

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 76-1

DESIGNATING A SECTION 208 PLANNING AREA AND
AGENCY FOR THE SOUTH COAST AREA

WHEREAS:

1. On March 12, 1975, the Executive Officer of the State Water Resources Control Board, acting pursuant to the State Board's authority under Section 208 of the Federal Water Pollution Control Act, identified the South Coast Area as a potential areawide planning area.
2. Testimony received at the public hearing held on April 3, 1975, indicated a lack of support for a comprehensive multibasin planning effort and the State Board on May 15, 1975, reaffirmed the earlier designation of the Ventura Regional County Sanitation District, designated the San Diego Creek-Newport Bay Watershed, and continued the nondesignation of the remaining portion of the South Coast Area.
3. The Environmental Protection Agency has approved and funded the designation of the Ventura Regional County Sanitation District, but has not approved the designation of the Newport Bay-San Diego Creek Watershed which area continues to be undesignated and in need of additional water quality control planning.
4. By notice dated August 4, 1975, and mailed to known interested parties in the South Coast Area, the Executive Officer summarized the Board's actions subsequent to the April 1975 public hearing; stated the Board's position that local support of a designation must exist if areawide plans are to be implemented; expressed recognition of the need for comprehensive planning; provided specific information regarding funding level for the program; and clearly suggested that local agencies should start working together in order to achieve a designation.
5. The Board believes the following issues to be central to consideration of designation of an areawide planning area and agency in the South Coast portion of the State:
 - (a) The major remaining problems to be addressed are management of nonpoint sources of water pollution, and coordination of water quality and air quality control programs with the land use planning and decision-making process;
 - (b) If a designation is made, all of the area within the remaining nondesignated portion of the South Coast Area, that is Los Angeles and Orange Counties and the western portions of Riverside and San Bernardino Counties, should be included.

RESOLUTION NO. 76-1

- (c) Support of local governments, including appropriate special districts, is necessary for the success of 208 planning in the South Coast Area;
 - (d) What is needed in the South Coast Area is a program to establish a local-state partnership for development of necessary water quality management plans, and a process for continuing coordination of air-water quality planning with local land use decision making.
6. Testimony received as a result of a second public hearing, which was held on November 17, 1975, in Los Angeles at the request of Southern California Association of Governments and in response to several proposals for designation, indicates that the following are viable alternatives:
- (a) Continued nondesignation of the area with the necessary planning being accomplished through a state-managed process which provides funding support for local agencies participation during the two-year planning period via contractual arrangements, and
 - (b) Designation of the entire South Coast Area utilizing an existing regional agency, and
 - (c) Designation of two areas and agencies -- one consisting of the Santa Ana River Basin, including all of Orange County, with the Santa Ana Basin Natural Resource Alliance as the planning agency, and the other consisting of the Los Angeles County portion of the Santa Clara River Basin (Basin 4A) and all of the Los Angeles River Basin (Basin 4B), with the City and County of Los Angeles as the planning agency.
7. The Governor's Office of Planning and Research and the Air Resources Board have expressed support at a Board workshop for the designation of the entire South Coast Area with the Southern California Association of Governments as the designated planning agency for such area.

THEREFORE BE IT RESOLVED:

- 1. That the Board establishes the following program goals and principles as the Board's policy for planning in the South Coast Area in response to Section 208 of the 1972 Amendments to the Federal Water Pollution Control Act:
 - (a) The primary goal of this planning effort during the next two to three years in the South Coast Area should be the development of a state-local partnership and process which:
 - . Coordinates air and water quality planning with land use planning and decision making;

RESOLUTION NO. 76-1

- . Does not replace but rather improves upon the capabilities of existing planning and decision-making processes to operate within the context of a coordinated state-local environmental management program; and
 - . Provides for maximum participation of local governments in the state-level environmental planning and policy-making functions.
- (b) In developing a program to achieve this goal, the following principles should apply:
- . Regulatory institutions are, for the most part, already in place and should be used in implementation of management plans developed for the South Coast Area;
 - . Planning should be carried out through existing statutory authorities and structure; and
 - . Management plans are not self-implementing and can be implemented only if state and local agencies accept and exercise the roles provided by the process.
2. That the Board designates as the South Coast Areawide Planning Area, subject to the conditions listed in Exhibit A hereto, that area lying within the boundaries of the Los Angeles County portion of the Santa Clara River Basin (Basin 4A), the entire Los Angeles River Basin (Basin 4B), all of Orange County, those portions of Riverside and San Bernardino Counties lying within the Santa Ana River Basin (Basin 8), and that portion of southwestern Riverside County lying between the Santa Ana River Basin and the San Diego Areawide Planning Area. (See Exhibit B)
 3. That the Board designates, subject to the conditions listed in Exhibit A hereto, the Southern California Association of Governments as the areawide waste treatment management planning agency for the South Coast Area.
 4. That the Board directs the Executive Officer to withhold transmittal of the above designations to the Environmental Protection Agency until the Board has approved the manner and substance of compliance with the Board's conditions of designation.
 5. That the Board intends to withdraw the designations contained herein unless the Board determines compliance with the conditions of designation.

RESOLUTION NO. 76-1

6. That the Board directs the Executive Officer to report the status of compliance with the conditions specified herein at a Board Workshop in May 1976.
7. That the Board rescinds Resolution No. 75-34, adopted by the Board on May 15, 1975, and which designated the Newport Bay Area as a 208 planning area and designated the Newport-Irvine Waste Management Agency as the planning agency for such area.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 22, 1976.

Bill B. Dendy
Bill B. Dendy
Executive Officer

CONDITIONS OF DESIGNATION

Following are the general conditions prescribed by the Board for the designation of the South Coast Areawide Planning Area and the designation of the Southern California Association of Governments as the planning agency for the South Coast Areawide Planning Area. Specific conditions also are prescribed by the Board and follow the general conditions. If the designated agency complies with these conditions to the satisfaction of the Board, the designation will be forwarded to EPA for approval. If the Board determines that the designated agency has failed to comply with conditions prescribed at the time of designation by the Board, the Board will terminate its designation and assume responsibility for the required planning in the area.

General Conditions:

A. Within 90 days of the date of designation by the State Water Resources Control Board, the designated planning agency shall submit to the Board for approval:

- (1) A description of the procedures and process that will be used to:
 - (a) Integrate areawide waste treatment management planning and air quality maintenance planning activities for purposes of workplan preparation;
 - (b) Ensure consistency between the areawide waste treatment management plan and air quality maintenance plan(s);
 - (c) Provide for coordinated implementation of areawide waste treatment management and air quality maintenance plans.

This description shall include the agreements executed with the major units of government needed to implement the procedures and process and evidence that those governments endorse the procedures and process. As used herein, major units of government shall mean at least those agencies listed in Specific Condition A.

- (2) Description of the intergovernmental relationships that will exist during the planning process, including:
 - (a) Definition of the decision-making process, including the provisions for conflict resolution during plan development and approval phases;

- (b) Definition of the roles of local general-purpose governments, regional agencies, and special districts during plan development and approval, in the selection and evaluation of alternative plans, and in selection of the final management plan;
 - (c) Executed agreements with major units of government necessary to implement the intergovernmental relationships and evidence that those units of government endorse and agree to participate in such relationships.
 - (d) The intergovernmental relationships established for the planning process shall provide that agencies responsible for the collection, treatment, and/or disposal of sewage shall certify that those portions of the areawide plan which specify sewage collection, treatment, and disposal systems or facilities are the optimum system or facilities for the area and that implementation of the areawide plan will not delay the construction of waste treatment and disposal facilities needed to meet an order of any Regional Water Quality Control Board, or the State Water Resources Control Board, or which may be needed to implement further the applicable basin water quality control plan or meet the requirements of the Federal Water Pollution Control Act. Where such certification cannot be given, the reasons for noncertification shall be specified to the designated planning agency, together with the changes which must be made in order to obtain such certification. This requirement may be waived by the Board if the Board determines that such certification is not in the best interests of environmental protection in the South Coast Areawide Planning Area or any portion thereof.
- (3) Description of the program management structure that the designated agency will use to manage and direct the planning process, including:
- (a) Definition of the roles and relationships between all involved organizational units within the designated agency;
 - (b) Definition of all advisory committees that will be formed, their relationship and access to the decision-making process, and the recommended membership of each advisory committee;
 - (c) Definition of the procedures to be used in soliciting proposals for work and selection of consultant services;

- (d) Definition of the duties, authorities, and minimum qualifications of the 208 Project Manager and the procedures to be used in selection of the Project Manager.
 - (e) Evidence of concurrence in the program management structure by major units of government.
- (4) Description of the planning approach that will be used in formulating the areawide plan, including:
- (a) The means and methods for incorporation of land use considerations to assure that land use planning recognizes air quality and water quality constraints;
 - (b) The means and methods for incorporation of the results of planning by utility agencies (e.g., water supply, waste treatment and disposal, transportation, and energy) in development of the plan;
 - (c) A description of the means and methods for assessing the social, economic, and environmental impact of implementing existing and alternative land use-utility service plans;
 - (d) The specific issues that will be addressed during the planning program;
 - (e) Evidence of concurrence in the planning approach by major units of government.
- (5) Description of the procedures and arrangements for coordinating areawide planning with other major planning and management efforts in the area including, but not limited to, municipal waste treatment facility planning under Section 201, regional water quality control planning under Section 303(e), solid waste management planning, and coastal zone management planning.

Such procedures shall not duplicate such efforts and shall not delay implementation of such plans.

B. In addition to the foregoing, the Southern California Association of Governments shall at all times:

- (1) Comply with the provisions of, and execute all agreements required by, the Board's "Program for Development and Implementation of Areawide Waste Treatment Management Plans -- Part 1, Designated Areas and Agencies" and the "Amplification of Policy on 208 Planning in Designated Areas" dated November 25, 1975. The subject policy requires, among other things, the establishment of a Program Review Board consisting of state and EPA representatives.

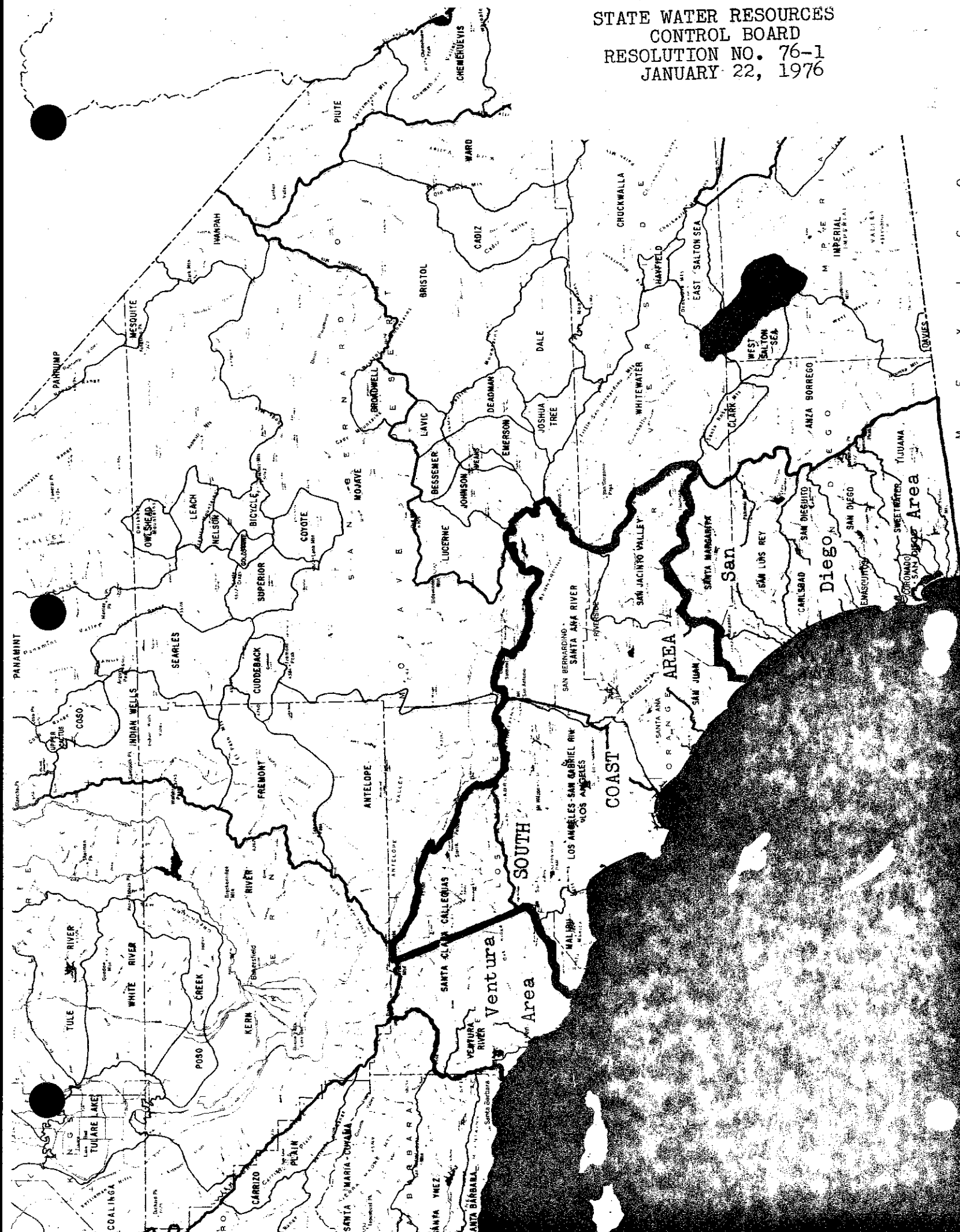
- (2) Closely coordinate its planning process with the appropriate Regional Water Quality Control Board and make adequate provision for Regional Board participation in the planning process.
 - (3) Concentrate the scope of the planning on development of management controls for nonpoint sources not provided in basin water quality control plans and coordination of water and air quality with land use decision-making to achieve water and air quality goals and standards.
 - (4) Assume as a given for the planning process that water quality standards shall be attained and with respect to factors external to the designated area, planning by the State and enforcement action by the Regional Boards will control such factors so that standards shall be achieved at the boundaries of the 208 area.
 - (5) Assure that the form and content of the water quality control and management portions of the areawide plan are in a form which is acceptable to, and can be adopted by, the appropriate agency including the Regional Water Quality Control Board, and shall conform to the provisions of federal and state law and regulation.
- C. If the agreements and concurrences required by these conditions are not obtainable, the designated agency shall define the deficiencies and shall provide a full description of the reason for lack of such agreements or concurrence.

Specific Conditions

The following specific conditions shall apply together with the foregoing general conditions as indicated below.

- A. The Southern California Association of Governments shall provide for full participation and concurrence of at least the following agencies in the planning process and shall specifically name these agencies in the submittals required by the General Conditions of the designation:
- . Counties of Los Angeles, Orange, San Bernardino, and Riverside
 - . City of Los Angeles
 - . County Sanitation Districts of Los Angeles County
 - . Orange County Sanitation Districts
 - . Santa Ana Watershed Project Authority
 - . Metropolitan Water District
 - . Los Angeles County Flood Control District

STATE WATER RESOURCES
CONTROL BOARD
RESOLUTION NO. 76-1
JANUARY 22, 1976



M E X I C O