TO: BOARD OF DIRECTORS

FROM: BRUCE BUEL

DATE: DECEMBER 7, 2007

AGENDA ITEM F

DEC. 12, 2007

MANAGER'S REPORT

ITEM

Standing report to your Honorable Board --*Period covered by this report November 21, 2007 through December 5, 2007*

DISTRICT BUSINESS

Administrative

Maria Vista Estates has set a total of ten water meters.

Attached is a comparison of 2006 and 2007 residential water usage.

Also attached is a staff evaluation of the County's draft Water Conservation Standards.

Staff has continued to attend the negotiation sessions with CCWA and SLO County to discuss both a short term sales agreement of excess County Water entitlements and a long term sale of excess County Water entitlements to NCSD.

Staff hosted the second NMMA Technical Group Meeting on November 6, 2007.

The RWQCB has circulated the attached proposed revisions to the Basing Plan regarding On-Site Waste Management Systems.

The County Board of Supervisors will consider adopting their proposed Stormwater Pollution Prevention and Discharge Control Ordinance at its January 15, 2008 Meeting.

Safety Program
No injury reports during the period.

Project Activity

Staff will provide a verbal projects update to the Board at the Board Meeting. Attached is an update from District Engineer Sevcik that will be presented to the Board as Agenda Item C-3.

Conservation Program Activities

Staff is re-writing the draft Water Conservation Plan to delete the emphasis on a three tiered rate structure and to add more educational efforts. Staff expects to present a revised draft in February.

RECOMMENDATION

Staff seeks direction and input from your Honorable Board.

ATTACHMENTS

- Comparison of 2006 and 2007 Residential Water Usage
- Analysis of County Water Conservation Standards
- RWQCB Notice and Proposed OWTS Regulations
- District Engineer Update

Nipomo Community Services District

Celeste Whitlow
Conservation Specialist

MEMORANDUM

TO: Bruce Buel
FROM: Celeste Whitlow
DATE: 11/14/2007
RE: Update of NCSD 2007 Residential Water Usage With comparison to 2006

FINAL SUMMARY AND DISCUSSION

The analysis of the consumption of water by NCSD's customers in 2007 compared to 2006, for the months January through October, demonstrates the following:

- An increase in consumption in 2007 in the single-family residence (SFR) category of 10.56%.
- An increase in consumption in 2007 in the multi-family (MFR) category of 12.04%.
- A total increase in the residential consumption (SFR+MFR), totals of both categories combined, in 2007 of 10.62%.
- An average-per-account increase in 2007 in residential consumption (SFR+MFR), of 10.18%.
- A percent-difference (comparing 2007 to 2006) arc which peaks in May-June, for both SFR and MFR categories individually and combined (the combined findings are for the average-per-account values for SFR+MFR).
- A percent-difference (comparing 2007 to 2006) arc which troughs in September-October for the comparisons of MFR and SFR, individually
- A percent-difference (comparing 2007 to 2006) arc which troughs in January-February for the comparisons of MFR and SFR combined, for the average-per-account values.

Translated: The District's residential water customers (MFR+SFR, combined category totals) used 10.62% more in January through October 2007 than through the same time period in 2006.

The bimonthly billing period in which the District's customers used the greatest amount more in 2007 compared to 2006 was in May-June.

September-October was the bimonthly billing period in which the amount of water used by the District's residential customers showed the least difference (comparing 2007 and 2006) when considering the individual totals of the MFR and SFR categories, but when considering the per-account-average consumption, MFR and SFR categories combined, the period when customers showed the least difference in consumption was in January-February.

The consistent peaks in May-June might appear, at first glance, to be unexpected. The consumption figures are historical, reflecting water consumed two months previously, and that period is not usually considered to have the highest temperatures (which would produce higher consumption). However, our last rainy season was very dry, customers would be anticipated to start irrigating outdoors earlier and use greater amounts as the year progressed. The May-June percentage-difference increase, with lower percentage-difference increases later in the year during the traditionally warmer months, could reflect the expected increase in water consumption earlier in 2007, but "sticker shock" after customers received their May-June bills, inspiring them to use less water in subsequent months.

It does not, however, explain the similarity in peaks between 2006 and 2007 in the MFR category, when comparing the category totals per month of the SFR and MFR categories, and the similar percent-difference findings for both the SFR and MFR categories.

The MFR category uses less water per account because these customers usually do not have private irrigated landscapes. MFR water consumed is usually assumed to be for indoor usage only. Usually the MFR accounts do not have a great increase in water consumed in the summer months. The similarity in arc peaks between SFR and MFR indicates that there was an increase in MFR indoor water consumption, as well as an increase in SFR landscape consumption.

When considering the dry last rainy season, the predicted possibility of a dry rainy season this year, the predicted multi-year drought, the cut-backs in State Water deliveries due to the Delta smelt ruling, the 12% decrease in groundwater storage below the Nipomo Mesa from April 2006 to April 2007, and the difficulty, expense and delay anticipated in bringing supplemental water to the District, the 10.62% increase in residential water consumption through October 2007 is an unwelcome finding.

INTRODUCTION

Updated water consumption figures were obtained through October 2007, and comparison was made of the years 2006 and 2007. This analysis was performed because of concern regarding the consumption and demand placed on the aquifer that underlies the Nipomo Mesa, and the extra stress on the aquifer that would result from an increase in consumption.

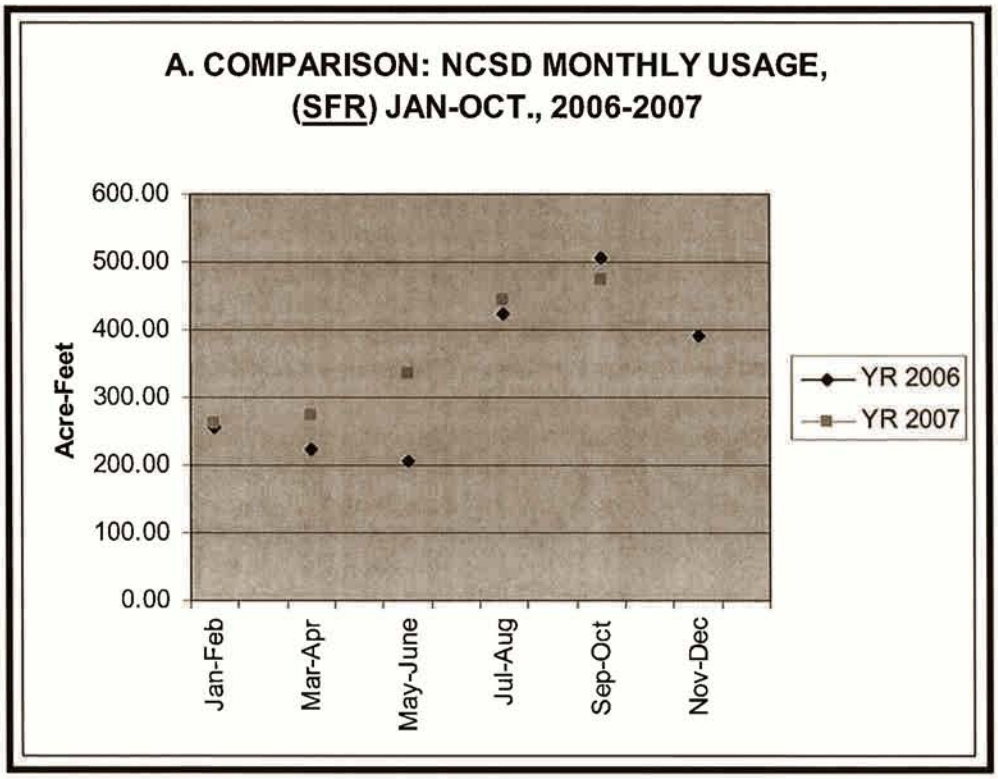
The District's customers are billed on a bi-monthly basis; therefore, the monthly consumption figures were combined into bi-monthly numbers to reflect the bi-monthly billing cycle.

Comparison was only made for the months January through October; the November-December 2007 water consumption figures are not yet available.

The readings taken at the end of each billing period reflect the customer consumption over the previous two months. Therefore, the numbers in the table represent the consumption two months earlier.

"%Dif 07:06" is the per-cent change, either positive or (-)negative, from 2006 to 2007. As an example, in Table A, under the column heading "Jan-Feb" and row heading "%Dif 07:06," the "1.81%" translates to "for the meter readings in January and February, the amount of water consumed in 2007 was 1.81% more than that used in 2006."

A. COMPARISON: NCSD BIMONTHLY USAGE, (SFR CATEGORY TOTAL) JAN.-OCT., 2006-2007 (AF)							
Type		Jan-Feb	Mar-Apr	May-June	Jul-Aug	Sep-Oct	Nov-Dec
SFR	YR 2006	257.00	224.78	207.01	422.70	507.12	391.62
SFR	YR 2007	261.66	274.82	335.94	443.40	473.64	xx
	%Dif 07:06	**1.81%**	**22.26%**	**62.28%**	**4.90%**	**-6.60%**	**xx**



SUMMARY AND DISCUSSION OF TABLE A and CHART A

Table A and Chart A focus on the consumption for the entire single-family residence (SFR) category, comparing the same bi-monthly billing periods in different years (2006 and 2007). The goal is to document the increase or decrease in consumption for that category in 2007, compared to 2006.

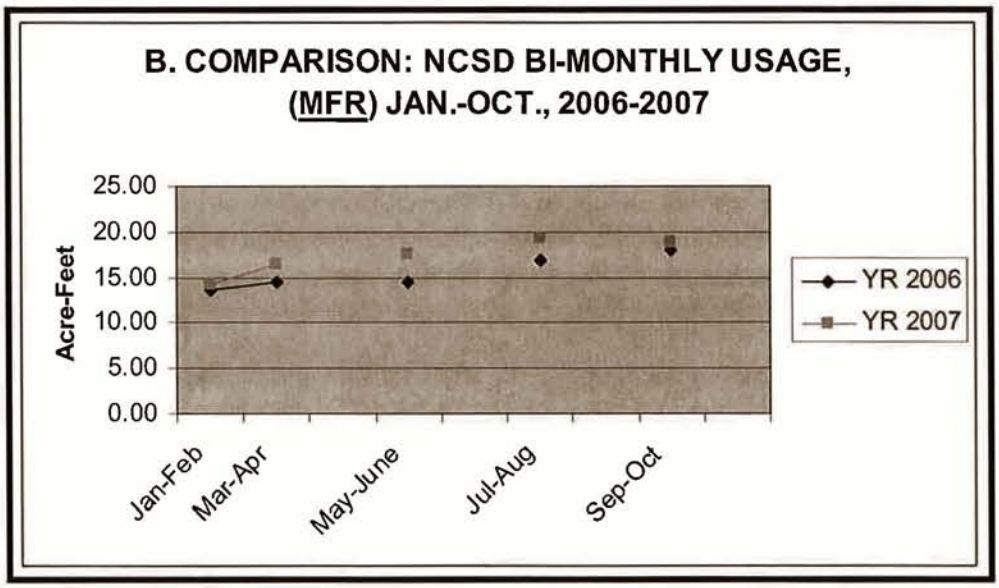
The total water consumed (as documented in the January to October billing periods in 2006) was 1618.61 AF, and 1789.46 AF in 2007, with a percent difference from 2006 to 2007 of 10.56%. (Translated: NCSD's water customers used 10.56% more in the months January to October 2007 than they did in the same period in 2006.)

The billing period May-June showed the highest percentage increase (62.28%), and the billing period September-October showed the least percentage change (-6.60%, a decrease).

Chart A is a visual representation of the information in Table A.

Table B and Chart B are read in the same manner as Table A and Chart A.

B. COMPARISON: NCSD BIMONTHLY USAGE, (MFR CATEGORY TOTAL) JAN. - OCT., 2006-2007 (AF)							
Type	**Year**	**Jan-Feb**	**Mar-Apr**	**May-June**	**Jul-Aug**	**Sep-Oct**	**Nov-Dec**
MFR	YR 2006	13.49	14.45	14.37	16.80	18.08	11.79
MFR	YR 2007	14.35	16.41	17.53	19.23	18.96	xx
	%Dif 07:06	**6.38%**	**13.56%**	**21.99%**	**14.46%**	**4.87%**	**xx**



SUMMARY AND DISCUSSION OF TABLE B and CHART B

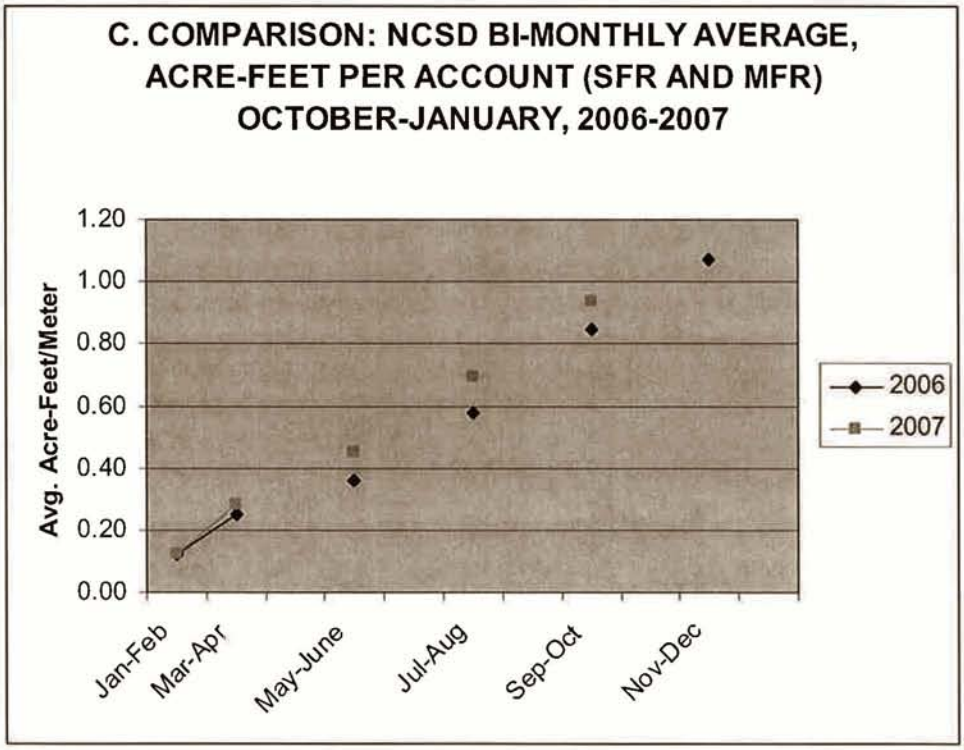
Table B and Chart B focus on the consumption for the entire multi-family residence (MFR) category, comparing the same bimonthly billing periods in different years (2006 and 2007). The goal was to document the increase or decrease in consumption for that category in 2007, compared to 2006.

For the multi-family residence (MFR) category, the total acre-feet used from January to October in 2006 was 77.19, and in 2007 the total for the same period was 86.48, producing a percent-difference of 12.04%. (Translated: For the months January to October, in 2007 NCSD's MFR water customers used 12.04% more than they did during the same period in 2006.)

In 2006 there were 390 MFR water meters, and 392 in 2007, with a percentage difference of 0.51%.

As previously demonstrated in Table A and Chart A, in Table B and Chart B the May-June showed the largest percent difference (21.99% increase), and September-October showed the least percent difference (4.87% increase).

C. COMPARISON: NCSD BIMONTHLY AVERAGE, ACRE-FEET PER ACCOUNT, (SFR and MFR) OCT.-JAN., 2006-2007							
Year	**Type**	**Jan-Feb**	**Mar-Apr**	**May-Jun**	**Jul-Aug**	**Sep-Oct**	**Nov-Dec**
2006	SFR+MFR	0.07	0.13	0.19	0.31	0.44	xx
2007	SFR+MFR	0.07	0.15	0.24	0.36	0.49	xx
	%Dif 07:06	**xx**	**12.21%**	**25.17%**	**17.26%**	**10.18%**	**xx**



SUMMARY AND DISCUSSION OF TABLE C and CHART C

Table C focuses on the increase or decrease in the average consumption (in acre-feet) per account (meter), and incorporates cumulative totals throughout the year. The goal is to demonstrate increases or decreases in the cumulative total as the year progresses.

Table C compares the bimonthly averages (per account), in acre-feet, combined SFR and MFR, from January to October, 2006-2007. This table (and the chart that accompanies it) tracks the average per-account use per bi-monthly period, cumulatively.

For instance, under the column heading "Jan-Feb´and the row headings "2006, SFR+MFR" the figure "0.07" represents 0.07 acre-feet used that year to (and including) that billing period. The next column is "Mar-Apr" and the number "0.13," which represents the total average-per-account consumed so far that year. As you follow the row across you see that the numbers progressively increase, reflecting the increasing total water consumed that year, on average per account, to each column-stated billing period.

Table C includes the percent difference from 2006 to 2007 ("%Dif 07:06"), and represents the percent change, either positive or (-) negative, from 2006 to 2007. In this table, the highest percentage increase is in May-June (25.17) and the least is in January-February (0.07).

Chart C is a graphic representation of the information in Table C.

Nipomo Community Services District

Celeste Whitlow
Conservation Specialist

MEMORANDUM

TO: Bruce Buel
FROM: Celeste Whitlow
DATE: 11/28/2007
RE: SLO County Department of Planning and Building
Proposed Water Conservation Ordinances

SUMMARY, DISCUSSION and SUGGESTION: The County of San Luis Obispo has proposed two water conservation ordinances which focus on saving water by requiring that plumbing fixtures be water efficient. Much of what they require is already required in many California regions, with the exception of the requirement for the hot-water circulation pumps, which is more cutting-edge.

Table 1. ANTICIPATED WATER SAVINGS FROM PLUMBING FIXTURES

Measure	Avg. Gal/Day Savings	Avg.Gal/Year Savings	Avg.AF/Yr Savings	# Refits Needed to =1 SFR/Yr
Toilets[1]	34.6*	7884	0.024	24
Showerhead[2]	5.5	2008	0.006	96
Faucet Aerators[3]	1.5	548	0.002	351

[1] Vickers, Amy. *Handbook of Water use and Conservation*. Amherst, MA: Water Plow Press. 2001.

[2] A&N Technical Services, Inc. *BMP Costs and Savings Study: A Guide to Data and Methods for Cost-Effectiveness Analysis of Urban Water Conservation Best Management Practices*. March 2005. The California Urban Water Conservation Council.

[3] *Ibid.*

*The water-savings figure given in the reference was 21.6 GPD for a 1.6 GPF toilet. The County's requirement is for a 1.0 GPF toilet, translating to 34.6 GPD savings.

Table 1 summarizes what the anticipated savings which could be expected from each retrofit plumbing-fixture installation, and compares it to the average water consumption per District single-family-residence (SFR) meter: .59 acre-feet/year (AF/Y) in 2006.

The far-right column indicates that the savings expected from retrofitting 24 1.0-gallons-per-flush (GPF) toilets would equal what the average SFR meter uses in AF/Y.

There is not yet sufficient data available to calculate the savings of a hot-water-on-demand fixture. Savings would vary depending on length of pipe the water had to travel to reach the faucet outlet.

Information was not given regarding the County's estimates for consumption-per-structure of the new development; therefore, the "credits" given in Appendix A and Appendix B could not be assessed for potential to reach mitigation goals. If that information is available, further assessment could be performed.

Suggestion.
In the ordinance amending Title 19, Section 1, (d), (1), (iv), hot-water circulation pumps are required "*...if the furthest plumbing fixture unit in these rooms is greater than twenty (20) feet from the hot-water heater.*" The determining factor for how much water is saved is the amount of water in the pipes (dependent on length of pipeline) between the fixture and the hot-water heater, not the "as-the-crow-flies" distance between the two. Plumbing layouts often follow the layout of walls and foundations. An "as-the-crow-flies" distance of 20' between the plumbing fixture and the hot-water heater may actually be twice that much length in pipeline. Therefore, to reach more predictable, consistent savings, and to maximize savings from this ordinance, distance should be described as "pipeline distance" or equivalent description.

Observation.
The ordinance to amend Title 8 includes a penalty (8.91.060). The ordinance to amend Title 19 does not.

BACKGROUND: San Luis Obispo County has certified the Nipomo Mesa Management Area (NMMA) as a Level of Severity III (use exceeds resource). The Department of Planning and Building (DPB) has proposed two ordinances which would aid in water conservation.

The first ordinance would provide changes to Title 8 of the County Code, and would require retrofitting with water-efficient plumbing fixtures before a structure (residential, commercial, and other building types in the NMMA) was sold.

The plumbing fixtures required are specified as follows:

<u>Residential, Commercial</u>
- Toilets: No more than 1.0 gallons per flush (GPF)
- Showerheads: No more than 2.5 gallons per minute (GPM)
- Faucet aerators: No more than 1.0 GPM.

<u>Commercial (in addition to "Residential, Commercial"</u>
- Waterless urinals 0 GPF

The seller would be responsible for compliance, and obtaining a Water Conservation Certificate from the DPB. The seller or their agent would be required to give written notice to the buyer regarding the water conservation requirements required before sale of the structure.

If the structure is already retrofitted with water-efficient plumbing fixtures, they may request a Water Conservation Certificate from the DPB, with seller providing proof by physical inspection of the fixtures by a licensed plumber or building contractor, by obtaining an inspection as part of a water-supplier's plumbing fixture rebate program, or by documentation that all structures on the property to be sold have already been retrofitted.

All toilets removed as part of the retrofit program are required to be recycled at an appropriate recycling facility, with proof of the recycling accompanying the compliance paperwork.

The Planning Director may exempt sale of a particular structure from the retrofit requirements if the structure is already in compliance with the retrofit program objectives. The Planning Director may also exempt facilities and require "reasonable conditions in lieu of full compliance." This can only be done if there are practical difficulties involved in the plumbing retrofit, or if water-efficient fixtures are not available to match a historical architectural style.

A person violating any of these provisions would be guilty of a misdemeanor.

The second ordinance would provide changes to Title 19 of the County Code, and would require two measures for new development within a Special Water Conservation Area (SWCA):

- Use of water-efficient plumbing fixtures;
- Retrofitting of existing homes with water-efficient plumbing fixtures, so that the amount of water saved would mitigate the expected water demand of the new development.

Before a new structure (which had the required water-efficient plumbing fixtures) could receive final inspection or assume occupancy, the developer would have to perform retrofit of existing structures in the SWCA. The number and type of fixtures requiring retrofitting and the "credits" the developer receives for each retrofit, is defined in detail in the Appendix A and Appendix B attachment of the ordinance.

This ordinance would also require installation of water-efficient fixtures in any structure (the entire structure) with an addition of 120 ft^2 or more.

In addition, a structure remodel requiring a construction permit and involving replacement of plumbing fixtures in the kitchen or bathroom would be required to replace the plumbing fixtures in the entire structure.

The plumbing fixtures required are specified as follows:

<u>Residential, Commercial</u>

- Toilets: No more than 1.0 gallons per flush (GPF)
- Showerheads: No more than 2.5 gallons per minute (GPM)
- Faucet aerators: No more than 1.0 GPM.
- Hot-water circulation pumps for master bathrooms and kitchens ("if the furthest plumbing fixture unit in these rooms is greater than twenty (20) feet from the hot water heater).
- Greywater plumbing for new residences.

<u>Commercial Additional</u>

- Waterless urinals: 0 GPF

The owners of the existing structures which had undergone retrofitting would be required to allow their water purveyors to release water use figures to the DPB.

Once the retrofitting process had been completed, the developer would be required to provide a Retrofit Verification Declaration (completed by a licensed plumber or contractor), providing proof of the retrofits accomplished, to the DPB, after which the Water Conservation Certificate would be issued. At that time final occupancy approval may be issued.

Of note is the fact that the ordinance to amend Title 8 includes a penalty (8.91.060). The ordinance to amend Title 19 does not.

Thank you for the opportunity to analyze these proposed ordinances.

California Regional Water Quality Control Board
Central Coast Region

895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906
(805) 549-3147 • Fax (805) 543-0397
http://www.waterboards.ca.gov/centralcoast

Linda S. Adams.
Secretary for
Environmental Protection

Arnold Schwarzenegger
Governor

November 30, 2007

Region-wide IPL of City & County onsite contacts

Dear Onsite System Regulator:

REVISION OF BASIN PLAN CRITERIA AND WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR ONSITE SYSTEMS (APPLICABLE TO ENTIRE CENTRAL COAST REGION)

The *Water Quality Control Plan, Central Coast Basin* (Basin Plan) specifies criteria for siting, design and ongoing management of individual and community onsite wastewater disposal systems. During the past 25 years, implementation of those criteria has demonstrated revisions are needed to clarify vague language and, in some cases, strengthen language from recommendations to requirements. The existing Basin Plan criteria for onsite wastewater systems were last updated in 1983. In the coming months, we plan to present proposed amendments to the Central Coast Water Board to update and revise the Basin Plan sections pertaining to onsite wastewater systems. Preliminary draft revisions are described in the attached staff report for Basin Plan amendment.

In 2004, the Central Coast Water Board's general waiver for discharges from onsite wastewater systems expired, pursuant to Water Code section 13269(b)(2). Since expiration of the waiver, discharges from onsite systems have not been formally authorized by the Central Coast Water Board. Formal discharge authorization is required pursuant to California Water Code section 13264. Therefore, we plan to present a proposed waiver policy regarding onsite systems to the Water Board for consideration. Preliminary draft of the proposed waiver is described in the attached staff report for onsite systems waiver.

As a local permitting agency, you have responsibility, experience and expertise with onsite wastewater systems. We would like to incorporate your input on preliminary drafts of these proposed actions, prior to circulating draft documents for public comments. After you have reviewed these documents, we would like to meet with you and/or your staff to discuss your comments, concerns and recommendations. We anticipate circulating the staff reports for public comments during January of 2008, therefore we would like to meet with you during November or early December, 2007, to discuss this action.

Please contact Water Board staff member **Sorrel Marks at (805) 549-3695 or smarks@waterboards.ca.gov**, to arrange a convenient meeting date and time or to further discuss this issue.

Sincerely,

Roger W. Briggs
Executive Officer

Attachments: Staff Report for Basin Plan Amendment w/attachments
Staff Report for Onsite System Waiver w/attachments

S:\WQ Control Planning\Onsite\preliminary review.ltr.doc
Task: 126-01
File: Basin Plan Amendments
File: Onsite System Waiver

PRELIMINARY DRAFT

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF MAY 9, 2008
Prepared on November 30, 2007

ITEM NUMBER: **XX**

SUBJECT: **Resolution No. R3-2008-0005; Amendment to the Water Quality Control Plan, Central Coast Basin, revising criteria for onsite wastewater systems**

KEY INFORMATION

Location:	Throughout the Central Coast Region
Type of Waste:	Domestic wastewater discharged from individual and community onsite systems
This Action:	Adoption of Resolution No. R3-2008-0005

SUMMARY

Chapters IV and V of the Water Quality Control Plan, Central Coast Basin (Basin Plan) specify criteria for siting, design and ongoing management of individual and community onsite wastewater disposal systems (commonly called septic systems). The proposed Resolution No. R3-2008-0005 (included as Attachment 1) will update and revise existing Basin Plan criteria for onsite wastewater systems. Most of the proposed revisions provide clarifying language to existing requirements without substantially changing such requirements. However, some revisions replace discretionary language of recommendations (e.g. "should") with mandatory language of requirements (e.g. "shall"). By adopting the proposed resolution, language in the Basin Plan will be strengthened and clarified in a manner expected to result in improved long-term water quality protection in areas served by onsite wastewater systems. The proposed revisions are also expected to improve consistency and customer service by reducing the need for subjective interpretation of imprecise language. Updating the Basin Plan criteria for onsite wastewater systems will complete a Triennial Review list priority task, which has been backlogged for more than a decade.

DISCUSSION

Background - The Basin Plan criteria for individual and community onsite wastewater disposal systems were last updated in 1983 (Resolution 83-12). Basin Plan criteria require proper siting and design of onsite wastewater systems. The Basin Plan criteria also recommend a variety of management measures intended to ensure long-term success of properly functioning systems and prevent water quality impacts from such systems. During the past 25 years, implementation of those criteria has demonstrated revisions are needed to clarify vague language and, in some cases, strengthen language

from recommendations to requirements. The most noteworthy revisions proposed in Resolution No. R3-2008-0005 require local jurisdictions to develop onsite wastewater system management plans prior to approval of alternative (non-conventional) onsite wastewater systems. Proposed revisions are addressed in further detail below.

Due to the rural nature, demographics and topography of the Central Coast Region, many (thousands) individual and community onsite wastewater systems treat and dispose of residential and commercial wastewater. The Central Coast Water Board implements its Basin Plan requirements for onsite systems through direct regulation (issuance of waste discharge requirements), memoranda of agreement with local jurisdictions, and in some cases simply defers regulation to the local jurisdiction. Many local jurisdictions (primarily counties) retain permitting authority for onsite systems and implement their own requirements alongside the Basin Plan requirements. In most cases of individual systems that comply with Basin Plan criteria, the Water Board does not exercise its authority as long as the local jurisdiction is enforcing the Basin Plan requirements. Because of this overlap of regulatory authority, it is imperative that Water Board staff and county/city staff work cooperatively to implement consistent requirements. To this end, Central Coast Water Board staff members plan to meet with representatives from each county within our region during development of the proposed criteria, to further discuss revisions and gain input from these local jurisdictions.

Conventional onsite systems should be "fool proof". In other words, the conventional onsite system is simple: design is simple, installation is simple, and operation is simple. The Basin Plan criteria for onsite systems are intended to ensure ongoing water quality protection despite the simple nature of most onsite systems. With this simplicity in mind, the proposed revisions are intended to ensure proper siting and design of onsite systems as preventative measures, rather than accommodating unfavorable site limitations with alternative systems. Should alternative systems be necessary, such alternatives may be provided for within onsite system management plans developed and implemented by local jurisdictions.

Alternative onsite systems (including package treatment, mound, evapotranspiration, and other non-conventional systems) are specifically engineered to overcome site constraints such as shallow groundwater or slow infiltrative soils, which preclude use of conventional systems. Alternative systems are considered experimental and must be monitored for performance. Typically, monitoring of alternative systems only occurs where such systems are regulated by waste discharge requirements or through an onsite management plan. The proposed criteria require monitoring of alternative systems, consistent with an onsite management plan approved by the Water Board Executive Officer. The proposed criteria prohibit alternative systems that are not consistent with an approved onsite management plan.

Onsite Management Plans - As stated in the Basin Plan, onsite wastewater management plans should be implemented to eliminate the cumulative impacts resulting from continued use of individual, alternative and community onsite disposal systems. The Basin Plan currently recommends that permitting agencies prepare and implement wastewater management plans to identify areas where poor conditions for onsite systems or increasing urbanization using onsite systems could lead to degradation of water quality or nuisance conditions. The management plans should specify design, installation, and monitoring requirements, including the formation of septic system maintenance districts. The Basin Plan recommends wastewater management plans for

the following areas: San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highlands, Prunedale, El Toro, Shandon, Templeton, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, Upper Santa Ynez Valley, and Los Olivos/Ballard. However, only one county within the Central Coast Region has developed an approved onsite wastewater management plan (Santa Cruz County), since the recommendation was incorporated into the Basin Plan in 1983. Consequently, water quality and public health impacts resulting from most existing and future discharges from onsite systems remain uncharacterized. The proposed criteria require development and implementation of onsite management plans to investigate and mitigate existing and potential future water quality issues resulting from continued use of onsite systems. The required components of an onsite management plan are consistent with those specified by U.S. Environmental Protection Agency in it design manual *Onsite Wastewater Treatment and Disposal Systems*. Staff recommends (in the proposed amendment) that the Water Board require these plans as we revise memoranda of understanding with permitting agencies, as discussed below.

Statewide Regulation of Onsite Systems - In 2000, the California State Legislature passed into law Assembly Bill 885 (Section 13291 of the California Water Code). Assembly Bill 885 requires the State Water Board (in consultation with state and local health departments, California Coastal Commission, counties, cities and other interested parties) to adopt regulations or standards for onsite wastewater systems. For the past eight years, Central Coast Water Board staff members have been participating in the State Water Board's regulation development process. These regulations are not yet established and we do not anticipate that the statewide regulations will be adopted in the near future. Also, we do not anticipate that the statewide regulations (when adopted) will replace the need for Basin Plan criteria for onsite systems. Regardless of concurrent efforts to develop statewide regulations for onsite systems, updating the Basin Plan with the proposed Resolution No. R3-2008-0005 is needed to provide for clear and effective guidance and water quality protection. If and when statewide regulations are adopted, we will revisit the Basin Plan criteria to make it consistent with the statewide regulations.

MOUs with Local Jurisdictions - The Central Coast Water Board creates water quality protection policies, provides guidance, and implements region-wide programs in conjunction with local agencies. Local jurisdictions implement a variety of regulations (including Water Board requirements) through their permitting processes. In order to implement these coordinated roles, the Water Board and local jurisdictions enter into memoranda of understanding (MOUs), which describe each entity's role within formal institutional agreements. Central Coast Water Board staff members have been in the process of developing and updating such MOUs over the past few years (some of which are more than 25 years old). The proposed Basin Plan revisions will clarify expectations, onsite criteria, and agency roles that will be incorporated into MOUs with local jurisdictions.

Until 2004, the MOUs served as waivers of waste discharge requirements for individual and community onsite systems. However, all such waivers expired in 2004, leaving onsite systems subject to individual waste discharge requirements (a cumbersome and redundant oversight). Resolution No. R3-2008-0006 (today's agenda item No. __) is proposed as a replacement waiver of waste discharge requirements for onsite systems meeting Basin Plan criteria. Water Board staff believe that this approach (MOUs and waivers) will prove to be most effective in protecting water quality from impacts associated with onsite systems in a streamlined fashion (without duplicative agency

oversight). Detailed information regarding the proposed waiver for onsite systems is included in the staff report for Item No. __.

Detection of Failing Systems - Failed septic systems can degrade groundwater and cause unhealthy and nuisance conditions on the ground surface. Most failures are indicated by surfacing effluent, which can show up as a gray liquid or unusually lush plant growth. However, septic system discharges can affect groundwater and remain undetected for years. Few regulatory or permitting agencies have active programs to monitor or inspect standard septic systems. Most failures that come to the attention of agencies are found by permit applications for replacement or repair of septic systems or complaints from neighbors. Implementation of the proposed criteria will ensure that site conditions and treatment and disposal system designs meet water-quality protective criteria. In this manner implementation of the proposed criteria will prevent failing septic systems and reduce water quality impacts caused by such failures.

Proposed Revisions - The proposed revisions to Basin Plan criteria for onsite systems consist primarily of clarifying language and strengthening recommendations to requirements. The revised criteria are included as Attachment 1A to this report. Additions are underlined and deletions are shown in strike-out. Format revisions are not identified as additions or deletions, since they do not represent substantial change in the Basin Plan content. Most of the proposed changes reflect the following issues:

1. General discussion is deleted and moved to this staff report.

2. Criteria are reorganized to ease identification of requirements, recommendations and prohibitions in a streamlined fashion.

3. Additional terms are defined for clarity.

4. Many recommendations are revised to requirements to compel compliance with specified criteria.

The significant proposed revisions and justification are summarized here.

Proposed Revision	Basin Plan Section	Justification
Streamlined definition of the term "watercourse".	VIII.D.	Existing definition (from Webster's Dictionary) led to confusion regarding alternate, meanings of the term. Proposed definition is a simplified portion of existing definition.
Narrative discussion of the benefits resulting from corrective actions for existing systems is deleted and specific criteria incorporated into revised sections.	VIII.D.1.	Narrative format made identification of specific requirements and recommendations difficult to interpret. Revised format will provide for easily identifiable criteria for existing onsite systems.
Dual leachfields recommended in existing criteria are required in proposed revisions.	VIII.D.1.a. and VIII.D.2.b. 13 and 14.	Dual leachfields provide immediate remedy in event of system failure and are considered appropriate for all systems.
Onsite management plans (developed and implemented by local jurisdictions) are recommended in existing criteria, and required in proposed revisions.	VIII.D.1.b.	See expanded description above.

Contents of onsite management plans are expanded from general description currently listed in the Basin Plan.	VIII.D.1.b.	Outline of onsite management plan contents included to assist local jurisdiction in developing effective plans, specific contents based upon U.S. EPA guidance.
New requirement added for additional treatment for onsite discharges to very fast percolating soils (<1 minute per inch).	VIII.D.2.a.11 and 24.	Very fast percolating soils do not provide for adequate biological treatment of leachate prior to disposal into underlying groundwater. Therefore nutrient reduction needed to protect groundwater must occur in the treatment unit.
Requirement added calling for onsite disposal systems on slopes greater than 20% to be designed by registered engineer.	VIII.D.2.a.12 .	Increased development in steeper areas (more challenging for onsite disposal) increases concern regarding slope stability and hydraulics. Accordingly, such systems require professional engineering expertise.
Prohibition of onsite disposal within areas subject to 10-years flood zone is revised to 25-year flood zone.	VIII.D.2.a.14 .	Increased development in flood prone areas and projected long-term use of onsite disposal systems, a greater margin of safety is needed.
New prohibition limiting onsite disposal in fill unless specifically designed as a disposal area.	VIII.D.2.a.25 .	Prohibition added to prevent leachate from onsite disposal surfacing at interface of fill and native soil.
New prohibition limiting onsite disposal of self-regenerating water softener brine unless such disposal is consistent with a salts minimization plan.	VIII.D.2.f.5.	Salts discharged to onsite systems migrate (virtually untreated) into underlying groundwater and must be minimized to protect groundwater quality.

The shift from voluntary to compulsory actions reflects the rate of implementation of existing Basin Plan criteria. Typically (over the past 25 years), local jurisdictions have been unwilling to implement actions beyond those specifically required. As a result, thousands of onsite wastewater disposal systems have been permitted and installed without any means of evaluating resulting water quality impacts.

Sections of Basin Plan Chapter 5 pertaining to onsite wastewater systems are also proposed to be revised. The revisions strengthen recommendations to requirements and more clearly describe existing Resolution 69-01, regarding onsite systems in urbanizing areas. Proposed revisions to Chapter 5 are shown on Attachment 1B.

Economic Effects of the Amendment - The proposed amendment will change existing recommendations to requirements, which will further constrain where onsite systems may be used. For properties that are clearly suitable for conventional onsite systems, the proposed amendment will have little or no economic consequences. For properties that may not be suitable for conventional onsite systems (e.g., inadequate separation to a watercourse), the proposed amendment may require an advanced onsite system to mitigate for poor site conditions. At a small percentage of undeveloped properties where site conditions are very poor for an onsite system, the property may no longer be suitable for an onsite system and a community sewer connection may be required. Alternative onsite systems and community sewer connections are generally more expensive than conventional onsite systems. Additionally, the proposed amendment call for local jurisdictions to develop and implement onsite wastewater management plans. Onsite wastewater management plans have not (as yet) been developed by many local jurisdictions and will carry associated development and implementation costs. Water Board staff has considered the costs of implementing this amendment and finds these costs to be reasonable relative to the water quality and public health benefits derived from implementing the amendment.

ENVIRONMENTAL SUMMARY

On July 30, 2004, Central Coast Water Board held a scoping meeting pursuant to the California Environmental Quality Act (CEQA)(California Public Resources Code 21083.9(a)(2) to discuss the development of proposed amendments to the Basin Plan. The meeting focused on requirements to develop onsite management plans. During the past few months, Water Board staff members have met with county representatives and other stakeholders who will directly implement the revised Basin Plan criteria.

A Notice of Public Hearing has been circulated (Attachment 2). A Notice of Filing, this staff report, and Environmental Checklist were prepared and circulated by Water Board staff to interested agencies and persons prior to consideration of the Basin Plan Amendment by the Central Coast Water Board. This will satisfy the environmental documentation requirements of the Basin Planning process and the Federal Clean Water Act.

COMMENTS

Pending

RECOMMENDATION

Adopt Resolution No. R3-2008-0005, as proposed.

ATTACHMENTS

1. Proposed Resolution No. R3-2008-0005, with attachments:
   - Attachment A - Revised Basin Plan Chapter 4 (onsite sections only)
   - Attachment B - Revised Basin Plan Chapter 5 (onsite sections only)
   - Attachment C - Certificate of Fee Exemption
   - Attachment D - Report for Basin Plan Amendment (including the Environmental Checklist)
2. Notice of public hearing dated _____

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STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

RESOLUTION NO. R3-2008-0005

AMENDING THE WATER QUALITY CONTROL PLAN REVISING ONSITE WASTEWATER SYSTEM CRITERIA

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Central Coast Water Board) finds:

1. The Central Coast Water Board updated its policy regarding siting and design of onsite wastewater systems on September 16, 1983, by adopting Resolution No. 83-12.

2. The Central Coast Water Board adopted the current Water Quality Control Plan, Central Coastal Basin (Basin Plan) on September 8, 1994. The Basin Plan includes beneficial use designations, water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies. The text and requirements specified in Resolution No. 83-12 are included in the Basin Plan as provisions of Chapters 4 and 5.

3. The Central Coast Water Board periodically revises and amends the Basin Plan. Central Coast Water Board staff determined that the Basin Plan requires further revision and amendment to clarify and strengthen criteria for onsite wastewater systems throughout the region. The Central Coast Water Board will regulate discharges from onsite wastewater systems using waste discharge requirements (WDRs) or waiver of WDRs, in conjunction with memoranda of understanding with local jurisdictions.

4. In December 2007, Water Board staff contacted State Water Resources Control Board (State Water Board) staff to inquire if the proposed amendment to the Basin Plan required external scientific review to comply with Health and Safety Code Section 57004. (*State Water Board response to be incorporated here).*

5. Public Notice - Interested persons and the public have been informed of the Central Coast Water Board's intent to revise the Basin Plan criteria for onsite wastewater systems. Efforts to inform the public and solicit public comment include a public meeting/workshop, several individual meetings with vested stakeholders, and a number of telephone conversations with interested parties. Notice of public hearing was given by advertising in newspapers of general circulation within the Region and by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. Central Coast Water Board staff responded to oral and written comments received from the public.

6. Economic Considerations - The Water Board considered costs associated with implementing the revised criteria specified in this Basin Plan amendment, Resolution No. R3-2008-0005. The Water Board has considered the costs of implementing the amendment to dischargers and local jurisdictions, and finds these costs to be reasonable relative to the water quality benefits derived from implementing the Basin Plan amendment.

7. Anti-Degradation – This Resolution is consistent with the provisions of the State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 Code of Federal Regulations (CFR) 131.12. Regulation of discharges from onsite wastewater systems has been a component of the Water Board's regulatory oversight for several decades, and the clarifying and strengthening language provided in this resolution provides more regulatory oversight compared to that described in Resolution No. 83-12. Therefore, the Basin Plan amendment will result in improved water quality protection throughout the region and maintains the level of water quality necessary to protect existing and anticipated beneficial uses.

8. CEQA - The Central Coast Water Board concurs with the analysis contained in the Environmental Checklist, the staff report, and the responses to comments and finds that the analysis complies with the requirements of the State Board's regulations, as set forth in the California Code of Regulations (CCR), Title 23, section 3775 et seq. The project (adopting this Resolution) consists of amending an exiting regulatory program implemented by a regulatory agency for the purpose of protecting natural resources. As such, the project is exempt from the California Environmental Quality Act (CEQA) in accordance with section 15307 and 15308 of the California Code of Regulations (CCR).

9. The proposed amendment is a revision of onsite wastewater system criteria specified in the Basin Plan (Chapters 4 and 5) and applicable throughout the Region. The revisions to Chapters 4 and 5 of the Basin Plan are shown on Attachments A and B (respectively) to this Resolution. Attachments A and B identify significant additions/deletions shown with underline/strikeout. Text that is simply moved is not identified as a proposed change.

10. Area of Applicability - The effect of this amendment will be throughout the Region, where onsite systems are used for treatment and disposal of wastewater.

11. The Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board (State Board) and the State Office of Administrative Law (OAL). The Basin Plan amendment will become effective upon approval by OAL. The subject Resolution will become effective immediately.

12. The amendment to the Basin Plan will result in no potential for adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.

13. On May 9, 2008, in San Luis Obispo, California, the Water Board held a public hearing and heard and considered all public comments and evidence in the record.

THEREFORE, BE IT RESOLVED that:

1. Pursuant to CWC sections 13240, the Water Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Basin Plan amendments shown in Attachments A and B to this Resolution.

2. The Central Coast Water Board's Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of CWC Section 13245.

3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of CWC sections 13245 and 13246, and forward it to OAL for approval. The Central Coast Water Board shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL.

4. The Central Coast Water Board Executive Officer is authorized to sign a Certificate of Fee Exemption (included as Attachment C to this Resolution).

5. If, during its approval process, the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Central Coast Water Board Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the Resolution adopted by the Central Coast Water Board, on May 9, 2008.

_____

Roger W. Briggs, Executive Officer

Attachments:
A - Revised Basin Plan Chapter 4 (onsite sections only)
B - Revised Basin Plan Chapter 5 (onsite sections only)
C - Certificate of Fee Exemption
D - Report for Basin Plan Amendment (including the Environmental Checklist)

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CHAPTER 4. IMPLEMENTATION PLAN

VIII.D. INDIVIDUAL, ALTERNATIVE AND COMMUNITY ONSITE WASTEWATER SYSTEMS

~~On-site sewage disposal wastewater systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long-term waste disposal method with proper siting, design, construction, and management. In establishing on-site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.~~

~~If on-site sewage treatment facilities are not carefully managed, problems can occur, including:~~

- ~~odors or nuisance;~~
- ~~surfcing effluent;~~
- ~~disease transmission; and,~~
- ~~pollution of surface and ground waters.~~

~~Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.~~

~~On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro intestinal disorders.~~

~~Pollution of surface or ground waters can result from the discharge of on-site system wastes. Typical problem waste constituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses.~~

~~Subsurface disposal~~ Onsite wastewater systems may be used to <u>treat and</u> dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and, (5) small communities. All individual and multi-unit residential developments are subject to criteria in this section of the Basin Plan. Commercial, institutional and industrial developments with a discharge flow rate less than 2,500 gallons per day generally are not regulated by waste discharge requirements; therefore, they must comply with these criteria. ~~Community systems must also comply with criteria relating to this subject within the Basin Plan.~~ Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems ~~for~~ <u>serving</u> more than 5 units or more than 5 parcels; or, (2) commercial, institutional or industrial systems ~~to treat~~ treating sanitary wastewater equal to or greater than 2,500 gallons per day (average daily flow). <u>Community</u> systems ~~of this type and size~~ may be subject to waste discharge requirements.

<u>Conventional onsite wastewater systems consist of septic tanks and leachfield or seepage pits and are typically designed to treat and dispose of domestic wastewater</u>. Alternatives to conventional onsite system designs ~~have been~~ are used when site constraints prevent the use of conventional systems. Examples of alternative systems include <u>(but are not limited to) enhanced treatment systems</u>, mound ~~and~~ <u>or</u> evapotranspiration <u>disposal</u> systems, <u>or at-grade disposal systems</u>. ~~Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes.~~

<u>Conventional</u>, alternative and community systems can pose serious water quality problems if improperly <u>designed, installed, and/or</u> managed. Failures have occurred in the past and are usually attributed to the following:

- Systems are inadequately or improperly sited, designed, or constructed.
- Long term use is not considered.
- Inadequate operation and maintenance.

The following definitions are used throughout this section of the Water Quality Control Plan.

Alternative onsite system consists of additional (beyond conventional) treatment and/or disposal features engineered to overcome site constraints. A conventional onsite system that requires a pump to reach the leach area is not considered "alternative".

Application area refers to the trench bottom and side walls below the bottom of the leach pipe, minus the first foot on each side.

Control Actions are those things that must be done, required actions.

Conventional onsite system consists of a septic tank and leachfield or seepage pit.

Drainfield is used interchangeably with leachfield, leach area or disposal area.

Effective trench depth means depth below the bottom of the leach trench distribution piping.

Engineered systems are treatment and disposal systems that require special design features to overcome site limitations (topography, soil conditions, shallow groundwater or setback variances).

Existing onsite system is any onsite system approved and/or installed prior to adoption of these criteria on May 9, 2008.

Failed or failing onsite system is any system that displays symptoms of inadequate dispersion, treatment or assimilation of wastewater. Symptoms of failure may include, but are not limited to, surfacing effluent, lush growth above the leach area, sluggish house drains, impacts to surface or groundwater from the onsite discharge, and odors.

Fill is material deposited to raise the existing or excavated ground level.

Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content (% passing 200 sieve) of 60 percent or greater.

Monitoring shall refer to any sort of quality or performance assessment, including visual inspections.

New onsite system is an onsite wastewater system placed on property that has not previously been developed, and includes expansion of an existing onsite system to accommodate an increase in wastewater generation, after adoption of these criteria (insert date). Repair or replacement of an existing onsite system does not constitute a new onsite system.

Onsite disposal area shall include the direct application area (trench, pit, bed) and surrounding 100' radius.

Reservoir - A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

Septage is material removed from a septic tank; usually the accumulated scum, sludge and liquid within the tank.

Sidewall is the side portion of the leach area below the bottom of the distribution piping, or total gravel depth in a seepage pit.

Watercourse - A natural or artificial channel for passage of water. ~~A running stream of water. A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets.~~ There must be a stream, usually flowing in a particular direction (though it need not flow continuously) usually discharging into some stream or body of water.

~~VIII.D.1. CORRECTIVE ACTIONS FOR EXISTING SYSTEMS~~

~~Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. For new systems, regulations generally provide for good design and construction practices. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, ground water degradation is possible, particularly increases in nitrate concentrations.~~

~~Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and ground waters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewering of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could help prevent failure. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.~~

~~A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Dishwashers, garbage grinders, and washing machines could be eliminated. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use costs may also be structured to encourage more frugal use of water.~~

VIII.D.1. LOCAL GOVERNING JURISDICTION ACTIONS

VIII.D.1.a. DISCLOSURE AND COMPLIANCE OF EXISTING ONSITE WASTEWATER SYSTEMS

It is incumbent upon local governing jurisdictions to ~~should~~ provide programs to ensure conformance with this Basin Plan and local regulations. Such programs shall include (but not be limited to) inspection ~~programs~~ procedures to:

- ~~should~~ Ensure site suitability tests are performed as necessary, and that tests are in accordance with standard procedures;
- ~~Inspections should also~~ Ensure proper system design, construction and installation; and
- Adequately inform homeowners regarding proper installation, operation and ongoing maintenance of their onsite wastewater systems.

~~Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering (backfilling).~~

Local agencies can use staff inspectors or individuals under contract with the local government. ~~Either way~~ A standard detailed checklist shall be completed by the inspector to certify compliance.

Assurance of site suitability ~~determinations should~~ shall specify: (1) whether ~~approval is for~~ the entire lot or ~~for~~ specific locations of the lot are suitable for wastewater disposal; (2) if further tests are necessary; and (3) if alternatives are necessary and/or available.

~~Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.~~

Homeowners should be aware of the nature and requirements of their onsite wastewater ~~disposal~~ system. Plans should be available in city or county offices showing placement of soil absorption systems. ~~Since this is only feasible for new construction,~~ Local agencies should require onsite wastewater system as-built plans as a condition of new construction final inspection. ~~Plans would be kept on file for future use of property owners.~~

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. ~~For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system.~~ Local agencies should have prohibition area terms entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

All onsite wastewater system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions shall mount a continuing public education program to provide homeowners with onsite wastewater system operation and maintenance guidelines. Basin Plan information should be available at local agency health and building departments.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. ~~But system expansion may not be possible if land is not set aside for this purpose. For these reasons, dedicated system expansion areas are also appropriate.~~ To protect this set-aside area from encroachment, the local agency ~~should~~ shall require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions and Restrictions (CC&R's) might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading the CC&R's.

~~Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where systems with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where evidence of system failure exists. Where nuisance or a potential public health hazard exists, a followup procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.~~

~~Another approach is periodically to mail homeowners a brochure reminding them how to maintain and inspect their on-site system. Homeowners should be notified that they should periodically check their septic tank for pumping need. Homeowners should also be notified of other problems indicative of system failure. Some examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors.~~

Many existing systems do not comply with current or proposed standards. Repairs to failing systems ~~should~~ shall be done under permit from the local agency. ~~To the extent practicable~~ The local agency ~~should~~ shall require failing systems to be brought into compliance with Basin Plan recommendations, control actions and prohibitions; or repair criteria consistent with locally implemented onsite management plan (approved by the Central Coast Water Board Executive Officer). ~~This could be a condition of granting a permit for repairs.~~

Land use changes on properties used for commerce, small institutions or industries should not be approved by the local agency until the existing onsite system meets criteria of this Basin Plan and local ordinances. ~~A land use permit or business license could be used to alert the local agency of land use changes.~~

Within the following sections, criteria are specified for RECOMMENDATIONS, CONTROL ACTIONS and PROHIBITIONS.

RECOMMENDATIONS

1. Inform property buyers of the existence, location, operation, and maintenance of onsite disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g. Basin Plan prohibitions) through the County Record.

2. Conduct public education programs to provide property owners with operation and maintenance guidelines.

3. ~~It may be appropriate for~~ Onsite systems ~~to~~ should be maintained by local onsite maintenance districts.

4. Standard percolation test procedures should be adopted. ~~Approve permit applications after checking plans for erosion control measures. Inspect systems prior to covering to assure proper construction.~~

CONTROL ACTIONS

5. Wastewater Management Plans ~~should~~ shall be prepared and implemented for urbanizing and high density areas served by onsite wastewater systems. Areas that should be addressed immediately include (but are not limited to): portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highland, Prunedale, El Toro, Shandon, Templeton, Santa Margarita, Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, upper Santa Ynez Valley, and Los Olivos/Ballard.

6. Local jurisdictions ~~should~~ shall require replacements or repairs to failing systems to be in substantial conformance (to the greatest extent practicable) with Basin Plan recommendations, control actions and prohibitions.

7. Alternative onsite system owners shall be provided an informational maintenance or replacement document by the appropriate governing jurisdiction. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.

8. Local ordinances shall be updated to reflect Basin Plan criteria.

PROHIBITIONS

9. Alternative systems are prohibited unless consistent with a locally implemented onsite wastewater management plan approved by the Central Coast Water Board Executive Officer.

VIII.D.~~2~~ 1.b. ONSITE WASTEWATER MANAGEMENT PLANS

Onsite wastewater management ~~should~~ shall be implemented in urbanizing areas to investigate and mitigate long-term cumulative impacts resulting from continued use of individual, alternative, and community onsite wastewater systems. ~~A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use. This study should identify basin specific criteria to prevent water quality degradation and public health hazards and provide an evaluation of the effects of existing and proposed developments and changes in land use.~~ These plans should be a comprehensive planning tool to specify on-site disposal system limitations to prevent ground or surface water degradation. Onsite wastewater management plans ~~should~~ shall include (but not be limited to):

- Survey and evaluation of existing onsite systems.
- ~~Contain a~~ Water quality (ground and surface water) monitoring program.
- ~~Identify sites suitable for conventional septic systems.~~
- Projections of onsite disposal system demand and determination of ~~sites and~~ methods to best meet demand.
- ~~Project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water.~~
- ~~Recommend establishment of septic tank maintenance districts, as needed.~~
- Recommendations and requirements for existing onsite wastewater system inspection,

monitoring, maintenance and repairs.

- Recommendations and requirements for new onsite wastewater systems.
- ~~Identify~~ Alternative means of disposing of sewage in the event of disposal system failure and/or irreversible degradation from onsite disposal ~~systems~~.
- Education and outreach program.
- Enforcement options.
- Septage management.
- Onsite wastewater management program administration, staffing and financing.

~~For areas where watershed-wide plans are not developed, conditions could be placed on new divisions of land or community systems to provide monitoring data or geologic information to contribute to the development of a Wastewater Management Plan.~~

~~Wastewater disposal alternatives should identify costs to each homeowner. A cost-effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan.~~

Onsite wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing onsite wastewater management plans.

Onsite wastewater management plans shall be approved by the Central Coast Water Board Executive Officer.

VIII.D.~~2~~ 1.c. ~~SEPTIC TANK~~ ONSITE WASTEWATER SYSTEM MAINTENANCE DISTRICTS

It may be appropriate for community onsite systems to be maintained by local ~~sewage disposal~~ onsite wastewater system maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, Community Services Districts, or County Service Areas

~~Septic tank~~ Onsite wastewater system maintenance districts are responsible for onsite system operation and maintenance in conformance with this Water Quality Control Plan. Administrators should ensure proper construction, installation, operation, and maintenance of onsite wastewater systems. Maintenance districts should establish ~~septic tank~~ onsite system surveillance, maintenance and pumping programs, ~~where appropriate;~~ provide repairs to plumbing or leachfields, and encourage water conservation measures.

VIII.D.2. CRITERIA FOR NEW SYSTEMS

Onsite wastewater system problems can be minimized with proper site location, design, installation, operation and maintenance. The following section ~~recommends~~ includes criteria for all new ~~individual subsurface~~ onsite wastewater disposal systems ~~and community sewage disposal systems~~. Local governing jurisdictions should incorporate these criteria and guidelines into their local ordinances. These ~~recommendations~~ criteria will be used by the Central Coast Water Board for Water Board regulated systems and exemptions. In the context of these criteria, new systems shall refer to land subdivisions served by onsite wastewater systems or onsite wastewater systems approved after May 9, 2008.

Local agencies may authorize alternative onsite systems consistent with locally implemented onsite wastewater management plans approved by the Central Coast Water Board Executive Offer.

For any onsite system, limited disposal options are available for septage (solids periodically removed from septic tanks). As a component of a wastewater management plan, long-term septage disposal plans shall be considered and developed by local onsite system management districts.

Onsite wastewater system criteria are arranged in sequence under the following categories: site suitability, system design, construction, ~~individual system~~ maintenance, community system design,

and local agencies. ~~Mandatory criteria are listed in the "Individual, Alternative, and Community Systems Prohibitions" section.~~ Within each category, criteria are specified for RECOMMENDATIONS, CONTROL ACTIONS and PROHIBITIONS.

VIII.D.2.a. SITE SUITABILITY

~~Prior to permit approval, site investigation should determine on-site suitability:~~

RECOMMENDATIONS

1. For new land divisions, onsite disposal systems and expansion areas should be protected from encroachment by provisions in covenants, conditions, and restrictions or similar mechanisms.

2. Percolation test holes (at least ~~one~~ three per system) should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.

3. Natural ground slope of the disposal area should not exceed 20 percent.

CONTROL ACTIONS

4. At least one soil boring or excavation per onsite system shall be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. The soil boring or excavation should extend at least 10 feet below the drain field bottom at each proposed location.

5. An excavation ~~should~~ shall be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drain field bottom.

6. For leachfields, at least three percolation test locations ~~should~~ shall be used to determine system acceptability.

7. Percolation tests shall be continued until a stabilized rate is obtained.

8. Percolation tests ~~should~~ shall be performed at a ~~proposed subsurface disposal system sites and~~ depth corresponding to the bottom of the subsurface disposal area.

9. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields ~~should~~ shall be set back far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, from the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback shall be at least 100 feet measured from the top of the cut.

10. Prior to permit approval, site investigation shall determine onsite system suitability (consistency with recommendations, control actions and prohibitions specified in this section). ~~Seepage pits should be utilized only after careful consideration of site suitability. Soil borings or excavations should be inspected either by permitting agency or individual under contract to the permitting agency~~

11. Distances between trench bottom and usable ground water, including perched ground water, shall not be less than the separation specified by appropriate percolation rate:

Percolation Rate (minutes/inch)	Distance (feet)
~~<1~~	~~50[1]~~
1-4	20[4]
5-29	8
>30	5

~~[1]Unless a set-back distance of at least 250 feet to any domestic well or subsurface water is assured.~~

Onsite disposal in soils with percolation rates faster than one minute per inch are prohibited without additional treatment.

12. ~~Natural ground slope of the disposal area should not exceed 20 percent.~~ Onsite disposal systems on slopes greater than 20% shall be designed by a registered engineer.

PROHIBITIONS

13. For new land divisions (including lot splits and lot line adjustments) served by onsite systems, lot sizes less than one acre ~~should not be permitted~~ are prohibited unless authorized under an onsite management plan approved by the Central Coast Water Board Executive Officer.

14. Onsite wastewater disposal shall not be located in areas subject to inundation from a ~~10~~ 25-year flood.

15. Onsite disposal systems shall not be installed where natural ground slope of the disposal area exceeds 30 percent.

16. Leachfields are prohibited in soils where percolation rates are slower than 120 min/in unless parcel size shall is at least two acres. Disposal systems designed to accommodate slow percolation rates (leachbeds, evapotranspiration systems, etc.) shall be evaluated as alternative systems.

17. Onsite discharge is prohibited on any site unable to maintain subsurface disposal.

18. Onsite discharge is prohibited where lot sizes, dwelling densities or site conditions cause detrimental impacts to water quality.

19. Onsite discharge is prohibited within a water supply reservoir watershed where parcel size is less than 2.5 acres, unless consistent with an onsite wastewater management plan approved by the Central Coast Water Board Executive Officer.

20. Onsite discharge is prohibited in any area where continued use of onsite systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.

21. Onsite discharge is prohibited were soils or formations with channels, cracks or fractures allow inadequately treated waste to surface or degrade water quality.

22. Seepage pits are prohibited in soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.

23. For seepage pits, distances between pit bottom and usable groundwater, including perched groundwater, shall not be less than separation specified by appropriate soil type:

Soil Type	Distance (feet)
Gravels[2]	50[1]
Gravels with few fines[3]	20[1]
Other	10

[1] Unless a setback distance of at least 250 feet to any domestic water supply well or surface water is ensured.
[2] Gravels - Soils with over 95 percent by weight coarser than a No. 200 sieve and over half of the coarse fraction larger than a No. 4 sieve.
[3] Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

24. Onsite discharge in soils with percolation rates faster than one minute per inch is prohibited without additional treatment consistent with an onsite management plan implemented by the local jurisdiction and approved by the Central Coast Water Board Executive Officer.

25. Onsite discharge is prohibited in fill unless specifically designed as a disposal area.

VIII.D.2.b. ONSITE SYSTEM DESIGN

RECOMMENDATIONS

1. Dual disposal fields (200 percent of original calculated disposal area) ~~are recommended~~ should be installed.

2. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.

3. Distance between drainfield trenches should be at least two times the effective trench depth. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.

4. Application area should be calculated using trench bottom and sidewalls minus the first foot below the distribution pipe. ~~In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.~~

CONTROL ACTIONS

5. Septic tanks shall be water-tight, and designed to remove ~~nearly 100 percent of~~ settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.

6. The minimum design flow rate ~~should~~ shall be 375 gallons per day for a 3-bedroom house, and 75 gpd should be added for each additional bedroom.

7. Drainfield design ~~should~~ shall be based only upon usable permeable soil layers.

8. Leachfield loading application rate ~~should~~ shall not exceed the following:

Percolation Rate (minutes/inch)	Loading Rate (gpd/sq.ft.)
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

9. If curtain drains divert groundwater to subsurface soils, the upslope separation from a leachfield or pit ~~should~~ shall be at least 20 feet and the down slope separation should be at least 50 feet.

10. Onsite system ~~tank~~ design ~~must~~ shall allow access for inspection and cleaning. Septic tanks must be accessible for pumping.

11. Seepage pit application rate ~~should~~ shall not exceed 0.3 gpd/sq. ft.

12. For commercial, institutional, industrial and community systems, design ~~should~~ shall be based on daily peak flow.

13. Dual disposal systems shall be installed (200 percent of total of original calculated disposal area) for community systems.

14. ~~Dueal disposal fields (200 percent of original caluculated disposal area) are recommended. Commercial systems, institutional systems, or domestic industrial systems should~~ All onsite disposal systems shall reserve an expansion area to be set aside and protected from all uses except future drainfield repair and replacement (community systems shall install dual drainfields and reserve replacement area).

15. Community systems shall provide duplicate individual equipment components for components subject to failure.

16. Distances between trench/pit bottom and bedrock or other impervious layer shall be at least ten feet.

17. Setback distances from disposal area shall be at least:

	Minimum Setback Distance (feet)
Domestic water supply wells in unconfined aquifer	100
Watercourse (where geologic conditions permit water migration)	100
Reservoir spillway elevation	200
Springs, natural or any part of a man-made spring	100

18. Community systems shall be designed with adequate capacity to accommodate the build-out population.

19. Community wastewater treatment and disposal facilities shall be operated by a public agency. If a demonstration is made to the Central Coast Water Board that an existing public agency is unavailable and formation of a new public agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable.

PROHIBITIONS

20. Onsite discharge to leachfields is prohibited where soil percolation rates are slower than 60 minutes per inch unless the system is designed for an effluent application rate is 0.1 gallon per day per square foot of application area, or less.

21. Discharge ~~should~~ shall not exceed 40 grams per day of total nitrogen, on the average, per acre of onsite system service area overlying groundwater recharge areas, except where a local governing jurisdiction has adopted a

Wastewater Management Plan ~~subsequently~~ approved by the Central Coast Water Board Executive Officer.

22. Community system seepage pits are prohibited unless additional treatment is provided consistent with an onsite management plan implemented by the local jurisdiction and approved by the Central Coast Water Board Executive Officer. Such seepage pits shall have at least 15 vertical feet between pit bottom and highest usable groundwater, including perched groundwater.

23. Inflow and infiltration shall be precluded from the system, unless design specifically accommodates such excess flows.

24. Onsite wastewater systems are prohibited in any subdivision unless the subdivider clearly demonstrates the installation, operation and maintenance of the onsite system will be in compliance with all Basin Plan criteria.

25. Curtain drains that discharge to groundsurface or surface water are prohibited within 50 feet downgradient of onsite system disposal areas.

VIII.D.2.c. DESIGN FOR ALTERNATIVE AND ENGINEERED SYSTEMS

RECOMMENDATIONS

1. Mound systems, evapotranspiration systems, and other alternative onsite systems should be designed and installed in accordance with guidelines available from the State Water Resources Control Board. ~~For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.~~

CONTROL ACTIONS

2. Alternative onsite wastewater systems shall be designed by a registered ~~civil~~ engineer competent in sanitary engineering.

3. Alternative and engineered onsite wastewater systems shall be located, designed, installed, operated, maintained, and monitored in accordance with a locally implemented onsite management plan approved by the Central Coast Water Board Executive Officer.

PROHIBITIONS

4. Alternative and engineered onsite wastewater systems are prohibited, except where consistent with a locally implemented onsite management plan approved by the Central Coast Water Board Executive Officer.

VIII.D.2.d. CONSTRUCTION

RECOMMENDATIONS

1. Construction activities should follow recommendations and precautions described in the Environmental Protection Agency's Design Manual: Onsite Wastewater Treatment and Disposal Systems.

2. Subsurface disposal systems should have a slightly sloped finished grade to promote surface runoff.

3. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.

4. In clayey soils, work should be done only when soil moisture content is low to avoid smeared infiltrative surfaces.

5. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.

6. Bottom of trench or bed leach piping should be level throughout to prevent localized overloading.

7. Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as it may lead to system failure.

8. Surface runoff should be diverted around open trenches/pits to limit siltation of trench bottom area.

9. Prior to backfilling, the distribution system should be tested to check the hydraulic loading pattern.

10. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to ensure settling does not occur.

11. Risers to the ground surface and manholes should be installed over the septic tank inspection ports, access ports and distribution boxes.

12. Drainfields should include inspection pipes to check water level.

13. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

CONTROL ACTIONS

14. Disposal systems ~~should~~ shall be inspected by the permitting agency prior to covering to ensure proper construction.

VIII.D.2.e. ONSITE SYSTEM MAINTENANCE

RECOMMENDATIONS

1. Septic tanks should be inspected every two to five years to determine the need for pumping.

2. Drainfields should be alternated when drainfield inspection pipes reveal a high water level or every six months, whichever is sooner.

CONTROL ACTIONS

3. Onsite wastewater systems shall be maintained in accordance with approved onsite management plans. Where onsite management plans have not been approved by the Central Coast Water Board Executive Officer, onsite systems shall be maintained as described in the following specifications.

4. Septic tanks shall be pumped whenever: (1) the scum layer is within three inches of the outlet device, (2) the sludge level is within eight inches of the bottom of the outlet device, or (3) every 5 years; whichever is sooner.

5. Disposal of septage (solid residue pumped from septic tanks) shall be accomplished in a manner acceptable to the Central Coast Water Board Executive Officer.

6. Records of maintenance, pumping, septage disposal, etc. shall be maintained by the facility owner and available upon request.

VIII.D.2.f. USE CONSIDERATIONS

RECOMMENDATIONS

1. Water conservation and solids reduction practices should be implemented by all onsite system users. Garbage grinders should not be used in homes with septic tanks. Where grinders are used, septic tank capacity and inspection/pumping frequency shall be increased.

2. Metering and water use costs should be used to encourage water conservation in areas served by onsite systems.

3. Grease and oil should not be discharged into the system. Bleach, solvents, fungicides, and any other toxic material should not be discharged into the system.

4. Self-regenerating water softeners should not be used where discharge is to onsite systems. If water softening is necessary, use of canister-type softeners will protect the treatment and disposal systems and underlying groundwater from unnecessary accumulation of salts.

PROHIBITIONS

5. Self-regenerating water softener brine is prohibited unless consistent with a salts minimization plan approved by the Water Board Executive Officer and implemented by the local jurisdiction.

VIII.D.2.g. ONSITE WASTEWATER SYSTEM PROHIBITION AREAS

In order to achieve water quality objectives, protect present and future beneficial water uses, protect

public health, and prevent nuisance, discharges are prohibited in the following areas:

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Appendix A-27.

2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows: Discharges shall be allowed providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service:, February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Central Coast Water Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.

3. Discharges from individual and community sewage disposal systems are prohibited, effective November 1, 1988, in the Los Osos/Baywood Park area depicted in the Prohibition Boundary Map included as Attachment A of Resolution No. 83-13, which can be found in Appendix A-30.

VIII.D.2.h. SUBSURFACE DISPOSAL EXEMPTIONS

The Central Coast Water Board or Executive Officer may grant exemption to prohibitions for: (1) engineered new onsite ~~disposal~~ wastewater systems for sites unsuitable for standard systems; and (2) new or existing onsite systems within the specific prohibition areas cited above. Such exemptions may be granted only after presentation by the discharger of sufficient justification, including geologic and hydrologic evidence that the continued operation of such system(s) in a particular area will not individually or collectively, directly or indirectly, result in pollution or nuisance, or affect water quality adversely.

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: (1) damage to public or private property; (2) ground or surface water degradation; (3) nuisance condition; or, (4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.

Requests for exemptions will not be considered until the local entity has reviewed the system and submitted the proposal for Central Coast Water Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge. Exemptions will be subject to filing fees as established by the State Water Code.

Discharges from onsite wastewater systems regulated by waste discharge requirements or waiver of such requirements may be exempt from the requirements of this chapter. The waste discharge requirements order or waiver will act in lieu of exemption, and separate exemption is not required.

Further information concerning individual, alternative, or community onsite sewage disposal systems can be found in Chapter 5 in the Management Principals and Control Actions sections. State Water Resources Control Board Plans and Policies, Discharge Prohibitions, and Central Coast Water Board Policies may also apply depending on individual circumstances.

CHAPTER 5. PLANS AND POLICIES

III. REGIONAL WATER QUALITY CONTROL BOARD MANAGEMENT PRINCIPLES

III.F. INDIVIDUAL, ALTERNATIVE AND COMMUNITY ONSITE DISPOSAL SYSTEMS

The Regional Board intends to discourage high-density development on septic tank disposal systems and generally will require increased size of parcels with increasing slopes and slower percolation rates. Consideration of development will be based upon the percolation rates and engineering reports supplied. In any questionable situation, engineer-designed systems will be required.

Further information concerning onsite disposal systems can be found in Chapter Four.

V.D. INDIVIDUAL, ALTERNATIVE AND COMMUNITY ~~SEWAGE~~ ONSITE DISPOSAL SYSTEMS

Unsewered areas having high density (one acre lots or smaller) should be organized into septic tank management districts and sewerage feasibility studies should be ~~encouraged~~ completed in potential problem areas. Local implementation should be encouraged by Regional Board action.

V.H.3. SEPTIC TANK MANAGEMENT AGENCIES

1. County governments should revise septic tank ordinances to ~~conform~~ be consistent with Basin Plan recommendations and requirements, and State Board guidelines.

2. Formation of septic tank management districts within existing local agencies should be accomplished in areas where directed by Regional Board action.

VI. REGIONAL BOARD POLICIES

Formal specific policies adopted by the Regional Board are presented below according to various categories.

VI.A. SEWERAGE FACILITIES AND SEPTIC TANKS IN URBANIZING AREAS IN THE CENTRAL COAST REGION

Resolution 69-01: Adopting Policy Statement Regarding Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coast Region. ~~This policy prohibits septic tank or community systems unless particular criteria are satisfied.~~ Resolution 69-01 states Regional Board policy to support local jurisdictions in their efforts to prohibit subdivisions using onsite wastewater disposal, unless water quality protection is demonstrated by the implementation of specified onsite system criteria. The Resolution also states Regional Board intention to take enforcement actions, if local jurisdictions fail

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location Name and Address of Project Proponent:

AMENDMENT OF "WATER QUALITY CONTROL PLAN - CENTRAL COASTAL BASIN" REGARDING REVISED ONSITE WASTEWATER SYSTEM CRITERIA

Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401
San Luis Obispo County
Contact: Sorrel Marks (805/549-3695 or smarks@waterboards.ca.gov)

Project Description: The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), will hold a public hearing to receive comments and consider adoption of a resolution amending the Water Quality Control Plan, Central Coast Basin (Basin Plan). The proposed amendment to the Basin Plan includes revisions to onsite wastewater system criteria specified in Chapters 4 and 5 of the Basin Plan.

Findings of Exemption: Please see the attached Environmental Checklist for description and findings.

Certification: I hereby certify that the California Regional Water Quality Control Board, Central Coast Region, has made the above findings of fact and that based upon the Environmental Checklist, written report, and record of hearing finds that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

_____
Roger Briggs, Executive Officer
Regional Water Quality Control Board

_____
Date

S:\WQ Control Planning\Onsite\Basin Plan Amendment\cert of fee exemption.doc

CALIFORNIA ENVIRONMENTAL QUALITY ACT "FUNCTIONAL EQUIVALENT" REPORT FOR BASIN PLAN AMENDMENT

(RESOLUTION NO. R3-2008-0005)

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) is proposing an amendment to the *Water Quality Control Plan, Central Coast Basin* (Basin Plan). The Basin Plan serves as the cornerstone for water quality protection through identification of beneficial uses of surface and ground waters, establishment of water quality objectives to protect beneficial uses, and establishment of an implementation plan to achieve those objectives.

The Basin Planning process has been certified as "functionally equivalent" to the preparation of the Environmental Impact report (EIR) for the purposes of complying with the California Environmental Quality Act (CEQA) [Section 15251, Title 4, California Code of Regulation (CCR)]. Based on the certification, this Basin Plan Amendment Report is used in lieu of an EIR or a Negative Declaration. Any Regional Board regulatory program certified as functionally equivalent, however, must satisfy the documentation requirements of Section 377 (a), Title 23, CCR. This report satisfies part (a) of that section. It contains the following:

1. A description of proposed activity and proposed alternatives,
2. An environmental checklist and a description of the proposed activity,
3. An environmental evaluation, and
4. A determination with respect to significant environmental impacts.

The environmental analysis contained in this Report for Basin Plan Amendment and accompanying documents, including the Environmental Checklist, the staff report and the responses to comments complies with the requirements of the State Water Board's certified regulatory process, as set forth in CCR, Title 23, section 3775 et seq. All public comments were considered.

I. DESCRIPTION OF PROPOSED ACTIVITY

The purpose of this amendment is to update and revise the Basin Plan sections pertaining to onsite wastewater system requirements. This section describes the changes proposed and alternatives to this proposal.

Chapters IV and V of the Water Quality Control Plan, Central Coast Basin (Basin Plan) specify criteria for siting, design and ongoing management of individual and community onsite wastewater disposal systems (commonly called septic systems). The Basin Plan criteria also recommend a variety of management measures intended to ensure long-term success of properly functioning systems and prevent water quality impacts from such systems. The existing Basin Plan criteria for onsite wastewater systems were last updated in 1983. During the past 25 years, implementation of those criteria has demonstrated revisions are needed to clarify vague language and, in some cases, strengthen language from recommendations to requirements. The proposed project

(adoption of Resolution No. R3-2008-0005) will update and revise existing Basin Plan criteria for onsite wastewater systems. Most of the proposed revisions provide clarifying language to existing requirements without substantially changing such requirements. However, some revisions replace discretionary language of recommendations (should) with mandatory language of requirements (shall). By adopting the proposed resolution, language in the Basin Plan will be strengthened and clarified in a manner expected to result in improved long-term water quality protection in areas served by onsite wastewater systems. The proposed revisions are also expected to improve consistency and customer service by reducing the need for subjective interpretation of imprecise language. Updating the Basin Plan criteria for onsite wastewater systems will complete a Triennial Review list priority task, which has been backlogged for more than a decade.

Alternatives to this Project

1. Incomplete adoption of the proposed amendment

The Central Coast Water Board could amend only a portion of the existing Basin Plan criteria for onsite wastewater systems. The Basin Plan criteria could be amended with some of the proposed revisions or amended with different revisions. This alternative is not recommended as it would result in addressing only some of the needed clarifications or strengthening of the existing Basin Plan language and would not achieve the goals of effective long-term water quality protection in a clear and efficient manner. Adoption of different criteria can only be addressed relative to specified alternate criteria, such discussion is included in the response to comments included in the staff report. This alternative is not recommended.

2. Take no action

The proposed revisions to the Basin Plan criteria for onsite wastewater systems are needed to clarify vague and imprecise requirements and to strengthen requirements needed to protect water quality. Updating the onsite criteria has been prioritized on the Central Coast Water Board's Triennial Review List for many years. Failing to take action would result in ongoing confusion regarding requirements, utilization of staff time to individually clarify and interpret requirements, and inadequate long-term water quality protection in areas served by onsite wastewater systems. This alternative is not recommended.

II. APPLICABLE INFORMATON

1. Lead Agency Name and Address

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

2. Contact Person and Phone Number: Sorrel Marks (805) 549-3595

3. Project Location: Central Coast Region

4. Project Sponsor's Name and Address

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

5. Other Public Agencies whose Approval is Required

State Water Resources Control Board and U.S. Environmental Protection Agency approval is required for Basin Plan amendments. Although formal approval by local jurisdictions is not required for Basin Plan amendments, cooperative implementation by local permitting authorities (cities, counties, community services districts) is necessary to effectively protect water quality. Local jurisdictions likely to be affected by the proposed project include: Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Ventura Counties, and the cities and special districts therein.

ENVIRONMENTAL CHECKLIST

III. EVALUATION OF ENVIRONMENTAL IMPACTS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, But not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	☐	☐	☐	☒
2. AGRICULTURE RESOURCES -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

3. AIR QUALITY -- Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒
4. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
5. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒
6. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
7. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒
8. HYDROLOGY AND WATER QUALITY –Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒

j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
9. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
10. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally -important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
11. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
12. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
13. PUBLIC SERVICES --Would the project result in:				
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☒
b) Fire protection?	☐	☐	☐	☒
c) Police protection?	☐	☐	☐	☒
d) Schools?	☐	☐	☐	☒
e) Parks?	☐	☐	☐	☒
f) Other public facilities?	☐	☐	☐	☒
14. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
15. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☒
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

16. UTILITIES AND SERVICE SYSTEMS --Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒
17. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

IV. ENVIRONMENTAL EVALUATION (of checklist questions answered Potentially Significant Impact, Less than Significant with Mitigation Incorporation, or Less than Significant Impact): Not applicable.

V. DETERMINATION (To be completed by the Lead Agency) On the basis of this initial evaluation:

__X__ I find the proposed project COULD NOT have a significant effect on the environment.

____ I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

____ I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

Signature	Date
Printed name	Title

PRELIMINARY DRAFT

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF MAY 9, 2008
Prepared on November 30, 2007

ITEM NUMBER: **XX**

SUBJECT: **Waiver of Waste Discharge Requirements for Onsite Wastewater System Discharges (Resolution No. R3-2008-0006)**

KEY INFORMATION

Location:	Throughout the Central Coast Region
Type of Waste:	Domestic wastewater discharged from onsite wastewater systems
This Action:	Adoption of Resolution No. R3-2008-0006

SUMMARY

Historically, discharge from conventional onsite wastewater systems has been regulated by local permitting agencies (cities and counties). The Central Coast Water Board's general waiver of waste discharge requirements for such systems was implemented through multi-agency memoranda of understanding (MOUs), and local permitting agencies implemented Basin Plan criteria for onsite systems through their own permits. Pursuant to Water Code section 13269(b)(2), the Central Coast Water Board's general waiver for discharges from onsite wastewater systems expired on June 30, 2004. Since expiration of the waiver, discharges from onsite systems have not been formally authorized by the Central Coast Water Board. Formal discharge authorization is required pursuant to California Water Code section 13264. Due in part to this lack of regulatory oversight, consistent compliance with Basin Plan criteria is sporadic and there is little (if any) monitoring of onsite system performance or water quality impacts from onsite disposal. The proposed waiver (Resolution No. R3-2008-0006) establishes regulatory oversight, management, and monitoring of onsite systems in a manner that is clear, streamlined and protective of water quality. Adoption of the proposed waiver will complete a Trienial Review list priority task which has been backlogged for many years.

DISCUSSION

Background - Section 13260 of the California Water Code authorizes the Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) to regulate waste discharges that could affect the quality of State waters, including discharges from onsite wastewater systems. Section 13264 prohibits waste discharge without discharger submittal of a report of waste discharge and Central Coast Water Board issuance of waste discharge requirements or a waiver. Section 13269 of the California Water Code permits the Central Coast Water Board to waive these regulatory provisions provided

such waivers do not exceed five years, are consistent with applicable state or regional water quality control plans, and are in the public interest.

The Central Coast Water Board encourages direct regulation of onsite systems by an authorized and qualified local agency, where such a policy is mutually beneficial. To facilitate direct regulation, the Water Board enters into MOUs with local agencies that appropriately regulate onsite system siting, design, construction, monitoring and performance, in accordance with criteria specified in the Basin Plan. The MOUs provide for local regulation and implementation of the Central Coast Water Board's waiver policy with respect to onsite systems.

On June 30, 2004, the waiver for onsite system discharges expired (in accordance with California Water Code section 13269), leaving no formal authorization for local regulation of onsite system discharges. Expiration of the waiver left onsite systems subject to individual waste discharge requirements, a cumbersome and redundant oversight. Accordingly, the Central Coast Water Board's onsite waiver and implementing MOUs need to be revised and updated. Revision of the waiver is proposed with today's action and updating MOUs will take place over the coming months/years. Section 13269 allows flexibility to the Regional Boards so that regulatory resources can be directed toward potential problems rather than consumed through regulation of discharges that will have little or no affect on quality of the state's waters. Accordingly, waivers granted for discharges that do not pose a significant threat to water quality, and where such waivers are not against the public interest, enable staff time to be used efficiently and avoid unnecessary expenditures of limited resources.

In 2000, the California State Legislature passed Assembly Bill 885 (Section 13291 of the California Water Code). Assembly Bill 885 requires the State Water Board (in consultation with state and local health departments, California Coastal Commission, counties, cities and other interested parties) to adopt regulations or standards for onsite wastewater systems. For the past eight years, Central Coast Water Board staff members have been participating in the State Water Board's regulation development process. These regulations are not yet established and we do not anticipate that the statewide regulations will be adopted in the near future. Also, we do not anticipate that the statewide regulations (when adopted) will replace the need for Basin Plan criteria for onsite systems. Although such statewide regulations are not yet in place, section 13269 requires any waiver for onsite systems adopted or renewed after June 30, 2004, to be consistent with the applicable regulations or standards adopted pursuant to section 13291. If more stringent statewide regulations are adopted pursuant to section 13291, then such regulations shall be incorporated into this waiver.

Proposed Resolution - Resolution No. R3-2008-0006 waives waste discharge requirements for discharges from onsite wastewater systems, and authorizes the Water Board's Executive Officer to enroll and terminate enrollment in the waiver. The proposed resolution also waives submittal of report of waste discharge for certain onsite wastewater systems.

Conditions for waived systems - Resolution No. R3-2008-0006 waives waste discharge requirements [California Water Code section 13263(a)] for discharges from onsite wastewater systems sited, designed, managed and maintained in a manner consistent with control actions specified in the Basin Plan, Chapter 4, Section VIII.D (see agenda item No. __). Application for enrollment under the proposed waiver must be submitted in

the form of a report of waste discharge (ROWD, standard WDR application and fee) that describes and documents the proposed system's consistency with Basin Plan criteria. Each ROWD submittal shall be accompanied by a fee corresponding to the lowest applicable fee for waste discharge requirements (threat and complexity rating of III-C) identified in the State Water Board's fee schedule. Applicants seeking enrollment in this waiver are required to comply with conditions specified in a Water Board-approved onsite management program implemented by the local permitting authority, when such a plan is implemented.

Conditions for waived ROWD requirements - Requirements for submittal of reports of waste discharge, issuance of waste discharge requirements, and enrollment notification (California Water Code Sections 13260(a) and (b), 13263(a), and 13264(a)) are waived for discharges from onsite wastewater systems sited, designed, managed and maintained in a manner consistent with a Water Board-approved onsite management program implemented by the local permitting authority, which also implements an authorizing MOU with the Central Coast Water Board. Provided all conditions (of the onsite management plan and MOU) are met, these dischargers need not submit applications to the Central Coast Water Board, pay fees, or receive waiver enrollment notification.

MOUs with Local Jurisdictions - The Central Coast Water Board creates water quality protection policies, provides guidance, and implements region-wide programs in conjunction with local agencies. Local jurisdictions implement a variety of regulations (including Water Board requirements) through their permitting processes. In order to implement these coordinated roles, the Water Board and local jurisdictions enter into memoranda of understanding (MOUs), which describe each entity's role within formal institutional agreements. Central Coast Water Board staff members have been in the process of developing and updating such MOUs over the past few years (some of which are more than 20 years old). The proposed Resolution No. R3-2008-0006 will be implemented through updated MOUs to ensure consistent implementation of the Basin Plan criteria for onsite systems (see Basin Plan Amendment, Item No. __).

The proposed resolution authorizes the Executive Officer to approve and execute, on behalf of the Central Coast Water Board, individual MOUs with local agencies in the Region. The MOUs shall reflect the requirements specified in Chapter 4, Section VIII.D of the Basin Plan (sections pertaining to onsite wastewater systems). Furthermore, these interagency MOUs shall commit the local agency to amending its municipal code and onsite wastewater system program, if necessary, to be substantially equivalent to any statewide standards adopted pursuant to California Water Code sections 13290 and 13291. Individual MOUs shall incorporate additional measures to be taken by the local agency to identify and address areas of degraded groundwater or surface water quality where onsite wastewater treatment systems are a potential source of contamination.

Water Board staff believe that this approach (MOUs and waivers) will prove to be most effective in protecting water quality from impacts associated with onsite systems in a streamlined fashion (without duplicative agency oversight).

ENVIRONMENTAL SUMMARY

The basin planning process has been certified as "functionally equivalent" to the preparation of the Environmental Impact report (EIR) for the purposes of complying with

the California Environmental Quality Act (CEQA) [Section 15251, Title 4, California Code of Regulation (CCR)]. Any Regional Board regulatory program certified as functionally equivalent, however, must satisfy the documentation requirements of Section 377 (a), Title 23, CCR. Accordingly, the CEQA Functional Equivalent Report for Resolution No. R3-2008-0006 is included as Attachment 1A to this staff report. The functional equivalent report contains a description of proposed activity and proposed alternatives, an environmental checklist with description of the proposed activity, an environmental evaluation, and a determination with respect to significant environmental impacts, and is used in lieu of an EIR or a Negative Declaration.

On July 30, 2004, Central Coast Water Board held a scoping meeting pursuant to the California Environmental Quality Act (CEQA)(California Public Resources Code 21083.9(a)(2) to discuss possible revisions to the waiver policy. The meeting focused on requirements to develop onsite management plans. During the past few months, Water Board staff members have met with county representatives and other stakeholders who will most likely directly implement this waiver policy, to gather their input.

A Notice of Public Hearing has been circulated (Attachment 2). A Notice of Filing, this staff report, and Environmental Checklist were prepared and circulated by Water Board staff to interested agencies and persons prior to consideration of the resolution by the Central Coast Water Board.

COMMENTS

Pending

RECOMMENDATION

Adopt Resolution No. R3-2008-0006, as proposed.

ATTACHMENTS

1. Proposed Resolution No. R3-2008-0006 w/attached CEQA Report
2. Notice of public hearing dated _____

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 AEROVISTA PLACE, SUITE 101
SAN LUIS OBISPO, CALIFORNIA

RESOLUTION R3-2008-0006

General Waiver of Waste Discharge Requirements for Onsite Wastewater Systems

The California Regional Water Quality Control Board, Central Coast Region (hereafter Central Coast Water Board) finds:

1. California Water Code section 13264 prohibits waste discharge without discharger submittal of a report of waste discharge and Central Coast Water Board adoption of waste discharge requirements or issuance of a waiver.

2. California Water Code section 13269 authorizes the Central Coast Water Board to waive reports of waste discharge and waste discharge requirements for specific types of discharges where such a waiver is consistent with applicable state or regional water quality control plan and is in the public interest.

3. California Water Code section 13269 stipulates that waivers shall be conditional and may be terminated at any time by the Central Coast Water Board. Waivers may be granted for discharges to land and may not be granted for discharges to surface waters or conveyances to surface waters.

4. Waivers granted for discharges that do not pose a significant threat to water quality, and where such waivers are not against the public interest, enable staff resources to be used more effectively and avoid unnecessary expenditures of limited resources.

5. Sections (3) and (4) of this Resolution identify the types and conditions of discharges for which waivers are granted by this Resolution. These discharges will not have a significant effect on the quality of waters of the State provided the corresponding criteria and conditions are met.

6. Central Coast Water Board staff will develop and implement a waiver tracking and compliance program.

7. Issuance of a waiver will not override other more stringent local, state, or federal regulations prescribed by other agencies or departments.

8. Although a discharge may qualify for waiver enrollment, the Central Coast Water Board reserves the right to regulate that discharge through other programs or Central Coast Water Board actions (such as enforcement orders, individual waste discharge requirements, general orders, etc.).

9. Onsite wastewater systems have been used as a form of wastewater treatment and disposal for many decades. Currently, the number of individual residential and small community onsite wastewater systems in the Central Coast Region exceeds

100,000. In many instances, the discharge from onsite wastewater systems does not adversely affect the beneficial uses of groundwater or surface water quality due to favorable site conditions, adequate system design, and ongoing management practices.

10. When improperly sited, improperly designed or improperly managed, discharges from onsite wastewater systems may cause or contribute to degradation of water quality. The *Water Quality Control Plan, Central Coast Basin* (Basin Plan) includes criteria to ensure long-term water quality protection in areas where onsite wastewater systems are used. Onsite wastewater systems located, designed, installed and managed in accordance with the Basin Plan criteria are not expected to cause or contribute to water quality impacts.

11. Appropriately developed and implemented memoranda of understanding (MOUs) between the Central Coast Water Board and local permitting agencies (counties, cities, etc.) provide practical and enforceable tools to compel compliance with the Basin Plan criteria for onsite systems and ensure water quality protection. Such MOUs allow the Central Coast Water Board to issue a waiver of waste discharge requirements for onsite sewage treatment systems regulated by local agencies which enter into such MOUs.

12. Such a waiver is consistent with the Basin Plan and are in the public interest, if conditioned upon a local agency entering into an individual MOU. By entering into an MOU, a local agency commits to ensuring that its onsite wastewater system permitting program is substantially equivalent to the Basin Plan and any statewide standards adopted pursuant to California Water Code section 13291.

13. Central Coast Water Board will evaluate local permitting agencies at least once every five years to ensure their onsite wastewater system approval practices consistently implement Basin Plan criteria for onsite wastewater systems and ensure water quality protection.

14. Central Coast Water Board staff followed appropriate procedures to satisfy the environmental documentation requirements of the California Environmental Quality Act [in accordance with section 15307 and 15308 of the California Code of Regulations (CCR)] and the State Water Board's certified regulatory process (CCR, Title 23, section 3775 et seq.).

15. The Central Coast Water Board has reviewed the Initial Study concerning this Resolution prepared in accordance with the California Environmental Quality Act and concurs that a Negative Declaration should be adopted.

16. On May 9, 2008, the Central Coast Water Board held a public hearing and considered all the evidence concerning this matter. Notice of this hearing was given to all interested parties in accordance with the CCR, Title 14, Section 15072.

THEREFORE, BE IT RESOLVED

1. The Central Coast Water Board's Executive Officer is authorized to enroll and terminate enrollment in the waiver granted by this Resolution.

2. The Central Coast Water Board's Executive Officer is authorized to approve and execute, on behalf of the Central Coast Water Board, individual MOUs with local agencies in the Region based substantially on the requirements specified in Chapter 4, Section VIII.D of the Basin Plan (sections pertaining to onsite wastewater systems). Individual MOUs shall commit the local agency to amending its municipal code and onsite wastewater system program, if necessary, in order to be substantially equivalent to the Basin Plan and any statewide standards adopted pursuant to California Water Code sections 13290 and 13291. Individual MOUs shall incorporate additional measures to be taken by the local agency to identify and address areas of degraded groundwater or surface water quality, where onsite wastewater treatment systems are a potential source of contamination.

3. Conditions for waived systems - Waste discharge requirements [California Water Code section 13263(a)] are waived for discharges from onsite wastewater systems sited, designed, managed and maintained in a manner consistent with control actions specified in the Basin Plan, Chapter 4, Section VIII.D. Documentation of consistency with each control action shall be provided in a report of waste discharge (ROWD) submitted to the Central Coast Water Board for approval. Each ROWD submittal shall be accompanied by a fee corresponding to the lowest applicable fee for waste discharge requirements (threat and complexity rating of III-C) identified in the State Water Board's fee schedule. Applicants seeking enrollment in this waiver are required to comply with conditions specified in a Water Board-approved onsite management program implemented by the local permitting authority, when such a plan is implemented.

4. Conditions for waived ROWD requirements - Requirements for submittal of reports of waste discharge, issuance of waste discharge requirements, and enrollment notification (California Water Code Sections 13260(a) and (b), 13263(a), and 13264(a)) are waived for discharges from onsite wastewater systems sited, designed, managed and maintained in a manner consistent with a Water Board-approved onsite management program implemented by the local permitting authority, which also implements an authorizing MOU with the Central Coast Water Board. Provided all conditions are met, these dischargers need not submit applications to the Central Coast Water Board, pay fees, or receive waiver enrollment notification.

5. The Central Coast Water Board's Executive Officer may tentatively enroll proposed discharges not listed in No. 3 (above), provided the discharge meets all general conditions listed in No. 3 and any additional site-specific or discharge-specific conditions prescribed by the Executive Officer. These discharges require a report of waste discharge including a one-time fee equal to the minimum annual fee identified in the State Water Board's fee schedule. Tentative enrollments will be brought before the Central Coast Water Board at regularly scheduled meetings for formal approval.

6. The Central Coast Water Board hereby adopts the Initial Study and Negative Declaration regarding waivers of waste discharge requirements for onsite wastewater systems. The Executive Officer will file a Notice of Determination with the State Clearinghouse as required by the California Code of Regulations.

I, Roger W. Briggs, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and

correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on May 9, 2008.

_____
Executive Officer

_____
Date

Attachments: A - CEQA Report (including the Environmental Checklist)

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CALIFORNIA ENVIRONMENTAL QUALITY ACT "FUNCTIONAL EQUIVALENT" REPORT

(RESOLUTION NO. R3-2008-0006)

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) is proposing to adopt a policy for waiving waste discharge requirements for discharges from onsite wastewater systems that are consistent with criteria specified in the *Water Quality Control Plan, Central Coast Basin* (Basin Plan). The Basin Plan serves as the cornerstone for water quality protection through identification of beneficial uses of surface and ground waters, establishment of water quality objectives to protect beneficial uses, and establishment of an implementation plan to achieve those objectives.

The basin planning process has been certified as "functionally equivalent" to the preparation of the Environmental Impact report (EIR) for the purposes of complying with the California Environmental Quality Act (CEQA) [Section 15251, Title 4, California Code of Regulation (CCR)]. Based on the certification, this Report is used in lieu of an EIR or a Negative Declaration. Any Regional Board regulatory program certified as functionally equivalent, however, must satisfy the documentation requirements of Section 377 (a), Title 23, CCR. This report satisfies part (a) of that section. It contains the following:

1. A description of proposed activity and proposed alternatives,
2. An environmental checklist and a description of the proposed activity,
3. An environmental evaluation, and
4. A determination with respect to significant environmental impacts.

The environmental analysis contained in this report and accompanying documents, including the Environmental Checklist, the staff report and the responses to comments complies with the requirements of the State Water Board's certified regulatory process, as set forth in CCR, Title 23, section 3775 et seq. All public comments were considered.

I. DESCRIPTION OF PROPOSED ACTIVITY

The purpose of this resolution is to update implementation policy regarding discharges from onsite wastewater systems. Historically, discharge from conventional onsite wastewater systems has been regulated by local permitting agencies (cities and counties). The Central Coast Water Board's general waiver of waste discharge requirements for such systems was implemented through multi-agency memoranda of understanding (MOUs), and local permitting agencies implemented Basin Plan criteria for onsite systems through their own permits. Pursuant to Water Code section 13269(b)(2), the Central Coast Water Board's general waiver for discharges from onsite wastewater systems expired on June 30, 2004. Since expiration of the waiver, discharges from onsite systems have not been formally authorized by the Central Coast Water Board. Formal discharge authorization is required pursuant to California Water Code section 13264. The proposed Resolution No. R3-2008-0006 establishes regulatory oversight, management, and monitoring of onsite systems in a manner that is clear, streamlined and protective of water quality.

By adopting the proposed resolution, Water Board oversight of onsite system discharges will be streamlined and clarified in a manner expected to result in improved long-term water quality protection in areas served by onsite wastewater systems. The proposed resolution is also expected to improve consistency and customer service by reducing the need for staff resources utilized in a manner redundant with local jurisdictions. Adoption of the proposed resolution will complete a Triennial Review list priority task, which has been backlogged for many years.

Alternatives to this Project

1. Adoption of an alternative waiver policy

The Central Coast Water Board could adopt a waiver policy for onsite wastewater systems with conditions different from those proposed. This alternative is not recommended as it could result in implementation of only some of the Basin Plan criteria for onsite wastewater systems and would not achieve the goals of effective long-term water quality protection in a clear and efficient manner. Adoption of a different waiver policy can only be addressed relative to specified alternate proposals. Such discussion is addressed in the response to comments included in the staff report. This alternative is not recommended.

2. Take no action

The proposed revisions to the Basin Plan criteria for onsite wastewater systems are needed to clarify vague and imprecise requirements and to strengthen requirements needed to protect water quality. Updating the onsite criteria has been prioritized on the Central Coast Water Board's Triennial Review List for many years. Failing to take action would result in ongoing confusion regarding requirements, utilization of staff time to individually clarify and interpret requirements, and inadequate long-term water quality protection in areas served by onsite wastewater systems. This alternative is not recommended.

II. APPLICABLE INFORMATON

1. Lead Agency Name and Address

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

2. Contact Person and Phone Number: Sorrel Marks (805) 549-3595

3. Project Location: Central Coast Region: including Monterey, Santa Cruz, San Luis Obispo, and Santa Barbara Counties; and portions of Santa Clara, San Benito, San Mateo, and Ventura Counties.

4. Project Sponsor's Name and Address

Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

5. Other Public Agencies whose Approval is Required

State Water Resources Control Board and U.S. Environmental Protection Agency approval is required for Basin Plan amendments. Although formal approval by local jurisdictions is not required for this waiver policy, cooperative implementation by local permitting authorities (cities, counties, community services districts) is necessary to effectively protect water quality. Local jurisdictions likely to be affected by the proposed project include: Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Ventura Counties, and the cities and special districts therein.

ENVIRONMENTAL CHECKLIST

III. EVALUATION OF ENVIRONMENTAL IMPACTS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, But not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	☐	☐	☐	☒
2. AGRICULTURE RESOURCES – Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

3. AIR QUALITY – Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒
4. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
5. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒
6. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
7. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒
7. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒

j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
8.	**LAND USE AND PLANNING -- Would the project:**				
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
9.	**MINERAL RESOURCES -- Would the project:**				
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b)	Result in the loss of availability of a locally -important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
10.	**NOISE -- Would the project result in:**				
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
10.	**POPULATION AND HOUSING -- Would the project:**				
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
11. PUBLIC SERVICES -- Would the project result in:				
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☒
b) Fire protection?	☐	☐	☐	☒
c) Police protection?	☐	☐	☐	☒
d) Schools?	☐	☐	☐	☒
e) Parks?	☐	☐	☐	☒
f) Other public facilities?	☐	☐	☐	☒
12. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
13. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☒
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

14. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒
15. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

IV. ENVIRONMENTAL EVALUATION (of checklist questions answered Potentially Significant Impact, Less than Significant with Mitigation Incorporation, or Less than Significant Impact): Not applicable.

V. DETERMINATION (To be completed by the Lead Agency) On the basis of this initial evaluation:

__X__ I find the proposed project COULD NOT have a significant effect on the environment.

____ I find that the proposed project may have a significant adverse impact on the environment. However, there are feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impact. These alternatives and mitigation measures are discussed in the attached written report.

____ I find that the proposed project MAY have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

Signature	Date
Printed name	Title

NIPOMO COMMUNITY SERVICES DISTRICT

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MEMORANDUM

TO: BRUCE BUEL, GENERAL MANAGER

FROM: PVS PETER V. SEVCIK, P.E., DISTRICT ENGINEER

DATE: DECEMBER 6, 2007

RE: DISTRICT ENGINEER ACTIVITIES UPDATE

- Southland WWTF Upgrade - Fugro Phase 2 Discharge Investigation
  - Secured access to properties for Cone Penetrometer Testing
  - Coordinated required sampling with NCSD operations staff
  - Monitored Fugro's field activities
- Safety Program
  - Revised Injury and Illness Prevention Program
  - Revised Code of Safe Practices
  - Conducted training for all District employees on November 8
  - Conducted training for all operations employees on December 6
- Attended Central Coast Waste Dischargers Forum sponsored by Carollo Engineers
- Reviewed and commented on Water and Sewer Master Plan
- Conducted initial "Kick-Off" with Boyle and District staff for Replacement Study
- Reviewed and submitted monthly compliance reports for the water and sewer systems
- Toured City of Morro Bay desalination plant
- Developed log for tracking equipment operating status at Southland WWTF
- Met with telemetry consultant to discuss development of reports and Southland WWTF flow recording