

AMENDED IN SENATE SEPTEMBER 4, 1997
AMENDED IN SENATE AUGUST 28, 1997
AMENDED IN SENATE AUGUST 27, 1997
AMENDED IN SENATE AUGUST 4, 1997
AMENDED IN SENATE JULY 1, 1997
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CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1429

**Introduced by Assembly Members Shelley, Wayne, and
Cardenas**

February 28, 1997

An act to add Section 13181 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1429, as amended, Shelley. Water quality.

Existing law establishes the State Water Resources Control Board in the California Environmental Protection Agency for the orderly and efficient administration of the water resources of the state.

This bill would require the state board to prepare, and complete on or before January 1, 2000, an inventory of existing

water quality monitoring activities within state coastal watersheds, streams, bays, estuaries, and coastal waters, as prescribed.

The bill would require the state board, not later than July 1, 2001, to prepare and submit to the Legislature a report that proposes the implementation of a comprehensive program to monitor the quality of state coastal watersheds, streams, bays, estuaries, and coastal waters and their marine resources for pollutants, as prescribed.

The bill would prescribe related matters. The bill would make related legislative findings and declarations and statements of legislative intent.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares
2 all of the following:
3 (1) In 1992, California's coastal waters supported
4 seven ocean-dependent industries, including commercial
5 fishing, tourism, and shipping-related commerce that
6 contributed \$17,300,000,000 to the California economy
7 and employed 370,000 persons in the state.
8 (2) The health of the state's coastal waters is
9 threatened by various anthropogenic discharges to
10 coastal waters.
11 (3) It is in the interest of the health and economic
12 well-being of the people of the state to minimize the
13 contamination of the state's coastal waters. Sound water
14 quality management decisions require a solid base of
15 information collected from a variety of sources. Most
16 existing monitoring programs are designed to measure
17 the impacts of point source pollutant loads.
18 (4) With certain limited exceptions, the majority of
19 California's waterways and small estuarine systems are
20 not monitored by the state on a regular basis. Monitoring
21 programs are conducted by other entities, but no overall
22 inventory of these efforts is currently available for the
23 entire California coast. Improved monitoring, or in some



1 cases improved coordination of existing programs, will be
2 necessary for the State of California to achieve a
3 systematic understanding of nonpoint source pollution
4 and to measure the effect of efforts to reduce this water
5 pollution source.

6 (5) Monitoring requirements for measuring the
7 discharge of storm water into the marine environment
8 are poorly developed, limiting the ability of the state to
9 evaluate the extent to which storm water is a source of
10 contaminants in the marine environment or to assess the
11 cumulative effectiveness of the many mitigation
12 activities that are being required by the California
13 regional water quality control boards.

14 (6) Results from regional monitoring programs, such
15 as the Southern California Bight Project and the San
16 Francisco Estuary Regional Monitoring Program, have
17 been promising and those monitoring programs should
18 serve as models for the monitoring of coastal waters by
19 the state.

20 (b) (1) It is the intent of the Legislature that the
21 Coastal Waters Ambient Water Quality Monitoring
22 Program be established for the purposes of undertaking
23 an inventory of existing water quality monitoring efforts,
24 and that the information resulting from that undertaking
25 be used to develop and implement a comprehensive
26 water quality monitoring program for coastal watersheds,
27 streams, bays, estuaries, and coastal waters.

28 (2) It is the intent of the Legislature that a
29 cost-effective system be developed for monitoring the
30 discharge of contaminants into the state's coastal waters
31 and that a wet weather flow toxic chemicals investigation
32 be undertaken in significant urban and rural estuaries to
33 provide a basis for estimating mass discharges.

34 SEC. 2. Section 13181 is added to the Water Code, to
35 read:

36 13181. (a) For the purposes of this section, the
37 following terms have the following meanings:

38 (1) "Coastal waters" means waters within the area
39 bounded by the mean high tide line to the three-mile



1 state waters limit, from the Oregon to the Mexican
2 borders.

3 (2) “Coastal watersheds” means the watersheds of
4 tributary waters that drain to the ocean and significantly
5 influence coastal water quality.

6 (b) (1) The state board shall prepare and complete on
7 or before January 1, 2000, an inventory of existing water
8 quality monitoring activities within state coastal
9 watersheds, bays, estuaries, and coastal waters. The
10 information generated by preparing the inventory shall
11 be made available as a report, and as an Internet-based
12 index, that is available to the general public. A summary
13 of the results shall be made available to the Legislature.
14 The inventory shall include, but not be limited to,
15 descriptions of all of the following:

16 (A) The sources of monitoring data, including federal,
17 state, and local governments, the private sector, citizen
18 groups, and nonprofit organizations.

19 (B) The monitoring methods being used by these
20 sources.

21 (C) The location of the monitoring sites.

22 (D) Existing efforts to investigate the discharge of
23 nonvolatile organic pollutants, including trace metals and
24 nontarget organic chemicals, through storm drains into
25 Santa Monica Bay, San Francisco Bay, Humboldt Bay, and
26 San Diego Bay.

27 (2) Notwithstanding any other provision of law, the
28 state board shall carry out paragraph (1) by contracting
29 with institutions with expertise in coastal water quality
30 monitoring, which may include the Southern California
31 Coastal Water Research Project and the San Francisco
32 Estuary Institute, to undertake the inventory.

33 (c) (1) The state board, not later than January 1, 2001,
34 shall prepare and submit to the Legislature a report that
35 proposes the implementation of a comprehensive
36 program to monitor the quality of state coastal
37 watersheds, bays, estuaries, and coastal waters and their
38 marine resources for pollutants, including, but not
39 limited to, bacteria and viruses, petroleum hydrocarbons,
40 heavy metals, and pesticides, as defined in Section 12753



1 of the Food and Agricultural Code. The proposed
2 program shall utilize information available through the
3 sources identified in paragraph (1) of subdivision (b), as
4 appropriate, and shall avoid the duplication of existing
5 and ongoing monitoring efforts to the extent feasible. The
6 proposed program shall include, but not be limited to, all
7 of the following:

8 (A) To the extent possible, a determination regarding
9 the extent to which existing water quality objectives,
10 sediment quality guidelines, tissue contaminant burden
11 guidelines, and health standards are being met. Where
12 information is not available to make this determination,
13 the report shall identify methods for determining this
14 information.

15 (B) To the extent possible, a determination regarding
16 the sources of pollution in areas where objectives,
17 standards, and guidelines are not being met. Where
18 information is not available to make this determination,
19 the report shall identify methods for determining this
20 information.

21 (C) Methods for determining the degree of
22 improvement or degradation in coastal water quality
23 over time with respect to these objectives, guidelines, and
24 standards.

25 (D) To the extent possible, estimates of the total
26 discharges of pollutants into state coastal watersheds,
27 bays, estuaries, and coastal waters from all sources.

28 (E) Standard protocols for sampling and data
29 collection methods, to maximize the usefulness of the
30 data resulting from the program.

31 (F) Recommendations for a standard format for
32 reporting monitoring results to maximize access to and
33 use of the data.

34 (G) The estimated costs of implementing the program
35 and the proposed schedule of implementation.

36 (H) A description of the method by which the state
37 board shall provide biennial reporting to the public on
38 water quality within the state's coastal watersheds, bays,
39 estuaries, and coastal waters, and recommended actions



1 that should be undertaken to maintain and improve
2 water quality in those areas.

3 (I) A description of the method by which the state
4 board shall develop a system for monitoring mass
5 contaminant discharges, including, but not limited to,
6 heavy metals, PCBs, PAHs, and pesticides from storm
7 water at the point of discharge. ~~To the extent possible, the~~
8 *The* system shall provide for the appropriate frequency
9 of monitoring for each specific contaminant. The system
10 shall be designed to identify the relative contribution of
11 contaminants in storm water to the overall
12 anthropogenic discharges into near coastal waters. ~~The~~
13 *To the extent possible, the* system shall be designed to
14 determine the effectiveness of best management
15 practices in reducing the discharges of contaminants to
16 near coastal waters.

17 (2) The state board shall consult with the San
18 Francisco Estuary Institute and the Southern California
19 Coastal Water Research Project to prepare the report.
20 Notwithstanding any other provision of law, the state
21 board may carry out paragraph (1) by contracting with
22 institutions with expertise in coastal water quality
23 monitoring, including, but not limited to, the Southern
24 California Coastal Water Research Project and the San
25 Francisco Estuary Institute, to prepare the report. The
26 state board or its contractors shall convene workshops,
27 symposia, and other professional and scientific meetings
28 for the purpose of developing a consensus on the part of
29 regulatory agencies and dischargers with regard to the
30 appropriate methods to be used to monitor water quality
31 on a statewide basis.

32 (d) The state board shall not use more than 5 percent
33 of the funds allocated to implement subdivisions (b) and
34 (c) for the administrative costs of the contracts permitted
35 under those provisions.

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