

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 84- 3

USE OF LOCAL MORATORIUMS IN LIEU OF  
REGIONAL BOARD PROHIBITIONS FOR PROJECTS  
OTHERWISE QUALIFYING FOR PRIORITY CLASS A

WHEREAS:

1. Several Regional Water Quality Control Boards have requested that the State Board accept locally imposed moratoriums on the use of individual systems in lieu of Regional Board prohibitions.
2. Sections 3621(a) and 3623(b) of the Clean Water Grant regulations require Regional Board adoption and State Board approval of prohibitions as a prerequisite for placing projects in Priority Class A.
3. There are a number of projects with serious documented public health hazards that will lose 75% federal assistance, if grants are not awarded by October 1, 1984.
4. Requiring Regional Board prohibitions threatens to delay these grant awards without substantial enforcement advantage over well conceived local moratoriums.
5. An opinion has been prepared by legal counsel which concludes that locally imposed moratoriums are the substantial equivalent of a Regional Board prohibition provided certain specified criteria are met.

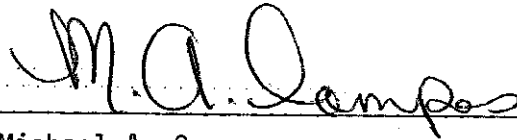
THEREFORE BE IT RESOLVED:

The State Board will accept locally imposed moratoriums in lieu of Regional Board prohibitions where the following criteria have been met:

1. The local moratorium prohibits the construction and use of new individual disposal systems.
2. The local moratorium contains a requirement that residents within the boundaries of the moratorium connect to the public system, when it becomes available.
3. The local government entity imposing the moratorium agrees to delegate, to the Regional Board, the final authority for approval of any exemptions to the moratorium.
4. The Regional Board adopts a resolution accepting the locally imposed moratorium in lieu of a prohibition.

CERTIFICATION

The undersigned, Executive Director 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 January 19, 1984.

A handwritten signature in cursive script, reading "M.A. Campos", is written over a horizontal line.

Michael A. Campos  
Executive Director