



## CHAPTER 3

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### WASTEWATER TREATMENT REQUIREMENTS

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## **CHAPTER 3 WASTEWATER TREATMENT REQUIREMENTS**

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### **INTRODUCTION**

The SWRP and VWRP provide tertiary treatment of municipal and industrial wastewater. Wastewater treatment is subject to regulations governing surface water discharge, water reuse, biosolids management, and air emissions. Furthermore, federal and state funding for capital projects is contingent upon the fulfillment of additional regulatory requirements. This chapter summarizes the federal, state, and regional laws, regulations, and plans that affect the SCVJSS.

### **LAWS, REGULATIONS, AND PLANS GOVERNING WATER**

#### **Clean Water Act**

The Clean Water Act (CWA), enacted by the federal government in 1972 as an amendment to the 1956 Water Pollution Control Act, established the national strategy for controlling water pollution. The CWA directed states to establish water quality standards for all waters of the United States and to reevaluate such standards every three years. In addition, the CWA set technology-based effluent discharge limitations and initiated the National Pollutant Discharge Elimination System permit program for municipal and industrial point source dischargers.

The Water Quality Act of 1987, also known as the 1987 Amendments, added provisions to the CWA requiring states to promulgate water quality standards for toxic pollutants for which water quality criteria had been developed. The 1987 Amendments require that states issue effluent limitations based on water quality. These effluent limitations may mandate that dischargers surpass technology-based requirements in order to attain water quality standards. The U.S. Environmental Protection Agency (EPA) has granted the state of California primary responsibility for

administering and enforcing provisions of the CWA, including NPDES permitting, within state borders.

#### ***Section 404 and Section 401***

Section 404 of the CWA established a permit program for regulation of the discharge of dredged material or fill into *waters of the United States*<sup>1</sup>, such as the Santa Clara River. The permit program is administered by the Secretary of the Army, acting through the U.S. Army Corps of Engineers (Corps). Section 404 authorizes the EPA to regulate the discharge of any dredged material or fill that can cause adverse effects on municipal water supplies, recreational areas, wildlife, fisheries, or shellfish beds.

Section 401 of the CWA provided the authority for the state-operated 401 Certification Programs. The 401 certification process is commonly used by the Regional Water Quality Control Boards (RWQCBs) to regulate hydrologic modification projects that require Section 404 permits. Projects being considered in the 2015 Plan would require Section 404 permitting and Section 401 certification if construction activities were to occur within the banks of the Santa Clara River.

#### ***National Pretreatment Program***

The CWA established the National Pretreatment Program for which the EPA has promulgated

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1. Waters of the United States are divided into wetlands and other waters of the United States. Wetlands are defined as areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (33 CFR 328.3[b], 40 CFR 230.3). Other waters of the United States are defined as seasonal or perennial water bodies, including lakes, stream channels, drainages, ponds, and other surface-water features that exhibit an ordinary high-water mark but lack positive indicators for at least one of the wetland parameters (33 CFR 328.4).

regulations (40 CFR Part 403). The National Pretreatment Program requires publicly-owned treatment works (POTWs) with capacities greater than five mgd to implement pretreatment programs. POTWs are required to obtain the authority to prohibit or limit discharges of pollutants that could pass through the treatment processes into receiving waters, interfere with treatment plant operations, or limit biosolids management options. Smaller POTWs with significant industrial influent, treatment process problems, or violations of effluent limitations are also required to implement pretreatment programs. In addition, Federal Categorical Standards have been established to regulate sewer discharges from specific types of industries.

POTWs are responsible for developing, implementing, and enforcing their own pretreatment programs. If POTWs fail to properly administer pretreatment programs, they are subject to enforcement actions, penalties, fines, or other remedies provided for by the CWA.

The Districts developed and implemented an industrial wastewater pretreatment program in 1972 with the adoption of the Wastewater Ordinance. Local discharge limits for industrial wastewater dischargers were adopted in 1975, and the Districts' program was approved by the EPA and the RWQCB in March 1985. Local industrial wastewater discharge limits are calculated to ensure compliance with NPDES permit limits and waste discharge requirements of each treatment plant, as well as to protect treatment plant operations and biosolids quality. The pretreatment program has been very successful in reducing the discharge of certain contaminants. Implementation of the program has enabled Districts Nos. 26 and 32 to continue meeting NPDES permit requirements for the SWRP and VWRP.

The existing local discharge limits are presented in Table 3-1. The Districts are currently reviewing these

limits to determine if any modifications are needed. Modifications to the existing local discharge limits may be made if determined necessary in order to meet NPDES limits and to maintain biosolids quality.

**Table 3-1  
LOCAL INDUSTRIAL WASTEWATER  
DISCHARGE LIMITS**

CONSTITUENT	INSTANTANEOUS MAXIMUM LIMITS (mg/l)
Arsenic	3
Cadmium	15
Chromium	10
Copper	15
Cyanide	10
Lead	40
Mercury	2
Nickel	12
Silver	5
TICH <sup>a</sup>	Essentially None <sup>b</sup>
Zinc	25

Notes: a) Total identifiable chlorinated hydrocarbons (TICH), include aldrin, dieldrin, chlordane, heptachlor, DDT, endrin, hexachlorocyclohexane, toxaphene, and polychlorinated biphenyls.

b) TICH must be maintained below detection levels.

### Safe Drinking Water Act

The Safe Drinking Water Act (SDWA), passed in 1974, established a national program for protecting the quality of drinking water supplied by public water suppliers. Under the SDWA, the EPA has issued Primary and Secondary Drinking Water Standards. These are the minimum water quality standards that must be established by all states. Under the SDWA, states such as California with approved drinking water protection programs have implementation and enforcement authority. The 1986 amendments to the SDWA required the EPA to promulgate new standards for certain contaminants and to establish requirements for the protection of groundwater supplies.

### **Primary Drinking Water Standards**

Primary Drinking Water Standards are water quality limits for contaminants that may cause or transmit disease, chemical poisoning, or other impairments to humans.

### **Secondary Drinking Water Standards**

Secondary Drinking Water Standards are water quality limits for assuring aesthetically adequate drinking water in terms of appearance, taste, and odor.

### **California Drinking Water Standards**

California Drinking Water Standards are promulgated by the state Department of Health Services (DHS) under the California Safe Drinking Water Act. Typically, the California Drinking Water Standards are the same as the federal standards. Reclaimed water that is used to recharge groundwater or that is discharged to a surface water body designated as a drinking water supply must generally meet California Drinking Water Standards for trace constituents.

### **Porter-Cologne Water Quality Control Act**

The Porter-Cologne Water Quality Control Act of 1969 (PCA) established the State Water Resources Control Board, divided the state into nine hydrographic basins, and established an RWQCB for each basin. The PCA requires the SWRCB and RWQCBs to adopt regional water quality control plans, or basin plans. A basin plan must include the following:

- Identification of beneficial uses of waters to be protected.
- Water quality objectives for the reasonable protection of those beneficial uses.

- An implementation program for achieving water quality objectives.

The PCA also provides for the issuance of Waste Discharge Requirements (WDRs) to dischargers. When discharges are made to waters of the United States, WDRs and NPDES permits for point source discharges are generally combined into a single permit.

The SWRCB is the primary agency responsible for formulating policies to protect surface waters and groundwater supplies within the state of California. The SWRCB has delegated authority for the day-to-day administration and enforcement of the PCA to the RWQCBs.

Each RWQCB develops basin plans that identify important water resources and specify the beneficial uses for each of these resources. Basin plans are reviewed by the SWRCB and are generally updated every three years. The SWRP and VWRP are under the jurisdiction of the Los Angeles RWQCB. The Los Angeles RWQCB is responsible for administering and enforcing NPDES permits, adopting water quality control plans, and overseeing the Districts' pretreatment program within the Santa Clarita Valley.

### **RWQCB Water Quality Control Plans**

The Santa Clarita Valley planning area is within the hydrological areas covered by the *1994 Water Quality Control Plan for the Santa Clara River Basin* (Basin Plan). It will also be subject to the *Inland Surface Waters Plan* (ISWP) when it is adopted. These plans are implemented through the NPDES permits.

### **Basin Plan**

The Basin Plan identifies the existing and potential beneficial uses of specific water bodies in the region

and contains water quality objectives established to protect these uses. The planning area for the 2015 Plan generally coincides with the California Department of Water Resources Hydrological Unit No. 403.51, which includes the reach of the Santa Clara River east of Soledad Canyon and west of the Los Angeles/Ventura County line. The Basin Plan identifies the existing beneficial uses for Hydrological Unit No. 403.51 as: agricultural supply, industrial process supply, industrial service supply, groundwater recharge, water-contact recreation, non-contact water recreation, warm freshwater habitat, wetland habitat, wildlife habitat, and rare, threatened, or endangered species habitat. Potential beneficial uses include municipal and domestic water supply. The 1994 amendments to the Basin Plan indicate that the Los Angeles RWQCB will be reviewing this designation and adopting a Basin Plan amendment following this review. This review is expected to be initiated within the next year. In the meantime, no new effluent limitations are being placed in permits as a result of this potential beneficial use designation.

In addition to identifying beneficial uses, the Basin Plan contains narrative objectives for wetlands as well as narrative and numeric water quality objectives for inland surface waters, groundwaters, and ocean waters. The Basin Plan also provides strategies and implementation plans for the control of point source and non-point source pollutants, remediation of pollution, and monitoring and assessment of the region's waters.

### ***Inland Surface Waters Plan and National Toxics Rule***

The SWRCB adopted the ISWP in 1991 in fulfillment of the requirements of Section 303 of the CWA. The ISWP contained narrative and numeric water quality objectives for toxic pollutants. Pursuant to the CWA, the SWRCB submitted the ISWP to the EPA for review and approval. In November 1991, the EPA

took action on the ISWP, which included disapproval of performance goals for categorical water bodies (e.g., effluent-dependent water bodies). The EPA subsequently promulgated the National Toxics Rule (NTR). The NTR includes water quality criteria for the categorical water bodies of California not included in the ISWP as well as for those pollutants not included in the ISWP.

In 1991, a lawsuit was filed against the SWRCB regarding the compliance of ISWP with three state laws. This litigation was resolved with the invalidation of the ISWP in March 1994 by the Sacramento County Superior Court. As a result of this decision, California does not currently have statewide water quality objectives for toxic pollutants for inland surface waters, except for those promulgated under the NTR. The SWRCB is currently in the process of developing a new ISWP. In addition, the EPA is in the process of adopting water quality criteria for all California waters for all of the pollutants included in the NTR.

### **California Water Code, Section 13523**

The California Water Code contains provisions for the production, discharge, and use of reclaimed water. Section 13523 of the California Water Code provides that an RWQCB, after consulting with and receiving recommendations from the DHS and after any necessary hearings, establish requirements for effluent that is used or proposed to be used as reclaimed water if it determines that such action is necessary for the protection of public health, safety, and welfare. Section 13523 further provides that such requirements shall include, or be in conformance with, the statewide reclamation criteria, which are promulgated by the DHS (Title 22 regulations).

**Table 3-2  
WASTE DISCHARGE AND WATER REUSE PERMITS**

TREATMENT PLANT	NPDES PERMIT			REUSE PERMIT	
	PERMIT NO.	COMPLIANCE FILE NO.	RWQCB ORDER NO.	ORDER NO.	FILE NO.
SWRP	CA0054313	CI-2960	95-080	87-49	61-30
VWRP	CA0054216	CI-4993	95-081	87-48	65-86

### NPDES and Reuse Permits

The above mentioned statutes and plans are implemented through the issuance of permits by the RWQCB for specific treatment plants. Table 3-2 lists the NPDES and reuse permits for the SWRP and VWRP.

#### NPDES Permits

The SWRP and VWRP are regulated by NPDES discharge permits that, at this time, must be renewed every five years. NPDES permits are issued by RWQCBs to carry out the purposes of the CWA and the PCA. An NPDES permit generally contains the following components:

- *Findings:* Official description of the facility, processes, type and quantity of wastes, existing requirements, enforcement actions, public notice, and applicable basin plans.
- *Effluent Limitations:* Narrative and numerical limits for effluent; discharge prohibitions.
- *Receiving Water Limitations:* Narrative and numerical objectives for the receiving waters.
- *Provisions:* Standard provisions required by the RWQCB and by federal law; expiration date of permit.
- *Compliance/Task Schedule:* Time schedules and interim reporting deadlines for compliance.
- *Pretreatment Requirements:* Standard pretreatment requirements for municipal facilities.

The NPDES permits for the Saugus and Valencia WRPs, issued on June 12, 1995, contain limits that are consistent with the water quality objectives of the following:

- Basin Plan
- EPA Regulation on Secondary Treatment (40 CFR Part 133)
- National Toxics Rule
- National Drinking Water Standards (NDWS)
- California Drinking Water Standards (CDWS)

The SWRP and the VWRP NPDES permits expire on May 10, 2000. Tables 3-3 and 3-4 provide the numerical discharge limitations included in the NPDES permits for the SWRP and VWRP.

In addition to the discharge limitations listed in Tables 3-3 and 3-4, the NPDES Permits for the SWRP and VWRP include the following discharge requirements:

- Waste discharge shall be limited to treated municipal and industrial wastewater.
- The pH of wastes discharged shall at all times be within the range of 6.0 and 9.0.
- The temperature of the wastes discharged shall not exceed 100°F.
- Radioactivity of the wastes discharged shall not exceed the limits specified in Title 22, Chapter 15,

Article 5, Section 64443, of the California Code of Regulations, or subsequent revisions.

- The arithmetic means of BOD<sub>5</sub> @ 20°C and suspended solids values, by weight, for effluent samples collected in a period of 30 consecutive calendar days shall not exceed 15 percent of the arithmetic means of values, by weight, for influent samples collected at approximately the same time during the same period.
- The seven-day median number of coliform organisms shall not exceed 2.2 per 100 ml, and the number of coliform organisms shall not exceed 23 per 100 ml in more than one sample within any thirty-day period.
- The turbidity of the wastes discharged to water courses shall not exceed a daily average of two nephelometric turbidity units (NTUs) and shall not exceed five NTUs more than five percent of the time during any twenty-four hour period.
- The acute toxicity of the effluent shall be such that the average survival in the undiluted effluent for any three consecutive 96-hour static or continuous flow bioassay tests shall be at least 90 percent, with no single test producing less than 70 percent survival.

In addition, the current NPDES permits for the SWRP and VWRP contain a provision requiring that either the Basin Plan's receiving water objectives for ammonia (NH<sub>3</sub>) be met or that less stringent site specific objectives be approved by mid-2003.

### **Reuse Permits**

In addition to the NPDES permits, the Saugus and Valencia WRPs have water reclamation requirements (reuse permits) issued by the Los Angeles RWQCB. The reuse permits for the SWRP and VWRP contain limits that are consistent with specific water quality objectives of the Basin Plan. Table 3-5 summarizes

the numerical limits listed in the SWRP and VWRP reuse permits. The reuse permits also require that reclaimed water shall not contain trace constituents or other substances in concentrations exceeding the limits of the current California Drinking Water Standards.

Furthermore, as required by Sections 1211 and 1701 of the California Water Code, the State Water Board must approve any change in the point of discharge, place of use, or purpose of use of reclaimed water. The purpose of this requirement is to ensure that such action does not impair legal uses of the reclaimed water.

### **Title 22**

Section 13521 of the California Water Code requires the DHS to establish water reclamation criteria. In 1975, the DHS prepared Title 22 regulations to fulfill this requirement. Title 22 was subsequently revised in 1978. The requirements of Title 22 regulate the production and use of reclaimed water in California. Comprehensive revisions to the Title 22 regulations are pending and should be complete within the next year.

Title 22 establishes three categories of reclaimed water:

- Primary effluent.
- Adequately disinfected, oxidized effluent (secondary effluent).
- Adequately disinfected, oxidized, coagulated, clarified, filtered effluent (tertiary effluent).

Criteria for reuse of secondary and tertiary effluent in various reuse applications include standards for maximum numbers of coliform bacteria present within the water. Table 3-6 lists guidelines established by the DHS for suitable uses of reclaimed

**Table 3-3**  
**SWRP AND VWRP NPDES PERMIT DISCHARGE LIMITATIONS**  
**FOR CONVENTIONAL AND NONCONVENTIONAL POLLUTANTS**

CONSTITUENT	UNITS	30-DAY AVG.	7-DAY AVG.	DAILY MAX.	BASIS
BOD <sub>5</sub> @ 20°C	mg/l	20	30	45	40 CFR Part 133 <sup>a</sup>
Suspended Solids	mg/l	15	40	45	40 CFR Part 133 <sup>a</sup>
Settleable Solids	ml/l	0.1	—	0.3	Basin Plan
Oil and Grease	mg/l	10	—	15	Basin Plan
Total Dissolved Solids	mg/l	—	—	1,000	Basin Plan
Sulfates	mg/l	—	—	400	Basin Plan
Chloride <sup>b</sup>	mg/l	—	—	190	Basin Plan
Boron	mg/l	—	—	1.5	Basin Plan
Nitrate+Nitrite (as Nitrogen)	mg/l	—	—	10	Basin Plan
Fluoride	mg/l	—	—	1.6	Basin Plan
Detergents (as MBAS <sup>c</sup> )	mg/l	—	—	0.5	Basin Plan

- Notes: a) Based on the authority granted by the CWA, the EPA promulgated 40 CFR Part 133 to provide information on the level of effluent quality attainable through the application of secondary or equivalent treatment.  
b) Resolution 97-002 set an interim chloride limit of 190 mg/l.  
c) Methylene Blue Active Substance (MBAS).

**Table 3-4**  
**NPDES PERMIT DISCHARGE LIMITATIONS**  
**FOR TOXIC POLLUTANTS**

CONSTITUENT	UNITS	30-DAY AVG	SWRP <sup>a</sup>	VWRP <sup>a</sup>	BASIS
Antimony	µg/l	6	✓	✓	NDWS
Arsenic	µg/l	50	✓	✓	Basin Plan/CDWS/NDWS
Barium	µg/l	1,000	✓	✓	Basin Plan/CDWS/NDWS
Beryllium	µg/l	4		✓	NDWS
Cadmium	µg/l	5	✓	✓	NDWS
Chromium (VI)	µg/l	50	✓	✓	Basin Plan/CDWS
Iron	µg/l	300	✓	✓	NDWS
Lead	µg/l	50	✓	✓	Basin Plan/CDWS/NDWS
Mercury	µg/l	2	✓	✓	Basin Plan/CDWS/NDWS
Nickel	µg/l	100	✓	✓	NDWS
Selenium	µg/l	10	✓	✓	Basin Plan/CDWS
Silver	µg/l	50	✓	✓	Basin Plan/CDWS
Zinc	µg/l	5,000	✓	✓	NDWS
Cyanide	µg/l	5.2	✓	✓	NTR <sup>b</sup>



**Table 3-4 (Continued)**  
**NPDES PERMIT DISCHARGE LIMITATIONS**  
**FOR TOXIC POLLUTANTS**

CONSTITUENT	UNITS	30-DAY AVG	SWRP <sup>a</sup>	VWRP <sup>a</sup>	BASIS
Endrin <sup>c</sup>	µg/l	2	✓	✓	Basin Plan/CDWS/NDWS
Lindane	µg/l	0.2	✓	✓	NDWS
Methoxychlor	µg/l	40	✓	✓	NDWS
Toxaphene	µg/l	3	✓	✓	NDWS
2,4-D	µg/l	70	✓	✓	NDWS
2,4,5-TP (Silvex)	µg/l	10	✓	✓	Basin Plan/CDWS
Halomethanes <sup>d</sup>	µg/l	100	✓	✓	NDWS
Tetrachloroethylene	µg/l	5	✓	✓	NTR <sup>b</sup>
Carbon Tetrachloride	µg/l	0.5		✓	NTR <sup>b</sup>
Methylene Chloride	µg/l	5	✓		Basin Plan/CDWS
1,1,1-Trichloroethane	µg/l	200		✓	Basin Plan/CDWS/NDWS
1,2-Dichloroethane	µg/l	0.5	✓		Basin Plan/CDWS
p-Dichlorobenzene	µg/l	5	✓	✓	Basin Plan/CDWS
Di (2-Ethylhexyl) Phthalate	µg/l	4		✓	Basin Plan/CDWS

- Notes: a) A check-mark indicates that the discharge limit is included in that plant's NPDES permit.  
 b) In 1992, the EPA adopted 40 CFR Part 131.36, commonly referred to as the National Toxics Rule. The NTR established water quality criteria for toxic pollutants for those states that had not yet adopted EPA approved water quality standards for toxic pollutants. The EPA is currently in the process of promulgating a revised version of the rule for California.  
 c) Endrin is the sum of endrin and endrin aldehyde.  
 d) Halomethanes are the sum of bromoform, bromomethane, chloroform, chloromethane, chlorodibromomethane, and dichlorobromomethane.

**Table 3-5**  
**REUSE PERMIT LIMITS FOR THE SWRP AND VWRP**

TREATMENT PLANT	CONSTITUENT			
	pH <sup>a</sup>	TDS <sup>b</sup> (mg/l)	SULFATE (mg/l)	CHLORIDE (mg/l)
SWRP	6.0 - 9.0	1,000	450	300
VWRP	6.0 - 9.0	1,000	450	300

- Notes: a) pH is the negative logarithm of the hydrogen ion concentration (-log[H<sup>+</sup>]).  
 b) Total Dissolved Solids (TDS).

**Table 3-6  
SUITABLE USES OF RECLAIMED WATER**

USE	CONDITIONS IN WHICH USE IS ALLOWED			
	DISINFECTED TERTIARY	DISINFECTED SECONDARY-2.2 <sup>a</sup>	DISINFECTED SECONDARY-23 <sup>b</sup>	NON-DISINFECTED SECONDARY
<b>IRRIGATION OF:</b>				
Food Crops Where Reclaimed Water Contacts the Edible Portion of the Crop	Spray, Drip, or Surface	Not Allowed	Not Allowed	Not Allowed
Orchards and Vineyards Where Reclaimed Water Does Not Contact the Edible Portion of the Crop	Spray, Drip, or Surface	Drip or Surface	Drip or Surface	Surface
Food Crops Where the Edible Portion Is Produced Above Ground and Not Contacted by Reclaimed Water, Other Than Orchards and Vineyards	Spray, Drip, or Surface	Drip or Surface	Not Allowed	Not Allowed
Parks, Playgrounds, and School Yards	Spray, Drip, or Surface	Not Allowed	Not Allowed	Not Allowed
Residential Landscaping	Spray, Drip, or Surface	Not Allowed	Not Allowed	Not Allowed
Unrestricted Access Golf Courses	Spray, Drip, or Surface	Not Allowed	Not Allowed	Not Allowed
Cemeteries and Freeway Landscaping	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface	Not Allowed
Restricted Access Golf Courses	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface	Not Allowed
Landscape Vegetation at Other Areas Where Access Control Prevents Use As If Land Were a Park	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface	Not Allowed
Ornamental Nursery Stock	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface	Not Allowed
Pasture for Animals	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface	Not Allowed
Non Food-bearing Trees	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface
Fodder Crops (e.g. Alfalfa) and Fiber Crops (e.g., Cotton)	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface
Seed Crops Not Eaten by Humans	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface
Food Crops Which Must Undergo Commercial Pathogen-Test Processing Before Consumption (e.g., Sugar Beets)	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface	Spray, Drip, or Surface
<b>SUPPLY FOR IMPOUNDMENT:</b>				
Non-Restricted Recreational Impoundment	Allowed with Monitoring for Viruses, Bacteria, and Protozoa Cysts	Not Allowed	Not Allowed	Not Allowed

**Table 3-6  
SUITABLE USES OF RECLAIMED WATER (Continued)**

USE	CONDITIONS IN WHICH USE IS ALLOWED			
	DISINFECTED TERTIARY	DISINFECTED SECONDARY-2.2 <sup>a</sup>	DISINFECTED SECONDARY-23 <sup>b</sup>	NON-DISINFECTED SECONDARY
Landscape Impoundment Without Decorative Fountain	Allowed	Allowed	Allowed	Not Allowed
Fish Hatchery	Allowed	Allowed	Not Allowed	Not Allowed
<b>SUPPLY FOR COOLING OR AIR CONDITIONING:</b>				
System with Cooling Tower, Evaporative Condenser, Spray, or Mechanism That Can Create Mist, with High Efficiency Draft Reducer and Effective Biocide Level in Circulated Water	Allowed	Not Allowed	Not Allowed	Not Allowed
System Without Cooling Tower, Evaporative Condenser Spray, or Mechanism That Can Create Mist	Allowed	Allowed	Allowed	Not Allowed
<b>OTHER USES:</b>				
Flushing Toilets and Urinals	Allowed	Not Allowed	Not Allowed	Not Allowed
Priming Drain Traps	Allowed	Not Allowed	Not Allowed	Not Allowed
Industrial Process Water That May Contact Workers	Allowed	Not Allowed	Not Allowed	Not Allowed
Structural Fire Fighting	Allowed	Not Allowed	Not Allowed	Not Allowed
Decorative Fountains	Allowed	Not Allowed	Not Allowed	Not Allowed
Commercial Laundries	Allowed	Not Allowed	Not Allowed	Not Allowed
Consolidation of Backfill Material Around Potable Water Pipelines	Allowed	Not Allowed	Not Allowed	Not Allowed
Artificial Snow Making for Commercial Outdoor Use	Allowed	Not Allowed	Not Allowed	Not Allowed
Industrial Boiler Feed	Allowed	Allowed	Allowed	Not Allowed
Nonstructural Fire Fighting	Allowed	Allowed	Allowed	Not Allowed
Backfill Consolidation Around Nonpotable Piping	Allowed	Allowed	Allowed	Not Allowed
Soil Compaction	Allowed	Allowed	Allowed	Not Allowed
Mixing Concrete	Allowed	Allowed	Allowed	Not Allowed
Flushing Sanitary Sewers	Allowed	Allowed	Allowed	Not Allowed
Cleaning Roads, Sidewalks, and Outdoor Work Areas	Allowed	Allowed	Allowed	Not Allowed

Notes: a) Secondary effluent disinfected to a level such that the maximum probable number (mpn) of fecal coliform bacteria per 100 ml is 2.2.  
 b) Secondary effluent disinfected to a level such that the mpn is 23.

water. The DHS is presently reevaluating these guidelines, and it is expected that spray application of non-disinfected reclaimed water receiving secondary treatment will be prohibited.

In addition to defining reclaimed water uses and treatment requirements, Title 22 defines requirements for the sampling and analysis of effluent at treatment plants, requires preparation of an engineering report prior to production or use of reclaimed water, specifies general design requirements for treatment facilities and reliability requirements, and addresses alternative methods of treatment.

## LAWS, REGULATIONS, AND PLANS GOVERNING AIR EMISSIONS

### Federal Clean Air Act

Air quality management in California is governed by the Federal Clean Air Act (CAA), the California Clean Air Act (CCAA), and the California Health and Safety Code. The EPA oversees implementation of the CAA, which underwent substantial modifications in November 1990. The EPA administers the CAA through the California Air Resources Board (CARB) and, in turn, through the local air quality management districts (AQMDs) and local air pollution control districts (APCDs). The CARB, a department of the California Environmental Protection Agency (Cal-EPA), oversees air quality planning and control throughout California and regulates mobile source emissions, fuel formulations, consumer products, and some agricultural equipment. The CARB divides the state into air basins based on meteorological conditions, geography, and, to the extent feasible, political boundaries.

The Federal Clean Air Act Amendments of 1990 modified several titles of the CAA. The most note-

worthy changes were to Title III (Hazardous Air Pollutants), the addition of Title V (Permits), and the addition of Title VII (Enforcement).

### *Title III*

Under Title III, the EPA was required to establish maximum achievable control technology (MACT) standards for major sources and generally available control technology (GACT) standards for area sources of toxics under a variety of scenarios. A major source is one that emits 10 tons per year (tpy) of any one of 189 hazardous air pollutants (HAPs) or 25 tpy of a combination of the 189 HAPs listed in the CAA. POTWs were specifically targeted for a MACT standard by 1995 with an implementation date of 1998. The POTW MACT standard has not yet been promulgated. Smaller area sources could be subject to a less stringent GACT standard at EPA's discretion. Eight years after promulgation of the MACT standards, residual risk standards must be promulgated for major source categories exceeding a cancer risk of one in a million with the goal of reducing that risk to one in a million. In addition, Title III requires the implementation of Section 112(r)(7) of the CAA dealing with accidental releases of acutely hazardous materials, which will impose additional regulations on onsite storage, use, and control of most hazardous chemicals including chlorine, sulfur dioxide, ammonia, and digester gas.

### *Title V*

The Clean Air Act Amendments of 1990 included a federal operating permit program under Title V. This program requires all major sources, as defined in the CAA, to obtain facility-wide permits in addition to those that local jurisdictions may require. These permits must be renewed every five years. Permit renewal, issuance, and any significant modifications must go through a prescribed EPA and public review process. Increased monitoring for compliance is also

required. Presently, the SWRP and VWRP are not subject to Title V. However, the VWRP may be brought into the program in the future if Title V applicability criteria are changed (e.g., the program switches from an actual to a potential to emit basis).

### ***Title VII***

Title VII of the 1990 Clean Air Act Amendments provided the federal government with greater authority to enforce all provisions of the CAA. Title VII raises heretofore misdemeanor type offenses to criminal and civil offenses and significantly increased the penalties for noncompliance.

### **South Coast Air Quality Management District**

The California Legislature adopted the Lewis Air Quality Act in 1976, which created the South Coast Air Quality Management District from a voluntary association of air pollution control districts in Los Angeles, Orange, Riverside, and San Bernardino Counties. The new agency was charged with developing uniform plans and programs in order to attain federal ambient air quality standards by the dates specified in the federal law. The SCAQMD is also mandated to meet state ambient air quality standards by the earliest date achievable through the use of reasonably available control measures. Furthermore, the SCAQMD is responsible for stationary, area wide, and indirect source control; air monitoring; enforcement of delegated mandates; and attainment plan preparation and submittal to the CARB.

To meet the responsibility for air quality management and to address the unique characteristics of the SCAB, the SCAQMD has adopted rules and control measures that are consistent with its Air Quality Management Plan (AQMP). These rules are enforced through the SCAQMD permitting program. The SCAQMD regulates stationary and area wide sources

through a variety of general "prohibitory" rules limiting criteria pollutants irrespective of the source's size; through source-specific Regulation XI standards; through New Source Review (Regulation XIII) that requires best available control technology (BACT) and offsets for new and modified sources; and through implementation of federally-delegated rules.

### ***Rule 1401***

SCAQMD Rule 1401 prohibits the construction of any new or modified sources with cumulative potential cancer risks (since 1990) of greater than 10 in a million. Best available control technology for toxics (T-BACT) is required in cases in which a modification or new construction results in incremental carcinogenic risks in excess of one in a million.

### ***Rule 1402***

SCAQMD Rule 1402 targets existing facilities that exceed a cancer risk of 100 in a million or a total acute/chronic hazard index of five or greater. Such facilities are required to prepare and implement a plan for reducing risks within five years. Extensions may be granted under extenuating circumstances.

### **Air Quality Management Plan**

The CAA requires that the appropriate air quality authorities prepare air quality plans designed to achieve the federal ambient air quality standards. The SCAQMD is responsible for preparing an AQMP and submitting that plan to the CARB. The CARB then reviews the AQMP and, following approval, incorporates it into the California State Implementation Plan (SIP). The SIP includes air quality plans prepared by other local air quality control districts. The CARB then forwards the SIP to Region IX of the EPA for approval.

The SCAQMD has updated its 1994 ozone-only AQMP based on the most recent regional growth forecasts for the SCAB. The 1997 ozone and PM<sub>10</sub> AQMP contains measures that the SCAQMD proposes to implement to attain both federal and state ambient air quality standards. The SCAQMD adopted the 1997 AQMP on November 15, 1996.

### **California Clean Air Act**

The CCAA was signed into law on September 30, 1988. It became effective on January 1, 1989, and was amended in 1992. Also known as the Sher Bill (AB 2595), the CCAA establishes a legal mandate to achieve health-based state air quality standards at the earliest practical date. Through its many requirements, the CCAA serves as one focal point of the SCAQMD's planning efforts. Like the CAA, the CCAA divides non-attainment areas into categories with progressively more stringent requirements, based on pollutant levels. The SCAB is an extreme non-attainment area for O<sub>3</sub>, a serious non-attainment area for CO and NO<sub>x</sub>, and an attainment area for SO<sub>x</sub>. PM<sub>10</sub> is not currently addressed in the CCAA.

### **California Toxics Regulations**

California's Air Toxics Law (AB 1807) became effective in January 1984 and is the cornerstone of California's air toxics program (Health and Safety Code Sections 39650 et seq., Food and Agricultural Code Sections 14021 et seq.). AB 1807 creates a statutory mandate for the identification and control of air toxics by the CARB. Substances identified by the EPA as hazardous air pollutants must be included as toxics in the California program. If a toxic air contaminant poses a significant health risk, the CARB is required to develop Air Toxics Control Measures (ATCMs) for the subject source categories.

### **Air Toxics "Hot Spots" Program**

The goal of the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588, Health and Safety Code Sections 44300 through 44394) is to collect emission data, ascertain health risks, identify facilities which present significant health risks, and notify nearby residents of significant risks. In most cases, the owner or operator of a facility that is subject to this program must prepare and submit an air toxics emission inventory plan, an emissions inventory, and, for a high priority facility, a health risk assessment to the local AQMD. The emissions inventory must be updated on a quadrennial basis. The risk assessment must be reviewed by the Office of Environmental Health Hazard Assessment (OEHHA) and approved by the local AQMD. If the AQMD determines that potentially significant health risks are associated with emissions from a given facility, the operator must notify all exposed individuals. In 1992, AB 2588 was amended by SB 1731 to address the reduction of significant existing risks. SB 1731 requires a facility that poses a significant health risk to the public to reduce its toxic emissions below the level of significance. The above requirements are substantially reflected in SCAQMD Rule 1402.

## **OTHER APPLICABLE LAWS, REGULATIONS, AND PLANS**

### **California Environmental Quality Act**

The California Environmental Quality Act (CEQA), enacted in 1970, was modeled after the National Environmental Policy Act (NEPA). CEQA applies to all proposed discretionary activities that will be carried out or approved by California public agencies, such as the Districts, unless such activities are specifically exempted. The objective of CEQA is to minimize environmental damage. The procedural

requirements for fulfilling CEQA's objective include disclosing environmental impacts, identifying and preventing environmental damage, fostering intergovernmental coordination, enhancing public participation, and disclosing agency decision making (Bass and Herson, 1994).

### ***Disclosing Environmental Impacts***

Potential environmental impacts are first disclosed through the preparation and release of an Initial Study, which contains a project description, the environmental setting, and preliminary identification of any potentially significant effects. If an Initial Study determines that a proposed project may have a significant adverse impact on the environment, an Environmental Impact Report must be prepared. The EIR is a document that analyzes the significant effects of a proposed project and identifies mitigation measures as well as reasonable alternatives. If an Initial Study concludes that no substantial evidence exists that a proposed project may have a significant adverse impact on the environment, a Negative Declaration may be prepared. The Negative Declaration process is an abbreviated form of the EIR process and contains explanations as to why a proposed project will not have significant environmental effects.

### ***Identifying and Preventing Environmental Damage***

CEQA requires that significant environmental impacts of a proposed project be disclosed and, if necessary, mitigated or avoided. Furthermore, an EIR or Negative Declaration must explain why potentially significant effects were determined not to be significant. When mitigation measures are utilized to reduce environmental impacts, a mitigation monitoring or reporting program must be established.

### ***Fostering Intergovernmental Coordination***

If the Initial Study determines the need for an EIR, a Notice of Preparation (NOP) must be released in order to solicit participation in determining the scope of an EIR from involved state and federal agencies and trustees of public resources. Scoping meetings with responsible government agencies and trustees are an optional method of obtaining information about the content of an EIR. Early intergovernmental consultation and coordination may prevent potential problems from developing later in the CEQA process. The State Clearinghouse coordinates the review of draft environmental documents that might impact state agencies by forwarding documents to those state agencies that are likely to be interested in the project and by routing comments from the reviewing agencies back to the proposing agency.

### ***Enhancing Public Participation***

NOPs must also be sent to parties previously requesting written notice of a proposed project. Throughout the CEQA process, public opinion must be considered when determining if an impact is significant. Furthermore, the public is entitled to the same review periods of draft environmental documents as state agencies. During the review period, the public may comment on the environmental document, and comments as well as responses to comments must be included in the final document.

### ***Disclosing Agency Decision Making***

An agency must present written findings of fact for each significant environmental impact identified in an EIR. Each finding must contain an ultimate conclusion, evidence supporting that conclusion, and an explanation of how the evidence supports the conclusion. If a mitigation measure or a project alternative is determined to be infeasible, an explanation must be given to support that finding. In the occasion that significant adverse environmental

impacts are unavoidable, a Statement of Overriding Consideration, which explains why the benefits of the proposed project outweigh the environmental damage, must be issued by the approving agency.

At the heart of CEQA is the principle that the environmental documentation furnish the decision-makers with sufficient information to enable them to understand a project's environmental consequences and to balance the project's benefits against the environmental costs.

### **Biosolids Management**

In February 1993, the EPA concluded more than 20 years of study and research on wastewater solids with the issuance of a comprehensive set of regulations. These regulations, which implement 40 CFR Part 503 of the CWA, include quality standards and practices for the safe application of wastewater solids to land. Wastewater solids generated during the treatment of domestic sewage by a treatment works that meet federal requirements for land application are referred to as biosolids.

The 1993 regulations set criteria for biosolids by establishing strict limits for trace metals and by mandating processing that reduces pathogens and minimizes vector attraction. In addition, the regulations include requirements for monitoring biosolids for the presence of contaminants, implementing site restrictions (harvesting, access, and grazing) based on the quality of biosolids, applying biosolids at a rate consistent with that needed by the receiving crop (agronomic rate), and preventing runoff.

### **Federal Endangered Species Act**

The federal Endangered Species Act (ESA) regulates the take of plant and animal species listed as threatened or endangered. Take is broadly defined as *to harass, harm, pursue, hunt, shoot, wound, kill,*

*trap, capture, or collect, or to attempt to engage in any such conduct.* The U.S. Fish and Wildlife Services (USFWS) has authority for enforcement under Sections 7, 9, and 10 of the ESA.

### **Section 7**

Section 7 of the ESA applies if a project involves a federal action, such as a federal permit or federal funding. It requires that the federal agency consult with USFWS regarding the potential effect of the agency's action on those species listed as threatened or endangered. Section 7 compliance also applies to agencies applying for state revolving fund (SRF) loans. The consultation process includes:

- Obtaining from the USFWS a list of species in the action area that are listed or proposed for listing as threatened or endangered under the ESA.
- Preparing a biological assessment that contains information concerning species that are listed or proposed for listing, habitat that may be present in the area, and an evaluation of the potential effects (direct, indirect, and cumulative) of the proposed action on the species and habitat.
- Preparing a biological opinion that specifies whether the proposed action is likely to jeopardize the continued existence of listed species or result in the adverse modification of critical habitat of such species (the biological opinion may include an incidental take statement if the proposed action will result in take of a listed species incidental to the federal action).

### **Section 9**

Section 9 of the ESA prohibits all persons subject to the jurisdiction of the United States from taking, importing, exporting, transporting, or selling any species of fish or wildlife listed as endangered or threatened.



### **Section 10**

Although Section 9 prohibits the take of a federally listed species, Section 10 of the ESA is the mechanism which allows for an incidental take. The USFWS may issue a take permit for any taking that is incidental to, and not for the purpose of, the carrying out of an otherwise lawful activity. Along with the application for an incidental take permit, the applicant must submit a conservation plan that specifies likely impacts that would result from the take, mitigation measures to minimize those impacts, funding for the mitigation, and analyses of project alternatives.

### **California Endangered Species Act**

Under the California Endangered Species Act (Cal-ESA), all state lead agencies, as defined by CEQA, preparing initial studies, negative declarations, or EIRs must consult with the California Department of Fish and Game (DFG) to ensure that any action authorized, funded, or carried out by that lead agency is not likely to jeopardize the continued existence of any endangered or threatened species.

The Cal-ESA also prohibits any party from importing into the state, exporting out of the state, or taking, possessing, purchasing, or selling within the state any part or product of any endangered or threatened species (except as provided in the Native Plant Protection Act or California Desert Native Plants Act). Through Section 2081 of the Cal-ESA, the DFG may enter into a management agreement with the project applicant to allow for an incidental take. If the 2015 Plan recommended project was to cause an incidental take of a state-listed species, a Section 2081 management agreement would be required.

### **California Fish and Game Code**

In addition to Section 401 and Section 404 of the CWA, Sections 1601-1605 of the California Fish and

Game Code apply to any state or local government agency or any public utility that proposes to *divert, obstruct or change the natural flow or bed, channel or bank of any river, stream or lake designated by the department in which there is at any time an existing fish or wildlife resource or from which these resources derive benefit, or will use material from the streambeds designated by the department.*

Sections 1601-1605 require application to the DFG to obtain a streambed alteration agreement. This agreement is not considered a discretionary permit subject to CEQA; instead, it is a negotiated agreement between the local DFG warden and the project applicant. The agreement may contain mitigation measures, such as erosion control, intended to reduce the effect of the activity on fish and wildlife resources. The agreement may also be provisional and include a long-term monitoring condition to assess the effectiveness of the proposed mitigations related to the activity.

If construction activities such as excavation, filling, and land clearing affect streambeds in the planning area, compliance with Sections 1601-1605 would be required.

### **National Historic Preservation Act**

A programmatic agreement between the SWRCB and the State Historic Preservation Office (SHPO) requires that projects receiving federal funds and that are administered by the SWRCB comply with Section 106 of the National Historic Preservation Act (NHPA). The recommended project of the 2015 Plan will require compliance with Section 106 of NHPA because Districts Nos. 26 and 32 intend to use federal funds (SRF loans) to help fund the selected project. The Section 106 review process is implemented using a five-step procedure: identifying and evaluating historic properties, assessing the effects of a project on properties that are eligible for listing on the

National Register of Historic Places (NRHP), consulting with the SHPO and other agencies for the development of an agreement that addresses the treatment of historic properties, receiving comments on the agreement or results of consultation from the Advisory Council on Historic Preservation, and proceeding with the project according to the agreements.

### **Hazardous Materials**

The EPA is the principal federal agency regulating hazardous materials. As such, the EPA broadly defines a hazardous waste as one that is specifically listed in EPA regulations, that has been tested and meets one of the characteristics established by the EPA, or that has been declared hazardous by the generator based on its knowledge of the waste. In general, federal regulations applicable to hazardous wastes are contained in Titles 29, 40, and 49 of the Code of Federal Regulations. The main federal regulations pertaining to hazardous materials are as follows:

#### ***Resource Conservation and Recovery Act***

The Resource Conservation and Recovery Act (RCRA), including the 1984 Hazardous and Solid Waste Amendments (HSWA), imposes regulations on hazardous waste generators, transporters, and operators of treatment, storage, and disposal facilities. The HSWA also requires the EPA to establish a comprehensive regulatory program for underground storage tanks.

#### ***Comprehensive Environmental Response, Compensation and Liability Act***

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), also known as Superfund, established a comprehensive national program to identify active and abandoned

waste disposal sites that pose a threat to human health or the environment and created a fund to pay for the cleanup of abandoned sites for which no responsible parties can be found.

#### ***Superfund Amendment Reauthorization Act***

The Superfund Amendment Reauthorization Act (SARA) Title III (community right-to-know laws) is the set of statutes that grants individuals information concerning chemicals located in their communities or workplace and that provides for emergency preparedness for reaction to environmental accidents.

#### ***Hazardous Materials Transportation Act***

The Hazardous Materials Transportation Act (HMTA) governs the transportation of hazardous materials. These regulations are promulgated by the U.S. Department of Transportation and enforced by the EPA.

The Cal-EPA has been granted primary responsibility by the EPA for administering and enforcing hazardous materials management plans. The Cal-EPA defines a hazardous material more generally as a material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard in order to human health and safety or to the environment if released (26 CCR 25501). Note that hazardous materials include raw materials and products, such as bulk chemicals stored for operation of a WRP.

California state regulations governing hazardous materials are equally as stringent as or, in some cases, more stringent than federal regulations. State regulations include detailed planning and management requirements to ensure that hazardous materials are properly handled, stored, and disposed of to reduce human health risks.

In particular, the state has acted to regulate transfer and disposal of hazardous waste. Hazardous waste haulers are required to comply with regulations that establish numerous standards, including criteria for handling, documenting, and labeling the shipment of hazardous waste (26 CCR 25160 et seq.). Hazardous waste treatment and disposal facilities are also highly regulated and must meet standard criteria for processing, containment, and disposal of hazardous materials (26 CCR 25220).

The following are key state laws pertaining to hazardous materials:

#### ***Hazardous Materials Release Response Plans and Inventory Act***

The Hazardous Materials Release Response Plans and Inventory Act (Business Plan Act) requires that a business using hazardous materials prepare a plan describing the facility, inventory, emergency response plans, and training programs. The Districts prepare this plan biennially and submit it to the Los Angeles County Fire Department, Hazardous Materials Division.

#### ***Hazardous Waste Control Act***

The state equivalent of the federal RCRA is the Hazardous Waste Control Act (HWCA). The HWCA created the State Hazardous Waste Management Program, which is similar to the federal RCRA program but is generally more stringent. The HWCA establishes requirements for the proper management of hazardous substances and wastes in regard to criteria for identifying and classifying hazardous wastes; generation and transportation of hazardous wastes; design and permitting of facilities that recycle, treat, store, and dispose of hazardous wastes; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements.

#### ***Emergency Services Act***

Under the California Emergency Services Act, the state developed an emergency response plan to coordinate emergency services provided by all governmental agencies. The plan is administered by the California Office of Emergency Services (OES). OES coordinates the responses of other agencies, including EPA, the California Highway Patrol, RWQCBs, AQMDs, and county disaster response offices. Local emergency response teams including the fire, police, and sheriff's departments provide most services to protect public health.

#### ***Worker Safety***

Worker safety laws protect public health in the workplace. These laws are administered and enforced by the California Occupational Safety and Health Administration (Cal-OSHA). The laws apply to normal operational activities and include all provisions for standard injury and illness prevention, construction requirements, and requirements for the handling of chemicals and prevention of infection and disease. Worker safety programs directly benefit public health by reducing the number of accidents and injuries that occur. Worker safety laws also protect worker and public safety by requiring specific training, handling, transportation, and storage procedures for hazardous materials.

#### ***Cultural Resources***

The state requirements for cultural resources are outlined in Appendix K of the State CEQA Guidelines and Sections 5020, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 21084, and 21084.1 of the Public Resources Code. Generally, compliance with the requirements of Section 106 of the NHPA is sufficient to ensure compliance with CEQA.

Other state requirements are outlined in Section 7052 of the California Public Health and Safety Code and

Section 5097 of the Public Resources Code, which provide for the protection of Native American remains and identify special procedures to be followed when Native American burial sites are found. When remains are found, the Native American Heritage Commission (NAHC) and the county coroner must be notified. The NAHC provides guidance concerning the most likely Native American descendants and the treatment of human remains and associated artifacts. Compliance with the provisions of these laws are separate from the requirements of CEQA and the NHPA.

### **Executive Order 11593**

Executive Order 11593 provides for the protection and enhancement of the cultural environment. Section 106 of the NHPA and CEQA compliance fulfill the requirements of this order.

### **Executive Order 11988**

Executive Order 11988 was prepared in 1979 to avert, to the extent possible, long- and short-term adverse impacts associated with the occupation and modification of floodplains, and to avoid direct or indirect support of development in floodplains. This order requires that the agency reviewing the proposed action consider alternatives to avoid adverse effects and incompatible development in floodplains. If the only practicable alternative is to site a project in the floodplain and the reviewing agency concurs, then the action must be designed or modified to minimize potential harm to the floodplain. A notice containing an explanation of why the proposed action is to be located in the floodplain must then be prepared and circulated.

### **Executive Order 11990**

Executive Order 11990 was prepared to provide assistance for new construction located in wetlands if no practicable alternative exists, and to minimize the

harm to wetlands that may result from the proposed use. The order requires early public review of any plans or proposals for new construction in wetlands, in addition to notification of the Office of Management and Budget regarding compliance with the order. The order establishes several factors that should be considered during evaluation of the effects of a project on the survival and quality of wetlands; these factors include public health and welfare, maintenance of natural systems, and other uses of wetlands in the public interest.

### **State Revolving Fund Loan Program**

The CWA provides for the creation of a State Revolving Fund Loan Program, capitalized in part by federal funds. The SRF program provides loan funding for construction of POTWs, water reclamation, implementation of non-point source and storm drainage pollution control and management programs, and the development and implementation of estuary conservation and management programs.

### **Santa Clara River Enhancement and Management Plan**

A consortium of parties with widely varying interests in the Santa Clara River is currently preparing the Santa Clara River Enhancement and Management Plan (SCREMP). The Districts are one of nearly thirty agencies and organizations represented on the SCREMP Project Steering Committee (PSC). The PSC has established the following goal:

*The PSC will develop and seek support for a dynamic long-range enhancement and management plan for the Santa Clara River. The study process will focus on improving coordination and information exchange among all the PSC members and on resolving conflicting uses along the River. The study will give balanced consideration to habitat objectives, natural river processes, private property rights, economic interests, and community objectives in support of*

*preparing a plan that contains mechanisms for implementing the PSC's recommendations.*