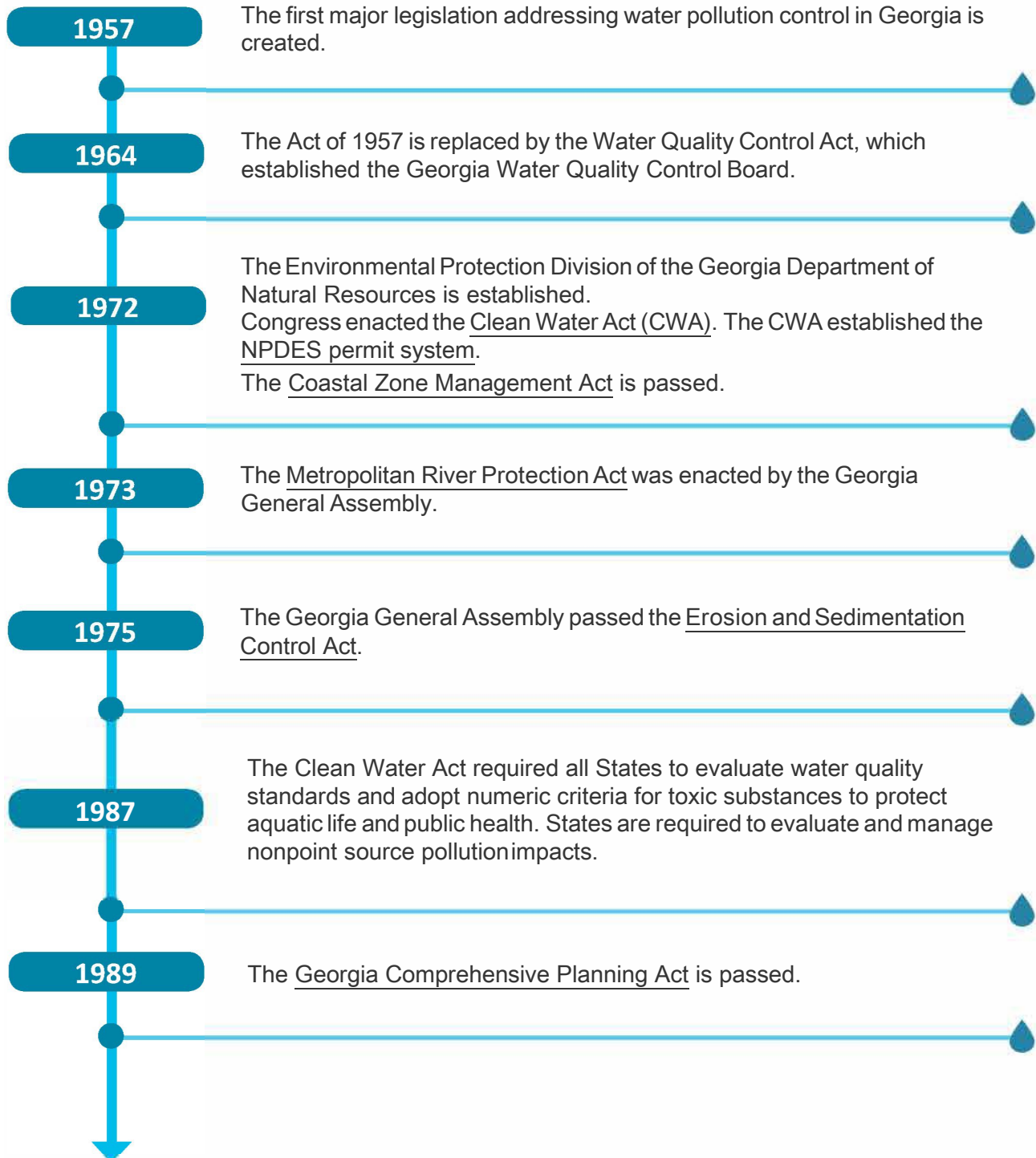
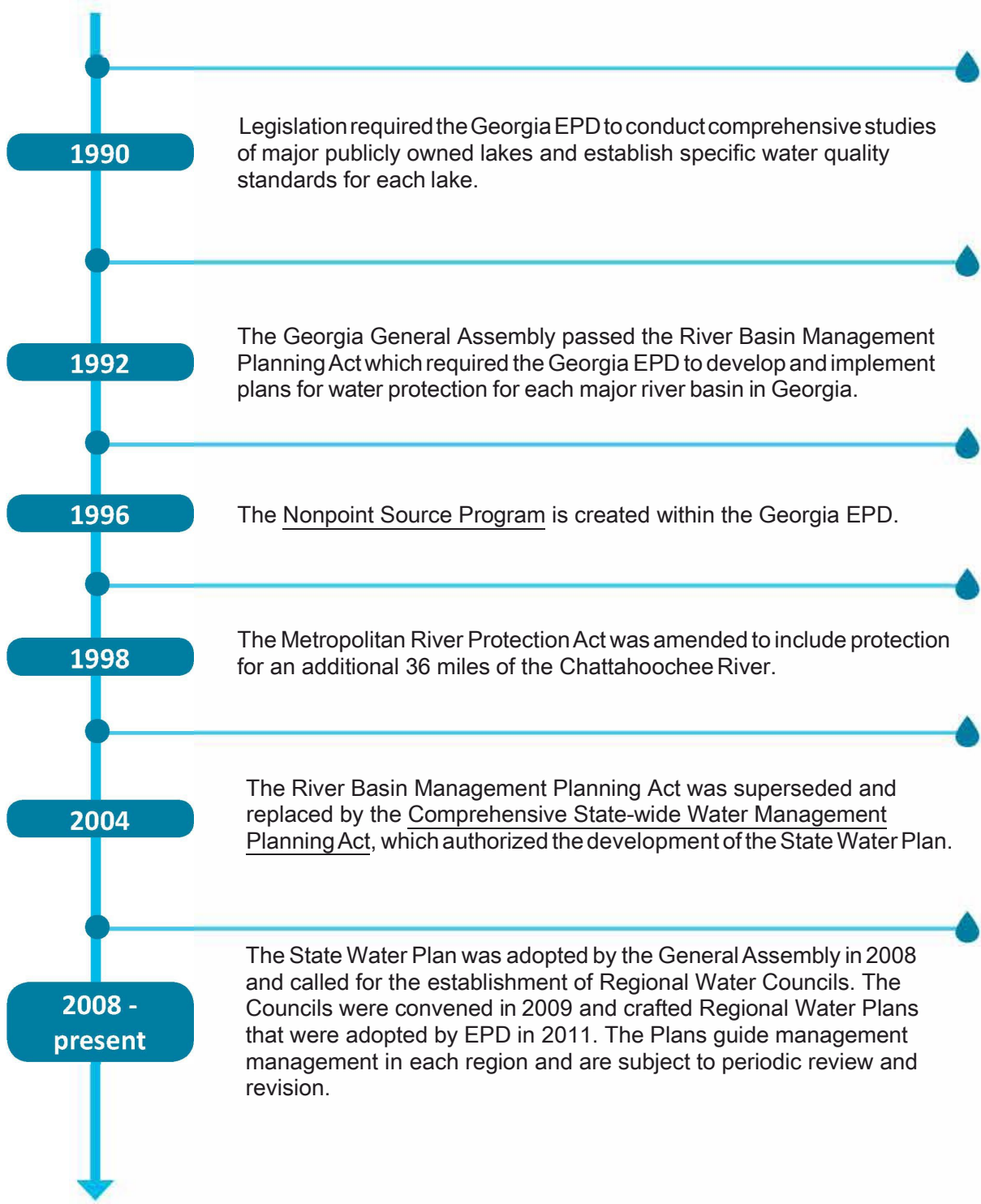


Since the early 1970's, the U.S. has made significant headway in addressing water quality issues and protection. This document outlines both federal and state-level laws and programs that protect our waterways.

Georgia's Water Quality Protection Timeline





National Laws and Programs

Click on the sub-headings for more information on each law or program.

[The Clean Water Act \(1972\)](#)

The Clean Water Act (CWA) establishes the basic structure for regulating U.S. water quality standards and the discharge of pollutants into surface waters. Under the CWA, state agencies and the U.S. Environmental Protection Agency (EPA) are jointly responsible for identifying both point and nonpoint sources of pollution.

EPA administers Sections of the Clean Water Act to help states, territories, and tribes to plan for and implement water pollution programs, which can include measures for NPS control. These include:

- Section 104(b)(3), Water Quality Cooperative Agreements
- Section 104(g), Small Community Outreach
- Section 106, Grants for Pollution Control Programs
- Section 314, Clean Lakes Program
- Section 319, Nonpoint Source Management Program
- Section 320, National Estuary Program
- Section 402, National Pollutant Discharge Elimination System
- Section 604(b), Water Quality Management Planning

[National Pollution Discharge Elimination System Permit \(1972\)](#)

The National Pollution Discharge Elimination System (NPDES) permit program regulates point sources that discharge pollutants to waters of the United States. Facilities which discharge wastewater from a point source must meet effluent limitations set forth in their permits. The EPA delegated the NPDES program to the Environmental Protection Division (EPD) of Georgia's Department of Natural Resources to perform permitting, administrative, and enforcement aspects of the program.

In 1987, the NPDES program was expanded to include stormwater runoff. Under this revision, cities with populations over 100,000 must apply for NPDES permits for their storm drain discharges (MS4 permits).

Coastal Zone Nonpoint Pollution Management

[Coastal Zone Management Act \(1972\)](#)

The Coastal Zone Management Act (CZMA), administered by the National Oceanic and Atmospheric Administration (NOAA), provides for the management of the nation's coastal resources, including the Great Lakes. Section 306 of the CZMA provides funds for water pollution control projects, including nonpoint source management activities in states with coastal zones.

[Coastal Zone Act Reauthorization Amendments \(1990\)](#)

The Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) established a Coastal Nonpoint Pollution Control Program for states with an approved Coastal Zone Management Program under the CZMA. Under CZARA, these states are required to prepare and submit coastal nonpoint pollution control programs for approval by NOAA and the EPA.

Georgia Laws and Programs

[Georgia Water Quality Control Act](#)

Under Section 303 of the Clean Water Act, states are required to develop and periodically revise water quality standards for waterbodies in the state. These standards consist of three components:

1. Designated uses that establish the environmental use of the waterbody including drinking water supplies, recreation, fishing, wild river, scenic river, and coastal fishing.
2. Numeric and narrative criteria that describe and define the maximum level of pollutants that may exist in the water.
3. Antidegradation policy which protects and maintains the state's water quality from new or expanding discharges.

Based on these designated uses and water quality criteria, the state evaluates whether a water body supports, partially supports, or does not support its designated use. This information is published every other year by EPD in the 305(b)/303(d) Integrated Report, also referred to as *Water Quality in Georgia*.

[305\(b\)/303\(d\) Integrated Report \(Water Quality in Georgia\)](#)

This report provides an assessment of the water quality conditions of surface and ground water in Georgia and includes a description of the nature, extent, and causes of documented water quality problems. The lists of water quality problem areas serve as the basis for requirements outlined in Sections 303(d), 314, and 319 of the Clean Water Act.

The list of waters in the 305(b) Report includes all waters for which data is available - waters that are impaired, along with waters that meet water quality standards and designated use. This list has become a comprehensive list of waters for Georgia.

The report also includes a review and summary of ongoing wetland, estuary, coastal, and public health/aquatic life issues, as well as water protection, groundwater, and drinking water supply program summaries. In addition to complying with the Federal Clean Water Act, the major objective of this report is to provide Georgians a broad

summary of information on water quality and the programs being implemented by the EPD to protect water resources across the State.

303(d) List

The 303(d) list is a list of impaired waters and a subset of the 305(b) listed waters. Waters in the 303(d) list are not supporting their designated uses and need to have a **Total Maximum Daily Load (TMDL)** developed. Under section 303(d), EPA is authorized to assist states, territories, and authorized tribes in listing impaired waters and developing TMDLs.

Georgia Comprehensive Statewide Water Management Planning Act (2004) and Regional Water Planning

The Comprehensive Statewide Water Management Planning Act authorized the development of the State Water Plan. Adopted by the General Assembly, the State Water Plan provides for Georgia EPD to conduct water resource assessments and develop regional water planning guidance and create regional water planning councils to prepare recommended Water Development and Conservation Plans (WDCPs).

The State Water Plan calls for regional water planning throughout Georgia. Through these plans, the regional water councils determine preferred water management practices to meet each region's future water resources needs.

Metropolitan River Protection Act (1973)

The Metropolitan River Protection Act establishes a 2,000-foot protection corridor along the Chattahoochee River and its impoundments for 48 miles between Buford Dam and Peachtree Creek. In 1998 the Act was amended to extend the corridor an additional 36 miles to the downstream limits of Fulton and Douglas counties. Land disturbing activity is monitored within this corridor in an effort to minimize adverse effects of development on water quality.

Erosion and Sedimentation Control Act (1975)

Georgia's Erosion and Sedimentation Control Act (ESA) provides for a statewide program to protect Georgia's waters from soil erosion and sediment deposition by requiring permits for non-exempt "land-disturbing activities" for disturbed areas of more than 1 acre in jurisdictions of local issuing authorities (LIA). In jurisdictions where there is no LIA, "land disturbing activities" for disturbed areas of more than 1 acre are regulated under the NPDES General Storm Water Permits.

In Georgia, no development is allowed within 25 feet of a stream. For trout streams, the buffer width required is 50 feet. If a developer wants to encroach into a buffer zone, State approval is required.

For more information, contact the [Erosion and Sedimentation Unit](#) of the Georgia EPD Watershed Protection Branch.

[Nonpoint Source Management Program \(1996\)](#)

In 1996, Georgia EPD established the Nonpoint Source Program to focus on nonpoint source pollution using regulatory and non-regulatory approaches. The *Nonpoint Source Management Plan* outlines the State's long-term goals and short-term activities to address nonpoint source pollution and sustain good water quality. Every five years, the Plan is reviewed and revised by EPD to serve as an up-to-date tool for controlling and preventing pollution from nonpoint sources.

Wetlands Regulation and Protection

[U.S. Army Corps of Engineers](#)

Dredge and fill activities in jurisdictional streams, as well as freshwater and coastal tidal wetlands are regulated in Georgia by the U.S. Army Corps of Engineers (COE) in coordination with the DNR and Coastal Resources Division through a joint permitting and public notice procedure. Enforcement of various noncompliance activities or permit violations may be pursued by DNR, the COE, or EPA. Normal agricultural and silvicultural operations are generally exempted under the [Clean Water Act Section 404](#) regulations with certain conditions.

[Coastal Marshlands Protection Act \(1970\)](#)

Under the authority of the Coastal Marshlands Protection Act (CMPA), the state maintains monitoring and enforcement programs for estuarine marshes. Georgia DNR's Coastal Resources Division regulates all dredging, draining, or other alterations to marshlands.

[Comprehensive Planning Act of 1989](#)

This Act requires all local governments and Regional Development Centers to recognize or acknowledge the importance of wetlands for the public good in the land use planning process. Local governments are required to meet minimum criteria for wetland use and protection, map wetlands and describe how wetlands will be protected from future development.

Other Laws

Additional protection to wetlands is provided either directly or indirectly by the statutes as follows:

- Shore Protection Act
- 401 Water Quality Certification
- Water Quality Control Act
- Ground Water Use Act
- Safe Drinking Water Act
- Erosion and Sedimentation Control Act
- Metropolitan Rivers Protection Act

Local Ordinances

All local governments have ordinances and/or regulations that may help maintain the water quality of local streams or wetlands. For example, many counties have regulations that govern zoning, septic tank maintenance, and activities that affect erosion and sedimentation. In some instances, local ordinances may be more stringent than state law.