

# Proposed Urban Pesticides Water Quality Control Plan Amendments

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CEQA Public Scoping Meeting

March 2017



# Meeting Purpose

- **Public introduction of the Urban Pesticides Amendments project**
- **Receive input:**
  - Range of project actions
  - Project alternatives
  - Reasonably foreseeable methods of compliance
  - Significant environmental impacts to be analyzed
  - Cumulative Impacts (if any)
  - Mitigation measures to reduce environmental impacts
  - Inconsequential Issues to eliminate from detailed study



# Presentation Outline

- 1. Project Background**
- 2. Project Purpose**
- 3. Regulatory Background**
- 4. Project Proposal**
- 5. Comments Submission**



# Storm Water Strategy

## Vision:

**Storm Water is sustainably managed and utilized in California** to support water quality and water availability for human uses as well as the environment.

## Mission:

To lead the evolution of storm water management in California by **advancing the perspective that storm water is a valuable resource**, supporting policies for collaborative watershed-level storm water management and pollution prevention, removing obstacles to funding, developing resources, and integrating regulatory and non-regulatory interests.

*Photo: Kevin Robert Perry*



# Six Strategy Objectives – Increase and Improve:

1. Storm Water Capture and Use
2. Stakeholder Collaboration
3. Permit Pathways for compliance
4. Financially Sustainable storm water programs
5. Data management
6. **Source Control and Pollution Prevention**




*Photo: Texas A&M AgriLife Extension Service*





# Objective 6: Increase Source Control and Pollution Prevention



**Project 6a:** Establish a Statewide Framework for Urban Pesticide Reduction

**Project Objective:** Establish statewide source control efforts for pesticides in urban storm water

*Photo: United Storm Water Inc., [www.thebluebook.com](http://www.thebluebook.com)*

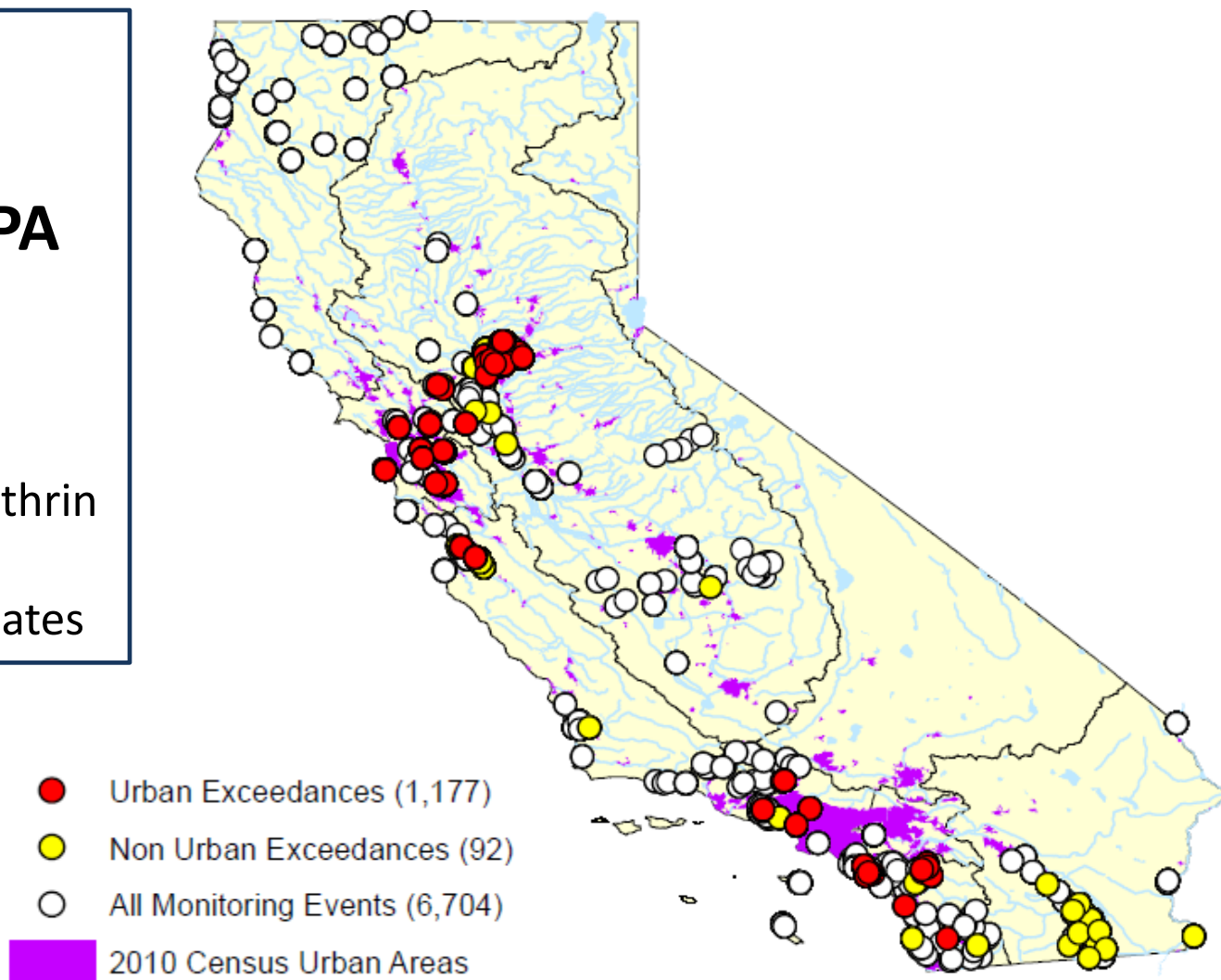




# Pesticide toxicity in surface water: a statewide problem

## High priority pesticides exceeding US EPA Aquatic Life Benchmarks:

- Pyrethroids (permethrin and bifenthrin)
- Fipronil and degradates



Data source: DPR Surface Water Database, 2009-2015



# Pesticides in Urban Runoff



**Pesticides applied in urban areas for structural control and landscaping:**

- May wash off directly into **receiving waters**





# Receiving Waters:



*Hudsonriverkeeper.blogspot.com/*



*Greenpeace.org*

**A waterbody into which wastewater or pollutants are discharged**



# Regulatory Background: California Water Boards

- State Water Board and Nine Regional Water Boards
- Duty to Protect Water Quality
  - Federal Clean Water Act
  - State Porter-Cologne Water Quality Control Act
- Water Quality Control Plans
  - Include **water quality objectives** and an implementation plan for protection of beneficial uses



# Legal Requirements

## Clean Water Act (Federal) and Porter-Cologne (State):

Requires

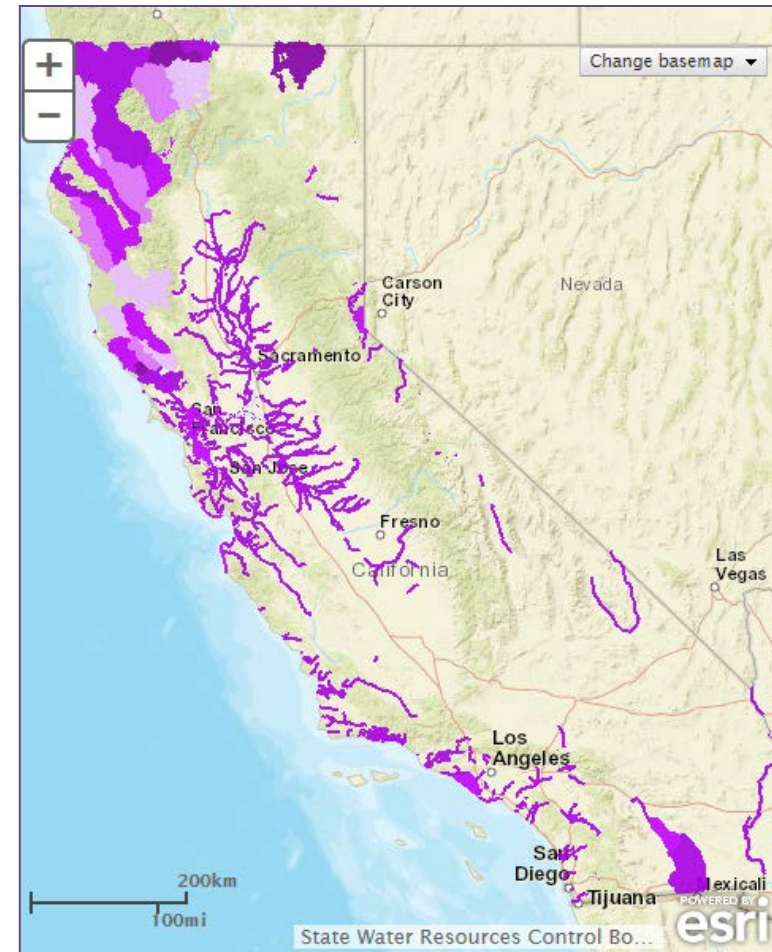
- The Water Boards to develop **water quality objectives** for the protection of surface water
- For **impaired** water body segments be identified & addressed by a total maximum daily load (TMDL)
- Including a program of implementation to achieve water quality objectives





# California 303(d) List

- List of **Impaired** water bodies (impaired = not meeting water quality objectives)
- **798 listings** for impaired water bodies due to pesticides
- Respond to 303(d) listings with a *TMDL or equivalent action*
- Proposed project would address current/future urban impairments with a *single statewide action*



# Regulatory Alternatives



## 1. **Statewide Plan Amendment creating TMDL Equivalent Implementation Plan**

- Implementation plan based on narrative toxicity targets instead of numeric pesticide targets.

## 2. **Statewide Plan Amendment and TMDL**

- Numeric targets for specific pesticides and a target for pesticide-related toxicity, with implementation plan.

## 3. **Statewide Water Quality Objectives**

- Numeric targets for specific pesticides and a target for pesticide-related toxicity, created without implementation plan.



# Regulatory Alternatives



## 1. Statewide Plan Amendment creating TMDL Equivalent Implementation Plan

- Implementation plan based on narrative toxicity targets instead of numeric targets.

### **Proposed alternative benefits:**

- ✓ Efficient to create and implement
- ✓ Creates common ground for collaboration with pesticide regulators





# California Environmental Quality Act (CEQA)

- **California's charter for environmental protection**
- **Establishes a process for state and local agencies to consider environmental impacts of proposed projects**
- **CEQA process includes public participation through meetings and opportunities to comment on draft documents**



# California Environmental Quality Act (CEQA)

## Water Board's CEQA Process:

- Early Public Consultation (Scoping) ←
- Draft Report & comment solicitation
- Public hearing
- Staff response to comments
- Final Report
- Adoption
- OAL & USEPA approval
- File Notice of Decision with Sect. of Natural Resources



# Proposed Urban Pesticides Amendments

## STORMS Project 6a: Establish a Statewide Framework for Urban Pesticide Reduction

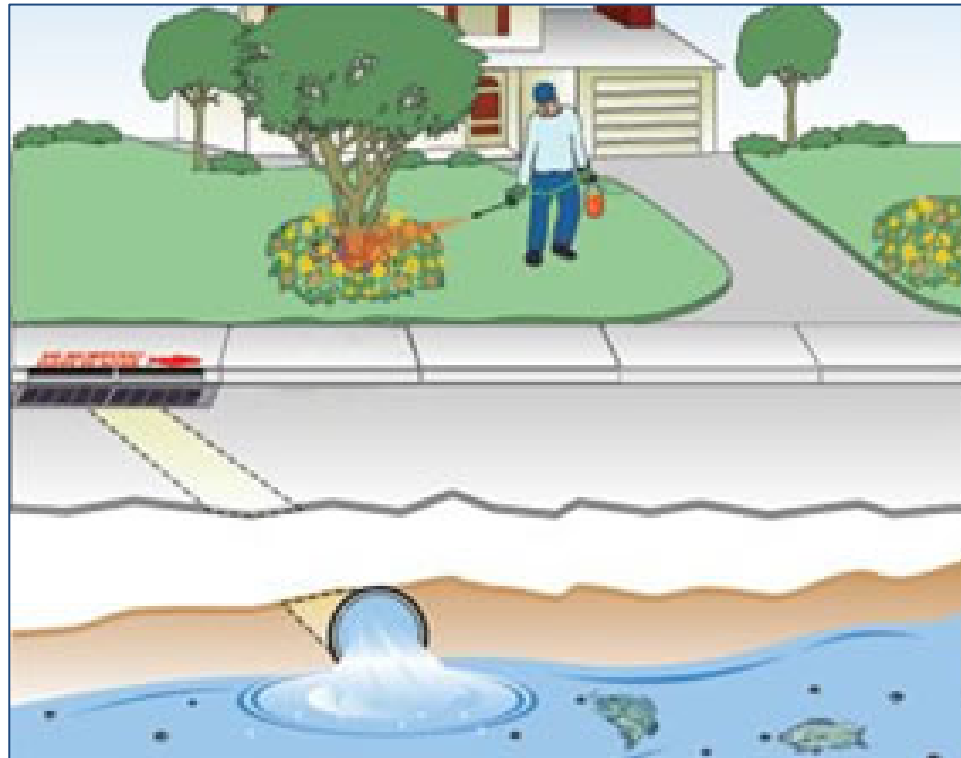


Photo: University of California Integrated Pest Management

### Goal- create a statewide plan to:

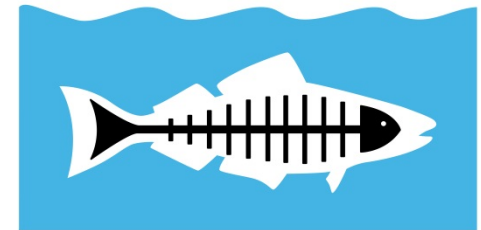
1. Achieve water quality objectives for pesticides and pesticide-caused toxicity in urban receiving waters.
2. Prevent future impairments through implementation of a statewide program based on urban pesticides source control.

### How? - Amendments to statewide water quality control plans





# Project Team



Heal the Bay





**Establish Statewide Framework for Urban Pesticides Reduction (Urban Pesticide Amendments) – STORMS project 6A**

**Pesticide Regulatory Coordination**

**Municipal Permit Requirements**

**Coordinated Monitoring Program**

**Components will inform proposed amendments to the Statewide Water Quality Control Plans - for consideration by State Water Board**

# Timeline

Winter '16  
- '17

- Develop internal workgroup products to inform Plan Amendments

Summer  
'17

- Draft staff report and policy language for source control of urban pesticides

Spring '18

- Develop item for State Water Board consideration through public process





# Proposed Urban Pesticides Amendments: 3 Legs

## 1. Pesticide Regulatory Coordination

## 2. Pesticide Source Control Requirements for Municipal (MS4) Permittees

## 3. Monitoring Program



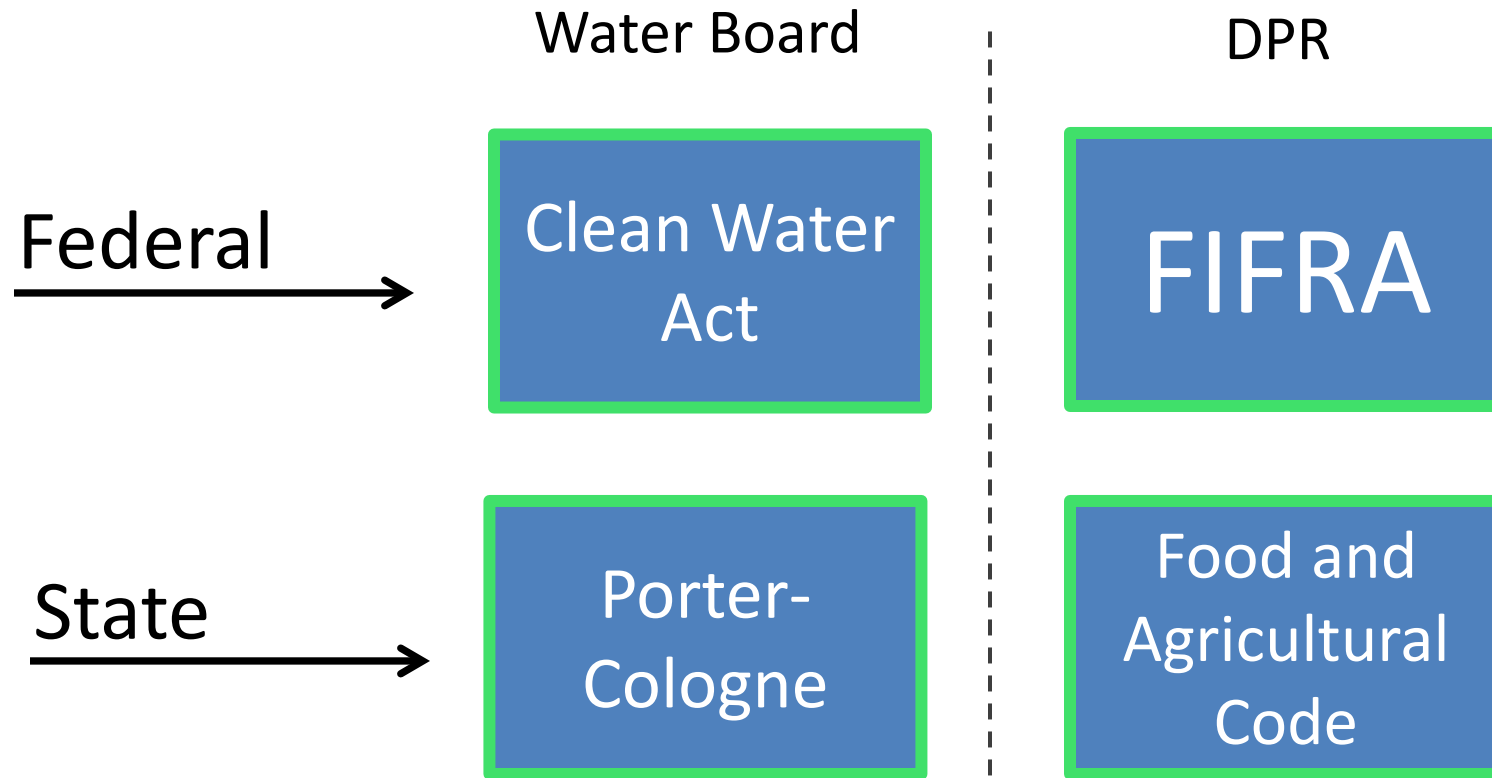
# Proposed Regulatory Coordination Framework



Water Board participation with pesticide regulators to help ensure protection of water quality from urban pesticides pollution



# Proposed Regulatory Coordination Framework



Multiple legal mandates regulating pesticides and water quality (including impacts due to pesticides)



# Proposed Urban Pesticides Amendments: 3 Legs

1. Pesticide Regulatory Coordination

**2. Pesticide Source Control Requirements for Municipal (MS4) Permittees**

3. Monitoring Program





# Proposed MS4 Source Control Measures

Focus on implementation of Integrated Pest Management (IPM) and educational outreach



HELPING CONSUMERS FIND LESS-TOXIC PRODUCTS  
FOR USE IN THEIR HOMES AND GARDENS



# Integrated Pest Management (IPM):

- Ecosystem-based, long-term prevention of pests
- Minimize risks to humans, environment, and nontarget organisms
- Biological control, habitat manipulation, resistant varieties, and modification of cultural practices
- Informed by monitoring and guidelines
  - \* *An overarching strategy of the Urban Pesticides Amendments*

# Proposed MS4 Source Control Measures

## Potential requirements:

- Implementation of Integrated Pest Management (IPM) programs
- Education and Outreach programs for residential and commercial pesticide users
- Encouragement of participation in the pesticide regulatory process
- Limitation of dry weather runoff, including excess irrigation water
- Pesticides and toxicity monitoring

➔ *Deemed Compliance with receiving water limitations?*



# Proposed Urban Pesticides Amendments: 3 Legs

1. Pesticide Regulatory Coordination

2. Pesticide Source Control Requirements for Municipal (MS4) Permittees

**3. Monitoring Program**





# Monitoring Coordination Framework

Creation of a framework for a coordinated monitoring program with an associated cost estimate



# Monitoring Coordination Framework



Photo: Water Board SWAMP program

## Purpose:

1. Consistency among MS4 monitoring programs
2. Better align MS4 monitoring with agency programs
3. Efficiency and cost of compliance
4. Database coordination



# Monitoring Coordination Framework

Proposed collective monitoring goals, questions, and objectives for a **question-driven monitoring program**



Photo: Water Board SWAMP program



# Proposed Urban Pesticides Amendments: 3 Legs

- 1. Pesticide Regulatory Coordination**
- 2. Pesticide Source Control Requirements for Municipal (MS4) Permittees**
- 3. Monitoring Program**



# Current Status and Next Steps

- Continued progress on project components
- Draft staff report and Amendment language to begin soon
- Email updates for STORMS:

<http://www.waterboards.ca.gov/subscribe>

- Select Water Quality
- Select Storm Water Planning





# Project Webpage

[Waterboards.ca.gov/STORMS](http://Waterboards.ca.gov/STORMS)

The screenshot shows the website for the California State Water Resources Control Board's STORMS project. The header includes the agency name and navigation tabs for Home, About Us, Public Notices, Board Info, Board Decisions, Water Issues, Publications/Forms, and Press Room. A secondary navigation bar lists Programs, Available Documents, and Hot Topics. The main content area features a breadcrumb trail: Home » Water Issues » Programs » Stormwater » Storms. The title is "Strategy to Optimize Resource Management of Storm Water (Storm Water Strategy, STORMS)". Below the title is a large illustration of a modern, green urban street scene. A mission statement follows: "STORMS' mission is to lead the evolution of storm water management in California by advancing the perspective that storm water is a valuable resource, supporting policies for collaborative watershed-level storm water management and pollution prevention, removing obstacles to funding, developing resources, and integrating regulatory and non-regulatory interests." An Announcements section highlights the release of SMARTS datasets. A Projects section is active, showing sub-tabs for STORMS, Seminar Series, and Implementation Committee. Under the STORMS sub-tab, there are links for "Projects Home Page", "Phase I Projects", and three specific project items: "Project 1a. Promote Storm Water Capture and Use", "Project 1b. Identify and Eliminate Barriers to Storm Water Capture and Use", and "Project 3a. Develop Guidance for Alternative".

What's  
New

STORMS  
Description

Project  
Details

How to  
Help



# Public Comments

**Written comments Due 12 noon on Friday,  
March 31, 2017**

**Email:** [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

**Paper:** Jeanine Townsend  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

\*Oral comments accepted at scoping meetings\*





**Thank you,**

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