

- * Edited questions to be addressed:
 - * Questions #1 and #2 edited
 - * Question #5 removed
- * Clarified receiving water monitoring for chronic toxicity
- * Clarified acute toxicity monitoring only for storm drains >72” in low energy environments (with sediment deposition)
- * Added language to allow waiver of monitoring if BMPs have been installed and evaluated

Model Monitoring Amendment

Aquatic Life Toxicity Monitoring

- * **Non-Point Source**

- * Edited questions to be addressed:
 - * Questions #1 - 3 edited
 - * Question #5 removed
- * Clarified requirement for frequency of monitoring
- * Clarified receiving monitoring requirement for chronic toxicity
- * Clarified acute toxicity monitoring only for drainages >72” in low energy environments (with sediment deposition)

Model Monitoring Amendment

Benthic Community and Bioaccumulation

- * **Point Sources - Benthic**

- * Frequency of sampling changed for discharges >100 MGD

- * **Point Sources - Bioaccumulation**

- * Clarified that requirements are for discharges >0.1 MGD

Model Monitoring Amendment

Receiving Water Monitoring

- * **All Sources**

- * Questions #3 and #5 edited

- * **Point Sources**

- * Clarified that monitoring is of receiving water
- * Language added to encourage use of regional ocean observing systems

- * **Storm Water Sources**

- * Clarified that requirements are for storm drains >36”
- * Added language to allow waiver of monitoring if BMPs have been installed and evaluated

Model Monitoring Amendment

Analytical Requirements

- * Clarified sample dilutions:
 - * Total and fecal coliform range 2-16,000
 - * Enterococcus range 1-10,000/100mL
- * Removed “acute” form toxicity monitoring requirements language
- * Clarified that test species minimum is for point sources
- * Removed outdated language regarding bioassay testing for point sources
- * Updated procedure publication references

Vessel Discharge



Photo by Ansel Adams

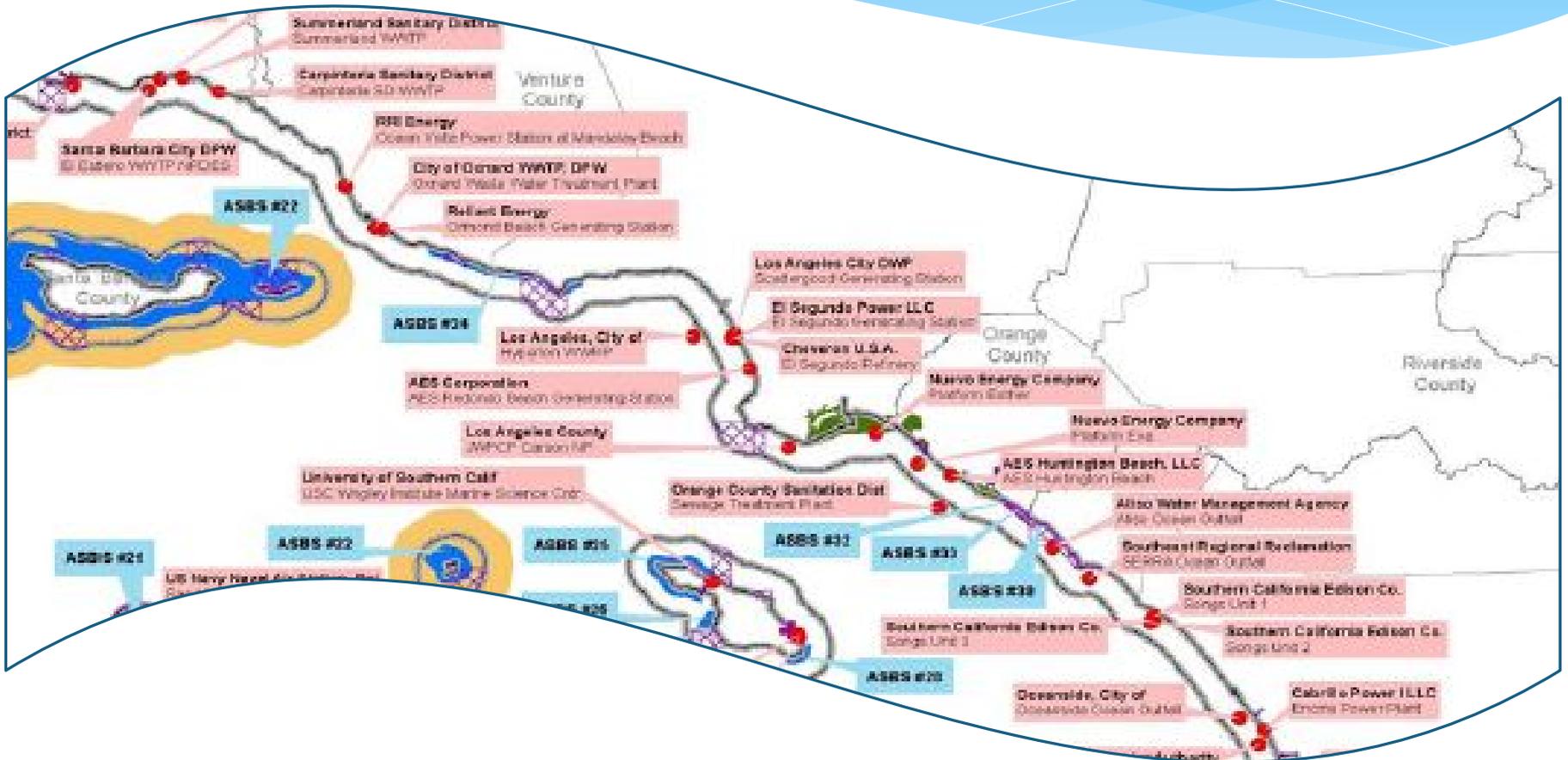
Vessel Discharge Amendment

- * Clarified that Marine Invasive Species Act is for vessels >300 gross tons
- * Added language to address law for National Marine Sanctuaries
- * Added prohibition of sewage to language (III.1.5.c)
- * Removed some proposed language (III.1.5.d)

Vessel Discharge Amendment

- * Added reference to Title 2 of CCR, Section 2270 (III.K.1)
- * Added language to address NPDES Vessel General Permit (III.K.4)
- * Edited definition of Large Passenger Vessels to include tenants who lease or purchase onboard living quarters
- * Added definition of Oily Bilge Water

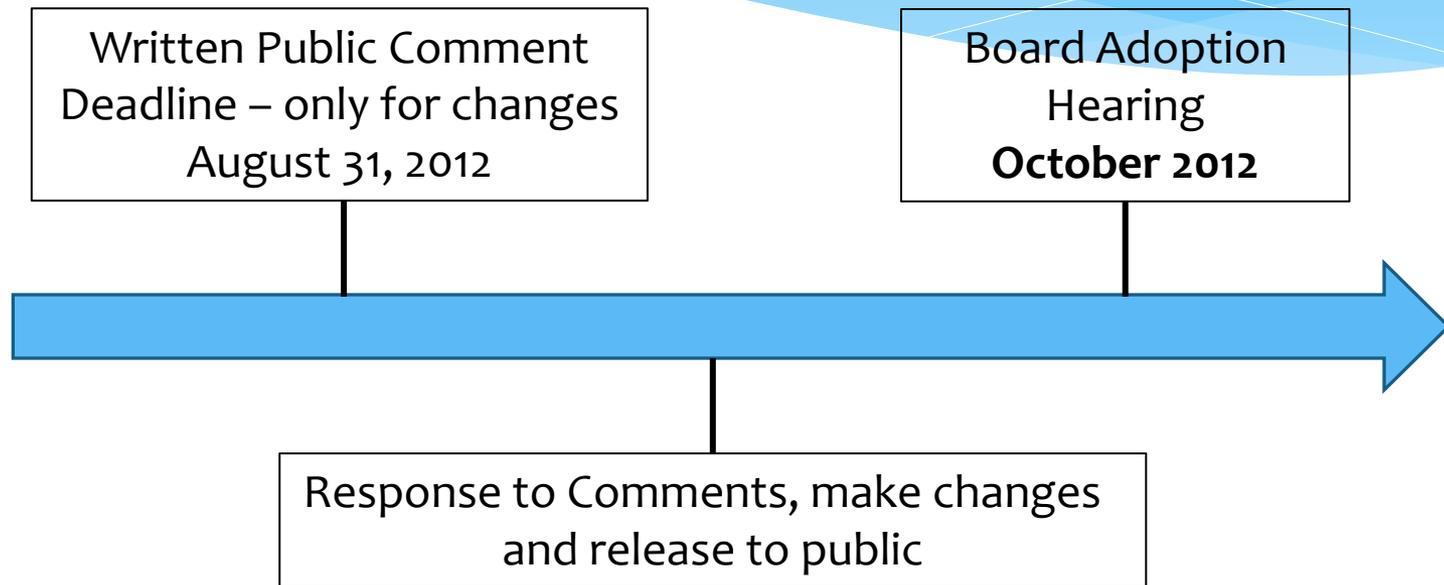
Non-Substantive Changes



Non-Substantive Changes

- * Included language regarding updates to Figure VIII-4
- * Clarified that Aliso Water Management Agency outfalls now under the Orange County Wastewater Authority
- * More grammatical changes added to list, including:
 - * ug/l → µg/L
 - * ml → mL
 - * initial* dilution → initial dilution*

Next Steps – Model Monitoring, Vessel, and Non-substantive changes



Questions?



Thank You