



## CALIFORNIA OCEAN PROTECTION COUNCIL

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### MEMORANDUM

TO: California Ocean Protection Council

FROM: Rachel Couch, Project Manager

DATE: February 29, 2008

RE: Exploring solutions to polluted stormwater runoff through the use of Low Impact Development (LID)

ATTACHMENTS: (1) [\*State and Local Policies Encouraging or Requiring Low Impact Development in California\*](#). Tetra Tech, Inc., 2008. Commissioned by the Ocean Protection Council.

(2) [\*A Review of Low Impact Development Policies: Removing Institutional Barriers to Adoption\*](#). Low Impact Development Center, 2008. Commissioned by the State Water Resources Control Board Stormwater Program and the Water Board Academy.

(3) [\*Reducing Stormwater Costs through Low Impact Development \(LID\) Strategies and Practices\*](#). U.S. Environmental Protection Agency, 2008.

(4) [\*Low Impact Development: A Sensible Approach to Land Development and Stormwater Management, and How Urbanization Affects the Water Cycle\*](#). CA Office of Environmental Health Hazard Assessment, 2006.

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Through this memo, the attached reports, and the information presented by a panel of experts, staff intends to facilitate a discussion of possible ways in which the Ocean Protection Council (OPC) can contribute to improving coastal water quality by promoting innovative stormwater management practices, such as Low Impact Development.

### BACKGROUND:

Polluted stormwater runoff is the largest contributor to ocean water quality problems in California. The OPC 5-Year Strategic Plan calls for significant improvements to ocean and coastal water quality. To achieve this goal, the plan calls on the OPC to encourage innovative approaches to improve stormwater management and support the development of new technologies to reduce nonpoint source pollution.

As more and more impervious surfaces – like roads, parking lots and buildings – are built in watersheds, more runoff is produced and more oil, grease, metals, bacteria, and other pollutants enter our waterways. California has taken steps to reduce these impacts through regulatory and funding programs designed to limit pollutant loads, divert and treat urban runoff, improve sewer systems, improve management practices, and identify pollution sources. The state has also partnered with local communities to find ways

to improve water quality through projects to control flooding and erosion and to promote watershed protection and restoration. Despite these efforts, water quality remains a persistent problem requiring innovative solutions.

Low Impact Development (LID) is a stormwater management strategy designed to improve water quality and stream integrity by promoting the reduction of impervious surfaces, mimicking natural drainage patterns, dispersing, infiltrating and treating runoff, and controlling runoff peaks and durations. While LID is being applied in cities and states around the United States, LID has only recently begun to gain broad acceptance in California. The OPC is in a position to help accelerate the implementation of LID in California.

#### **OPC STAFF ACTIONS TO DATE:**

In spring 2007, OPC staff commissioned a report to: (1) summarize the various approaches that states have taken to require or incentivize LID and smart growth, and (2) examine laws that implement LID practices, and identify features that might be appropriate for future OPC policy recommendations.

The final report (attachment 1) explores options that the state and municipalities throughout California might consider to encourage or require LID. It also provides recommendations for how state and local statutes and regulations can better accommodate the implementation of LID.

During the last nine months, staff has worked closely with the State Water Board, the California Coastal Commission and other stakeholders to refine the report's recommendations, identify new mechanisms for LID implementation, and develop strategies for future action.

#### **PROPOSED FUTURE ACTIONS:**

Based upon the foregoing, staff suggests the OPC take the following next steps:

- 1) Hold a public workshop in the spring of 2008 to receive public input on potential OPC policy recommendations and funding actions to promote LID and other innovative approaches to stormwater management.
- 2) Continue to work with professional practitioners and governmental partners to explore policy and funding options that would promote the implementation of LID in California.
- 3) Present specific policy and funding recommendations to the OPC at the May 2008 meeting.