Draft Proposed List of Projects

2019 Triennial Review of the Water Quality Control Plan for Ocean Waters of California

January 4, 2019

Introduction:

The following is an initial draft of the Proposed List of Projects for the 2019 Triennial Review of the Ocean Plan and is subject to change. This list is intended as a starting off point for discussions with other governmental organizations, tribes, non-governmental organizations, environmental justice groups, industry representations, and the general public. Projects will likely be assigned priorities (very high, high, medium, low) within the public review draft. During the scoping meetings State Water Resources Control Board (Water Board) staff will be seeking informal verbal comments and suggestions on the projects listed here, project additions, and prioritization. For background information, please consult the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) and the 2011-2013 Triennial Review of the Ocean Plan.

Category Key:

- P = Protection
  - P issues are intended to make the Ocean Plan more protective of water quality and/or beneficial uses.
- R = Reasonableness
  - R issues are intended to make the Ocean Plan more reasonable or attainable while being protective.
- H = Housekeeping
  - H issues are mainly editorial in nature and are intended to make clarifications, updates, and corrections to the Ocean Plan where necessary. The H category also includes some obligatory Ocean Plan updates triggered by state or federal actions. H category changes have no regulatory effect and do not impose new requirements on the regulated community.

Acronyms:

CEC	Contaminant of Emerging Concern
DWQ	Division of Water Quality
ISWEBE Plan	Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California
NOAA	National Oceanic and Atmospheric Administration
Ocean Plan	Water Quality Control Plan for Ocean Waters of California
TCDD equivalents	Tetrachlorodibenzo-p-dioxin equivalents
TST	Test of Significant Toxicity
TU	Toxicity Units
Water Board	State Water Resources Control Board and Regional Water Quality Control Board

Item	Issue	Ocean Plan Section	Notes	Category
A	Develop statewide guidance for monitoring identified contaminants of emerging concern (CEC) in ocean waters.	Chapter III. Potential Addition	Modifies issue 2 of the 2011-2013 Triennial Review to retain the CEC project component. Reviews Ocean Plan Appendix III, Standard Monitoring Procedures, to consider revisions addressing monitoring and assessment of CECs.	P
B	Address control of invasive species by reviewing laws, regulations, and guidelines for vessel discharges and ballast water exchange, and revising the Ocean Plan if necessary.	Chapter III.K.	Modifies issue 3 of the 2011-2013 Triennial Review to retain the invasive species component.	P
C	Review and revise suspended solids effluent limitations in Table 2 of the Ocean Plan to be consistent with the U.S. EPA promulgated minimum level of suspended solids effluent quality attainable by secondary treatment in 40 CFR 133.102.	Chapter III.B.	Retains issue 7 of the 2011-2013 Triennial Review.	P
D	Review and revise water quality objectives in the Ocean Plan for Tetrachlorodibenzo-p-dioxin (TCDD) equivalents and related compounds.	Chapter II. D.	Retains issue 10 of the 2011-2013 Triennial Review. Staff would review existing research and information to determine any necessary revisions to the objectives for TCDD equivalents and related compounds.	P
E	Review and revise the narrative water quality objectives to protect indigenous biota in the chemical characteristics section of the Ocean Plan, including sediment quality objectives based on multiple lines of evidence for compliance determinations.	Chapter II. D.	Retains issue 12 of the 2011-2013 Triennial Review. Staff recommend developing Ocean Plan provisions consistent with the Sediment Quality Objectives adopted by the State Water Board in 2018 to amend the Enclosed Bays and Estuaries Plan, which includes a multiple lines of evidence approach for compliance determinations.	P

F	Review and revise water quality objectives such as the chemical characteristics and biological objectives to account for climate change, including ocean acidification and hypoxia.	Chapter II.D. Chapter II.E.	Retains issue 13 of the 2011-2013 Triennial Review. The State Water Board adopted Resolution No. 2017-0012, which requires a proactive approach to climate change in all State Water Board actions. The State Water Board is collaborating with the Southern California Coastal Water Research Project to model the impact of storm water and waste water discharges on ocean acidification and hypoxia. Staff recommend continuing assessment of developments in research and modeling of the impacts of ocean acidification and hypoxia and will consider any necessary revisions to the Ocean Plan. Revisions may include monitoring alternative parameters, such as pH, aragonite saturation, and partial pressure of CO_2, and addressing nutrient and organic carbon inputs from waste water and storm water discharges that contribute to ocean acidification and hypoxic events.	P
G	Revise the toxicity water quality objective, statistical approach, and implementation provisions in the Ocean Plan to be consistent with the proposed amendment to the forthcoming ISWEBE Plan.	Chapter II.D. Chapter III. Appendix I. Appendix III.	State Water Board staff recommend revising Ocean Plan toxicity provisions to include numeric water quality objectives, the Test of Significant Toxicity statistical approach instead of toxicity units, and implementation provisions to be consistent with the toxicity provisions for the forthcoming Water Quality Control Plan for Inland Surface Water, Enclosed Bays, and Estuaries of California (ISWEBE Plan).	P

H	Review and revise shellfish harvesting beneficial uses to distinguish between commercial harvesting and recreational harvesting and review and revise coliform bacteria objectives for shellfish harvesting.	Chapter I. Chapter II.B.2.	Retains issue 5 of the 2011-2013 Triennial Review. The State Water Resources Control Board (State Water Board) prepared a Fecal Coliform Shellfish Standard White Paper, reviewing the potential actions the State Water Board could take to implement a fecal coliform standard in the Ocean Plan for shellfish harvesting in state recreational waters. Staff recommend developing separate beneficial uses and objectives for commercial harvesting and recreational harvesting.	P, R
I	Review and revise existing exceptions to the Ocean Plan.	Appendix VII.	Per Chapter III.J.2 of the Ocean Plan, staff intend to review all exceptions to the Ocean Plan, including a programmatic review of the General Exception to the Ocean Plan, adopted as Resolution No. 2012-0012 and amended by Resolution No. 2012-0031.	R
J	Review and revise the narrative objective for nutrients to define questionable aquatic growth.	Chapter II.D.	Retains issue 14 of the 2011-2013 Triennial Review to consider defining questionable aquatic growth but not to include numeric thresholds for percent algal cover.	R
K	Review and revise Table 3 of the Ocean Plan to reflect background concentrations of metals and metalloids in receiving waters and clarify that these apply to the calculation of effluent limitations for traditional point sources.	Chapter III.C.	Retains issue 15 of the 2011-2013 Triennial Review. Staff would review data to determine appropriateness of background concentrations set forth in Table 3.	R
L	Review and revise the metals objectives in the Ocean Plan to be total dissolved metals, instead of total metals, for consistency with other state and federal water quality objectives for metals.	Chapter II.D.	Retains issue 26 in the 2011-2013 Triennial Review. Staff do not recommend revising objectives at this time but recommend continuing to investigate the relationship between total and dissolved metals.	R

M	Review and revise mixing zone and dilution implementation provisions and definition, including accounting for horizontal mixing due to ocean currents.	Chapter III.C. Chapter III.M. Appendix I.	Retains issue 19 of the 2011-2013 Triennial Review. Staff will consider whether recent regulatory developments require revision of mixing zone and dilution implementation provisions and definition.	R
N	Revise the frequency, magnitude, unit specification, and averaging period of the fecal coliform bacteria objective.	Chapter II.B.	Staff recommend updating the fecal coliform bacteria objective in the Ocean Plan to revise the frequency, magnitude, unit specification, and averaging period to reflect the most recent, California-specific epidemiological data and harmonize with the enterococci and *E. coli* objectives.	R
O	Revise the Desalination Amendment Implementation Provisions to provide more specificity about the required analyses and considerations, clarifying definitions in the Ocean Plan, and other changes.	Chapter III.M.	State Water Board staff recommend review of the Desalination Provisions to propose revisions intended to clarify and streamline the permitting process for Water Board staff and project applicants.	R
P	Review and revise Table 1 of the Ocean Plan (Chemical Water Quality Objectives), including radioactivity standards.	Chapter II.D.	Retains issue 9 of the 2011-2013 Triennial Review. Staff recommend defining the 6-month median, daily maximum, and instantaneous maximum objectives in Table 1 of the Ocean Plan. In addition, staff recommend revising Table 1 to correct the radioactivity reference to CCR, Title 17, Division 1, Chapter 5, Subchapter 4, Group 3, Article 1, Section 30253.	H
Q	Non-substantive changes for formatting, style, and consistency.		Non-substantive changes may include: · Conforming changes to re-format the Ocean Plan to be consistent with other Water Quality Control Plans and Basin Plans. · Change identification of defined terms (currently an asterisk) to improve readability. · Revise maps in Appendix VIII to improve clarity in distinguishing “vessel no discharge zones” from MPA boundaries.	H