



TUALATIN RIVERKEEPERS.

11675 SW Hazelbrook Road, Tualatin, Oregon 97062

503-218-2580 • tualatinriverkeepers.org

info@tualatinriverkeepers.org

The Clean Water Act – An Introduction

The Clean Water Act (CWA) was enacted in 1972 with the goal of totally eliminating pollution in our waterways by 1985. Over 40 years later we have still not met that zero discharge goal. However, the CWA continues to play a vital role in protecting and restoring our waterways by **giving us the framework needed to clean up our waterways and a way to ensure progress is continuously made.** The Act covers all waters of the United States, those that are navigable and those that are intermittently connected to navigable waters. Under the current definition intermittently connected wetlands are considered waters of the United States and therefore protected. The Clean Water Act continues to be one of the most, if not the most, important law for protecting and restoring our beloved Tualatin River, its tributaries, and wetlands.

The Clean Water Act addresses pollution by dividing sources of pollution into point and nonpoint sources and treats each differently. Point sources are those that are discernable, confined conveyances for example pipes, ditches, containers, etc. Point sources are those that can be pinpointed to one entity. Nonpoint sources are all other sources that cannot be pinpointed to one entity. An example of a nonpoint source would be stormwater runoff, which comes from many different sources.

Under the Act, point sources discharging pollutants into waters of the United States must get a permit from the Department of Environmental Quality (DEQ) in Oregon. These permits are a license to pollute to a certain degree. Based on the industry of the applicant DEQ sets limits on each pollutant that they discharge. Those limits are called effluent standards. These limits are set to ensure water quality is maintained and the beneficial uses of the waterway are protected. Uses that could be protected include but are not limited to recreation, fish spawning, and drinking water. These discharge permits include monitoring and reporting requirements and violation of any term of the permit or the effluent limits can result in a fine. Since the Clean Water Act's enactment, significant progress has been made in reducing pollution coming from point sources.

Nonpoint sources given their nature are much harder to address. Under the Act, States have over time created programs to address nonpoint sources of pollution. Stormwater pollution has mostly been addressed by creating stormwater management programs and by creating stormwater permits. Oregon has general stormwater permits that address construction, industrial users, and municipalities. In most of these permits, best management practices are required to reduce stormwater to the maximum extent practicable. Unlike point source permits, these permits usually do not have hard limits on particular pollutants. This lack of hard limits has made oversight of this program harder, and progress towards reducing stormwater runoff has been slower. Stormwater runoff remains one of the greatest threats to the Tualatin River watershed.

The CWA not only created the framework for how pollutants would be addressed in our waterways, but it also gave citizens and citizen groups the right to enforce. This means TRK has a right under the Act to ensure all entities are meeting their CWA requirements. This oversight ability is one of the major tools TRK uses to protect and restore the Tualatin River, its tributaries, and its wetlands.