

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 75-34

DESIGNATING AN AREAWIDE PLANNING AREA
AND AGENCY FOR NEWPORT BAY AREA

WHEREAS:

1. On February 20, 1975, the State Water Resources Control Board adopted a "Program for Development and Implementation of Areawide Waste Treatment Management Plans - Part I, Designated Areas and Agencies", and said program expressed the Board's policy on planning by agencies designated pursuant to Section 208 of the Federal Water Pollution Control Act Amendments of 1972.
2. The Environmental Protection Agency and Air Resources Board have expressed the desire that planning under Section 208 be closely coordinated with other environmental quality planning.
3. On March 12, 1975, the Executive Officer of the State Water Resources Control Board, acting pursuant to the Board's authority under Section 208 of the Federal Water Pollution Control Act, identified the South Coast Area as a potential 208 planning area.
4. A public hearing was held in Los Angeles on April 3, 1975, to receive evidence on the necessity or appropriateness of designating the South Coast Area as an areawide waste treatment management planning area and the appropriate boundaries and planning organization for any area designated.
5. Testimony received at the public hearing generally indicated a lack of support for comprehensive multi-basin 208 planning in the South Coast Area, while representatives of the Newport Bay Area expressed the need for areawide planning in Newport Bay and its watershed.
6. Water quality problems in the Newport Bay Area stem from agricultural drainage, urban runoff, and wastewater discharges. Siltation due to flood flows has damaged the recreational and wildlife refuge potentials of the Bay.
7. The Newport-Irvine Waste Management Planning Agency (NIWA) has been formed; and Orange County has stipulated that the six cities in the Newport Bay Watershed, the County Flood Control District, and Orange County Harbors, Beaches, and Parks Districts be asked to join the Joint Powers Agency as a condition of county membership; and representatives with authority for land use planning are critical for implementation of planning.

RESOLUTION NO.

8. The water quality control plan for the Santa Ana Basin has been approved by the State Board and the existing water quality and municipal facilities planning contained therein will provide for control of point source municipal waste discharges.

THEREFORE BE IT RESOLVED:

1. That the boundaries of the Newport Bay Area shown in Exhibit I and consisting of Newport Bay and its watershed, including the Delhi Channel Drainage area and the San Diego Creek watershed, are designated as the boundaries of a 208 waste treatment management planning area, and the Newport-Irvine Waste Management Planning Agency is designated as the areawide waste treatment planning agency for such area.
2. The foregoing designation is subject to the following conditions:
 - a. The Cities of Newport Beach, Irvine, and Costa Mesa as well as the County Flood Control District, Orange County Harbors, Beaches, and Parks District, and Orange County join the Joint Powers Agency, NIWA.
 - b. The designated planning agency shall conform to the provisions of and execute all agreements required by the Board's "Program for Development and Implementation of Areawide Waste Treatment Management Plans - Part I, Designated Areas and Agencies".
 - c. The planning process established pursuant to the designation shall not be used to delay, or duplicate municipal waste treatment facilities planning or implementation undertaken pursuant to Section 201 of the 1972 Amendments to the Federal Water Pollution Control Act. Such facilities planning shall be carried out as part of the Board's Clean Water Grant program and will be considered as existing for 208 planning purposes in the Newport Bay Area.
 - d. The planning process shall be closely coordinated with the Santa Ana Regional Water Quality Control Board and provisions made for appropriate Regional Board participation.

CERTIFICATION

The State Water Resources Control Board has determined that there is no state mandate for a new program or increased level of service on any unit of local government as a result of the foregoing resolution because such resolution is not an executive regulation pursuant to Revenue and Taxation Code, Section 2209.

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 15, 1975.

Bill B. Dendy
Bill B. Dendy
Executive Officer

NEWPORT BAY AREA

Designated Newport Bay Area

