

California Coastal Act Policies Relevant to the Prevention of Polluted Runoff

California Coastal Commission's Water Quality Program May 2015

§	Coastal Act Language	Relevance to Polluted Runoff
30230	<p>Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.</p>	<p>Resource protection:</p> <ul style="list-style-type: none"> ➤ Provides the Commission with a broad basis to protect and enhance marine resources and coastal waters that are adversely impacted by polluted runoff. The biological productivity of coastal waters is a function of good water quality. ➤ Provides the basis for a greater level of protection for coastal estuarine and coastal wetland habitats and species of special biological significance by regulating uses that contribute polluted runoff and adversely impact marine organisms.
30231	<p>The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p>	<p>Resource protection/runoff prevention or control:</p> <ul style="list-style-type: none"> ➤ Establishes the Commission's authority to protect coastal water quality by preventing or controlling polluted runoff generated by marine and land use activities. ➤ Subject to P.R.C. § 30412, provides the Commission with authority to implement management measures and BMPs in order to maintain, enhance and restore coastal waters to maintain optimum populations of marine organisms and human health. ➤ Provides for protection of coastal watersheds through implementation of management measures and BMPs, including but not limited to minimizing adverse effects of discharges, controlling runoff, minimizing hydromodification and stream alterations, and maintaining natural vegetation buffers.
30232	<p>Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or the transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.</p>	<p>Spill prevention:</p> <ul style="list-style-type: none"> ➤ Provides the Commission with authority to prevent or control the introduction of toxic substances into coastal waters. Although most often used to address potential large spills from industrial facilities, this section also applies to the vast numbers of small spills and leaks that occur on a daily basis in coastal watersheds. These small spills and leaks of toxic substances individually and cumulatively contribute to polluted runoff and result in the degradation of coastal resources. ➤ Provides a basis for implementing spill-prevention measures for every development project. Protection against spillage should not simply focus on spill containment, but should be aimed at spill prevention through measures such as reducing the risk that a spill will occur or eliminating the use of hazardous substances associated with certain land use practices.

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30233	(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects...	<p>Wetland protection:</p> <ul style="list-style-type: none"> ➤ Regulates hydromodification activities involving the diking, filling, or dredging of open coastal waters, wetlands, estuaries and lakes. ➤ Establishes three tests for coastal planners to evaluate such activities: <ol style="list-style-type: none"> 1. whether the project is one of eight allowable uses; 2. whether the project is the least environmentally damaging feasible alternative; and 3. whether the project provides for the use of feasible mitigation measures (e.g., U.S. EPA-promulgated management measures/BMPs) to minimize adverse environmental effects where adverse impacts occur. <p><i>[See CCC, 1994b for detailed procedural guidance on the review of wetland projects in the California coastal zone.]</i></p>
30235	Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.	<p>Control of landform alteration/hydromodification:</p> <ul style="list-style-type: none"> ➤ Provides the basis for regulating hydromodification and shoreline protection activities along the shoreline that alter, disrupt, and impair the natural movement of water. ➤ Limits shoreline alteration activities to those activities that are required to serve coastal-dependent uses or to protect existing structures and beaches from erosion, and that are designed to eliminate or mitigate adverse impacts on sand supply. ➤ Provides the basis for eliminating poorly designed and sited marine structures that impair water circulation (such as those associated with old recreational marinas and commercial fishing harbors).
30236	Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.	<p>Control of landform alteration/hydromodification:</p> <ul style="list-style-type: none"> ➤ Requires that channelization and other substantial alteration of coastal rivers and streams incorporate the best mitigation measures feasible (which coastal planners can interpret to include the U.S. EPA management measures and BMPs). ➤ Limits permissible hydromodification activities to: <ol style="list-style-type: none"> 1. necessary water supply projects, 2. flood control projects necessary for public safety or to protect existing development where no alternative methods are feasible, and 3. projects that improve fish and wildlife habitat.

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30240	<p>(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.</p> <p>(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreational areas.</p>	<p>Coastal resource protection:</p> <ul style="list-style-type: none"> ➤ Section 30240(a) mandates that ESHAs be protected against runoff that significantly disrupts habitat values. ➤ Section 30240(b) mandates that development in areas adjacent to ESHAs and parks and recreation areas be sited and designed to prevent polluted-runoff impacts which would significantly degrade those areas.
30243	<p>The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.</p>	<p>Coastal resource protection:</p> <ul style="list-style-type: none"> ➤ Addresses development on forested lands for projects where timber is removed without a THP.
30250	<p>(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources...</p>	<p>Cumulative impacts:</p> <ul style="list-style-type: none"> ➤ Mandates that when coastal planners review new development to determine if it will have significant adverse effects on coastal resources, they consider the cumulative impacts of all various developments that occur in a watershed and that significantly disrupt habitat values, water quality, and other resources.
30251	<p>The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, ...</p>	<p>Control of landform alteration/hydromodification:</p> <ul style="list-style-type: none"> ➤ Provides the Commission with authority to ensure that development is sited and designed so that the alteration of natural land forms is minimized. Minimizing land form alteration can in turn reduce the potential for erosion and sedimentation.
30253	<p>New development shall: ...</p> <p>(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs...</p>	<p>Control of landform alteration/hydromodification:</p> <ul style="list-style-type: none"> ➤ Provides the Commission with authority to control development that contributes to flooding, erosion, and surface alterations in and around the development site. ➤ Gives the Commission the ability to limit development activities that are sited in highly erodible areas with steep slopes and unstable soils, or that accelerate the volume or rate of runoff from a site thus affecting downstream habitats and structures.