

Washington's Coastal Nonpoint Program

August 2020

What is the Coastal Nonpoint Program?

Congress established the Coastal Nonpoint Pollution Control Program (coastal nonpoint program) under Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA) of 1990. The goal is to encourage coastal states to implement measures to reduce polluted runoff and restore and protect coastal waters. The National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) jointly administer the program.

Who Develops Coastal Nonpoint Programs?

Under CZARA, all coastal states and territories, including Great Lakes states, that choose to participate in the voluntary National Coastal Zone Management Program under Section 306 of the Coastal Zone Management Act (CZMA) are required to develop coastal nonpoint programs.

What is a Coastal Nonpoint Program?

In a coastal nonpoint source program, a state describes how it will implement nonpoint source pollution controls, known as management measures, from five main sources: agriculture, forestry, urban areas, marinas, and hydromodification (shoreline and stream channel modification). The program also includes management measures for wetlands, riparian and vegetated treatment systems. The management measures are identified in a guidance document published by EPA in 1993. State coastal nonpoint programs also provide for the implementation of additional management measures where coastal water quality is impaired or threatened even after the implementation of the management measures specified in the 1993 guidance. These additional measures apply both to existing land and water uses that are found to cause or contribute to water quality impairment and to new or substantially expanding land uses within critical coastal areas adjacent to impaired or threatened coastal waters. States are to develop regulatory or voluntary programs, backed by enforceable policies, that provide for the implementation of these management measures within the coastal nonpoint program boundary.

What Happens After Approval of a State's Coastal Nonpoint Program?

After NOAA and EPA review and approve a state's coastal nonpoint program, the state implements the various program components through its CWA nonpoint management program and its CZMA coastal management program. In practice, contributions from partner entities and programs, beyond those directly supported with federal grant funds under CWA Section 319 or CZMA Section 306, support the implementation and success of a state's coastal nonpoint program.

What Funding is Used to Support the Coastal Nonpoint Program?

Congress has not appropriated funding specifically to support the coastal nonpoint program since 2009. States rely on other sources of federal and state funding, including federal grants under CWA Section 319 and CZMA Sections 306 and 309, to support measures to manage coastal nonpoint source pollution. Other federal funding sources such as the United States

Department of Agriculture's Natural Resource Conservation Service cost share assistance and EPA's Clean Water State Revolving Fund and CWA Section 320 National Estuary Program play important supporting roles. In addition, the Washington program is supported by various state funding sources such as Washington's Centennial Clean Water Fund and State Water Pollution Control Revolving Fund and the Salmon Recovery Funding Board. Local governments also play a critical role by providing local guidance, technical assistance, and sponsoring or providing cost share to local projects.

What is the Status of Washington's Coastal Nonpoint Program?

- In 1998, NOAA and EPA approved Washington's program subject to certain conditions.
- Since then the State has worked with NOAA and EPA to address the remaining conditions.
- On June 15, 2020, NOAA and EPA invited public comment in the Federal Register on a proposed finding that Washington has satisfied the conditions on the 1998 program approval. NOAA and EPA have extended the public comment period, which is now scheduled to close on September 14, 2020.

The proposed findings document explains the federal agencies' rationales for the proposed determination. NOAA and EPA will carefully consider all comments received during the public comment period as well as comments and concerns raised by Tribes during government-to-government consultation before making a decision on how to proceed.

How Can I Comment?

Electronic Submission: Submit all electronic public comments via the Federal eRulemaking Portal. Go to www.regulations.gov/docket?D=NOAA-NOS-2019-0135, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- or -

Mail: Submit written comments to Joelle Gore, Chief, Stewardship Division (N/OCM6), Office for Coastal Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910; phone (240) 533-0813; ATTN: Washington Coastal Nonpoint Program.

Where Can I Find More Information?

Visit: <https://coast.noaa.gov/czm/pollutioncontrol/>

Contact:

Allison Castellan, NOAA
allison.castellan@noaa.gov
(240) 533-0799

- or -

Michelle Wilcox, EPA Region 10
wilcox.michelle@epa.gov
(360) 753-9469