

Information Item to Discuss Draft Policy Statements to be Included in the 2018 Triennial Review Adopting Resolution

July 11, 2018, Item No. 6

Alydda Mangelsdorf, Environmental Program Manager
Planning and Watershed Stewardship Division

A dark blue arrow points to the right from the left edge of the slide. Several thin, curved lines in shades of blue and grey originate from the left side and sweep across the slide, creating a sense of movement and design.

Purpose

- ▶ To facilitate the Board's discussion of the draft Policy Statements
- ▶ To develop careful notes that inform revisions to the 2018 Triennial Review adopting resolution



Presentation Overview

- ▶ Policy-making tools available to the Board
- ▶ Examples of Policy Statements made by the Board
- ▶ Overview of draft Policy Statements presented in May 2018
- ▶ Questions posed to the Board to solicit preliminary input
- ▶ Preliminary input
 - ▶ Proposed new policy statement topics
 - ▶ Proposed revisions to draft policy statements
 - ▶ Summary of proposed key language changes



Policy-Making Tools

- ▶ The State and Regional Water Boards develop regulatory and non-regulatory tools to implement the Porter-Cologne Water Quality Control Act and the Clean Water Act.
 - ▶ Water quality control policies
 - ▶ Water quality control plans
 - ▶ Policy Statements



Policy-Making Tools of the State Water Board

- ▶ Water quality control policies
 - ▶ CWC § 13140
 - ▶ Regulations under California law; rules of general applicability
 - ▶ Generally adopted into regional water quality control plans by reference
- ▶ Statewide water quality control plans
 - ▶ CWC § 13170
 - ▶ Regulations under California law; rules of general applicability
 - ▶ Stand alone plans, which supersede inconsistent elements of a regional water quality control plans



Policy-Making Tools of the Regional Water Board

- ▶ Water quality control plans (Basin Plan)
 - ▶ CWC § 13240
 - ▶ Regulations under California law; rules of general applicability
 - ▶ Most provisions must be incorporated into a permit to be enforceable
 - ▶ Prohibitions are the exception; they are self-enforcing
- ▶ Policy Statement
 - ▶ CWC § 13224; no regulatory effect
 - ▶ Express an opinion of the Board
 - ▶ Encourage certain actions of dischargers
 - ▶ Give general direction to staff



Examples of Existing Policy Statements

- ▶ Sediment TMDL Implementation Policy Statement
 - ▶ Resolution No. R1-2004-0087
 - ▶ Develop workplan to control excess sediment in sediment-impaired watersheds
 - ▶ Use existing permitting and enforcement tools to attain sediment-related standards
- ▶ Temperature Implementation Policy Statement
 - ▶ Resolution No. R1-2012-0013
 - ▶ Develop Temperature Implementation Policy as a Basin Plan Amendment
 - ▶ Promote riparian shade and other stream temperature protections
 - ▶ Implement a regionwide water temperature trend monitoring program



Draft Policy Statements (May 2018)

- ▶ Climate Change
 - ▶ Findings derived from State Water Board resolution on climate change
- ▶ Water Conservation
 - ▶ Findings derived from Governor's directive on water conservation
- ▶ Contaminants of Emerging Concern (CECs)
 - ▶ Findings derived from the State Water Board's Blue Ribbon Panel on CECs
- ▶ Groundwater Protection
 - ▶ Findings based on a general understanding of North Coast Region groundwater as high quality groundwater



Questions Posed to the Board

- ▶ Are there issues you would like to remove from the list of existing topics?
- ▶ Are there issues you would like to add to the list?
- ▶ Regarding the statements themselves, what new or revised resolves (e.g., opinion of the Board, encouragement to dischargers, direction to staff) do you propose?
- ▶ What new or revised findings or resources to develop findings (e.g., State Board resolution on climate change, Governor's directive on water conservation) do you propose we rely on?

A dark grey arrow points to the right from the left edge of the slide. Below it, several thin, curved lines in shades of blue and grey sweep across the left side of the slide.

Preliminary Input– Topics to Eliminate

- ▶ None suggested



Preliminary Input– New Topics

- ▶ Road-related water quality impacts
- 

Preliminary Input– Proposed Revisions

- Finding 17: Add “improving groundwater recharge and stream flows” as key goals of the Board when it takes actions to enhance ecosystem resilience to climate change
- Finding 20: Add to sea-level rise projections, other readily available North Coast-related projections such as rainfall scenarios and climate water deficit projections that the Board can rely on to assess climate change impacts in the North Coast Region. Specifically, refer to Pepperwood’s Terrestrial Biodiversity Climate Change Collaborative
- Findings 24 – 26: Consider broadening the water conservation topic to include rainwater catchment, surface water storage and forbearance, groundwater recharge as viable tools
- Make it the policy of the Board that future decisions on CECs will be developed with due diligence, but in recognition of the fact that the nexus between recycled water and CECs is not yet fully understood
- Make it the policy of the Board that as a matter of practice it promote water conservation in each of its programs
- Clarify that groundwater resources are equally important to the Board as surface water resources
- Direct staff to engage in strategic planning, which improves our readiness to manage impacts from future wildland fires



Preliminary Input– Clarifying Language

- ▶ Make more clear that water quality benefits can be derived from efforts to reduce methane emissions at dairies
- ▶ Recognize the unique structure and operation of north coast dairies, only a few of which are concentrated animal feeding operations (CAFO)
- ▶ Expand on the commitment to continue participation in CEC research
- ▶ Add household chemicals and animal husbandry products to the list of CEC substances
- ▶ Clarify that much of the region is a Mediterranean climate, which experiences a summer drought and low flow conditions
- ▶ Remove mention of bioanalytical tools, in favor of a more general statement that new CEC monitoring tools shall be promoted and applied

A dark blue arrow points right from the left edge of the slide. Below it, several thin, curved lines in shades of blue and grey sweep across the left side of the slide.

Purpose

- ▶ To facilitate the Board's discussion of the draft Policy Statements
- ▶ To develop careful notes that inform revisions to the 2018 Triennial Review adopting resolution

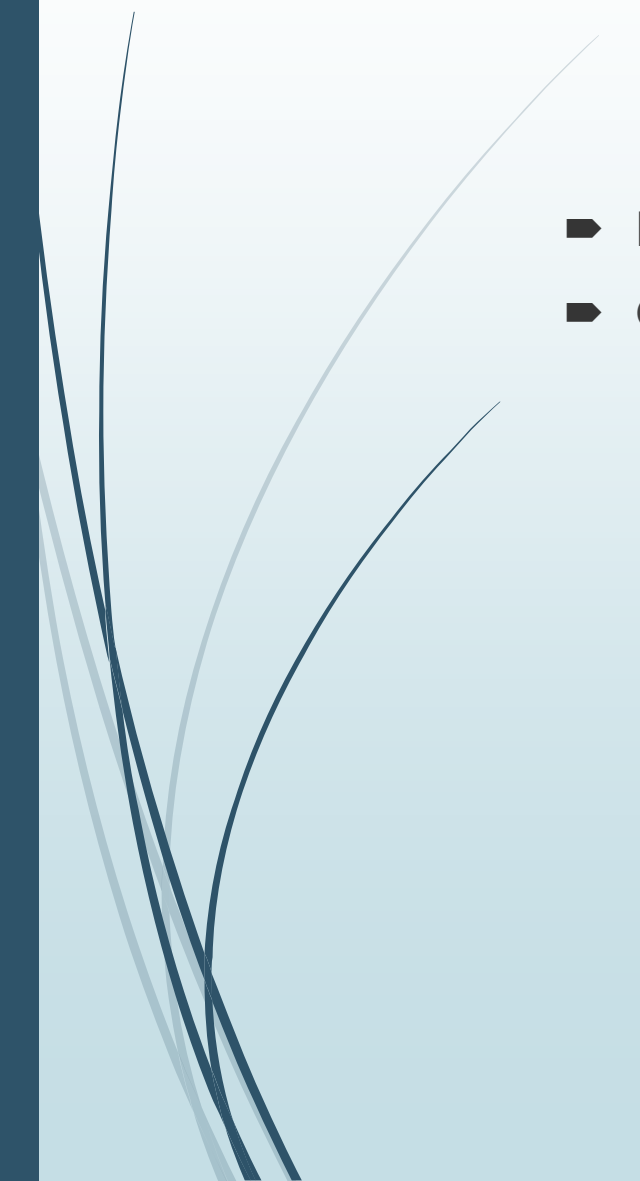


Topics to Eliminate?



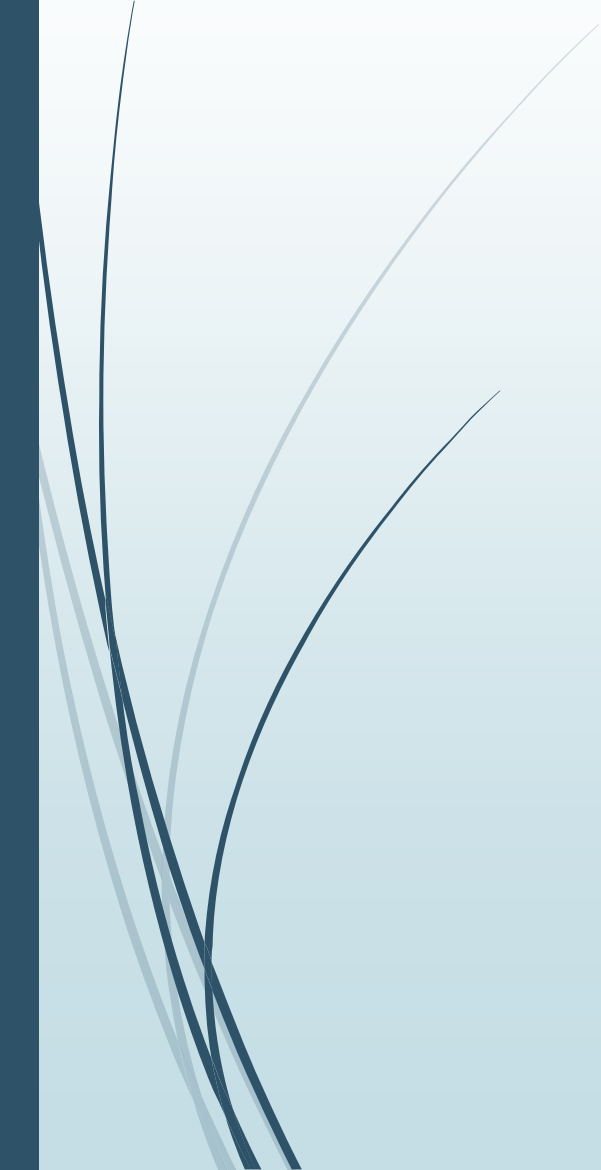


Topics to Add?

- ▶ Road-related water quality impacts
 - ▶ Others?
- 



Climate Change





Water Conservation



A dark grey arrow points to the right from the left edge of the slide. Below it, several thin, curved lines in shades of blue and grey sweep across the left side of the slide, creating a sense of movement or flow.

Contaminants of Emerging Concern

A dark blue arrow points to the right from the left edge of the slide. Below it, several thin, curved lines in shades of blue and grey sweep upwards and to the right, creating a sense of movement and depth. The background is a light blue gradient.

Groundwater Protection



Other Thoughts or Guidance?





For More Information

- ▶ https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/
- ▶ Alydda Mangelsdorf, Chief
Planning and Watershed Stewardship Division
(707) 576-6735
alydda.mangelsdorf@waterboards.ca.gov