

What is the Clean Water Act?*

The Clean Water Act, 33 U.S.C. §§ 1251-1387, is a federal law that was enacted in its present form by the Congress in 1972. The law's goal is to protect and restore "waters of the United States." Such waters include rivers, lakes, the ocean, bays, groundwater and wetlands. Implementation of the Act is vested in both the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency. The Corps however is the agency charged with the day-to-day administration of the Act, and it is the Corps that issues permits for activities that impact "waters of the United States."

The Congressional goal and policy of the Act, is set forth in the legislation. It states in relevant part:

The objective of this chapter is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. In order to achieve this objective it is hereby declared that, consistent with the provisions of this chapter:

- 1. It is the national goal that the discharge of pollutants into the navigable waters be eliminated by 1985;*
- 2. It is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved by July 1, 1983;*
- 3. It is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited;*
- 4. it is the national policy that Federal financial assistance be provided to construct publicly owned waste treatment works;*
- 5. it is the national policy that area wide waste treatment management planning processes be developed and implemented to assure adequate control of sources of pollutants in each State;*
- 6. it is the national policy that a major research and demonstration effort be made to develop technology necessary to eliminate the discharge of pollutants into the navigable waters, waters of the contiguous zone, and the oceans; and*
- 7. it is the national policy that programs for the control of nonpoint sources of pollution be developed and implemented in an expeditious manner so as to enable the goals of this chapter to be met through the control of both point and nonpoint sources of pollution.*

33 U.S.C. §1251(a)

We know this has not happened in Florida. Why? Doesn't the law matter?

*Review the Clean Water Act at:

<http://www.epa.gov/owow/wetlands/laws/index.html>

