

Project Clean Water



Legislative & Regulatory Issues Technical Advisory Committee

BASELINE INVENTORY (DRAFT 6/6/01)

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AIR

Program/Agency	Statute	Regulations	Focus	Guidance
Ambient Air Quality Standards and Implementation Plans				
Federal				
EPA	Clean Air Act of 1990			
EPA	42 U.S.C. Sections 7400-76710		Protect health of public from pollution	
EPA	42 U.S.C. Sections 7410, 7511a, 7512a, 7513a		Air Pollution Cleanup Plans (Implementation Plans)	Requirements for implementation of ambient air quality standards
EPA	42 U.S.C. Section 7410(a)(1),	40 CFR Section 51.102	Public participation	Requirements for public participation in development of implementation plans
EPA	42 USC 7410 (a)		State Implementation Plans	States must submit SIP's to demonstrate they will achieve compliance with NAAQS
EPA	42 USC 7513(c)		Particulate Matter (PM10) Non-attainment Classifications and Deadlines for Attainment	Development of design values for PM10 non-attainment areas and schedule for attainment
EPA	42 USC 7409 - 7415	40 CFR Part 50	National Ambient Air Quality Standards	Substance and procedures for establishing federal standards
State				
Cal/EPA	California Health and Safety Code Sections 39000-4474		Protect health of public from pollution	
Cal/EPA	California Health and Safety Code Sections 40910, 40926		Air Pollution Cleanup Plans (Implementation Plans)	Requirements for implementation of ambient air quality standards
Cal/EPA	California Health and Safety Code, Section 41502		Public participation	Requirements for public hearings prior to approval of implementation plans
Cal/EPA (CARB)	H&SC 40910-40926		Air Quality Attainment Plans ("Regional Air Quality Strategy")	APCD's and AQMD's to develop air quality attainment plans required by California Air Pollution Law
APCD		14 CCR 15307, 15308	CEQA	Districts are not statutorily exempt from CEQA in adopting new rules; however, they can rely on the CEQA categorical exemptions (actions by regulatory agencies to protect natural resources).
Local				
SDAPCD	San Diego County Air Pollution Control District	H&SC 40000, 41650-41652	State Implementation Plan	APCD must develop and adopt the required elements of the SIP for areas under its jurisdiction

Program/Agency	Statute	Regulations	Focus	Guidance
Stationary Sources				
Federal				
EPA	42 USC 7411, 7412	40 CFR pt 60	NSPS and NESHAPS: Federally Mandated Limits on Specific Categories of Sources	New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants programs
State				
Cal/EPA (CARB)	H&S 40702		Nonvehicular Sources	APCD's and AQMD's to adopt rules and regulations limiting emissions from nonvehicular sources
Cal/EPA (CARB)	H&S 41856, 41904, 41954-41961		Sandblasting equipment and abrasives, gasoline vapor recovery systems, agricultural burning regulations	ARB to set emission standards
Cal/EPA (CARB)	H&S 44390-44394		Facility Toxic Air Contaminant Risk Reduction Act	Stationary sources required to reduce health risks from air contaminants
SDAPCD	42 USC 7410(a)(2)(b), (d); H&S 42300, 42301	APCD Rules 10, 11, 20, 24	Permits & Emission Limits	San Diego APCD has delegated permitting authority , implemented at Federal, State, and Local Levels
Local				
SDAPCD	H&S 41701	APCD Rule 50	Visible Emissions Requirements	
SDAPCD	H&S 41700	APCD Rule 51	Nuisance prohibition	
SDAPCD		APCD Rule 52	Particulate Matter limits	
SDAPCD		APCD Rules 53 - 71 (Regulation IV - Prohibitions)	Limitations on emissions for particular sources	
SDAPCD		APCD Regulation X (New Source Performance Standards)	Standards of Performance, implementing federal regulations, for particular sources	implemented at Federal, State, and Local Levels
SDAPCD		APCD Rule 1200	Permitting for sources of toxic air contaminants	
SDAPCD		APCD Rule 1201 - 1205	Toxic air contaminant control requirement for specific sources, implementing federal regulations	implemented at Federal, State, and Local Levels
SDAPCD		APCD Rule 1210	Toxic Air Contaminant Public Health Risks - Public Notification and Risk Reduction	

Program/Agency	Statute	Regulations	Focus	Guidance
Mobile Sources				
Local				
EPA	42 USC 7521-7590		Mobile Sources	EPA to set emission standards for new motor vehicles, aircraft, nonroad engines, outer continental shelf operations (ships), other mobile sources.
EPA	42 USC 7543(b)		California Motor Vehicles	EPA standards for motor vehicles do not apply to California, where such standards are more stringent
Cal/EPA (CARB)	H&SC 43000-43845		Motor Vehicles	ARB's primary rule making responsibility is to establish tailpipe emission standards for new motor vehicles to be sold in California
APCD	H&SC 40716, 40717, 40818-40920.5		Motor Vehicles	APCD's and AQMD's to adopt rules and regulations limiting emissions from motor vehicles through transportation control measures and indirect source controls
Cal/EPA (CARB)	H&SC 43101		Motor Vehicles	ARB to set emission standards for new motor vehicles
SDAPCD; SANDAG	H&SC 40925		Transportation Control Measures	SANDAG must develop and adopt a plan for TCM's
Stationary Sources				
Cal/EPA (CARB)	California Air Pollution Law	H&SC 41712	Consumer Products	ARB to set emission standards for consumer products

AGRICULTURE

Program/Agency	Statute	Regulations	Policy/Plan	Focus	Guidance
Federal					
Dept. Of Agriculture US NRCS	Farmland Protection Policy Act (7 USC section 4201, et seq.)	7 CFR Part 658		preservation of farmland	requires ID of proposed actions that would affect farmlands
EPA	Federal Insecticide Fungicide and Rodenticide Act (FIFRA) (7 USC section 136, et seq.)	7 CFR Part 110		Regulation of pesticides	regulates use and requires an assessment of effects on humans
Secretary of Agriculture	Federal Agriculture Improvement and Reform Act (Farm Bill)			Conservation and restoration of wetlands, prairies, other habitats	reduction of soil erosion, flood control
Secretary of the Interior	Reclamation Reform Act of 1982 (43 USC section 371, et seq.)	43 CFR Part 426	San Diego area water reclamation program	irrigation water	encourages water conservation measures
Secretary of Interior, Agriculture	Water Bank Act (16 USC section 1301, et seq.)	7 CFR Part 752		To preserve Wetlands and retire adjoining ag lands	
Secretary of Agriculture	Water Conservation and Utilization Act			preservation of agricultural lands	improving lands via projects, farm practice, land use
State					
Department of Conservation	California Land Conservation Act (Williamson Act) (Gov. Code section 51200, et seq.)			Farmers and Ranchers	allows taxes to be lowered on property used for ag purposes
Department of Conservation	Planning and Zoning Law (Gov. Code section 65000, et seq.)			requires Dept. of Conservation to monitor conversions of land to and from ag. use	Every city and county must adopt an open space plan and a respective zoning ordinance
State Lands Commission	California Coastal Act (Pub. Resources Code section 30000, et seq.)			agricultural lands	preservation of lands within the coastal zone
Department of Conservation	California Farmland Conservancy Program Act (Pub. Resources Code section 10200, et seq.)	14 CCR Div 2, Ch 6		Funding for projects	provides funding for conservation easements
Farm Bureau	Right to Farm Laws (e.g., Civil Code section 3482.5)			Nuisance complaints	protects farms that existed more than 3 years against complaints
SWRCB	CEQA (Pub. Resources Code sections 21000-21178)	Cal Code of Regs., Title 14, sections 15000-15387		Environmental guidelines (Appendix G)	determining env'tal effects of projects
SWRCB	Urban Water Management Planning Act (UWMP) (Water Code section 10610, et seq.)			Conservation of water resources	long-term planning activities at the local level
Local					
City of San Diego			Open Space and Ag Zoning ordinances	Zoning	Open space and agricultural land use designations

BIOLOGICAL RESOURCES

Program/Agency	Statute	Regulations	Policy/Plan	Focus	Guidance
Federal					
U.S. Fish & Wildlife, Sec'y of the Interior	Endangered Species Act (16 USC section 1531, et seq.)	50 CFR Part 17		Threatened and endangered species	Listing of species and designation of critical habitat
U.S. Fish & Wildlife	Fish & Wildlife Act (16 USC section 7424, et seq.)	50 CFR Part 17			
Sec'y of the Interior	Fish & Wildlife Coordination Act (16 USC section 661, et seq.)			Effects of pollution on wildlife	
Sec'y of Commerce	Coastal Zone Management Act (16 USC sections 1451-1464)		Water Agency Plan		
Various federal agencies apply	NEPA (42 USC section 4321, et seq.)	7 CFR Part 799, 40 CFR Part 6			
Army Corps EPA	Clean Water Act section 404 (33 USC section 1344)			Wetlands protection	
FERC, US Fish & Wildlife	Federal Power Act (16 USC section 791a, et seq.)	18 CFR Part 2, 18 CFR Part 4		reservation lands: national forests, wildlife refuges	requires projects to be consistent with the purpose of lands
US Fish & Wildlife, Sec'y of Interior	Coastal Wetlands Planning, Protection, and Restoration Act (16 USC section 3954, et seq.)		National Coastal Wetlands Conservation Grants	wetlands conservation projects	funding for restoration of coastal wetlands ecosystems
Sec'y of Interior	Emergency Wetlands Resources Act of 1986 (16 USC section 3954, et seq.)			established a National Wetlands Priority Conservation Plan	water conservation funds used for land purchase/acquisition
Sec'y of Interior, Dept of Fish & Game	Migratory Bird Treaty Act (16 USC section 703, et seq.)				Authorizes Secretary of Interior to prohibit capturing, transporting, or killing of migratory birds
Sec'y of Interior	Bald and Golden Eagle Protection Act (16 USC sections 668-668d)				Civil and criminal penalties for capturing or selling Bald and/or Golden Eagles
Sec'y of Interior, Dept of Commerce	Marine Mammal Protection Act of 1972 (16 USC section 1361, et seq.)			Habitat protection for marine mammals	established Marine Mammal Commission
Sec'y of Interior	Migratory Bird Conservation Act (16 USC sections 715-715a)			Habitat protection	Secretary maintains areas for sanctuary and management of migratory birds

Program/Agency	Statute	Regulations	Policy/Plan	Focus	Guidance
State					
California Department of Fish & Game	California Native Species Conservation and Enhancement Act (Fish & Game Code sections 1750-2840)			Conservation of native species and natural resources	Makes it state policy to maintain sufficient populations of all wildlife and native plants
California Department of Fish & Game	Natural Community Conservation Planning Act (Fish & Game Code 2800-2840)			Habitat conservation ¹	
SWRCB, RWQCB	Porter-Cologne Water Quality Act (Water Code section 13000, et seq.)				Protect beneficial uses of water, including preserving and enhancing fish, wildlife, ...
California Department of Fish & Game	California Endangered Species Act (Water Code section 13000, et seq.)	14 Cal. Code of Regs. Section 670, et seq.		Threatened and endangered species	California's law is modeled after the federal ESA
state lead agencies consult with other applicable agencies	California Environmental Quality Act (CEQA) (Resources Code sec 21000-21178)	14 Cal. Code of Regs., sections 15000-15387		preservation and protection of the environment	continuous review of impacts of actions on the environment
California Department of Fish & Game	Fish & Game Code section 5650				Unlawful to make an unauthorized discharge to state water that is deleterious to fish, plants or birds
Local					
City of San Diego and other cities	Multiple Species Conservation Program (MSCP)				ensure self-sustaining populations of sensitive species and their habitats, while adjusting to development and growth in the region.
SANDAG in conjunction with the County of San Diego	Multiple Habitat Conservation Program (MHCP)			to devise and implement a conservation program for wildlife and habitats.	The MHCP plan is designed to guide preparation of more specific habitat conservation plans (called sub-area plans) by each of the participating cities.

LAND USE

Program/Agency	Statute	Regulations	Policy/Plan	Focus
Flood Control				
Federal				
Federal Emergency Management Agency (FEMA)	Exec. Order 11988 for Flood Plain Management	3 CFR sections 117, 412		Federal agencies must take actions to reduce risk of flood loss
Federal Emergency Management Agency (FEMA)		12 CFR Part 22, 208, 339, 563, 572, 614, 760	Community Assistance Program (State Support Services Element)	Financial assistance to states to identify, prevent and resolve floodplain management issues before they develop into problems, Loans in areas having special flood hazards
Federal Emergency Management Agency (FEMA)	National Flood Insurance Act of 1968 (42 USC section 4011, et seq.)	44 CFR Part 59	Flood insurance	Establish national flood insurance program
Federal Emergency Management Agency (FEMA)	Flood Protection Disaster Act of 1973 (42 USC section 4001, et seq.)			
State				
Governor, California Emergency Council	Emergency Services Act (Gov. Code section 8550, et seq.)			Governor may proclaim state of emergency due to flooding
Local Ordinances				
County of San Diego	San Diego County Flood Control District Act	Water Code Ch 105, 1960's, 1st Exec. Sec., c 55		Establish the Flood Control District & responsibilities
County of San Diego	San Diego County Flood Control District Act	County Code of Ordinances, Title 8, Division 7, Ord.#8394	Stormwater Quality Management Ordinance	Protect receiving water quality by regulation of connections
County of San Diego	San Diego County Flood Control District Act	County Code of Ordinances, Title 8, Division 7, Ord.#2925	Excavation and Grading Ordinance	Protect property and the environment; drainage provisions
County of San Diego	San Diego County Flood Control District Act	Title 8, Division 8, Ord.#3172,5147, Ord.#8334	Drainage and Watercourses, Flood Damage Prevention	Protect persons and property against flood hazards
County of San Diego	San Diego County Flood Control District Act	Title 5, Division 1, Ord.#7968, 7739,7685,7631	Resource Protection Ordinance of 1991	Protect sensitive lands, prevent degradation and loss, increase preservation of County's topography, natural beauty, diversity, and natural resources
County of San Diego		Board Policy I-46	County of San Diego subject to Flood Control	Define watercourses subject to flood control
County of San Diego		Board Policy I-52	Stabilized Channels for Flood Control	Acceptance of stabilized drainage and flood control channels into District-maintained system
County of San Diego		Board Policy I-68	Proposed Projects in Flood Plains with defined Floodways	Procedures for projects which impact floodways
County of San Diego		Board Policy I-69	Criteria for Floodway Determination	Criteria for floodway determination
County of San Diego		Board Policy A-100	Flood Control District Advisory Commission	Formation of an advisory commission for the flood control district

Program/Agency	Statute	Regulations	Policy/Plan	Focus
Flood Control District		FCD Ordinance #6,7,8,9	Building Permits	establishing drainage areas
County of San Diego DPW		DPW Standards/Policies	Hydrology Manual	Design & Procedures, Regional Standard Drawings, Public Road Standards, Standards for Private Roads
County of San Diego DPW		DPW Standards/Policies	Bridges on Private Property	Guidelines, design criteria and other requirements for bridge structures on private property
County of San Diego DPW		DPW Standards/Policies	Grading and Public Improvement Plans for School Districts	Policies and procedures for review and approval of grading and improvement plans for school districts

WATERSHEDS

Program/Agency	Statute	Regulations	Focus	Guidance
Federal				
EPA overseeing local agencies	Clean Water Act (CWA) (33 USC § 1251, et seq.)			
EPA overseeing local agencies	Safe Drinking Water Act (SDWA) (42 USC § 300f, et seq.)			
Department of Commerce	Coastal Zone management Act (CZMA) (16 USC §§ 1451-1464)		coastal zone management programs	define boundaries, identify and prioritize uses of coastal zones
Department of Agriculture	Federal Agriculture Improvement & Reform Act (7 USC § 7333)		conservation of agricultural lands	
Fish & Wildlife Service and other applicable agencies	Endangered Species Act (16 USC § 1531, et seq.)		conservation programs, re-introduction for endangered species	includes land use management and natural resource conservation
Army Corps of Engineers	Rivers & Harbors Appropriation Act		regulates activities in navigable waters	
Department of Agriculture	Watershed Protection and Flood Prevention (16 USC § 1001, et seq.)		conservation, restoration, and improvement	
Department of Transportation	Transportation Equity Act for 21st Century (23 USC § 101, et seq.)		protecting the env't as surface transportation expands, including natural resources	
EPA, applicable federal agencies	National Environmental Policy Act (NEPA) (42 USC § 4321, et seq.)		Federal agencies are required to identify the impacts of their actions on the environment	
State				
state lead agencies consult with other applicable agencies	California Environmental Quality Act (CEQA) (Resources Code sec 21000-21178)	14 Cal. Code of Regs., sections 15000-15387	preservation and protection of the environment	continuous review of impacts of actions on the environment

WASTE / MATERIALS MANAGEMENT

Program/Agency	Statute	Regulations	Policy/Plan	Focus	Guidance
Federal					
EPA, CalEPA	Resource Conservation Recovery Act (RCRA) (42 USC § 6901, et seq.)			solid waste hazardous waste	prohibits open dumps and establishes sanitary landfill criteria, standards/permits for treatment, storage, and disposal; requires UST monitoring
EPA, CalEPA	Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 USC § 9601, et seq.)		Superfund	hazardous waste sites	establishes cleanup criteria
EPA, CalEPA	Superfund Amendments and Reauthorization Act (SARA)			amended CERCLA	encourages states to have adequate disposal capacity for wastes
EPA, CalEPA	Toxic Substances Control Act (TSCA) (15 USC § 2601, et seq.)			new and existing chemical substances	determine effects of chemicals on humans and the environment and control manufacturing
State					
State and local agencies	State Drinking Water & Toxic Enforcement Act (Prop 65)			identifying and controlling hazardous chemicals	To protect water from chemicals that cause cancer, birth defects, or other harm.

COASTAL WATERS

Program/Agency	Statute	Regulations	Policy/Plan	Focus
Federal				
EPA, overseeing state and local agencies	Clean Water Act (33USC 1251-1387)			
EPA, overseeing state and local agencies	CWA 301(h) (33 USC 1311h)	41 CFR Parts 125,133		review, monitor marine discharges and apply waivers
EPA, overseeing state and local agencies	CWA 403c (33 USC 1343c)	40 CFR Part 125, subpart M		ocean discharge criteria
EPA, overseeing state and local agencies	CWA 312 (33 USC 1322)	33 CFR Part 159; 40 CFR Part 140		vessel sewage discharge criteria
EPA, Army Corps of Engineers	Ocean Dumping Act (Marine Protection, Research, and Sanctuaries Act) 33 USC 1401-1445			sewage sludge and industrial waste dumping criteria, establishing ocean dumping criteria
United States Coast Guard	Shore Protection Act (1988) (33 USC 2601-2623)	33 CFR Part 151, subpart B (vessel permits)	promotion of shore protection projects	prevent trash, medical debris, and other potentially harmful materials from being deposited into the coastal waters
Department of Commerce	Coastal Zone Management Act (1972); Coastal Zone Protection Act (1996) (16 USC 1451-1464)	15 CFR 923.3	grants provided to establish coastal management programs	define boundaries, identify and prioritize uses of coastal zones
National Oceanic and Atmospheric Administration (NOAA), EPA	National Coastal Monitoring Act (33 USC 2801-2805)		developing and implementing a national coastal monitoring program	strategy to coordinate Federal, State, regional, local, and other coastal monitoring efforts
EPA overseeing state and local agencies	Beaches Environmental Assessment and Coastal Health Act (Beach Bill 2000)			monitoring, public notification, and establishing quality criteria
State				
State Department of Health Services, Parks and Recreation	AB 411 (1997)		increases pollution monitoring at public beaches and sets uniform health standards	also requires health officials to close beaches when pollution levels are dangerous and sets up a hotline for beach closure information.
California Coastal Commission, local agency	California Coastal Act (1976) (Public Resources Code 30600-30613)	14 CCR 13000 et seq	conservation and management of coastal resources	imposes restrictions on development in coastal zones
California Coastal Commission, SWRCB	SB 227(1999) (Water Code 13369 et seq.)			prepare and implement of a coastal NPS pollution protection program
SWRCB, RWQCB			California Thermal Plan	temperature regulations on new and existing discharges

DRINKING WATER

Program/Agency	Statute	Regulations	Focus	Guidance
Federal				
EPA overseeing local agencies	Safe Drinking Water Act (SDWA) (42 USC 300f - 300j-26)	MCL Regulations 40 CFR Part 141	quality of water delivered for human consumption	
EPA overseeing local agencies	Clean Water Act (CWA) 933 USC 1251-1387)			
EPA, USDA?	Food Quality Protection Act (FQPA)		pesticide regulation in food	Aggregate assessment of all sources of exposure, including drinking water
EPA, FDA	Federal Food, Drug, and Cosmetic Act (FFDCA)		chemical safety including setting tolerance levels for pesticides	
State				
CalEPA, SWRCB, RWQCB	California Safe Drinking Water Act (H&SC 116270-116751)		more stringent standards set than federal act: maximum contaminant levels (MCLs)	required to test the drinking water in all major water supplies for harmful contaminants
CalEPA, SWRCB, RWQCB	State Drinking Water & Toxic Enforcement Act (Prop 65)		identifying and controlling hazardous chemicals	To protect water from chemicals that cause cancer, birth defects, or other harm.
Department of Health & Safety	H&SC 116975-117130 (water supply protections)	17 CCR 7625-7629	recreational use permits at water supply reservoirs	
CalEPA, SWRCB, RWQCB	AB 1646		Hexavalent Chromium	to develop separate standards for Chromium 6 in drinking water
CalEPA, SWRCB, RWQCB			MTBE MCL developed	

GROUNDWATER

Program/Agency	Statute	Regulations	Policy/Plan	Focus
Federal				
EPA overseeing local agencies	Safe Drinking Water Act (42USC 300f - 300j-26)			monitoring, permits required
EPA overseeing local agencies		40CFR 144 Underground Injection Control (UIC)		identify drinking sources; monitoring, permits required
EPA overseeing local agencies		40CFR 145 UIC (state level)		identify drinking sources; monitoring, permits required
EPA overseeing local agencies		40CFR 149 sole source aquifers		protection of aquifers
EPA overseeing local agencies	Resource Conservation and Recovery Act (RCRA) (42 USC 6991 et seq.)	40 CFR Part 280	Underground Storage Tank (UST) Program	leak, spill, and overflow protection to avoid contamination
State				
CalEPA, SWRCB, RWQCB	Porter-Cologne Water Quality Control Act (Water Code 13000-13953.4)		establishes beneficial uses of water designated for each water body to be protected	establishes water quality standards for groundwater Regional Boards regulate all discharges that may affect either groundwater
Department of Water Resources, SWRCB, RWQCB	Groundwater Management Act AB 3030 (1992) (water Code 10750-10755.4)		groundwater supply	provides local public agencies with increased management authority over groundwater resources
CalEPA, SWRCB, RWQCB	California Safe Drinking Water Act (SDWA)			requires MCLS
Department of Health & Safety	H&SC 25280-25299.7			establishes Underground Storage Tank (UST) Standards
Department of Health & Safety	H&SC 116975-117130			Water Supply Protections
SWRCB	The Groundwater Monitoring Act of 2001 (AB 599)		contamination reduction	coordinates state and federal agencies responsible for monitoring contamination in California's groundwater resources.
County of San Diego, applicable cities	SB 610		water supply planning and evaluation	requires a water supply assessment for all large projects subject to (CEQA)

STORMWATER

Program/Agency	Statute	Regulations	Policy/Plan	Focus
Federal				
EPA, CalEPA, SWRCB, RWQCB (delegated program; state lead for enforcement)	Clean Water Act (CWA) section 402(p) [33 USC 1342(p)]			Holds local agencies responsible
		NPDES Permit Application Regulations; CFR Parts 122, 124, 125, 401		specifies activities required by regulated parties (11-16-90)
		40CFR 122.26-discharges		storm water regulations
		40CFR 122-NPDES		program regulations
		40CFR 122.26d-municipal discharge	NPDES Municipal Stormwater Permit	municipal storm water application requirements
			NPDES Construction Permit	storm water pollution prevention plan (SWPPP)
		40CFR 122.26c-industrial discharge	NPDES Industrial Permit	industrial storm water application requirements
			shipyard (general) 97-36 & 97-37	
			boatyard (general) 95-41	
			Caltrans(individual, industrial, construction) 97-08	monitoring and reporting
EPA, applicable federal agencies	National Environmental Policy Act (NEPA) [42 USC 4321 - 4370(e)]	40 CFR 1500.1 - 1517.1		Federal agencies are required to identify the impacts of their actions on the environment
State				
SWRCB	Porter-Cologne Water Quality Control Act (Water Code 13370 et seq.)			compliance with provisions of the CWA
state lead agencies consult with other applicable agencies	California Environmental Quality Act (CEQA) (Resources Code sec 21000-21178)	14 CCR, sections 15000-15387	preservation and protection of the environment	continuous review of impacts of actions on the environment
RWQCB	Storm Water Enforcement Act (1998) (Water Code 13399.25-13399.43)			
SWRCB		State Water Resources Control Board Order # 97-03 NPDES Permit # CAS000002	Waste discharge requirements for discharges of stormwater runoff associated with industrial activity excluding construction activity	
County of S.D.	SB 710 amendment to 13246 of Water Code	Total Maximum Daily Limits (TMDLs)		state board to prepare specific guidelines for developing and implementing TMDLs
County of S.D.	SB 72 addition to 13383.5 of Water Code	Storm Water Requirements		requires a uniform monitoring program by 2003 for both municipal and industrial
Local				
			Stormwater Permit [County Stormwater Ordinance (No. 8394)]	establishes the County's legal authority to manage the discharge of pollutants to its Stormwater Conveyance System

WASTEWATER and TREATMENT

Program/Agency	Statute	Regulations	Focus	Guidance
Federal				
EPA (delegated program; state lead for enforcement)	Clean Water Act (33 U.S.C. 1251 et seq.)			
	Clean Water Act 402(b)(8) (33 USC 1342(b)(8))		Pretreatment Program Guidelines	
		29 CFR 1910, 1915	Occupational Safety and Health Standards	
		29 CFR 1910.106*	Flammable and Combustible Liquids	
		29 CFR 1910.120	Hazardous Waste Operations and Emergency Response	
		29 CFR 1910.146	Permit Required Confined Spaces	
		29CFR 1910.146	Confined Space Standard & Confined Space Entry Requirements	
	Rivers and Harbors Act (33 U.S.C. 401-413)			
		40 CFR 122.26	EPA National Pollutant Discharge Elimination System (NPDES) Permit Regulations	
		40 CFR Part 122 & 125, NPDES Permit Discharge Requirements Order #98-04, 98-05, 97-13, 99-37, 2000-45	NPDES Permits and Wastewater Discharge Requirements all Plants	
		40 CFR Part 133	Water Quality Standards for Discharge of Municipal Wastewater to U.S. Waters	
				U.S. EPA 1989 "POTW Sludge Sampling & Analysis Guide Document", Washington, DC: Permits Division
	The Emergency Planning and Community Right to Know Act of 1986. Title 3 (EPCRA)(42 U.S.C. 11001)			

Program/Agency	Statute	Regulations	Focus	Guidance
State				
SWRCB, RWQCB		California Water Code, Division 7 and Title 22, Ch 3 and RWQCB Order 2000-46	Requirements for Reclaimed Water for STPs 1 & 2	
SWRCB, RWQCB	Porter-Cologne Water Quality Control Act (Water Code 13625 - 13633)		California Water Code, Division 8	Wastewater Treatment Plant Standards
EPA, RWQCB, & Office of Operator Certification			Requirements for Contractor Operations of Sewage Treatment Facilities, as required by the EPA	
		17 CCR	Public Health	
		22 CCR	Social Security	
		27 CCR, Division 2	Environmental Protection	
	Exec. Order 12088		Federal Compliance with Pollution Control Standards, 10 Oct 78	
	Hazard Communication Standard or workers Right to Know Laws		Occupational Safety & Health Administration Hazard Communication Standard	
RWQCB, DEH		Office of Emergency Services & RWQCB Order 96-04 and NPDES and Waste	Combined Sewer Overflow Pollution Abatement (1989)	
			Sewage Overflow Reporting Requirements	
TREATMENT				
Federal				
EPA		40CFR 133:	secondary treatment	monitoring BOD, pH, suspended solids levels
EPA		40CFR 141:	primary drinking water	criteria for MCLs and techniques
EPA		40CFR 142:	primary drinking water	implementation of programs, monitoring

WATER RIGHTS & SUPPLY

Program/Agency	Statute	Regulations	Focus	Guidance
Federal				
EPA	Safe Drinking Water Act		Protection of water supply sources	rivers, lakes, reservoirs, springs, wells
	Water Rights Act			
ACoE, Bureau of Reclamation	Water Supply Act		Construction, maintenance, operation of water projects	Federal navigation, flood control, irrigation
US Fish & Wildlife Service	Endangered Species Act		Protection of species threatened with extinction	prohibits or limits actions that would adversely affect the species
Federal Energy Regulatory Commission	Federal Power Act: Electric Consumers Protection Act		Requires FERC to give equal consideration to natural resources along with power production	includes land use, water quality and water resources
State				
	California Water Commission Act		appropriation of water	assessment of env'tal impacts
CalEPA, SWRCB	CEQA			
	California Endangered Species Act (CESA)			
CalEPA, SWRCB		California Code of Regulations: Water Code Title 22	to provide clean, safe, affordable, and sufficient water supply	
		Water Code 13500 -13530, CCR 60300 et seq.	recycling	
SWRCB		Requires a Certificate of Registration to take water from Ca. water ways	Permit Requires: Amount, Source, Use, Location, and Period of Time water will be used. Several EIR's are required.	To assure responsible development and beneficial use of a public resource
SWRCB	Riparian Right	Has higher priority than Appropriative Right	Comes with ownership of land near lake or stream, taking water requires permit only if storing in one season for use during another.	Permits are granted when SWRCB has determined the appropriation will best serve the public interest.
County of San Diego, applicable cities	SB 610		water supply planning and evaluation	requires a water supply assessment for all large projects subject to (CEQA)

WETLANDS

Program/Agency	Statute	Regulations	Policy/Plan	Focus
Federal				
	Clean Water Act (CWA)			
	CWA Section 401 (33 USC 1341)		implementation by state, delegated from US EPA	certification requirements
ACoE lead, US EPA, NMFS, USFW	CWA Section 404 (33 USC 1344)			discharge of dredged or fill material into navigable waters
	CWA Section 502			general definitions
		40CFR 230, section 404		criteria guidelines
		33CFR 320-330		Corps permits required
		40CFR 232		definitions by EPA to clarify section 404 activities
		40CFR 22		enforcement regulations for section 404
		40CFR 231		clarifies EPA's authority to restrict areas for discharge
		40CFR 233		procedures and criteria of EPA to assess 404 programs
		40CFR section 404c		EPA's authority to restrict discharge
		40CFR 122 NPDES		discharges
CalEPA, Chief of Engineers	Rivers and Harbors Appropriation Act, Section 10 (33 USC 403)			regulates activities in navigable waters
USDA	Agriculture Improvement and Reform Act			conservation of agricultural lands
CalEPA	Coastal Wetlands Planning, Protection, and Restoration Act (Title III of Public Law 101-646, 1990)			general protection
	North American Wetlands Conservation Act (1989) (16 USC 4401-4413)			general conservation
	National Environmental Policy Act (NEPA) [42 USC 4321-4370(e)]	40 CFR 1500.1-1517.1		
CalEPA	Coastal Zone Management Act (1972); Coastal Zone Protection Act (1996) (16 USC 1451-1464)	15 CFR 923.3		protection, restoration, and uses for NPS control
County S.D.	National Historic Preservation Act (16 USC 470)			preservation of wetlands
			Exec. Order 11990 (1977)	protection and restoration
USDA	Farm Bill (1996) (Agriculture Improvement & Reform Act) [Public Law No. 104-127 (110 Stat. 888)]			conservation of agricultural lands and protection of wetlands with assistance and mitigation banking
Program/Agency	Statute	Regulations	Policy/Plan	Focus

State				
California Coastal Commission, local agency	California Coastal Act (Public Resources Code 30600-30613)	14 CCR 13000 et seq.		protection and development
			State Lands Commission	permitting for wetlands
SWRCB			Wetlands Conservation Policy of 1993	conservation, restoration, regulation by SWRCB
CalEPA, SWRCB	California Environmental Quality Act (CEQA) (Public Resources Code 21000-21177)		14 CCR 15000-15387 (CEQA Guidelines)	land use, planning, zoning

SPECIAL REGIONAL FOCUS

Program/Agency	Statute	Regulations	Policy/Plan/Permit	Focus
BORDER ISSUES				
Federal				
EPA	Clean Water Act			border issues
International Boundary and Water Commission (IBWC)			General Law: Ecological Balance, Env'tal Protection	
IBWC			Law of National Waters 1992	
IBWC			Border XXI Program	
IBWC			La Paz Agreement 1983	
IBWC			Integrated Env'tal Plan for Mexico/US Borders 1992	
IBWC			North American Agreement on Env'tal Protection	
IBWC			Commission for Env'tal Cooperation CEC	
US / Mexico			Border Environment Cooperation Commission BECC	
IBWC			North American Development Bank NAD Bank	

TRIBAL LANDS				
Federal				
	Clean Water Act (CWA)			
	CWA 303 H2O quality standards			
ACoE, NMFS, USFW	CWA 404 NPDES			
ACoE, NMFS, USFW	CWA 518			
ACoE, NMFS, USFW		40CFR 35		funds provided for programs
ACoE, NMFS, USFW		40CFR 47		National Environmental Act grants
ACoE, NMFS, USFW		40CFR 122 NPDES		including stormwater, treatment
ACoE, NMFS, USFW		40CFR 123 state programs		eligibility, processing, enforcement
ACoE, NMFS, USFW		40CFR 130 application process		water quality management and planning
ACoE, NMFS, USFW		40CFR 142 primary drinking water		implementation and eligibility requirements
ACoE, NMFS, USFW		40CFR 144 UIC Program		alternate programs for Indian lands
ACoE, NMFS, USFW		40CFR 145 UIC Program		eligibility requirements
ACoE, NMFS, USFW		40CFR 233 state programs(404)		regulation eligibility and enforcement
ACoE, NMFS, USFW		40CFR 501 state sludge management		regulation eligibility and enforcement
Program/Agency	Statute	Regulations	Policy/Plan/Permit	Focus
EPA overseeing local agencies	Safe Drinking Water Act (SDWA)			
	CERCLA			authority, access to info, participation in cleanup

	US Code Title 33 sec 1377 Navigable Waters			policy, treatment, funding, enforcement
	Indian Dams Safety Act of 1994			safety maintenance and repair program for dams
State				
	Surface Mining Act			

FEDERAL LANDS & INSTALLATIONS				
FERC, US Fish & Wildlife	Federal Power Act (16 USC 791-828C)			reservation lands: national forests, wildlife refuges, requires projects to be consistent with the purpose of lands