

Marinas & Recreational Boating Management Measures



The SWRCB, CCC, and other State agencies have identified 17 MMs to address marina and recreational boating sources of nonpoint pollution. Because marinas are located at the water's edge, pollutants generated from marinas and boats are less likely to be buffered or filtered by natural processes.

When boating and related activities (e.g., marinas and boat maintenance areas) are poorly planned or managed, they may threaten the health of aquatic systems and pose other environmental hazards. The USEPA (1993) identifies several sources of pollution associated with marinas and boating activities:

- Poorly flushed waterways;
- Pollutants discharged from boats (recreational boats, commercial boats, and "live-aboards");
- Pollutants carried in stormwater runoff;
- Physical alteration of wetlands and of shellfish/ other benthic communities during construction of marinas, ramps, and related facilities;
- Pollutants generated from boat maintenance activities on land and in the water.

California's management measures are intended to be applied to control impacts to water quality and habitat from marina siting and construction (new and expanding marinas), and marina and boat operation and maintenance. The measures are designed to reduce NPS pollution by requiring the best possible siting for marinas and maintenance areas, providing for the best available design and construction practices and appropriate operation and maintenance practices, and encouraging the development and use of effective pollution control and education efforts. The management measures cover the following operations and facilities (USEPA, 1993):

- Any facility that contains 10 or more slips, piers where 10 or more boats may tie up, or any facility where a boat for hire is docked;
- Any residential or planned community marina with 10 or more slips;
- Any mooring field where 10 or more boats are moored;
- Public or commercial boat ramps;
- Boat maintenance or repair yards that are adjacent to the water, and any Federal, State, or local facility that involves recreational boat maintenance or repair on or adjacent to the water.

California's marina and recreational boating MMs:

4.1 Assessment, Siting and Design

- A. Water Quality Assessment
- B. Marina Flushing
- C. Habitat Assessment
- D. Shoreline Stabilization
- E. Storm Water Runoff
- F. Fueling Station Design
- G. Sewage Facilities
- H. Waste Management Facilities

4.2 Operation and Maintenance

- A. Solid Waste Control
- B. Fish Waste Control
- C. Liquid Material Control
- D. Petroleum Control
- E. Boat Cleaning and Maintenance
- F. Maintenance of Sewage Facilities
- G. Boat Operation

4.3 Education/Outreach

- A. Public Education

The assessment, siting, and design MMs for marinas and recreational boating is summarized as follows:

- 4.1.A. Water Quality Assessment** — Consider impacts to water quality in siting and designing new and expanding marinas.
- 4.1.B. Marina Flushing** — Site and design marinas to provide for maximum flushing and circulation of surface waters, which can reduce the potential for water stagnation, maintain biological productivity, and reduce the potential for toxic accumulation in bottom sediment.
- 4.1.C. Habitat Assessment** — Site and design marinas to protect against adverse impacts on fish and shellfish, aquatic vegetation, and important local-, State-, or federal-designated habitat areas.
- 4.1.D. Shoreline Stabilization** — Stabilize shorelines where shoreline erosion is a pollution problem.
- 4.1.E. Storm Water Runoff** — Implement runoff control strategies to remove at least 80% of suspended solids from storm water runoff coming from boat maintenance areas (some boat yards may conform to this provision through NPDES permits).
- 4.1.F. Fueling Station Design** — Locate and design fueling stations to contain accidental fuel spills in a limited area; provide fuel containment equipment and spill contingency plans to ensure quick spill response.
- 4.1.G. Sewage Facilities** — Install pumpout, pump station, and restroom facilities at new and expanding marinas where needed to prevent sewage discharges directly to State waters.
- 4.1.H. Waste Management Facilities** — Install facilities at new and expanding marinas where needed for the proper recycling or disposal of solid wastes (e.g., oil filters, lead acid batteries, used absorbent pads, spent zinc anodes, and fish waste as applicable) and liquid materials (e.g., fuel, oil, solvents, antifreeze, and paints).

The operation and maintenance MMs for marinas and recreational boating are summarized as follows:

- 4.2.A. Solid Waste Control** — Properly dispose of solid wastes produced by the operation, cleaning, maintenance, and repair of boats to limit entry of these wastes to surface waters.
- 4.2.B. Fish Waste Control** — Promote sound fish waste management, where fish waste is a NPS problem, through a combination of fish cleaning restrictions, education, and proper disposal.
- 4.2.C. Liquid Material Control** — Provide and maintain the appropriate storage, transfer, containment, and disposal facilities for liquid materials commonly used in boat maintenance, and encourage recycling of these materials.
- 4.2.D. Petroleum Control** — Reduce the amount of fuel and oil that leaks from fuel tanks and tank air vents during the refueling and operation of boats.
- 4.2.E. Boat Cleaning and Maintenance** — Minimize the use of potentially harmful hull cleaners and bottom paints, and prohibit discharges of these substances to State waters.
- 4.2.F. Maintenance of Sewage Facilities** — Maintain pumpout facilities in operational condition, and encourage their use so as to prevent and control untreated sewage discharges to surface waters.
- 4.2.G. Boat Operation** — Prevent turbidity and physical destruction of shallow-water habitat resulting from boat wakes and propwash.

The education/outreach MM for marinas and recreational boating is summarized as follows:

- 4.3A Public Education** — Institute public education, outreach, and training programs to prevent and control improper disposal of pollutants into State waters.

4.0 MARINAS AND RECREATIONAL BOATING

IMPLEMENTATION AUTHORITIES

Marina and Recreational Boating Management Measures

4.1. Assessment, Siting and Design

- A. Water Quality Assessment
- B. Marina Flushing
- C. Habitat Assessment
- D. Shoreline Stabilization
- E. Storm Water Runoff
- F. Fueling Station Design
- G. Sewage Facilities
- H. Waste Management Facilities

4.2. Operation and Maintenance

- A. Solid Waste Control
- B. Fish Waste Control
- C. Liquid Material Control
- D. Petroleum Control
- E. Boat Cleaning and Maintenance
- F. Maintenance of Sewage Facilities
- G. Boat Operation

4.3. Education/Outreach

- A. Public Education/Outreach

Marinas and Recreational Boating Management Measure 4.1A — Water Quality Assessment

- Part (1): Assess water quality as a part of the siting and design of new and expanding marinas to establish baseline water quality conditions or trends.
 Part (2): Assess water quality at existing marinas to establish baseline water quality conditions.

Marinas and Recreational Boating Management Measure 4.1B — Marina Flushing

Site and design new and expanding marinas such that tides and/or currents will aid in flushing of the site or renew its water regularly.

Marinas and Recreational Boating Management Measure 4.1C — Habitat Assessment

Site and design new and expanding marinas to protect against adverse effects on shellfish resources, wetlands, submerged aquatic vegetation, or other important riparian and aquatic habitat areas as designated by local, State, or federal governments.

Marinas and Recreational Boating Management Measure 4.1D — Shoreline Stabilization

Where streambank or shoreline erosion is a nonpoint source pollution problem, streambanks/shorelines should be stabilized (when determining whether streambank/shoreline erosion is a NPS problem, assess natural erosion rates and the dynamic equilibrium of the streambank/shoreline). The use of vegetative stabilization methods is preferred over the use of structural stabilization methods, if appropriate considering the climate, severity of erosion, offshore bathymetry, and/or the potential adverse impact on other streambanks or shorelines and offshore areas.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> California Environmental Quality Act (CEQA) (PRC §§ 21000 et seq.) CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of “projects” using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	<ul style="list-style-type: none"> Environmental Checklists help to identify potential NPS impacts. EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> PZL (Gov. Code §§ 65000 et seq.) Subdivision Map Act (SbMA) (Gov. Code §§ 66410 et seq.) CCA § 30500 	<ul style="list-style-type: none"> General Plans/GP updates LCPs/LCP amendments Zoning ordinances Subdivision ordinances Permits pursuant to above Leases on granted tide and submerged lands Enforcement 	<ul style="list-style-type: none"> Statewide LCP policies/ordinances apply in coastal zone Tide- /submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. Local governments may lease granted lands for marinas and may condition leases (e.g., to address assessment, siting, and design). Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.

CCC	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/ amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	Coastal zone (includes tidelands, submerged lands, public trust lands).	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties.
SFBCDC	<ul style="list-style-type: none"> • MacAteer-Petris Act (MPA) (Gov. Code §§ 66600 et seq.), including San Francisco Bay (SFB) Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency • Enforcement 	SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
DFG	FGC §§ 1 et seq. ◆ § 1600-1607	<ul style="list-style-type: none"> • Streambed alteration permits for grading, filling, dredging activities in State waters or stream beds 	Statewide: State waters or stream beds	<ul style="list-style-type: none"> • FGC focuses on problems including control of erosion and sedimentation (e.g., from grading, construction sites, golf courses, road cuts, etc.).
SLC	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §6501.1 • Marina Leasing Program • 	<ul style="list-style-type: none"> • Ungranted State sovereign lands • 	<ul style="list-style-type: none"> • May condition leases for lands owned by the State which are under the jurisdiction of the SLC for such purposes as the SLC deems advisable, including, but not limited to, commercial, industrial, and recreational purposes. •

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4.1A, 4.1B, 4.1C, and 4.1D

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCB	PCWQCA (Water Code [WC] §§13000 et seq.)	<ul style="list-style-type: none"> • Water Quality Control Plans (WQCPs) • WDRs • NPSMP • Watershed Management Initiative (WMI) 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. ♦ § 5650 ♦ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds

Other efforts that pertain to Marina MMs 4.1A, 4.1B, 4.1C, and 4.1D				
Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> • Harbors and Navigation Code (HNC) §§1 et seq. • Federal Clean Vessel Act of 1990 (FCVA) 	<ul style="list-style-type: none"> • Harbors and Watercraft Revolving Fund (HWRF) • Clean Vessel Act Program (CVAP) • Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, State Water Project (SWP) reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • DBW plans, designs, finances, and constructs State boating facilities, and coordinates with local governments to develop local boating facilities. Financing includes boating facility construction loans, boat launching facility grants, marina construction loans, capital outlay projects. • DBW assists in the construction of shoreline protection projects. • Authorized uses of HWRF loans (related to NPS MM implementation) include: parking, restrooms, vessel pumpout facilities, oil recycling facilities, landscaping, receptacles for separating, reusing, or recycling solid waste materials, etc. • Under HNC § 76.4(a)(3), projects eligible for HWRF loans must show evidence of compliance with CEQA.
State/local/federal agency participation in MBNMS Water Quality Protection Program (WQPP)	<ul style="list-style-type: none"> • Marine Protection, Research and Sanctuaries Act (MPRSA) (16 USC § 1431 et seq.) 	MBNMS WQPP Action Plan for Marinas	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. A Memorandum of Agreement (MOA) has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; San Francisco Bay Region (RRWQCB 2); Central Coast Region (RWQCB 3); CCC; and Association of Monterey Bay Area Governments (AMBAG).

Marinas and Recreational Boating Management Measure 4.1E — Storm Water Runoff

Implement effective runoff control strategies which include the use of pollution prevention activities and the proper design of marinas and boat maintenance areas (including parking areas). Reduce the average annual loadings of total suspended solids (TSS) in runoff from these areas to meet water quality objectives.

The agencies and authorities for this MM are the same as the agencies/authorities identified for MMs 4.1A, 4.1B, and 4.1C, with the additional agency/authorities listed below.

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCBs	<ul style="list-style-type: none"> • CWA (33 USC § 1251 et seq.) • PCWQCA (WC §§ 13000 et seq.) 	Storm Water Discharge Program (SWDP) (CWA §402) <ul style="list-style-type: none"> • General Industrial and Construction Activities Storm Water Permits • Municipal Storm Water Permit (MSWP) Total Maximum Daily Load (TMDL) Program [pursuant to CWA § 303(d)]	SWDP applies to: <ul style="list-style-type: none"> • cities >100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) TMDL programs apply in CWA § 303(d)-listed watersheds.	<ul style="list-style-type: none"> • NPDES Permits (Phase I): [major industrial facilities; large/medium municipalities separate storm sewer systems; construction sites that disturb 5 or more acres]. • NPDES Permits (Phase II): [smaller municipalities; construction sites that disturb 1 to 5 acres]. • TMDL goals include: identify sources of pollution in watersheds; allocate pollution control responsibilities where water quality goals are not met.

The following BACKUP AUTHORITIES pertain to Marina Management Measure 4.1E

Backup authorities for this MM are the same as the backup authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D.

Other efforts that pertain to Marina Management Measure 4.1E

Other efforts related to this MM are the same as those identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D.

Marinas and Recreational Boating Management Measure 4.1F — Fueling Station Design

Design existing and proposed fueling stations to allow for spill prevention and for ease in cleanup of spills that may occur.

The agencies and authorities for this MM are the same as the agencies/authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D, with the additional agency/authorities listed below.

Agency	Authority	Programs	Implementing Area	Notes
<p>DBW</p>	<ul style="list-style-type: none"> • HNC §§ 1 et seq. 	<ul style="list-style-type: none"> • 		<ul style="list-style-type: none"> • It is a misdemeanor for any person to discharge oil (including fuel oil, oil sludge, and oil refuse) by any methods, means, or manner, into or upon the navigable waters of the State from any vessel (HNC § 133). • Any person that intentionally or negligently causes or permits any oil to be deposited in State waters is liable for civil penalties and cleanup costs (HNC § 151). • It is unlawful to transfer petroleum, chemicals, other hazardous substances between shore and a vessel unless the flow is continuously monitored as specified [HNC § 135(a)]. This section does not apply to: <ul style="list-style-type: none"> (a) fuel transfers to any self-propelled vessel < 65 feet in length, if the fueling facility is equipped with dispensing nozzles of the automatic shut-off type that do not have catch-locks and meet all federal standards and (b) onshore tanks if appropriate containment or diversionary structures, or both, or other equipment that is adequate to prevent the overflowed substance from reaching State waters.

OSPR	<ul style="list-style-type: none"> Oil Spill Prevention and Response Act of 1990 (OSPRA) (Cal. Gov. Code §§ 8670.28 et seq.); PRC Div. 7.8; Title 14 CCR §§ 815.01 et seq.; Federal Oil Polluter Act of 1990 (OPA) 	<ul style="list-style-type: none"> Contingency Planning Enforcement and Inspection 	Statewide	<ul style="list-style-type: none"> OSPR is lead State agency for oil spill prevention and response (responsibility shared with 22 agencies represented on State Interagency Oil Spill Committee [SIOSC]) OSPR requires spill contingency plans for all marine facilities with potential discharge into the marine waters of the State. OSPR enforces laws designed to prevent spills, responds to spills, and investigates spills. OSPR/DFG wardens conduct spill investigations, gather and prepare evidence, and enforce the criminal statutes contained in the OSPRA (e.g., civil/criminal penalties for OSPRA violations).
CCC/SFBCDC	<ul style="list-style-type: none"> OSPRA (Cal. Gov. Code §§ 8670.28 et seq.) 	<ul style="list-style-type: none"> CCC/SFBCDC Joint Oil Spill Program (JOSP) 	<ul style="list-style-type: none"> CCC: coastal zone SFBCDC: SFB 	<ul style="list-style-type: none"> These are additional authorities/responsibilities to those described for other MMs above.
SLC	<ul style="list-style-type: none"> PRC §§6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> SLC leases (PRC §6501.1) Marina Leasing Program 	<ul style="list-style-type: none"> Ungranted State sovereign lands 	<ul style="list-style-type: none"> May review fueling station design during the commercial lease approval process on lands under the jurisdiction of the SLC.

The following BACKUP AUTHORITIES pertain to Marina Management Measure 4.1F

The backup authorities for this MM are the same as the backup authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D.

Marinas and Recreational Boating Management Measure 4.1G — Sewage Facilities

Install pumpout, dump station, and restroom facilities where needed at new and expanding and existing marinas to reduce the release of sewage to surface waters. Design these facilities to allow ease of access and post signage to promote use by the boating public.

The agencies and authorities for this MM are the same as the agencies/authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D, with the additional agency/authorities and other efforts listed below.

Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA 	<ul style="list-style-type: none"> • (HWRF • CVAP • Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • DBW plans, designs, finances, and constructs State boating facilities, and coordinates with local governments to develop local boating facilities. Financing includes boating facility construction loans, boat launching facility grants, marina construction loans, capital outlay projects. • Under the CVAP, DBW helps fund the construction, renovation, operation, and maintenance of pumpout/dump stations to service pleasure craft. • Authorized uses of HWRF loans related to implementing this MM are restrooms and vessel pumpout facilities. • Under HNC § 76.4(a)(3), projects eligible for HWRF loans must show evidence of compliance with CEQA.
DBW with RWQCBs, SWRCB, USFWS, and all peace officers, State and local public health officers, and boating law enforcement officers as specified	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA 		<ul style="list-style-type: none"> • Statewide 	<ul style="list-style-type: none"> • Every vessel terminal (marina) shall, as required by the RWQCBs, be equipped with vessel pumpout facilities for the transfer and disposal of sewage. In imposing this requirement, the RWQCB shall take into account the number and type of vessels that use or are berthed at the vessel terminal. In addition, the RWQCB may require any vessel pumpout facility to be equipped with a meter for the purpose of measuring use of the facility. All new pumpout facilities shall be equipped

				<p>with a meter (HNC § 776). This section applies to dockage adjacent to and serving private residences unless the RWQCB determines that vessel pumpout facilities are conveniently available to vessels so docked.</p> <ul style="list-style-type: none"> • Any violation of HNC § 776 is a misdemeanor. Under HNC § 779, every peace officer of the State and of any city, county, or other public agency, all State and local public health officers, and all boating law enforcement officers shall enforce this chapter of the HNC and any adopted regulations • Every vessel pumpout facility shall have a notice posted on the facility identifying the city, county, local public health officer, or boating law enforcement officer responsible for enforcement [HNC § 777(b)]. • The SWRCB shall adopt standards for the location, construction, operation, and maintenance of vessel pumpout facilities (HNC § 778). • DBW guidelines pursuant to HNC § 775 et seq. are incorporated into the USFWS (1994) California Statewide Vessel Disposal Plan (CSVDP).
State/local/federal agency participation in MBNMS	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) 	MBNMS WQPP Action Plan for Marinas	MBNMS	<p>The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.</p>

Marinas and Recreational Boating Management Measure 4.1H — Waste Management Facilities

Install facilities where needed for the proper recycling or disposal of solid wastes (such as oil filters, lead acid batteries, used absorbent pads, spent zinc anodes, and fish waste as applicable) and liquid materials (such as fuel, oil, solvents, antifreeze, and paints) generated by users of marinas and boat maintenance areas. Design these facilities to allow ease of access, post signage to promote use by the boating public, and encourage recycling to the fullest extent possible.

The agencies and authorities for this MM are the same as the agencies/authorities identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D, with the additional agency/authorities listed below.

Agency	Authority	Programs	Implementing Area	Notes
DTSC	<ul style="list-style-type: none"> • HSC, Div. 20 §§ 25100 et seq. • HSC, Div. 38 §§ 58000 et seq. 	<ul style="list-style-type: none"> • Hazardous Waste Facilities Permits 	Statewide	Regulates hazardous material transport, treatment, storage, and disposal; issues permits to operate to any person who stores, treats, or disposes of hazardous waste. Programs also encourage recycling of certain hazardous materials (e.g., used oil, spent batteries, etc.).

The backup agencies/authorities for this MM are the same as those identified for MMs 4.1A, 4.1B, 4.1C, and 4.1D. Other efforts include:				
Agency	Authority	Programs	Implementing Area	Notes
CIWMB	<ul style="list-style-type: none"> • PRC §§ 40400-49620, including California Integrated Waste Management Act (CIWMA) • CCR (CCR) Title 14, Div. 7 and Title 27, Div. 2 	<ul style="list-style-type: none"> • Diversion, Planning, and Local Assistance • Household Hazardous Waste (HHW) Grants • Used Oil Grants • Used Oil Certification 	Statewide	<ul style="list-style-type: none"> • Assists local governments in complying with CIWMA (to divert 50% of waste from landfills by the year 2000). • Provides model planning documents, workbooks, etc. on waste prevention, reduction, reuse, recycling, and safe disposal of used oil and HHWs. • Awards used oil grants and grants to implement programs that emphasize HHW waste/source reduction and HHW reuse/recycling. • Provides incentives to centers that provide a convenient location for “do-it-yourselfers” to bring used oil for proper disposal or re-refining.
State/local/federal agency participation in MBNMS	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) 	MBNMS WQPP Action Plan for Marinas	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region’s watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.

Marinas and Recreational Boating Management Measure 4.2A — Solid Waste Control

Properly dispose of solid wastes produced by the operation, cleaning, maintenance, and repair of boats and operation of marinas—and encourage recycling of recyclable materials to the fullest extent possible—to limit entry of solid wastes to surface waters.

Marinas and Recreational Boating Management Measure 4.2B — Fish Waste

Promote sound fish waste management through a combination of fish-cleaning restrictions, public education, and proper disposal of fish waste.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> • CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of “projects” using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	<ul style="list-style-type: none"> • Environmental Checklists help to identify potential NPS impacts. • EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SbMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Leases on granted tide and submerged lands • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone • Tide-submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> • Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. • Local governments may lease granted lands for marinas and may condition leases. • Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/ RWQCBs	<ul style="list-style-type: none"> • CWA (33 USC § 1251 et seq.) • PCWQCA (WC §§ 13000 et seq.) 	<ul style="list-style-type: none"> • SWDP (CWA §402) General Municipal Storm Water Permits (GMSWPs) • TMDL Program [pursuant to CWA § 303(d)] 	Storm Water Program applies to: <ul style="list-style-type: none"> • cities >100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) TMDL programs apply in CWA § 303(d)-listed watersheds.	NPDES Permits (Phase I): <ul style="list-style-type: none"> • large/medium municipalities separate storm sewer systems NPDES Permits (Phase II): <ul style="list-style-type: none"> • smaller municipalities TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met.

CCC	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/ amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	Coastal zone (includes tidelands, submerged lands, public trust lands).	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties.
SFBCDC	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency • Enforcement 	SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
SLC	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §6501.1) • Marina Leasing Program 	<ul style="list-style-type: none"> • Ungranted State sovereign lands 	<ul style="list-style-type: none"> • May require that lessees provide appropriate waste disposal and/or recycling containers at new or expanding marinas as part of the commercial lease approval process on lands under its jurisdiction. • May require lease covenants prohibiting sale of prepared food in polystyrene foam containers or packaging within the lease area as part of the lease approval process.
DPR	Div. 1, Chapter 1.25, Div. V, PRC §5000 et seq.	<ul style="list-style-type: none"> • 	SPS	DPR operates and maintains units of the SPS that have boating-related activities.
DTSC (relates to Solid Waste MM, not Fish Waste MM)	<ul style="list-style-type: none"> • HSC, Div. 20 §§ 25100 et seq. • HSC, Div. 38 §§ 58000 et seq. 	<ul style="list-style-type: none"> • Hazardous Waste Facilities Permits 	Statewide	Regulates hazardous material transport, treatment, storage, and disposal; issues permits to operate to any person who stores, treats, or disposes of hazardous waste. Programs also encourage recycling of certain hazardous materials (e.g., used oil, spent batteries, etc.).

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4..2A and 4.2B

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCP (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. ♦ § 5650 ♦ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds

Other efforts that pertain to Marina Management Measure 4.2A and 4.2B				
Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA 	<ul style="list-style-type: none"> • (HWRF • CVAP • Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • Authorized uses of HWRF loans related to implementing this MM are installation of receptacles for separating, reusing, or recycling solid waste materials.
CIWMB (relates to Solid Waste MM, not Fish Waste MM)	<ul style="list-style-type: none"> • PRC §§ 40400-49620, including CIWMA • CCR Title 14, Div. 7 and Title 27, Div. 2 	<ul style="list-style-type: none"> • Diversion, Planning, and Local Assistance • HHW Grants 	<ul style="list-style-type: none"> • Statewide 	<ul style="list-style-type: none"> • Assists local governments in complying with CIWMA (to divert 50% of waste from landfills by the year 2000). • Provides model planning documents, workbooks, etc. on waste prevention, reduction, reuse, recycling, and safe disposal of HHWs. • Awards grants to implement programs that emphasize HHW waste source reduction or HHW reuse/recycling.
State/local/federal agency participation in MBNMS	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) 	MBNMS WQPP Action Plan for Marinas	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.

Marinas and Recreational Boating Management Measure 4.2C — Liquid Material Control

Provide and maintain appropriate storage, transfer, containment, and disposal facilities for liquid material—such as fuel, oil, solvents, antifreeze, and paints—and encourage recycling of these materials to the fullest extent possible.

Marinas and Recreational Boating Management Measure 4.2D — Petroleum Control

Reduce the amount of fuel and oil from boat bilges and fuel tank air vents entering marina and surface waters.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> • CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of “projects” using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	<ul style="list-style-type: none"> • Environmental Checklists help to identify potential NPS impacts. • EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SbMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Leases on granted tide and submerged lands • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone • Tide- /submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> • Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. • Local governments may lease granted lands for marinas and may condition leases (e.g., to address assessment, siting, and design). • Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/ RWQCBs	<ul style="list-style-type: none"> • CWA (33 USC § 1251 et seq.) • PCWQCA (WC §§ 13000 et seq.) 	<ul style="list-style-type: none"> • SWDP (CWA § 402) GMSWPs • TMDL Program [pursuant to CWA § 303(d)] 	SWDP applies to: <ul style="list-style-type: none"> • cities >100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) TMDL programs apply in CWA § 303(d)-listed watersheds.	NPDES Permits (Phase I): <ul style="list-style-type: none"> • large/medium municipalities separate storm sewer systems NPDES Permits (Phase II): <ul style="list-style-type: none"> • smaller municipalities TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met.

CCC	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) • OSPRA (Gov. Code §§ 8670.28 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/ amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • CCC/SFBCDC JOSP • Enforcement 	Coastal zone (includes tidelands, submerged lands, public trust lands).	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties.
SFBCDC	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) • OSPRA (Gov. Code §§ 8670.28 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency • CCC/SFBCDC JOSP • Enforcement 	SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. 	<ul style="list-style-type: none"> • 		<ul style="list-style-type: none"> • It is a misdemeanor for any person to discharge oil (including fuel oil, oil sludge, and oil refuse) by any methods, means, or manner, into or upon the navigable waters of the State from any vessel (HNC § 133). • Any person that intentionally or negligently causes or permits any oil to be deposited in State waters is liable for civil penalties and cleanup costs (HNC § 151). • It is unlawful to transfer petroleum, chemicals, other hazardous substances between shore and a vessel unless the flow is continuously monitored as specified [HNC § 135(a)]. This section does not apply to: <ul style="list-style-type: none"> (a) fuel transfers to any self-propelled vessel < 65 feet in length, if the fueling facility is equipped with dispensing nozzles of the automatic shut-off type that do not have catch-locks and meet all

				<p>federal standards;</p> <p>(b) onshore tanks if appropriate containment or diversionary structures, or both, or other equipment that is adequate to prevent the overflowed substance from reaching State waters.</p>
OSPR	<ul style="list-style-type: none"> • OSPRA (Gov. Code §§ 8670.28 et seq.); • PRC Div. 7.8; • Title 14 CCR §§ 815.01 et seq.; • OPA. 	<ul style="list-style-type: none"> • Contingency Planning • Enforcement and Inspection 	Statewide	<ul style="list-style-type: none"> • OSPR is lead State agency for oil spill prevention and response (responsibility shared with 22 agencies represented on SIOSC) • OSPR requires spill contingency plans for all marine facilities with potential discharge into the marine waters of the State. • OSPR enforces laws designed to prevent spills, responds to spills, and investigates spills. • OSPR/DFG wardens conduct spill investigations, gather and prepare evidence, and enforce the criminal statutes contained in the OSPRA (e.g., civil/criminal penalties for OSPRA violations).
DPR	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	SPS	DPR operates and maintains units of the SPS that have boating-related activities.
DTSC	<ul style="list-style-type: none"> • HSC, Div. 20 §§ 25100 et seq. • HSC, Div. 38 §§ 58000 et seq. 	<ul style="list-style-type: none"> • Hazardous Waste Facilities Permits 	<ul style="list-style-type: none"> • Statewide 	Regulates hazardous material transport, treatment, storage, and disposal; issues permits to operate to any person who stores, treats, or disposes of hazardous waste. Programs also encourage recycling of certain hazardous materials (e.g., used oil, spent batteries, etc.).
SLC	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §6501.1) • Marina Leasing Program 	<ul style="list-style-type: none"> • Ungranted State sovereign lands 	General lease provisions require lessees to be fully responsible for any hazardous wastes generated in the lease area and to comply with all applicable provisions of federal, State, and local law, regulation or ordinance dealing with such wastes or materials.

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4.2C and 4.2D

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCP (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. <ul style="list-style-type: none"> ◆ § 5650 ◆ §§ 12000-12002 	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds

Other efforts that pertain to Marina Management Measure 4.2C and 4.2D

Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA 	<ul style="list-style-type: none"> • HWRF • CVAP • Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • Authorized uses of HWRF loans related to implementing this MM are for oil recycling facilities.
DFG-OSPR	<ul style="list-style-type: none"> • OSPRA (Cal. Gov. Code §§ 8670.28 et seq.) 	<ul style="list-style-type: none"> • Education-Outreach Program 	Statewide	Education-Outreach Program is intended to assist operators of Small Craft Refueling Docks (SCRDs) (waterside operations serving primarily small craft of less than 20 meters in length and less than

				5 tons net weight) in spill prevention and response efforts. Certified docks must make efforts to prevent spills, and must immediately report spills that occur to the U.S. Coast Guard (USCG) and Cal/OES. Information is provided through: (1) brochures/flyers/other written materials/slide shows/telephone contact; (2) self-determined inspections by Oil Spill Prevention Specialists (OSPS) (who can identify strengths and weaknesses in a refueling dock's system and, when appropriate, show a dock operator ways to improve his/her ability to prevent and respond to spills); and (3) training.
CIWMB	<ul style="list-style-type: none"> • PRC §§ 40400-49620, including CIWMA • CCR Title 14, Div. 7 & Title 27, Div. 2 	<ul style="list-style-type: none"> • Diversion, Planning, and Local Assistance • HHW Grants • Used Oil Grants • Used Oil Certification 	<ul style="list-style-type: none"> • Statewide 	<ul style="list-style-type: none"> • Assists local governments in complying with CIWMA (to divert 50% of waste from landfills by the year 2000). • Provides model planning documents, workbooks, etc. on waste prevention, reduction, reuse, recycling, and safe disposal of used oil and HHWs. • Awards used oil grants and grants to implement programs that emphasize HHW waste/source reduction and HHW reuse/recycling. • Provides incentives to centers that provide a convenient location for “do-it-yourselfers” to bring used oil for proper disposal or re-refining.
State/local/federal agency participation in MBNMS	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) 	<ul style="list-style-type: none"> • MBNMS WQPP Action Plan for Marinas 	<ul style="list-style-type: none"> • MBNMS 	The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.

Marinas and Recreational Boating Management Measure 4.2E — Boat Cleaning and Maintenance

For boats that are in the water, perform
 (1) topside cleaning and maintenance operations to minimize, to the extent practicable, the release to surface waters of (a) harmful products such as cleaners and solvents and (b) paint; and
 (2) underwater hull cleaning and maintenance operations to minimize, to the extent practicable, the release of paint and anodes.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> • CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of “projects” using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	<ul style="list-style-type: none"> • Environmental Checklists help to identify potential NPS impacts. • EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SbMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Leases on granted tide and submerged lands • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone • Tide- /submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> • Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. • Local governments may lease granted lands for marinas and may condition leases. • Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/ RWQCBs	<ul style="list-style-type: none"> • CWA (33 USC § 1251 et seq.) • PCWQCA (WC §§ 13000 et seq.) 	<ul style="list-style-type: none"> • SWDP (CWA § 402) GMSWPs • TMDL Program [pursuant to CWA § 303(d)] 	SWDP applies to: <ul style="list-style-type: none"> • cities >100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) TMDL programs apply in CWA § 303(d)-listed watersheds.	NPDES Permits (Phase I): <ul style="list-style-type: none"> • large/medium municipalities separate storm sewer systems NPDES Permits (Phase II): <ul style="list-style-type: none"> • smaller municipalities TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met.
CCC	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/ amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone 	Coastal zone (includes tidelands, submerged lands, public trust lands).	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties.

		<ul style="list-style-type: none"> • Enforcement 		
SFBCDC	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency • Enforcement 	SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
DPR	<ul style="list-style-type: none"> • 		SPS	DPR operates and maintains units of the SPS that have boating-related activities.
DTSC	<ul style="list-style-type: none"> • HSC, Div. 20 §§ 25100 et seq. • HSC, Div. 38 §§ 58000 et seq. 	<ul style="list-style-type: none"> • Hazardous Waste Facilities Permits 	Statewide	Regulates hazardous material transport, treatment, storage, and disposal; issues permits to operate to any person who stores, treats, or disposes of hazardous waste. Programs also encourage recycling of certain hazardous materials (e.g., used oil, spent batteries, etc.).
SLC	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §65101.1) • Marina Leasing Program • 	<ul style="list-style-type: none"> • Ungranted State sovereign lands 	<ul style="list-style-type: none"> • General lease provisions require lessees to be fully responsible for any hazardous wastes generated in the lease area and to comply with all applicable provisions of federal, State, and local law, regulation or ordinance dealing with such wastes or materials.

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4..2E

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCPs (Basin Plans) • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. • NPSMP's 3-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based

				Encouragement of management practices, Tier 3 , Effluent Limitations.
DFG	FGC §§ 1 et seq. ◆ § 5650 ◆ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs, and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds
Other efforts that pertain to Marina Management Measure 4.2E				
Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA 	<ul style="list-style-type: none"> • HWRF • CVAP • Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • Authorized uses of HWRF loans related to implementing this MM are receptacles for separating, reusing, or recycling solid waste materials, etc.
State/local/federal agency participation in MBNMS	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) 	MBNMS WQPP Action Plan for Marinas	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.

Marinas and Recreational Boating Management Measure 4.2F — Maintenance of Sewage Facilities

Ensure that sewage pumpout facilities are maintained in operational condition and encourage their use.

Agency	Authority	Programs	Implementing Area	Notes
Various State and Local	<ul style="list-style-type: none"> • CEQA (PRC §§ 21000 et seq.) • CEQA Guidelines (Title 14 CCR §§ 15000 et seq.) 	Environmental review of “projects” using Initial Study (Environmental Checklists), EIR, or Negative Declaration	Statewide	<ul style="list-style-type: none"> • Environmental Checklists help to identify potential NPS impacts. • EIR or Negative Declaration may identify mitigation measures to address potential adverse impacts.
Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SbMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Leases on granted tide and submerged lands • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone • Tide-submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> • Cities/counties adopt policies/ordinances; make land-use decisions consistent with State law. • Local governments may lease granted lands for marinas and may condition leases. • Local Health Depts. have authority to inspect sewage disposal facilities. • Local Harbor Districts often maintain pumpout facilities and keep boat owners and harbor users apprised of the availability of the facility. • Enforcement tools include: inspections; fines; infractions; misdemeanors; stop work orders; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
SWRCB/ RWQCBs	<ul style="list-style-type: none"> • CWA (33 USC § 1251 et seq.) • PCWQCA (WC §§ 13000 et seq.) 	<ul style="list-style-type: none"> • SWDP (CWA § 402) GMSWPs • TMDL Program [pursuant to CWA § 303(d)] 	<p>Storm Water Program applies to:</p> <ul style="list-style-type: none"> • cities >100,000 pop. (Phase I) • cities of 50,000 - 100,000 pop. (Phase II) <p>TMDL programs apply in CWA § 303(d)-listed watersheds.</p>	<p>NPDES Permits (Phase I):</p> <ul style="list-style-type: none"> • large/medium municipalities separate storm sewer systems <p>NPDES Permits (Phase II):</p> <ul style="list-style-type: none"> • smaller municipalities <p>TMDL goals include: identify pollution sources in watersheds; allocate pollution control responsibilities where water quality goals are not met.</p>

<p>CCC</p>	<ul style="list-style-type: none"> • CCA (PRC §§ 30000 et seq.) • CCC Administrative Regulations (Title 14 CCR §§ 13000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Coastal development permits • LCP certification/ amendments • Federal consistency: review of federal actions affecting land or water uses or natural resources of the coastal zone • Enforcement 	<p>Coastal zone (includes tidelands, submerged lands, public trust lands).</p>	<ul style="list-style-type: none"> • CCC certifies LCPs prepared by coastal cities/counties. • Federal projects, permits and licenses must be found consistent with the CCMP before they are implemented. • Enforcement tools include: issue cease and desist/ restoration orders; file complaint for civil penalties.
<p>SFBCDC</p>	<ul style="list-style-type: none"> • MPA (Gov. Code §§ 66600 et seq.), including SFB Plan • SMPA (PRC §§ 29000 et seq.) • CCMP pursuant to CZMA (16 USC §§ 1451 et seq.) 	<ul style="list-style-type: none"> • Designation of priority uses adjacent to SFB • Permitting: development permits and marsh development permits • Federal consistency • Enforcement 	<p>SFB (shoreline areas within 100 ft. of SFB; tidal areas and specified tributaries; Suisun Marsh)</p>	<ul style="list-style-type: none"> • Enforcement and federal consistency authorities are similar to those of CCC.
<p>DBW with RWQCBs, SWRCB, USFWS, and all peace officers, State and local public health officers, and boating law enforcement officers as specified</p>	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA • HSC §§ 11750-117525 		<ul style="list-style-type: none"> • Statewide 	<ul style="list-style-type: none"> • Vessel pumpout facilities for the transfer and disposal of sewage from marine sanitation devices shall be operated and maintained in a manner that will prevent the discharge of any sewage to the waters of the State and shall be maintained in good working order and regularly cleaned [HNC § 777(a)] • Every vessel pumpout facility shall have a notice posted on the facility identifying the city, county, local public health officer, or boating law enforcement officer responsible for enforcement [HNC § 777(b)]. • The SWRCB shall adopt standards for the location, construction, operation, and maintenance of vessel pumpout facilities (HNC § 778). • Every peace officer of the State and of any city, county, or other public agency, all State and local public health officers, and all boating law enforcement officers shall enforce this chapter of the HNC and any adopted

				<p>regulations (HNC § 779). Nothing in this chapter of the HNC precludes the regulation of houseboats as defined in State law.</p> <ul style="list-style-type: none"> • DBW guidelines pursuant to HNC § 775 et seq. are incorporated into the CSVDP. • No person shall place, deposit, or dump any human excreta in or upon the navigable waters of the State, that are within any marina, yacht harbor, fresh water lake, or fresh water impoundment, from any vessel tied to any dock, slip, or wharf that has toilet facilities available for the use of persons on the vessel (HSC § 117520)
DPR	Div. 1, Chapter 1.25, Div. V, PRC §5000 et seq.	•	SPS	DPR operates and maintains units of the SPS that have boating-related activities.
SLC	<ul style="list-style-type: none"> • PRC §§ 6000 et seq. (includes lease authority) 	<ul style="list-style-type: none"> • SLC leases (PRC §6501.1) • Marina Leasing Program • 	<ul style="list-style-type: none"> • Ungranted State sovereign lands 	<ul style="list-style-type: none"> • General lease provisions require lessees to be fully responsible for any hazardous wastes generated in the lease area and to comply with all applicable provisions of federal, State, and local law, regulation or ordinance dealing with such wastes or materials.

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4..2F

Agency	Authority	Programs	Implementing Area	Notes
SWRCB/ RWQCB	PCWQCA (WC §§ 13000 et seq.)	<ul style="list-style-type: none"> • WQCP • WDRs • NPSMP • WMI 	Statewide	<ul style="list-style-type: none"> • Enforcement tools: cleanup and abatement/cease and desist orders; admin. civil liability • RWQCB has primary responsibility for individual permits, inspection and enforcement: may prohibit discharges or place limits on discharge volume, area, timing, characteristics. • NPSMP’s three-tier approach to manage NPS pollution: Tier 1, Voluntary Implementation of management practices, Tier 2, Regulatory-Based Encouragement of management practices, Tier 3, Effluent Limitations.
DFG	FGC §§ 1 et seq. ♦ § 5650 ♦ §§ 12000-12002	<ul style="list-style-type: none"> • Enforcement • Reporting 	Statewide	<ul style="list-style-type: none"> • Enforcement: citations by wardens • Reporting: DFG staff report chronic (sublethal, long-term) water pollution conditions to RWQCBs and cooperate in obtaining corrections or abatements to the condition.
DHS	HSC §§ 100275, 115880, 116075, 112150 et seq.	Public beach and recreational water sanitation; shellfish beds	Coastal waters	Microbiological standards for beaches and recreational waters; microbiological standards for shellfish beds

Other efforts that pertain to Marina Management Measure 4.2F				
Agency	Authority	Programs	Implementing Area	Notes
DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA 	<ul style="list-style-type: none"> • HWRF • CVAP • Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • Under the CVAP, DBW helps fund the construction, renovation, operation, and maintenance of pumpout/dump stations to service pleasure craft. • Authorized uses of HWRF loans related to implementing this MM are: restrooms, vessel pumpout facilities. • DBW provides educational materials regarding vessel pumpout locations and use, and pamphlets that review State/federal marine pollution laws. The pamphlet <i>Shipshape Sanitation, MSDs and Pumpouts</i> explains laws and regulations for MSDs and vessel sewage discharge and the importance of proper disposal.
State/local/federal agency participation in MBNMS	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) 	MBNMS WQPP Action Plan for Marinas	MBNMS	The MBNMS WQPP is a collaborative effort of federal, State and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG.

Marinas and Recreational Boating Management Measure 4.2G — Boat Operation

Restrict boating activities where necessary to decrease turbidity and physical destruction of shallow-water habitat.

Agency	Authority	Programs	Implementing Area	Notes
Cities/Counties (CA contains 58 counties and approximately 468 incorporated cities.)	<ul style="list-style-type: none"> • PZL (Gov. Code §§ 65000 et seq.) • SbMA (Gov. Code §§ 66410 et seq.) • CCA § 30500 	<ul style="list-style-type: none"> • General Plans/GP updates • LCPs/LCP amendments • Zoning ordinances • Subdivision ordinances • Permits pursuant to above • Leases on granted tide and submerged lands • Enforcement 	<ul style="list-style-type: none"> • Statewide • LCP policies/ordinances apply in coastal zone • Tide-submerged lands granted in trust to cities and counties 	<ul style="list-style-type: none"> • Cities/counties can adopt policies/ordinances, and can condition leases for marinas on granted lands, to address boat operations at marinas. • Enforcement tools include: inspections; fines; infractions; misdemeanors; general police powers to protect public health, safety and welfare and declare, prohibit, and abate nuisances.
DPR	•	•	SPS	DPR operates and maintains units of the SPS that have boating-related activities.

The following BACKUP AUTHORITIES pertain to Marina Management Measures 4.2G

DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. 		Statewide	DBW promotes boating safety and education as part of its mission to ensure that boating is as safe as possible. The agency sponsors boating law enforcement to ensure that California boating laws are enforced uniformly throughout the State, and provides supplemental State funding to local governments for marine patrols.
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Marinas and Recreational Boating Management Measure 4.3A — Public Education/Outreach

Implement educational programs to provide greater understanding of watersheds, and to raise awareness and increase the use of applicable marina and boating management measures and practices where needed to control and prevent adverse impacts to ground and surface water. Public education, outreach, and training programs should involve applicable user groups and the community (e.g., boaters, boating groups, marina owners and operators, boat maintenance facility operators, waterfront agencies, service providers, live-a-boards, environmental community and other related groups).

[Refer to the Marinas and Recreational Boating Management Measures 4.1 – 4.2 listed in this document.]

Efforts that pertain to Management Measure 4.3A — Education/Outreach: Public Education

Agency	Authorities (●) and Programs (◆)	Implementing Area	Notes
Local Governments (Cities and Counties)	Many programs, including the following: ◆ SFB/Southern CA NPDES stormwater programs (education/outreach efforts to reduce pollution from litter and improper disposal into storm drains). ◆ HHW collection facilities (includes education, waste disposal, facility inspection).	Varies Statewide	<ul style="list-style-type: none"> ● Many local governments maintain planning, community liaison or public education/information staff to organize special projects (e.g., management practice handbooks). ● Many local harbor departments/harbor patrols maintain harbor facilities, coordinate federal dredging activities, administer tidelands lease sites, and provide boater assistance and emergency response, including water safety, education, and school and community outreach programs.
CCC	<ul style="list-style-type: none"> ● CCA (PRC §§ 30000 et seq.) ◆ Conservation Education Program (PRC§ 30012) ◆ Boater Education Program ◆ <i>Boating and Clean Green Campaign (BCGC)</i> ◆ Coastal Cleanup Day ◆ Adopt-A-Beach program ◆ Save Our Seas curriculum 	<ul style="list-style-type: none"> ● Coastal zone/ Statewide (e.g., throughout the San Francisco Bay/Delta, Los Angeles County, Orange County, San Diego County, and other areas). 	<ul style="list-style-type: none"> ● CCC programs promote conservation awareness, recycling, and litter abatement efforts through community involvement and environmental education efforts/materials. ● <i>BCGC</i> is a Statewide campaign intended to: (1) facilitate installation of new services at marinas to help boaters prevent emissions of oil and other pollutants into State waters; and (2) educate boaters to use these services and other practices that reduce the pollution associated with boating. <i>BCGC</i> staff have: (1) researched practices and awareness of boaters related to managing used oil and preventing oil/fuel discharges; (2) presented boater used oil management and spill prevention strategies to local government and marina operators; (3) developed “boater kits” containing bilge pads, environmental/safety information for boaters, etc.; and (4) helped hand out boater kits from the SF Baykeeper’s “green” boat (a natural gas-powered boat maintained/retrofitted using environmentally

			sound products/equipment).
CIWMB	<ul style="list-style-type: none"> • CIWMA (PRC §§ 40400-49620), including CIWMA • CCR Title 14, Div. 7 and Title 27, Div. 2 ◆ Diversion, Planning, and Local Assistance ◆ HHW Grants and Used Oil Grants ◆ Used Oil Certification ◆ Waste Reduction Program 	Statewide at local level	<ul style="list-style-type: none"> • Helps local governments in CIWMA compliance (to divert 50% of waste from landfills by year 2000). • Provides model planning documents, workbooks, etc. on waste prevention, reduction, reuse, recycling, and safe disposal of used oil and HHWs. • Awards used oil grants and grants to implement programs that emphasize HHW waste/source reduction and HHW reuse/recycling. • Provides incentives to centers that provide a convenient location for “do-it-yourselfers” to bring used oil for proper disposal or re-refining.
DBW	<ul style="list-style-type: none"> • HNC §§ 1 et seq. • FCVA ◆ HWRF ◆ Clean Vessel Act Pumpout Grant Program ◆ Aquatic Safety Educational Program (AquaSMART) for K-12 students in CA public schools. ◆ Other Financial, Technical Assistance, and Educational Programs 	<ul style="list-style-type: none"> • SPS, SWP reservoirs and on other State lands. • Assists local governments Statewide. 	<ul style="list-style-type: none"> • DBW plans, designs, finances, and constructs State boating facilities and coordinates with local governments to develop local boating facilities. Financing includes boating facility construction loans, boat launching facility grants, marina construction loans, and capital outlay projects. • DBW provides educational materials regarding vessel pumpout locations and use and pamphlets that review State/federal marine pollution laws [e.g., the pamphlet <i>Shipshape Sanitation, MSDs and Pumpouts</i> explains laws and regulations for Marine Sanitation Devices and vessel sewage discharge, and the importance of proper disposal].
DFG-OSPR	<ul style="list-style-type: none"> • OSPRA (Cal. Gov. Code §§ 8670.28 et seq.); ◆ Education-Outreach Program 	Statewide	Education-Outreach Program is intended to assist operators of SCRDS (waterside operations serving primarily small craft of less than 20 meters in length and less than 5 tons net weight) in spill prevention/response efforts. Certified docks must make efforts to prevent spills, and must report spills that occur to the USCG and Cal/OES. Information is provided through: (1) brochures/flyers/other materials/slide shows/ telephone contact; (2) self-determined inspections by OSPS (who can identify strengths and weaknesses in a refueling dock’s system, and when appropriate show a dock operator ways to improve his/her ability to prevent and respond to spills); and (3) training.

<p>DTSC Cal/EPA USEPA CA Community Colleges</p>	<ul style="list-style-type: none"> • HSC §§ 58000 et seq. • HSC §§ 25100 et seq. ◆ Hazardous Waste Generator/Small Business Outreach Workshops ◆ California Compliance School 	<p>Statewide</p>	<ul style="list-style-type: none"> • Hazardous waste management workshops for businesses • Classes/workbook and hands-on training for individuals who manage/work with hazardous wastes
<p>State/local/federal agency participation in CA's • NMSs • NERRs • NEPs</p>	<ul style="list-style-type: none"> • MPRSA (16 USC § 1431 et seq.) • CZMA § 315 • CWA § 320 (33 USC § 1330) ◆ MBNMS WQPP ◆ Santa Monica Bay Restoration Project (SMBRP) ◆ San Francisco Estuary Project (SFEP) 	<p><u>NMSs</u>:</p> <ul style="list-style-type: none"> • Monterey Bay • Channel Islands • Cordell Bank/ Gulf of the Farallones <p><u>NERRs</u>:</p> <ul style="list-style-type: none"> • Elkhorn Slough • Tijuana River <p><u>NEPs</u>:</p> <ul style="list-style-type: none"> • Santa Monica Bay (SMB), SFBand Morro Bay 	<ul style="list-style-type: none"> • See MBNMS WQPP Action Plan for Marinas • The MBNMS WQPP is a collaborative effort of federal, state, and local agencies and public and private groups to address NPS pollution in the region's watersheds. An MOA has been signed by: NOAA; USEPA, Region 9; Cal/EPA; SWRCB; RWQCB 2 (SFB); RWQCB 3 (Central Coast); CCC; and AMBAG. • The National Estuary Program (NEP) provides impetus, funding, and technical assistance for the management of nationally significant estuaries.
<p>California Clean Boating Network (CCBN)</p>			<p>The CCBN (comprised of public members and CCC, SLC, DFG, DBW, NOAA, USCG, and other agency staffs) conducts public outreach, including the development and distribution to marinas and other users of the marine environment of a binder that includes exemplary education products that address pollutants associated with marina and boater activity.</p>
<p>DPR</p>	<p>Div. 1, Chapter 1.25, Div. V, PRC §5000 et seq.</p>	<p><u>SPS</u></p>	<p>DPR has an extensive educational program that includes talks, displays, curriculum development and special programs.</p>