

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 79-45

POLICY STATEMENT ON WASTEWATER DISCHARGE TO WATERCOURSES
IN WATER DEFICIENT AREAS

WHEREAS:

1. The President's Executive Order 11990 concerning protection of wetlands and amplification of that Order in EPA's "Statement of Procedures on Wetland, Floodplain Protection", January 5, 1979, require federal agencies to avoid adversely impacting wetlands whenever possible and to restore and preserve the values of wetlands as part of the analysis of all alternatives under consideration;
2. The California Resources Agency "Policy for Preservation of Wetlands in Perpetuity" specifies in part that state agencies will not authorize or approve projects that fill or otherwise harm or destroy coastal, estuarine, or inland wetlands;
3. Wastewaters are a viable and, in some situations, necessary water supply for maintenance of instream beneficial uses in watercourses (wetlands) where other fresh water supplies are deficient;
4. Retention of wastewater discharge to water-deficient watercourses can be the most cost-effective wastewater management alternative if preserved or restored instream benefits are assigned their true value;
5. Wastewaters to be discharged to a watercourse can be treated to a level that meets water quality standards, protects public health and avoids nuisance; and
6. Watercourse is defined as any wetlands area that provides or could provide significant aquatic habitat such as perennial and ephemeral streams, marshes and lagoons.


THEREFORE, BE IT RESOLVED:

1. Wastewaters subject to NPDES permits or waste discharge requirements should be used to maintain instream beneficial uses under all of the following conditions:
 - a. Other fresh water supplies are insufficient to maintain instream beneficial uses;
 - b. The use is consistent with other beneficial uses of the watercourse;
 - c. The use is consistent with protection of public health;
 - d. The use will not cause nuisance conditions;
 - e. The use will not preclude an offstream reclamation/reuse alternative that reduces the consumptive demand on other surface water sources or overdrafted groundwater basins.

- f. The use is consistent with water rights law and other Board plans, policies, and regulations; and
 - g. The discharger states that the purpose of the discharge is to maintain instream beneficial uses and not for further offstream use.
2. Wastewaters discharged under the conditions outlined in (1) above are first to be used for maintenance or restoration of instream beneficial uses and are available for appropriation only to the extent found by the Board to be surplus to instream needs.
 3. Decisions on wastewater discharge made as part of the Clean Water Grants Program are to be in accord with Water Quality Division regulations on cost-effectiveness with particular attention that instream benefits are ascribed their true value during the analysis of alternatives.
 4. Guidelines for determining the values of instream uses are to be prepared for implementation in the Clean Water Grants Program.

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 May 17, 1979.


Executive Director
Larry F. Walker