

Using the Law to Protect Water Quality

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Who are you? And what is Coastkeeper?

- Position – Senior Staff Attorney
 - Focus on water quality since 2009
 - Litigation, enforcement and advocacy
- Waterkeeper Alliance
 - Orange County Coastkeeper
 - Inland Empire Waterkeeper
 - Coachella Valley Waterkeeper
- California Coastkeeper Alliance



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Identify the Problem

- What kind of water problem have you identified?
- What do I do?
- What are the rules?
- Who do I call?
 - <https://calepacomplaints.secure.force.com/complaints/Complaint>



Surface Water

- **Problem:** Observed polluted storm water leaving a construction site discharging to a storm drain.
- Regulators
 - US EPA
 - State Water Resources Control Board
 - Regional Water Quality Control Bds.
 - City and County Watershed Depts.
 - District Attorney

Surface Water – Laws

- Clean Water Act
 - Controls discharges from construction, industrial, municipal and some agricultural sites
 - Must discharge to waters of the United States
 - Regulates through National Pollutant Discharge Elimination System (NPDES) permits
- Porter-Cologne Water Quality Act (Cal.)
 - Controls discharges to waters of the state through Water Discharge Regulations
 - Limitations often included in NPDES permits.

Surface Water – Laws

- Public Resources

- State Water Resources Control Board – SMARTS Database

- <https://smarts.waterboards.ca.gov>

- Click on public user icon

- State Water Resources Control Board – 303(d) List Map

- https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml

- Regional Board Websites – Local WQ Information and Meetings

Groundwater

- Clean Water Act does **not** apply to groundwater
- Exception – Connectivity with WOTUS
- Groundwater Ambient Monitoring and Assessment (GAMA) Program
 - <https://www.waterboards.ca.gov/gama/>
 - Includes a searchable GIS map to identify toxic plumes and LUSTs
 - Groundwater quality data from California and USGS
- Report concerns via Cal EPA website or to your local Regional Board

Drinking Water

- **Issue:** You have concerns about contaminated drinking water quality and don't know what's in your water.
- **Consult:**
 - Water District Drinking Water Info
 - GAMA and USGS Data
 - SWRCB Div. of Drinking Water
https://www.waterboards.ca.gov/drinking_water/programs/
- **Look for:**
 - Maximum Contaminant Levels
 - Federal v. California MCLs
 - Concerns: perchlorate, PFAS (now)
 - Check your service area:
 - https://www.waterboards.ca.gov/water_rights/water_issues/programs/drought/water_supplier.shtml

Drinking Water

- **Safe Drinking Water Act**

- Applies to every public water system (PWS) in America
- Does not cover:
 - Private wells
 - Bottled Water
 - Facilities operating own water system (e.g., schools, office bldgs., hospitals, factories)

- **Requires**

- EPA to establish National Primary Drinking Water Regulations for contaminants that may cause adverse public health effects

- **Consult**

- Waterkeeper program or NRDC for additional information