

## CHAPTER 5: PLANS AND POLICIES

In addition to the Water Quality Control Plan (Basin Plan), many other plans and policies direct San Francisco Bay Regional Water Quality Control Board (Water Board) actions or clarify the Water Board's intent. The following pages describe numerous State Water Resources Control Board (State Water Board) plans and policies and Water Board policies.

All of these policies may be revised periodically. Contact the State Water Board and the Water Board for further information.

### 5.1 STATE WATER BOARD PLANS AND POLICIES

#### *STATE AND REGIONAL WATER BOARDS WATER QUALITY COORDINATING COMMITTEE — RESOLUTION NO. 68-1*

By adopting the Resolution, the Water Board approved a State and Regional Water Boards Coordinating Committee for the purpose of (1) coordinating and exchanging technical and administrative information; (2) augmenting staff support to the Water Quality Advisory Committee of the State Water Board; and (3) recommending action to be taken on water quality programs.

#### *ANTIDegradation POLICY — RESOLUTION NO. 68-16*

The "Statement of Policy with Respect to Maintaining High Quality of Waters in California," known as the Antidegradation Policy, adopted in 1968, requires the continued maintenance of existing high quality waters. It provides conditions under which a change in water quality is allowable. A change must:

- Be consistent with maximum benefit to the people of the State,
- Not unreasonably affect present and anticipated potential beneficial uses of water, and
- Not result in water quality less than that prescribed in water quality control plans or policies.

#### *STATE POLICY FOR WATER QUALITY CONTROL*

The "State Policy for Water Quality Control", adopted in 1972, declares the State Water Board's intent to protect water quality through the implementation of water resources management programs. It serves as the general basis for subsequent water quality control policies.

#### *POLICY REGARDING WATER RECLAMATION — RESOLUTION NO. 77-1*

This resolution adopted in 1977 requires the State and Regional Water Boards to encourage water recycling projects for beneficial use using wastewaters that would otherwise be discharged to marine or brackish receiving waters or evaporation ponds. The resolution also specifies using recycled water to replace or supplement the use of fresh water or better water quality water, and to preserve, restore, or enhance in-stream beneficial uses, including fish, wildlife, recreation and esthetics associated with any surface water or wetlands.

*BAYS AND ESTUARIES POLICY — RESOLUTION NOS. 74-43 AND 95-84*

The “Water Quality Control Policy for the Enclosed Bays and Estuaries of California” (Bays and Estuaries Policy), adopted in 1974 and amended in 1995, provides water quality principles and guidelines for the prevention of water quality degradation and the protection of beneficial uses of waters.

*THERMAL PLAN (1975)*

The “Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California” (known as the Thermal Plan), adopted in 1972 and amended in 1975, specifies water quality objectives, effluent quality limits, and discharge prohibitions related to elevated temperature waste discharges to interstate waters, enclosed bays, and estuaries.

*POWERPLANT COOLING POLICY — RESOLUTION NO. 75-58*

The “Water Quality Control Policy on the Use and Disposal of Inland Waters Used for Powerplant Cooling” (Powerplant Cooling Policy), adopted in 1975, specifies the State Water Board’s position on powerplant cooling, specifying that fresh inland waters should be used for cooling only when other alternatives are environmentally undesirable or economically unsound.

*POLICY ON DISPOSAL OF SHREDDER WASTE — RESOLUTION NO. 87-22*

In 1987, the State Water Board adopted this policy that describes specific conditions to be enforced by the Regional Water Boards with regards to disposal of mechanically destructed car bodies, old appliances, or other similar castoffs at landfills.

*POLICY REGARDING THE UNDERGROUND STORAGE TANK PILOT PROGRAM — RESOLUTION NO. 88-23*

This policy adopted in 1988 implements a pilot program to fund oversight of remedial actions at leaking underground storage tank sites, in cooperation with the Department of Health Services.

*SOURCES OF DRINKING WATER POLICY — RESOLUTION NO. 88-63*

This policy, adopted by the State Water Board in 1988 and incorporated into the Basin Plan in 1989 (Water Board Order No. 89-039), established state policy that all surface and groundwater in the state are considered suitable, or potentially suitable, for municipal or domestic supply (MUN) and should be designated for this use, with certain exceptions.

*NONPOINT SOURCE MANAGEMENT PLAN — RESOLUTION NO. 88-123*

The “Nonpoint Source Management Plan” adopted in 1988 outlines the objectives and framework for implementing source control programs, with an emphasis on voluntary Best Management Practices and cooperation with local governments and other agencies.

*RESOURCE VALUE OF TREATED GROUNDWATER — RESOLUTION NO. 89-21*

The State Water Board, in approving the Water Board's guidelines for the disposal of extracted groundwater from groundwater clean-up projects, urges the Water Board to recognize the resource value of treated groundwater and to maximize its utilization for the highest beneficial uses for which applicable water quality standards can be achieved.

*OCEAN PLAN — RESOLUTION NO. 90-27*

The "Water Quality Control Plan for Ocean Waters of California" (Ocean Plan) adopted in 1990 establishes beneficial uses and water quality objectives for waters of the Pacific Ocean adjacent to the California coast outside of enclosed bays, estuaries, and coastal lagoons. The Ocean Plan prescribes effluent quality requirements and management principles for waste discharge and specifies certain waste discharge prohibitions.

*POLLUTANT POLICY FOR SAN FRANCISCO BAY AND THE DELTA — RESOLUTION NO. 90-67*

In 1990, the State Water Board adopted the "Pollutant Policy Document," which identifies and characterizes the pollutants of greatest concern in the Bay-Delta Estuary. This policy requires implementation of a mass emission strategy; a monitoring and assessment program; and strategies for discharges from boat yards, drydock facilities, and dredge disposal practices. In 1990, the Water Board passed a resolution directing implementation of the Pollutant Policy.

*POLICIES AND PROCEDURES FOR INVESTIGATION AND CLEANUP AND ABATEMENT OF DISCHARGES — RESOLUTION NOS. 92-49 AND 96-79*

This policy defines the goal of pollution cleanup and abatement as achieving the best quality of water that is reasonable. In certain cases where it is not reasonable to restore water quality to background levels, case-by-case clean-up levels may be specified, subject to the water quality provisions of the Basin Plan, beneficial uses of the waters, and maximum benefit to the people of the state. The State Water Board may determine that establishment of a containment zone is appropriate and consistent with the maximum benefit to the people of the State if applicable requirements contained in the Policy are satisfied.

*DEPARTMENT OF DEFENSE AND STATE MEMORANDUM OF AGREEMENT 1992*

In 1992, the State signed a cooperative agreement with the Department of Defense, Defense-State Memorandum of Agreement (DSMOA). The Department of Toxic Substances Control (DTSC) acts as the State's agent. Both the State and Regional Water Boards coordinate with DTSC to allocate agency responsibility and funding and establish procedures under which site investigation and cleanup will proceed, decisions will be made, and disputes will be resolved.

*CALIFORNIA WETLANDS CONSERVATION POLICY (EXECUTIVE ORDER W-59-93)*

This policy, adopted in 1993, established state guidelines for wetlands conservation. The primary goal is to ensure no overall net loss and to achieve a long-term net gain in the quantity, quality, and permanence of wetland acreage in California.

*POLICY FOR REGULATION OF DISCHARGES OF MUNICIPAL SOLID WASTE — RESOLUTION NO. 93-62*

Adopted in 1993, this policy directs the Regional Water Boards to amend waste discharge requirements for municipal solid waste landfills to incorporate pertinent provisions of the federal "Subtitle D" regulations under the Resource Conservation and Recovery Act (RCRA).

*DELTA PLAN — RESOLUTION NO. 95-24*

The "Water Quality Control Plan for the Sacramento-San Joaquin Delta and Suisun Marsh" (Delta Plan), adopted in 1978, and Water Rights Decision No. 1485 designate beneficial uses and establish water quality (salinity) and flow standards to protect the beneficial uses in State waters from the large scale water operations under the State Water Project and Central Valley Project. In 1991, the State Water Board adopted the Water Quality Control Plan for Salinity, which supersedes the 1978 Delta Plan. The 1991 Plan does not establish Delta outflow standards.

In 1995, the State Water Board adopted Resolution No. 95-24 updating the 1991 Delta Plan. The Bay-Delta Plan protects the same beneficial uses that were protected by the 1991 Plan. The definitions of the beneficial uses, however, were changed non-substantively to ensure consistency with the State Water Board's policy.

*MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE DEPARTMENT OF HEALTH SERVICES AND THE STATE WATER BOARD ON USE OF RECLAIMED WATER (1996)*

This MOA is intended to assure that the respective authority of DHS, the State Water Board, and the Regional Water Boards relative to use of recycled water will be exercised in a coordinated and cohesive manner to eliminate overlap of activities, duplication of effort, gaps in regulation, and inconsistency of action. It provides an important coordination role in the Water Board's recycled water regulation and resulted in the Water Board developing its General Water Reuse Permit (Order 96-011) and recycled water program.

*POLICY FOR THE IMPLEMENTATION OF TOXICS STANDARDS FOR INLAND SURFACE WATERS, ENCLOSED BAYS, AND ESTUARIES OF CALIFORNIA (SIP) — RESOLUTION NOS. 2000-0015 AND 2000-0030*

The State Water Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan, or SIP) in 2000. U.S. EPA subsequently approved all aspects of the SIP, except the TMDL Compliance Schedule provision. The SIP contains implementation provisions for 126 priority toxic pollutant criteria found within the National Toxics Rule, the California Toxics Rule and for priority pollutant objectives found in Basin Plans. The SIP applies to discharges of toxic pollutants and allows for a standardized approach for permitting, maintaining statewide consistency.

*THE WATER QUALITY ENFORCEMENT POLICY — RESOLUTION NO. 2002-0040*

The primary goal of the Enforcement Policy, adopted in 2002, is to create a framework for identifying and investigating instances of noncompliance, for taking enforcement actions that are appropriate in relation to the nature and severity of the violation, and for prioritizing enforcement resources to achieve maximum environmental benefits.

*COOPERATIVE AGREEMENT WITH DEPARTMENT OF NAVY FOR REGULATORY OVERSIGHT AT NAVAL FACILITIES — RESOLUTION NO. 2003-0043*

The Department of Navy and the State Water Board agreed to remove the remaining Navy facilities from the DSMOA and place those facilities into the Navy Cost Recovery program.

*POLICY FOR IMPLEMENTATION AND ENFORCEMENT OF THE NONPOINT SOURCE POLLUTION CONTROL PROGRAM (2004)*

This policy adopted in 2004 is designed to assist all responsible and/or interested parties in understanding how the State's nonpoint source pollution (NPS) water quality requirements will be implemented and enforced.

*WATER QUALITY CONTROL POLICY FOR DEVELOPING CALIFORNIA'S CLEAN WATER ACT SECTION 303(d) LIST — RESOLUTION NO. 2004-0063*

This policy adopted in 2004 describes the process by which the State and Regional Water Boards will comply with the listing requirements of Section 303(d) of the federal Clean Water Act. The objective of the policy is to establish a standardized approach for developing California's Section 303(d) water body list in order to achieve water quality standards and maintain beneficial uses in California's surface waters.

*MEMORANDUM OF AGREEMENT BETWEEN DTSC, STATE WATER BOARD, WATER BOARDS, AND CAL/EPA FOR THE OVERSIGHT OF INVESTIGATION AND CLEANUP ACTIVITIES AT BROWNFIELD SITES (2005)*

The purpose of the Brownfield Memorandum of Agreement (MOA) is to improve coordination between the Department of Toxic Substances Control (DTSC), the State Water Board and the Regional Water Boards regarding the oversight of cleanup activities at Brownfield sites. The MOA was developed in 2005 to ensure effective and expeditious cleanup of Brownfield sites in a manner that is protective of both public health and safety and the environment.

## **5.2 WATER BOARD PLANS AND POLICIES**

Plans and policies adopted by the Water Board are classified under the following headings for easy reference.

Resolutions adopted prior to the revision date of the 1995 Basin Plan are superceded unless specifically incorporated by reference into the plan. A discussion of each of the current Water Board Policies is under the appropriate heading.

- Cooperative Agreements
- Regional Monitoring, Data Use, and the Aquatic Habitat Program
- Discharger Reporting and Responsibilities
- Delta Planning
- Dredging
- Nonpoint source pollution
- Onsite Waste Dispersal and Waste Discharge
- Shellfish

- Vessel Wastes
- Water Recycling
- Wetlands
- Groundwater

### 5.2.1 COOPERATIVE AGREEMENTS

Many different local, state, and federal agencies oversee activities that affect the beneficial uses of the Region. To ensure that these activities are coordinated to the greatest possible degree, the Water Board enters into formal cooperative agreements. These agreements indicate the specific issue area of concern to both agencies and may also describe processes by which coordination will take place. Agreements regarding general coordination are listed below. Others are listed under specific issue areas.

#### *MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF FISH AND GAME — 1966*

The Water Board has no means to conduct surveillance of ocean waters within its jurisdiction. Under the terms of this MOU, the Department of Fish and Game (DFG) agrees to notify the Water Board of any suspected violations of the Water Board's requirements for ocean disposal.

#### *COORDINATION WITH THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC)*

In 1966, the Water Board stated its intent to cooperate with the San Francisco Bay Conservation and Development Commission (BCDC) to the fullest extent necessary to ensure the protection of the San Francisco Bay shoreline and water quality (Resolution No. 737). In 1970, the Water Board urged BCDC to (1) require wastes resulting from projects permitted by BCDC to be connected to existing sewer lines; and (2) disapprove or temporarily withhold approval of any project that would cause added waste loading on a community sewerage system that is not meeting Board waste discharge requirements (Resolution No. 70-19).

#### *LOCAL AGENCY FORMATION COMMISSIONS — RESOLUTION NO. 73-17*

This Resolution describes actions that the Water Board and these commissions could take that would result in a coordinated effort to prevent and abate pollution.

#### *MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF FISH AND GAME, STATE ATTORNEY GENERAL'S OFFICE, AND THE WATER BOARD ON NEGOTIATED SETTLEMENTS OF OIL SPILLS TO SAN FRANCISCO BAY FROM VESSELS TO SHORE FACILITIES DURING TRANSFER OPERATIONS*

Due to the high frequency of oil spill events during the late 1970s, a MOU was developed between the Department of Fish and Game, the State Attorney General's Office and the Water Board to expedite enforcement of such spills. The MOU outlined a negotiated settlement process that emphasized industry preventative measures, a cleanup plan, and operational changes. In 1980 the Water Board contracted for a study and report to recommend technically feasible operational standards at marine transfer facilities in San Francisco Bay. The resulting 1980 report titled "Oil Pollution Prevention and Control in the San Francisco Bay Area" was instrumental in

changing the oil industry's operational procedures and a 90% reduction in oil transfer incidents over a two-year period.

*MEMORANDUM OF UNDERSTANDING WITH THE COUNCIL OF BAY AREA RESOURCE CONSERVATION DISTRICTS (RCDS) — 1980*

The purpose of this MOU is to combine the erosion control expertise of the Resource Conservation Districts (RCDs) with the regulatory authority of the Water Board to enforce erosion control measures. This action will increase the Water Board's ability to identify and correct erosion control problems associated with construction or agricultural activities.

*WATER QUALITY MANAGEMENT: MOU WITH BCDC, STATE BOARD, AND THE WATER BOARD — NO. 87-154*

This MOU specifies a coordination process for the three agencies to implement water quality goals mandated by State and federal legislation and states the Water Board's support in concept for legislation that would require a project applicant to obtain all discretionary approvals from the Water Board before filing its BCDC permit application.

*POLICY TO PROMOTE COLLABORATION BETWEEN BAY AREA CLEAN WATER AGENCIES AND THE WATER BOARD ON POLLUTION PREVENTION — RESOLUTION NO. 2003-096*

The Water Board and the Bay Area Clean Water Agencies (BACWA) agreed to pollution prevention guidelines and guiding principals in order to implement the requirements of Water Code Section 13263.3 and the Policy for Implementation of Toxic Substances for Inland Surface Waters, Enclosed Bays, and Estuaries (State Implementation Plan).

**5.2.2 REGIONAL MONITORING, DATA USE, AND THE AQUATIC HABITAT PROGRAM**

*USE OF DATA COLLECTED BY THE AQUATIC HABITAT PROGRAM—RESOLUTION NO. 82-1*

This resolution states how data collected by the Aquatic Habitat Program will be used and describes the Water Board's intent to seek the assistance of the University of California in data quality control and interpretation. Possible uses of data include: (a) revising water quality objectives; (b) relaxing or tightening effluent requirements; (c) enforcement action; (d) dissemination of information to the public; (e) determining sources of pollution; and (f) determining assimilative capacities of receiving waters.

*MODIFIED GUIDELINES FOR THE EFFLUENT TOXICITY CHARACTERIZATION PROGRAM—RESOLUTION NO. 91-083*

This resolution modifies the requirements of the Effluent Toxicity Characterization Program (adopted as a Basin Plan amendment in 1986) to make them more cost effective and responsive to the region's biomonitoring needs after several years' experience with the program.

*REGIONAL MONITORING PROGRAM—RESOLUTION 92-043*

In this resolution, the Water Board endorses the development and implementation of a comprehensive, Estuarywide monitoring program that will regularly collect information on concentrations of pollutants in water, sediment, and biota.

**5.2.3 DISCHARGER REPORTING AND RESPONSIBILITIES**

*RESPONSIBILITY OF DISCHARGERS FILING TECHNICAL REPORTS—RESOLUTION NO. 67-3*

This resolution requires those dischargers filing technical reports to submit a letter of transmittal signed by the discharger's senior administrative officer with reports involving formal time schedules and cease-and-desist orders.

*SELF-MONITORING REPORTS—RESOLUTION NO. 73-16*

With this resolution, the Water Board specified the format and requirements for filing self-monitoring reports.

*CONTINGENCY PLANS—RESOLUTION 74-10*

By adopting this resolution, the Water Board required dischargers to develop and implement contingency plans to assure continuous operation of facilities for the collection, treatment, and disposal of wastes.

*WAIVING WASTE DISCHARGE REQUIREMENTS FOR SPECIFIC TYPES OF DISCHARGE—RESOLUTION NO. 83-3*

The Water Board waived the requirement of filing report of waste discharge for specific types of waste discharge that have a relatively insignificant adverse effect on water quality.

**5.2.4 DELTA PLANNING**

*SAN LUIS DRAIN—RESOLUTION NOS. 535 (1964) AND 81-1*

The Water Board prohibits discharge by the proposed drain until evidence that the discharge would not threaten beneficial uses is submitted by the dischargers. The resolution (No. 535) also directs the staff to determine the beneficial uses of the proposed receiving waters and the conditions necessary for their protection. In 1981 (No. 81-1), the Board requested that the State Water Board, in close coordination with the Water Board, assume the lead role in the development, revision, renewal, and enforcement of waste discharge requirements for the proposed San Luis Drain.

*PERIPHERAL CANAL—RESOLUTION NO. 80-6*

In 1980, the Board expressed its concern regarding the adverse impacts on water quality of certain projects authorized by Senate Bill 200 and endorsed protective measures for the Delta, Suisun Bay, and San Francisco Bay.



### **5.2.5 DREDGING**

#### *REGULATION OF DREDGING SEDIMENT DISPOSAL—RESOLUTION NO. 80-10*

This resolution acknowledges the U.S. Army Corps of Engineers' implementation of new procedures for evaluating dredged material. The Water Board agreed that the Corps should be responsible for the administration of the new procedures for evaluating discharges of dredged materials. The Water Board reserved the right to act to protect water quality, if necessary. The resolution also gave the Water Board's Executive Officer considerable discretion regarding additional water quality and sediment testing requirements, as well as monitoring for dredged sediment disposal impact.

#### *DELEGATION OF AUTHORITY TO WAIVE CERTIFICATION FOR SMALL DREDGING PROJECTS—RESOLUTION NO. 87-53*

In 1987, the Water Board delegated authority to the Executive Officer to waive water quality certification for activities involving the excavation and disposal of 50,000 cubic yards or fewer of San Francisco Bay sediments and the filling of two acres or fewer of wetlands.

#### *POLICY ON DISPOSAL OF DREDGED MATERIAL AND NEW PROJECTS—RESOLUTION NO. 89-130*

In 1989, the Water Board placed a limit on new dredging work, established annual and monthly targets for the volume of dredged material disposed of at designated sites, and restricted the disposal of dredged material to certain times of the year in order to protect migrating fish. The State Water Board subsequently modified the limits on new dredging (Resolution No. 90-10).

#### *SCREENING CRITERIA AND TESTING REQUIREMENTS FOR USE OF SEDIMENT FOR WETLAND CREATION AND OTHER UPLAND USES—RESOLUTION NO. 92-145*

In this resolution, the Water Board established screening criteria to be used to evaluate the appropriateness of using dredged material for beneficial purposes.

#### *TESTING GUIDELINES FOR DREDGED MATERIAL DISPOSAL AT BAY AREA SITES—RESOLUTION NO. 93-009*

The Water Board endorsed a set of testing guidelines developed in cooperation with the U.S. Army Corps of Engineers, U.S. EPA, and the Bay Conservation and Development Commission. To implement these guidelines, the Water Board also directed staff to work towards establishing a coordinated agency permit process for maintenance dredging permit applications.

### **5.2.6 NONPOINT SOURCE POLLUTION**

#### *CONTROL OF WATER POLLUTION FROM CONSTRUCTION OF DAMS—1953*

The Water Board adopted this motion to reduce the possibility of erosion during the construction of dams. For small projects not likely to cause erosion problems, the motion recommends that the Executive Officer send a letter to the responsible person advising him or her to take appropriate

precautionary actions. For larger projects, the responsible person is required to submit a report of waste discharge.

*SURFACE RUNOFF—RESOLUTION NO. 78-5*

In this resolution, the Water Board acknowledges surface runoff as a significant source of pollution in the San Francisco Bay Basin and resolves to take appropriate actions (e.g., best management practices) to reduce pollution loads from surface water runoff.

*EROSION CONTROL FROM CONSTRUCTION ACTIVITIES—RESOLUTION NO. 80-5*

The Water Board, in this resolution, recognizes the seriousness of impacts on beneficial uses related to construction activities. The Water Board identifies local governments as having the responsibility for controlling erosion from development activities and for adopting and administering erosion control ordinances. The Water Board also stated its intent to monitor the progress of local governments in their adoption and implementation of effective erosion control programs.

*DAIRY WASTES—RESOLUTION NOS. 74-11 AND 77-5*

In 1974, the Water Board passed Resolution No. 74-11, which prohibits the discharge of manure into a watercourse subject to flooding. This requirement augmented the State Water Board's "Minimum Guidelines for Animal Waste Management." Full compliance was initially scheduled to occur by September 1977, but was extended to 1978 for dairies outside the Tomales Bay and Walker Creek watersheds because of a severe drought (77-5).

*INDUSTRIAL STORM WATER DISCHARGES—RESOLUTION NO. 92-118*

In this resolution, the Water Board authorized additional monitoring and reporting requirements for dischargers holding industrial stormwater NPDES permits in cases where the watershed is known to be adversely impacted by storm water discharges, the pollution potential of the discharge cannot be assessed with the minimum information, or more information will lead to more effective control mechanisms.

*LIABILITY FOR PARTIES ENGAGED IN ABANDONED MINE REMEDIATION—RESOLUTION NO. 93-078*

In 1993, the Water Board expressed concern regarding the incentives for cleaning up mines thought to be responsible for roughly 60% of copper loading to the Delta.

**5.2.7 ONSITE WASTE DISPERSAL AND WASTE DISCHARGE**

The Water Board's policy on small waste discharge systems has evolved considerably as the Bay Area has become more developed. The following section summarizes a series of resolutions regarding conditions under which the Water Board would waive waste discharge reporting requirements. Generally, this waiver is only granted when a county or other government entity has an active permitting and monitoring program comparable to the Water Board's.

*SEPTIC, LEACHING, AND SMALL COMMUNITY SYSTEMS—RESOLUTION NO. 81 (1951)*

This resolution stated the Water Board's objection to the construction and use of wells for septic effluent disposal or street runoff, except when such wells discharge into geologic formations that at no time contained water suitable for domestic, agricultural, or industrial use.

*WAIVER OF REQUIREMENT TO REPORT WASTE DISCHARGE FOR SYSTEMS REGULATED BY COUNTY AND LOCAL AGENCIES*

In 1963 and 1964, the Water Board waived its regulatory authority over waste discharge reporting for family dwellings using discrete systems, as long as they were already regulated by local health departments and met certain conditions. In the same resolutions, the Water Board also urged local planning and legislative bodies to require connection to sewer systems for all new development whenever feasible. Resolutions were adopted for Alameda County (No. 512; 1963), Contra Costa County (No. 583; 1964), Napa County (No. 596; 1964), San Mateo County (No. 597; 1964), Solano County (No. 598; 1964), Sonoma County (No. 599; 1964), and Santa Clara County (No. 600; 1964). The Solano County waiver (Res. 598) was later amended by Resolution No. 75-12 in 1975, which indicated that the waiver would not apply to planned unit development with minimum lot sizes smaller than 2.5 acres and by Resolution 83-1 (1983).

The Water Board's general policy on discrete sewerage facilities was later amended by Resolution Nos. 78-14 (1978) and 79-5 (1979). The first described specific actions that would be taken by the Water Board when it was presented with a proposal for new discrete sewerage systems and what specific requests it would make of local governments. In 79-5, the Water Board set minimum guidelines for determining the adequacy of local ordinances for controlling individual wastewater treatment and disposal systems.

In 1980, the Water Board (Resolution No. 80-9) requested that the County of Alameda correct deficiencies in its individual waste treatment and disposal systems program, acting under policies adopted in the Alameda County waiver (Res. 512) and discrete sewerage policies (Res. 78-14 and 79-5). In 1981, the Water Board rescinded Resolution No. 597 and reissued a policy (Resolution No. 81-9) on waiving reporting of discharges from individual wastewater treatment and disposal systems in San Mateo County. The Contra Costa County Waiver was amended in 1983 (Res. 83-2), and the Marin County Waiver in 1984 (Res. 84-12).

*SEWER AND ONSITE SEWER DISPOSAL IN BOLINAS — RESOLUTION NOS. 85-007 AND 87-091*

The Water Board indicated its support of a moratorium on new sewer connections and new onsite sewage disposal systems adopted by Marin County Board of Supervisors.

*SPECIFIC PROHIBITIONS OF ONSITE DISPOSAL SYSTEMS FOR STINSON BEACH AND GLEN ELLEN (RESOLUTION NOS. 73-13 AND 73-14) AND EMERALD LAKE HILLS (RESOLUTION NO. 76-7)*

These resolutions prohibited waste discharges to onsite disposal systems in the Stinson Beach (Marin County), Glen Ellen (Sonoma County), and Emerald Lake Hills and Oak Knoll Manor (San Mateo County) areas, with some exceptions to the prohibition. Resolution No. 73-13 has since been amended or clarified in Resolution Nos. 73-18, 74-5, 74-6, 77-2, 78-1, and 81-5.

Resolution No. 78-1 conditionally amended the prohibition of discharge outlined in 73-13 by allowing the discharge of waste to individual leaching or percolation systems where such discharges are regulated by the Stinson Beach County Water District.

*CITY OF NOVATO — RESOLUTION NO. 87-155*

In this resolution, the Water Board stated its policy regarding a waiver of waste discharge reporting requirements from individual wastewater treatment systems in the City of Novato.

*MEMORANDUM OF UNDERSTANDING WITH NAPA COUNTY REGARDING WINERY PROCESS TREATMENT AND DISPOSAL — 1982 (UPDATED IN 1992)*

Under this agreement, the Water Board approved Napa County's program for monitoring winery onsite disposal.

**5.2.8 SHELLFISH**

*POLICY STATEMENT WITH RESPECT TO THE IMPLEMENTATION OF TIME SCHEDULES FOR FACILITIES TO PROTECT SHELLFISH — RESOLUTION NO. 74-14*

In this resolution the Water Board directed the Executive Officer to determine whether or not dischargers were providing or would be providing adequate protection to allow for sport harvesting of shellfish. The Water Board also stated its intent to adopt a time schedule for protection (in conformance with staff guidelines).

*SHELLFISH PROGRAM — RESOLUTION NOS. 78-8 AND 83-10*

The first resolution directs the Executive Officer to develop and implement a program to determine the feasibility of opening shellfish beds for recreational use. The second resolution describes a phased shellfish protection program in which discharge limits for dry-season runoff to Anza Lagoon and other South Bay sites would be considered. In addition, the Water Board urged BCDC to consider ways to eliminate or minimize potential dry season runoff from planned projects and directed review of discharger self-monitoring studies to determine when additional data are necessary to avoid effects on shellfish beds.

*DESIGNATION OF TOMALES BAY UNDER THE 1993 SHELLFISH PROTECTION ACT — RESOLUTION NO. 94-018*

In this resolution, the Water Board identified Tomales Bay as an area where commercial shellfishery is threatened and authorized the formation of a technical advisory committee to investigate and develop a remediation strategy.

**5.2.9 VESSEL WASTES**

*VESSEL SEWAGE DISCHARGE POLICY — RESOLUTION NO. 665 (1965)*

The Water Board, in this resolution, expressed concern over the discharge of untreated sewage from certain vessels over which it does not have jurisdiction. The Board suggested that the discharge of vessel wastes be regulated by the federal government.

*URGING BCDC TO REQUIRE SHORESIDE VESSEL WASTE FACILITIES — RESOLUTION NO. 70-1 (1970)*

This resolution urged BCDC to require applicants for new or expanded marinas or port facilities to provide the following as permit conditions: (1) dockside sewers; (2) pump-out facilities at marinas with disposal to shoreside sewage facilities; and (3) adequate restroom facilities.

*VESSEL WASTE DISCHARGES TO SAN FRANCISCO BAY — RESOLUTION NO. 70-65*

Three recommendations were made in this resolution: (1) that owners of marinas provide dockside sewerage facilities and that owners of vessels with sanitary facilities install holding tanks; (2) that the State Water Board request the federal government to prohibit discharges of vessel wastes; and (3) that the legislature adopt legislation that would require waste holding tanks on vessels with sanitary facilities to transport the wastes to treatment plants.

*VESSEL WASTE DISCHARGE INTO RICHARDSON BAY — RESOLUTION NO. 91-118*

In this resolution, the Water Board found that the Richardson Bay Regional Agency's Implementation Plan and associated local ordinances will provide a mechanism for enforcing the prohibition against vessel waste discharge in the area.

**5.2.10 WATER RECYCLING**

*WATER REUSE STUDY — RESOLUTION NO. 79-2*

In this resolution, the Water Board stated its position regarding Phase II of the San Francisco Bay Area Water Reuse Study. The Water Board acknowledged the importance of using recycled water to meet California's future water supply needs and commented on the economics of the delivery of recycled water to users.

**5.2.11 WETLANDS**

*USE OF WASTEWATER TO CREATE, RESTORE, AND ENHANCE MARSHLANDS — RESOLUTION NOS. 77-1 AND 94-086*

These resolutions describe the Water Board's policy regarding the use of wastewater to create, restore, maintain, and enhance marshlands. In general, the policy supports the use of wastewater to support new wetland habitat, under the condition that beneficial uses established are fully protected.

*USE OF CONSTRUCTED WETLANDS FOR URBAN RUNOFF POLLUTION CONTROL — RESOLUTION NO. 94-102*

In this resolution, the Water Board expressed support for the construction of new wetland areas for the purpose of reducing pollutant loading from urban runoff, under certain conditions.

## **5.2.12 GROUNDWATER**

*DISPOSAL OF EXTRACTED GROUNDWATER FROM CLEAN-UP PROJECTS — RESOLUTION NO. 88-160*

In this resolution, the Water Board established priorities for the disposal of water extracted from groundwater cleanup sites. The first priority is to reclaim effluents to the extent reclamation is technically and economically feasible. If this is not possible, then discharge to a municipal treatment plant was determined to be in the public interest. If neither reclamation nor discharge to a municipal plant is feasible, the Board will issue NPDES permits authorizing discharge from these sites.