

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 71-22**

STATE PRIORITIES FOR POLLUTION CONTROL PROGRAMS

WHEREAS:

1. The State of California administers a water pollution control program under provisions of the Porter-Cologne Water Quality Control Act of 1969 which provides for the establishment of waste discharge requirements for every waste discharge in the State which might affect water quality. Approximately 8,000 individual waste discharge requirements have been issued in California for industries, cities, and other existing and potential sources of pollution.
2. The State's waste discharge requirements are designed to achieve water quality objectives or standards that have been adopted by the state and federal governments by establishing effluent and receiving water conditions and restrictions that are to be complied with or, in the cases of current violation, which shall be complied with within specified time periods.
3. The State has undertaken a series of enforcement actions, accelerated the establishment of requirements on the many small pollution sources, and undertaken a statewide planning program to apply new technology and areawide concepts in wastewater management.
4. The State has, through its water quality control program, which was initially established in 1949, achieved remarkable progress in eliminating water pollution from such major urban estuarine areas as San Diego Bay, Los Angeles Harbor, San Francisco Bay, and Humboldt Bay, as well as such inland waters as Lake Tahoe and the Central Valley rivers.
5. The State has joined with the Federal Government in providing financial assistance to municipalities for construction of waste treatment facilities. Such financial assistance has resulted in local construction programs which are in the planning or building phase involving approximately a half billion dollars a year.
6. The federal government has by executive order implemented a permit program under Section 13 of the Refuse Act of 1899 requiring a permit from the Army Corps of Engineers for most waste discharges into navigable waters and further requiring as a condition for issuance of a permit a certification from the affected state under Section 21(b) of the Federal Water Pollution Control Act that there is reasonable assurance that the activity will not violate applicable water quality standards.

7. Such certifications and the procedures for issuing them will duplicate the previously described state activities, will create confusion, waste, and delay, and will impede rather than assist in carrying out vitally needed water pollution control programs; and staffs of the regional and state boards are fully committed to ongoing enforcement, regulatory, and surveillance activities.
8. The federal government has offered no financial assistance to the states to meet the expanded program needs created by Section 21(b); and legislation is pending in Congress that will by all indication significantly alter or eliminate said permit program.


In view of the foregoing facts, and to prevent delay in California's progress toward clean water,

NOW, THEREFORE, BE IT RESOLVED:

1. The State Water Resources Control Board directs its staff and requests the regional boards to give first priority to establishment and enforcement of waste discharge requirements and to provide such assistance to federal agencies as will directly accelerate compliance with state plans and policies.
2. The State Water Resources Control Board does not waive its right to certify under Section 21(b), nor does it at this time intend to deny certification as provided for in the act, but will participate in the program on the basis of priorities dictated by the strong ongoing water quality program under California's Porter-Cologne Water Quality Act.
3. The State Water Resources Control Board urges Congress to adopt legislation that will (1) replace the 1899 act permit program with a simplified system with primary federal responsibility under the Environmental Protection Agency that provides for the assignment of responsibility to states with effective programs, (2) increase program and construction grants assistance, and (3) clarify enforcement and standard setting.
4. It is the intention of the State of California to cooperate with the federal government and particularly the Corps of Engineers and the Environmental Protection Agency to ensure the protection and enhancement of the waters of the State through unified rather than parallel programs.

CERTIFICATION

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 July 1, 1971.


Jerome B. Gilbert
Executive Officer