

CHAPTER 2

PLANS AND POLICIES

INTRODUCTION

In addition to the Santa Ana Region Basin Plan, a number of water quality control plans and policies adopted by the State Water Resources Control Board direct the Regional Board's actions. The State Board Plans and Policies which apply in this region are briefly described below. Copies of the plans and policies are attached in Appendix I.

These plans and policies may be reviewed periodically and may be revised. The Regional Board should be contacted to determine if a particular plan or policy is still current.

New and/or revised Statewide Plans and Policies are posted on the State Water Resources Control Board's website at the following link:

https://www.waterboards.ca.gov/plans_policies/

STATE BOARD PLANS

Thermal Plan (Resolution No. 75-89)

This plan, formally known as the "Water Quality Control Plan for Control for Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California," was developed and adopted in order to minimize the effects of wastes and wastewaters on the temperature of the receiving waters. This plan specifies water quality objectives, effluent quality limits, and discharge prohibitions related to thermal characteristics of interstate waters, enclosed bays estuaries, and waste discharges.

Ocean Plan (Resolution No. 90-27)

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

The Ocean Plan identifies specific objectives for bacteriological, physical, chemical, and biological characteristics and radioactivity. These objectives are implemented by issuance of waste discharge requirements which include effluent limitations on major wastewater constituents and receiving water limitations for toxic materials. In addition, the Ocean Plan prohibits discharges of specific hazardous substances and waste

sludge, bypassing of untreated waste, and impacts to Areas of Special Biological Significance.

Nonpoint Source Management Plan (Resolution No. 88-123)

In 1988, the State Board adopted the Nonpoint Source Management Plan which established the framework for statewide nonpoint source activities. Six statewide objectives and implementation strategies to manage nonpoint source problems are included in the plan. Chapter 5 provides more detailed information regarding the management plan.

Point sources were the principal focus of water quality control in the 1970s and 1980s. Nonpoint sources are now receiving a larger proportion of planning and regulatory attention.

STATE BOARD POLICIES

Policy with Respect to Maintaining High Quality Waters in California (Resolution No. 68-16)

The regulations implementing the Clean Water Act (40 CFR 131.6; 131.12(a)) require that each state develop and adopt a statewide antidegradation policy. In California, this requirement is satisfied by SWRCB Resolution No. 68-16, the "Statement of Policy with Respect to Maintaining High Quality Waters of California." The SWRCB policy requires the continued maintenance of existing high quality waters unless there is a demonstration that: (1) allowing some degradation is consistent with the maximum benefit to the people of the state; and (2) that such degradation would not unreasonably affect existing or potential beneficial use.

Actions which may adversely affect surface water quality must satisfy both Resolution No. 68-16 and the federal antidegradation policy (40 CFR 131.12). The requirements of the two policies are similar: the federal policy requires that existing instream uses and the level of water quality necessary to protect them must be maintained and protected. In addition, a reduction in water quality can be allowed only if there is a demonstration that such a reduction is necessary to accommodate important economic or social development.

Policy for Water Quality Control (by motion July 6, 1972)

This policy declares the State Board's intent to protect water quality through the implementation of water resources management programs and serves as the general basis for the adoption of subsequent water quality control policies.

Policy for Enclosed Bays and Estuaries (Resolution No. 74-43)

The Bays and Estuaries Policy recognizes the high environmental and ecological values of the bays and estuaries in the state. Specific direction is given regarding the San Francisco Bay-Delta system. New discharges to other bay and estuarine waters are prohibited unless enhancement of those waters can be demonstrated. It is also the state's stated policy to phase out or in other ways eliminate existing discharges to bays and estuaries unless such enhancement can be demonstrated.

Policy on the Use and Disposal of Inland Waters Used for Powerplant Cooling (Resolution No. 75-58)

This policy provides consistent principles and guidance for supplementary waste discharge requirements or other water control actions for thermal powerplants using inland waters for cooling. The policy specifies that fresh inland waters should be used for cooling only when other alternatives are environmentally undesirable or economically unsound.

Policy and Action Plan for Water Reclamation (Resolution No. 77-1)

The Reclamation policy recognizes the present and future need for increased amounts of water in California primarily to support growth. This policy commits both the State Board and Regional Boards to support reclamation in general and reclamation projects which are consistent with sound principles and demonstrated needs.

Policy on the Disposal of Shredder Waste (Resolution No. 87-22)

This policy permits the disposal of shredded waste produced by the mechanical destruction of car bodies, old appliances, and similar castoffs, into certain landfills under specific conditions designated and enforced by the Regional Boards.

Supplementary to the state policy, the Santa Ana Regional Board Shredder Waste Policy (Resolution 87-108) designates specific solid waste facilities in the region which are authorized to accept shredder waste. Prior to accepting shredder waste at a facility, a Report of Waste Discharge (ROWD) is required to be submitted to the Regional Board.

Sources of Drinking Water Policy (Resolution No. 88-63)

The sources of Drinking Water Policy (Policy) declares that with specified exceptions, all waters of the state are to be considered suitable, or potentially suitable, for municipal or domestic supply and should be so designated (**MUN**) by the Regional Boards. Those waters excepted under the Policy include the following: surface and ground waters with total dissolved solids (TDS) levels in excess of 3,000 mg/L; surface and groundwaters that are contaminated, either by natural processes or by human activity, to the extent that they cannot reasonably be treated for domestic use; and surface

waters in systems designated or modified to carry municipal/industrial /agricultural wastewaters or stormwater runoff. Other exceptions are specified in the Policy.

Adoption of the Policy required that Regional Boards review the beneficial uses of their ground and surface waters and determine where **MUN** designations should be added and which water bodies should be excepted. Periodic reviews and updates of Regional Basin Plans must conform to this policy.

Policy on Onsite Wastewater Treatment Systems (Resolution No. 2012-0032, adopted by the State Water Resources Control Board on June 19, 2012) (The following was added under Resolution No. R8-2014-0005)

This Policy (OWTS Policy) regulates the siting, design, operation, and maintenance of onsite wastewater treatment systems. The Policy implements the California Water Code, Chapter 4.5, Division 7, § 13290-13291.7 by establishing statewide regulations and standards for permitting onsite wastewater systems. The OWTS Policy specifies criteria for existing, new and replacement onsite systems and establishes a conditional waiver of waste discharge requirements for onsite systems that comply with the Policy

STATE BOARD PLANNING ACTIVITES FOR THE BAY/DELTA

The SWRCB is engaged in a comprehensive, multiphase program to protect the waters of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. While the Santa Ana Regional Board will not be directly involved in implementing the management plans which result from this program, the SWRCBs actions are likely to affect both water quality and quantity in the Regional Board’s water quality control programs.

The Bay/Delta water system is a major source of supply to the State, providing more than half of all water used in California. The Bay/Delta is also of extreme ecological significance: it is one of the largest systems for fish and waterfowl habitat and production in the United States.

Two major water distribution systems divert water from the Delta: the Central Valley Project, operated by the United States Bureau of Reclamation; and the State Water Project (SWP), operated by the California Department of Water Resources. The SWP is an important source of high quality, supplemental water supplies for the Santa Ana Region (see Chapter 5 - Salt Balance and Assimilative Capacity). Numerous other water diversion and management efforts influence the inflows into, flows through, and outflows from the Bay/Delta estuary.

In 1978, the SWRCB adopted the “Water Quality Control Plan for the Sacramento-San Joaquin Delta and Suisun Marsh” (the Delta Plan) and Water Rights Decision 1485 (D-1485). The Delta Plan established water quality objectives for salinity and outflow standards and operational constraints necessary to meet the objectives and assure

reasonable protection of beneficial uses. These outflow standards and operational constraints are implemented through D-1485.

The Delta Plan proceedings were limited to the current and near term conditions in the Delta. The SWRCB committed to subsequent review of the Delta Plan and is not in that process.

The current Bay/Delta review program has a number of components, including the development and adoption by the SWRCB of the “Water Quality Control Plan for Salinity – San Francisco Bay/Sacramento-San Joaquin Delta Estuary” (Salinity Plan, 19-15 WR, May 1991). This Plan is primarily concerned with salinity and temperature factors. Numerous water quality objectives were established for: salinity at municipal and industrial intakes; salinity levels to protect Delta agriculture; salinity levels to protect export agriculture; and salinity for fish and wildlife resources in the Estuary. Water quality objectives were also established to provide expansion of the period of protection for striped bass spawning, and to address temperature and dissolved oxygen levels for fisheries in the Delta.

This Salinity Plan set the stage for the ongoing Water Rights phase of the proceedings. Determining the flow requirements necessary to meet the Plan objectives and the allocation of responsibility for meeting those objectives will lead to a revised Water Rights Decision.

A draft decision (D-1630) was released in 1992 and revised in 1993. D-1630 called for substantial limits on exports of waters from the Bay/Delta system, including exports to the SWP, during spring. The quality of Bay/Delta waters is generally best during this time of high flows. Limiting exports to other times of the year is likely to mean that poorer quality water will be supplied to users outside the Bay/Delta system, including the Santa Ana Region. High quality SWP water is essential to address the severe mineralization problem in this Region (see Chapter 5).

The SWRCB has determined that it will not adopt an interim water rights decision (D-1630), in part because the above-average rainfall during 1993 eliminated the urgent need to do so to protect fish and wildlife resources. The SWRCB has resumed its proceedings to establish a long-term water right decision to replace D-1485.