TO: BOARD OF DIRECTORS

FROM: BRUCE BUEL BBB

DATE: JAN. 9, 2008

**AGENDA ITEM**
**F**
**JANUARY 14, 2009**

## MANAGER'S REPORT

### ITEM

Standing report to your Honorable Board --*Period covered by this report December 4, 2008 through January 7, 2009.*

### DISTRICT BUSINESS

#### Administrative

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

Baker Company to has completed the repairs to the concrete sidewalk and parking lot asphalt in the Wilson Street entrance to the District Office.

LAFCO has announced a vacancy for their Public Member and Alternate Public Member – See Attached announcement.

The RWQCB has circulated the attached notice of a hearing scheduled for March 20, 2009 regarding changes to the adopted regulations regarding on-site waste discharge requirements.

The Technical Group on December 17, 2008 requested that the Fall Calculation of GW in Storage be republished to clarify that the computation referred to the GW in storage above Sea Level within the Phase III Trial Boundary. Attached is the revised Technical Memorandum.

**Safety Program** - No injuries or accidents occurred in this period.

**Project Activity** - Staff will provide a verbal projects update to the Board at the Board Meeting. Attached is a fiscal report on the Waterline Intertie Project Fund through November 30, 2008.

**Conservation Program Activities** - Staff has initiated implementation of the Water Conservation Program. 46 NCSD customers have used the high efficiency clothes washer rebate program.

### RECOMMENDATION

Staff seeks direction and input from your Honorable Board.

### ATTACHMENTS

- WIP Fiscal Report
- LAFCO Announcement re Public Member & Alternate Public Member Vacancy
- SWRCB Notice re March 20, 2009 Hearing re On-Site Waste Discharge Requirements
- Revised Fall 2008 GW Storage Above Sea Level TM

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# LAFCO

SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION

## NOTICE OF VACANCY FOR LAFCO PUBLIC MEMBER AND ALTERNATE PUBLIC MEMBER

Government Code Section 56325(d) requires that whenever a vacancy occurs in the Public Member or Alternate Public Member positions, the Commission shall cause a notice of the vacancy to be posted and a copy of the notice to be sent to the clerk or secretary of the legislative body of each local agency in the County.

In this regard, the terms of both the Regular and Alternate Public Members expire in December 2008. It will therefore be necessary for the Commission to either reappoint the present Public and Alternate Public Members or replacements. The Commission will consider this matter at the regular meeting scheduled for **January 15th, 2009 at 9:00 a.m. in the County Board of Supervisors Chambers in San Luis Obispo, at the County Government Center**, located at 1055 Monterey Street at the corner of Monterey and Santa Rosa Streets.

**Contact:** Paul L. Hood, LAFCO Executive Officer, (805) 788-5795, phood@slolafco.com.

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

# NOTICE OF PUBLIC HEARING
# &
# NOTICE OF FILING A DRAFT ENVIRONMENTAL DOCUMENT

## TO CONSIDER AMENDING THE WATER QUALITY CONTROL PLAN REGARDING ONSITE WASTEWATER SYSTEM IMPLEMENTATION PROGRAM

**NOTICE IS HEREBY GIVEN** that the California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), will hold a public hearing on March 20, 2009, to hear comments and consider adoption of a resolution amending the *Water Quality Control Plan, Central Coast Basin* (Basin Plan) regarding onsite wastewater system implementation program. The proposed action includes adoption of Resolution No. R3-2009-0012, amending the Basin Plan to adopt a conditional waiver as an onsite wastewater system implementation program and minor revisions to the amendments to the Basin Plan adopted on May 9, 2008.

Copies of the proposed resolution, associated staff report, proposed Basin Plan revisions, California Environmental Quality Act functionally equivalent document (including Environmental Checklist) are available on the Internet at http://www.waterboards.ca.gov/centralcoast/. These documents are also available by request at the office of the Central Coast Water Board. You may also request a mailed copy of these documents by contacting Sorrel Marks at 805-549-3695 or smarks@waterboards.ca.gov.

Actions to amend the Basin Plan will be taken in accordance with a regulatory program exempt (under §21080.5 of the Public Resources Code) from the requirement to prepare an environmental impact report or negative declaration under the California Environmental Quality Act (Public Resources Code, §21000 et seq.) and with other applicable laws and regulations. At the conclusion of the meeting the Central Coast Water Board will consider certification of the substitute environmental documentation and approval of the proposed revisions to the amendments adopted on May 9, 2008 and the adoption of an onsite wastewater system conditional waiver implementation program.

Interested persons may submit written comments and may make oral comments at the hearing. Comments will only be accepted on the revisions to the amendment to the criteria adopted on May 9, 2008, and on the proposed Implementation Program. These changes to the Basin Plan are shown in underline (additions) and strikeout (deletions) in the documentation available to the public. Written comments and recommendations regarding the proposed actions should be submitted no later than January 23, 2009. Comments received by this date will be considered in preparation of staff recommendations to the Central Coast Water Board. Time limits may be imposed on oral presentations at the hearing.. Note that if you present exhibits, charts, graphs, and other testimony presented, those must be provided to the Water Board as part of the administrative record. If you have any questions regarding these documents or the proposed actions, you may call Sorrel Marks at 805/549-3695 or Burton Chadwick at

805/542-4786. Please bring this information to the attention of anyone you know to be interested in the issue.

The public hearing is scheduled as follows:

Date: March 20, 2009
Time: 8:30 A.M.
Place: Salinas City Council Rotunda Chambers
200 Lincoln Avenue, Salinas, CA 93901

The location of the hearing is accessible to persons with disabilities. If you require special accommodations, please contact Cyndee Jones at 805-549-3372 at least 5 working days prior to the hearing.

for Roger Briggs
Executive Officer

Date: 16 Dec 2008

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

**STAFF REPORT FOR REGULAR MEETING OF MARCH 20, 2009**
Prepared on December 15, 2008

**ITEM NUMBER:**

**SUBJECT:** **Resolution No. R3-2009-0012; Amendment to the Water Quality Control Plan, Central Coast Basin, regarding onsite wastewater system implementation program**

**KEY INFORMATION**

| | |
|---|---|
| Location: | Throughout the Central Coast Region |
| Type of Waste: | Domestic wastewater discharged from individual and community onsite wastewater systems |
| **This Action:** | **Adoption of Resolution No. R3-2009-0012** |

**SUMMARY**

Historically, discharges from conventional onsite wastewater disposal systems (onsite systems) have been regulated by local permitting agencies (cities and counties) that implemented local requirements and the criteria for onsite systems set forth in the Central Coast Water Board's Water Quality Control Plan (Basin Plan). The Central Coast Water Board had also adopted a general waiver of waste discharge requirements (General Waiver) for onsite systems where such systems were regulated by local agencies. The Water Board entered into multi-agency memoranda of understanding (MOUs) governing regulation of onsite systems, and local permitting agencies implemented criteria for onsite systems through their own permits. Pursuant to Water Code §13269(b)(2), the Central Coast Water Board's General Waiver expired on June 30, 2004. Since expiration of the General Waiver, discharges from onsite systems have not been formally authorized by the Central Coast Water Board as required by the California Water Code. 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.

To address the requirements of the California Water Code, the Central Coast Water Board, on May 9, 2008, adopted an amendment to the Basin Plan that updated and clarified criteria for onsite systems (Resolution No. R3-2008-0005). Since adoption of the amendments to the criteria, the Water Board staff noted that minor revisions were necessary to further clarify the amendment. Proposed revisions are identified by underlining (additions) and strike-out (deletions). This agenda item considers the proposed revisions to the amendment adopted on May 9, 2008, and is not intended to include reconsideration of the entire section.

To assure compliance with the California Water Code, the Central Coast Water Board will also consider on March 20, 2009, a proposed Basin Plan amendment to establish an Implementation Program as a conditional waiver of waste discharge requirements for

onsite systems that meet Basin Plan criteria for siting, design, construction, and management. Adoption of the proposed Basin Plan amendment will complete a Triennial Review list priority task which has been backlogged for many years. The proposed Basin Plan amendment (Resolution No. R3-2009-0012) establishes regulatory oversight, management, and monitoring of onsite systems in a manner that is clear, streamlined and protective of water quality.

## DISCUSSION

Background - California Water Code §13263 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. California Water Code section 13260 requires any person who discharges waste, except into a publicly owned treatment facility, to submit a report of waste discharge (application) for discharge authorization. Section 13269 of the California Water Code authorizes the Central Coast Water Board to waive the issuance of waste discharge requirements and the requirement to submit a report of waste discharge, provided such waivers are conditional, 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 of the Central Coast Water Board's implementation program with respect to onsite systems.

On June 30, 2004, the waiver for onsite system discharges expired (in accordance with California Water Code §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 manner of regulatory oversight. Accordingly, the Central Coast Water Board's onsite system General Waiver and implementing MOUs need to be revised and updated. This agenda item proposes to adopt a revised Conditional Waiver. The updating MOUs will take place over the coming months. Conditional Waivers granted for discharges are consistent with the Basin Plan, and where such waivers are in 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 (§13291 of the California Water Code). Assembly Bill 885 requires the State Water Resources Control Board (State Water Board), in consultation with state and local health departments, California Coastal Commission, counties, cities and other interested persons, 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. 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, §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 §13291. If more stringent statewide regulations are adopted pursuant to §13291, then such regulations will be incorporated into this waiver at a later date.

Proposed Resolution - Resolution No. R3-2009-0012 adopts an Implementation Program under Water Code section 13242 that conditionally waives waste discharge requirements for discharges from onsite systems, and authorizes the Water Board's Executive Officer to enroll and terminate enrollment in the Conditional Waiver. The proposed Implementation Program also would waive the requirement to submit reports of waste discharge for existing and certain new onsite wastewater systems.

Conditions for Waiver - Resolution No. R3-2009-0012 would adopt a Basin Plan Implementation Program that waives waste discharge requirements [California Water Code §13263(a)] for discharges from onsite wastewater systems regulated directly by the Water Board and sited, designed, managed and maintained in a manner consistent with criteria specified in the Basin Plan, Chapter 4, Section VIII.D. Applicants for enrollment under the proposed Conditional Waiver must submit a report to the Water Board in the form of a report of waste discharge (ROWD, standard WDR application and fee) that describes and documents the proposed onsite 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 (currently $560). Applicants seeking enrollment in this Conditional 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 Waiver of ROWD requirements – The Implementation Program would waive the requirements for submittal of reports of waste discharge, issuance of waste discharge requirements, and enrollment notification [California Water Code §13260(a) and (b), §13263(a), and §13264(a)] for discharges from existing onsite systems and new onsite systems that comply with the conditions set forth in the Implementation Program, including sites regulated directly by local governing jurisdictions and 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. A checklist is included as Attachment 2 to this staff report, to be used by local agencies for developing and Water Board staff reviewing onsite wastewater management plans. 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. Applications, fees and enrollment notification are not needed for existing onsite systems managed in accordance with the local permitting agency's onsite wastewater management plan.

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). Proposed Resolution No. R3-2009-0012 will be implemented through updated MOUs to ensure consistent implementation of the Basin Plan criteria for onsite systems.

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 will 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 system program, if necessary, to be substantially equivalent to any statewide standards adopted pursuant to California Water Code §13290 and §13291. Individual MOUs will incorporate additional measures to be taken by the local agency to identify and address areas of degraded groundwater or surface water quality where onsite systems are a potential source of pollution.

Water Board staff believe that this approach (MOUs and conditional 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).

The proposed Basin Plan amendment also includes minor revisions to the onsite wastewater criteria updated in May 2008. Proposed revisions are identified by underlining (additions) and strike-out (deletions). These changes are intended to add clarity and consistency in terminology, applicable dates, and Implementation Program components. The Basin Plan amendment adopted by the Central Coast Water Board in May 2008 (Resolution No. R3-2008-0005) has not yet been approved by the State Water Board. Any amendment to the Basin Plan adopted with this action will be consolidated with the May 2008 amendment for State Water Board review and approval.

**ENVIRONMENTAL SUMMARY**

On November 14, 2008, Central Coast Water Board staff held a scoping meeting pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code §21083.9(a)(2) to discuss possible alternatives to the regulation of onsite wastewater systems and potential for adverse environmental impacts that could result from the adoption of a waiver policy. The scoping meeting was publically noticed on the Central Coast Water Board's website and individual notifications sent to 66 known interested persons. Nineteen participants signed-in at the scoping meeting, including representatives from Santa Clara, San Benito, Santa Cruz, Monterey, and San Luis Obispo Counties, the City of Atascadero, and members of the public. Central Coast Water Board staff discussed the scoping meeting and process over the telephone with representatives of Santa Barabara County who were unable to attend the workshop due to wildfires in the area. The November 14, 2008, scoping meeting was in addition to an earlier scoping meeting held on July 30, 2004. Based upon public response to a similar agenda item proposed in May 2008, this additional opportunity for public input and public education was merited.

During the scoping meeting, considerable time was spent describing the Water Board's CEQA process, as it differs from the standard EIR process with which many are familiar. The Basin Planning process is certified by the California Resources Agency as an exempt regulatory program, in accordance with CEQA Guidelines [§15251, Title 14, California Code of Regulations (CCR)]. The Water Board is exempt from the

requirement to prepare an environmental impact report or negative declaration. In lieu of these reports, the Water Board must prepare substitute environmental documents (described in detail in Attachment 1-C). Alternatives to the proposed Implementation Program, suggested during the scoping meeting, are described in the Substitute Environmental Document (Attachment 1-C) and as follows.

**Discussion of Alternatives**

No project or Status Quo
**Pros:** No Water Board action required.
**Cons:** Inconsistent with State law, as described above (page 1, paragraph 2). State law requires formal authorization for discharge of waste, including discharge from onsite wastewater systems. Without an available conditional waiver for such discharges, considerable Water Board resources (staff and hearing time) would be required to issue waste discharge requirements for onsite systems. This process would also cause significant project delays for applicants and would include application fees. Projects proceeding without authorizing waste discharge requirements would not necessarily by consistent with the Basin Plan criteria and water quality protection would not be ensured.

Statewide Waiver
**Pros:** The State Water Board is currently gathering public comments on a draft EIR for statewide regulations pursuant to §13291 (AB885) and an associated waiver of waste discharge requirements. If adopted, the statewide waiver could act in lieu of a region-specific waiver and require conditions designed to ensure water quality protection. The draft EIR and associated documents are available for review at the following link: http://www.swrcb.ca.gov/water_issues/programs/septic_tanks/docs/draft_eir/notice_owts_ne.pdf
**Cons:** As described above (page 2, paragraph 4), staff does not anticipate the statewide regulations will be adopted in the near future or that such requirements will preclude the need for implementing Basin Plan criteria for onsite systems.

General Region-wide Waste Discharge Requirements (WDRs) for Indivdual Owners
**Pros:** A general WDR could be developed that reflects similar conditions to the proposed Basin Plan amendment, calling for compliance with Basin Plan criteria for onsite systems. As such, water quality protection would be ensured. Enrollment under a general WDR would be similar to enrollment under the proposed waiver, requiring less staff resources than individual orders.
**Cons:** This alternative does not provide for local permitting jurisdictions to independently manage onsite systems. Redundant (local and Water Board) permitting processes, associated fees and time delays would result.

Local Agency-specific General WDR
**Pros:** None, this option is not feasible due to the legal limitation described below.
**Cons:** WDRs (general or individual) are issued to parties responsible for the discharge of waste. Local permitting agencies do not typically discharge to onsite wastewater systems proposed to be addressed by this action. Onsite wastewater facilities owned and operated by local agencies are typically regulated by individual waste discharge requirements (there are many examples throughout the region). However, local agencies are not the responsible parties for discharges from individual and community onsite systems subject to the proposed implementation program.

Tiered MOU approach

**Pros:** Implementation schedules contained in Water Board/local agency MOUs could include several tiers or phases. A tiered implementation schedule could facilitate efficient prioritization of local and Water Board staff resources in a manner protective of water quality.

**Cons:** None, this approach is being considered in developing the interagency MOUs and onsite wastewater management plans.

**Discussion of Means of Compliance**

The Central Coast Water Board must consider project alternatives, reasonably foreseeable means of compliance, reasonably foreseeable environmental impacts of the methods of compliance, reasonably foreseeable feasible mitigation measures, and must take into account economic and technical factors, and other considerations. The proposed Implementation Program and Conditional Waiver do not replace local governing jurisdiction permitting processes. The adoption of the proposed Basin Plan amendment and Conditional Waiver does not impact the role of the Water Board; the Water Board not approve development projects. The Water Board must assure protection of water quality. Onsite systems and the development they serve, must obtain local development permits that are subject to CEQA analysis conducted by local agencies. The proposed Implementation Program and Conditional Waiver would require onsite systems to comply with the Basin Plan criteria that address siting, design, construction, and maintenance. This means of compliance with the Basin Plan amendment and Implementation Program is not expected to result in significant impacts on the environment. The Basin Plan criteria, if implemented, are protective of water quality. Since the Water Board does not approve development projects, but rather only regulates proposed systems, the Water Board does not expect there to be significant impacts on the environment from adoption of the Implementation Program.

The Water Board has estimated the costs associated with compliance by enrollees in the Conditional Waiver (Basin Plan Chapter 4, Section VIII.D.3.a). Enrollees will be required to pay an application fee to the Water Board or possibly pay a fee to a local agency, may submit a report of waste discharge, and will be required to implement an onsite system that complies with the criteria. The Water Board application fee is currently $560. The cost of preparing the report of waste discharge is not expected to be substantial since similar information would be prepared for local permitting purposes. The costs of implementing the onsite system will very depending on the site-specific circumstances.

In order for owners to be allowed to enroll in the Conditional Waiver (Basin Plan Chapter 4, Section VIII.D.3.b) subject to direct regulation by local governing jurisdictions, the local governing jurisdiction must enter into MOU with the Central Coast Water Board and develop and implement onsite wastewater management plans. Based upon conversations with representatives from local governing jurisdictions, many of the components of an onsite wastewater management plan are already being implemented. Those activities could be coordinated into a cost-effective onsite wastewater management plan. Therefore, costs associated with developing and implementing the plan are limited to those components not currently implemented. Costs for development and implementation of onsite wastewater management plans will vary considerably, due to the varying needs of each community. Considerable guidance and sample plans are available online, to assist agencies in developing onsite wastewater management plans and these resources will help minimize costs associated with plan development.

California Water Code §13267 authorizes the Water Board to request technical reports regarding exiting or proposed discharges of waste. Development and implementation of onsite wastewater management plans will streamline the development of such technical reports by identifying where and how onsite discharges can be authorized without risk to water quality. The Water Code specifically requires the discharger (homeowner in the case of most onsite systems) to develop such reports, an admittedly cumbersome approach. Development and implementation of onsite wastewater management plans is included in the proposed Basin Plan amendment as the most cost-effective method of providing for long-term water quality protection from impacts associated with onsite discharges. Economic considerations regarding the May 2008 update of the onsite wastewater system criteria are addressed in the Staff Report for that item (May 9, 2008 Agenda Item No. 9).

**Public Participation**

During the spring of 2008, a similar Conditional Waiver was circulated for public comment in preparation for the May 9, 2008, Water Board meeting. That item was removed from the agenda as it was not an appropriate format for the Water Board to consider waiver of waste discharge requirements for onsite wastewater systems. However, in preparation for that earlier item, Water Board staff members met with county representatives and other stakeholders who will most likely directly implement this onsite wastewater implementation program, to gather their input. Individual and telephone meetings included onsite wastewater management staff from Ventura, Santa Barbara, San Luis Obispo, Monterey, Santa Cruz, and San Mateo Counties, and the City of Atascadero. Comments and recommendations collected from stakeholders in response to that earlier proposal are incorporated into this report.

A Notice of Public Hearing has been circulated (Attachment 3). The following newspaper publications provided public notice regarding the proposed action, in addition to individual notice to known interested parties, and posting on the Central Coast Water Board's website.

| | | |
|---|---|---|
| Santa Barbara News Press | Hollister Free Lance | Santa Cruz Sentinel |
| The Tribune (San Luis Obispo County) | The Monterey Herald | Santa Maria Times |

A staff report, including Substitute Environmental Document 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**

pending

**ATTACHMENTS**

1. Proposed Resolution No. R3-2009-0012 w/attachments
   A. Revised Basin Plan text

B. Certificate of Fee Exemption
C. CEQA Report for Basin Plan Amendment

2. Checklist for Developing & Reviewing Onsite Wastewater Management Plans

3. Notice of Public Hearing & Notice of Filing a Draft Environmental Document

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

# RESOLUTION No. R3-2009-00012

## AMENDING THE WATER QUALITY CONTROL PLAN REGARDING ONSITE WASTEWATER SYSTEM IMPLEMENTATION PROGRAM

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

1. 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 programs for point source and nonpoint source discharges, prohibitions, and statewide plans and policies.

2. 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. The text and requirements specified in Resolution No. 83-12 are included in the Basin Plan as provisions of Chapters 4 and 5.

3. On May 9, 2008, the Central Coast Water Board adopted Resolution No. R3-2008-0005 revising onsite wastewater system criteria. The text and requirements specified in Resolution No. R3-2008-0005 will be incorporated into the Basin Plan after review and approval by the State Water Resources Control Board and the Office of Administrative Law.

4. The Central Coast Water Board periodically revises and amends the Basin Plan. The Central Coast Water Board determined that the Basin Plan requires further revision and amendment to clarify 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.

5. Public Notice - Interested persons and the public have been informed of the Central Coast Water Board's intent to revise the Basin Plan implementation program 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 persons. Notice of public hearing was given by advertising in newspapers of general circulation within the region, by posting on the Water Board website, 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 Central Coast Water Board considered costs associated with the revised implementation program specified in this Basin Plan amendment, Resolution No. R3-2009-0012.

7. Anti-Degradation – State Water Board Resolution No. 68-16 *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (Resolution No. 68-16) requires Regional Water Boards, in regulating the discharge of waste, to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in a Regional Water Board's policies (e.g., quality that exceeds applicable water quality standards). Resolution No. 68-16 also states, in part:

   *Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in best practicable treatment and control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.*

   This Resolution is consistent with the provisions of the State Water Board Resolution No. 68-16. Dischargers that could be subject to this conditional waiver will be required to comply with the Basin Plan criteria that are expected to prevent degradation of waters of the state, prevent pollution or nuisance, and implement best practicable treatment or control. The Basin Plan Implementation Program prohibits systems that do not meet the criteria.

8. CEQA - The Central Coast Water Board concurs with the analysis contained in the Substitute Environmental Document, including the Environmental Checklist, the staff report, and the responses to comments and finds that the analysis complies with the requirements of the California Environmental Quality Act and the State Water Board's regulations, as set forth in the California Code of Regulations (CCR), Title 23, §3775 et seq. with respect to certified regulatory programs. The Central Coast Water Board finds that the proposed amendments to the Basin Plan will not have a significant effect on the environment. The project (adopting this Resolution) consists of amending an existing regulatory program implemented by a regulatory agency by making the existing program more stringent and providing greater environmental protection.

9. The proposed amendment is a revision of the onsite implementation program specified in the Basin Plan (Chapter 4) and applicable throughout the Region. The revisions to Chapters 4 of the Basin Plan are shown on Attachments A to this Resolution. Attachment A identifies 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. California Water Code (Water Code) Section 13260(a) requires that any person discharging waste or proposing to discharge waste within any region that could affect

the quality of the waters of the State, other than into a community sewer system, shall file with the appropriate Regional Board a report of waste discharge containing such information and data as may be required by the Central Coast Water Board, unless the Central Coast Water Board waives such requirement.

12. California Water Code §13263 requires the Central Coast Water Board to prescribe waste discharge requirements, or waive waste discharge requirements, for the discharge. The waste discharge requirements must implement relevant water quality control plans and the Water Code.

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

14. California Water Code §13269 requires that waivers shall be conditional and may be terminated at any time by the Central Coast Water Board. Waivers may be granted for discharges of waste to land, but may not be granted for discharges of waste subject to the NPDES requirements of the federal Clean Water Act. The waiver must also include monitoring unless the Regional Board determines that the discharges do not pose a significant threat to water quality.

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

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

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

18. Although a discharge may qualify for waiver enrollment, the Central Coast Water Board retains 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.) The Central Coast Water Board may terminate a waiver at any time and require the discharge to obtain waste discharge requirements or terminate the discharge.

19. 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.

20. When improperly sited, improperly designed, or improperly managed, discharges from onsite wastewater systems may cause or contribute to degradation of water quality. The Basin Plan Implementation Program 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.

21. Section VIII.D.3. of the Basin Plan, as amended by this Resolution, identifies 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 conditions of this waiver are met.

22. Appropriately developed and implemented memoranda of understanding (MOUs) between the Central Coast Water Board and local permitting agencies (e.g., counties and cities) 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.

23. This Resolution waives the requirement that certain individual onsite wastewater system dischargers submit a report of waste discharge and obtain waste discharge requirements from the Central Coast Water Board, if the discharge is regulated by a local agency that has an MOU with the Water Board that meets the conditions of the Basin Plan and complies with the criteria set forth in the Implementation Program for Onsite Wastewater Systems in the Basin Plan.

24. Such a waiver is consistent with the Basin Plan and is in the public interest, if conditioned upon a local agency entering into an individual MOU and compliance with the criteria. 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 §13291. The adoption of this Basin Plan amendment and conditional waiver is also in the public interest because: (1) it was adopted in compliance with Water Code Sections 13260, 13263, and 13269 and other applicable law; (2) it requires compliance with the Basin Plan criteria that are developed to be protective of waters of the state; (3) it includes conditions that are intended to reduce and prevent pollution and nuisance and protect the beneficial uses of the waters of the State; (4) it contains more specific and more stringent conditions for protection of water quality compared to the existing Basin Plan criteria; and (5) given the magnitude of the number of persons who operate onsite systems, it provides for an efficient and effective use of limited Central Coast Water Board resources.

25. This Basin Plan amendment and conditional waiver do not impose monitoring and reporting requirements for each discharge. The types of discharges subject to this conditional waiver are not expected to pose a significant threat to water quality if the Basin Plan criteria are properly implemented. The Water Board's Executive Officer may impose monitoring and reporting requirements as authorized pursuant to Water Code section 13267 on any discharger subject to this conditional waiver.

26. At this time, it is appropriate to adopt a Basin Plan amendment conditionally waiving waste discharge requirements for onsite wastewater systems that fit within the Basin Plan criteria because: 1) the discharges have the same or similar waste from the

same or similar operations and use the same or similar treatment methods and management practices; and 2) the discharges will be regulated by local agencies in compliance with the Basin Plan criteria.

27. In addition, it is appropriate to regulate onsite wastewater systems with a conditional waiver rather than individual waste discharge requirements in order to simplify and streamline the regulatory process. There are more than 100,000 individual onsite wastewater systems in the Central Coast Region and it would not be practicable for the Water Board to issue individual waste discharge requirements. These systems are already being regulated by local permitting agencies applying Basin Plan criteria.

28. The 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.

29. Central Coast Water Board staff followed appropriate procedures to satisfy the environmental documentation requirements of the California Environmental Quality Act [in accordance with §15307 and §15308 of the California Code of Regulations (CCR)].

30. On March 20, 2009, the Central Coast Water Board held a public hearing and considered all the evidence and comments concerning this matter. Notice of this hearing was given to all interested parties in accordance with CCR, Title 14, §15072.

31. 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.

32. This 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.

**THEREFORE, BE IT RESOLVED that:**

1. Pursuant to California Water Code §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 to this Resolution that waive waste discharge requirements and reports of waste discharge as set forth in the 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 California Water Code §13245.

3. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of California Water Code §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 B 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 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 March 20, 2009.

_____
Executive Officer

_____
Date

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

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# CHAPTER 4. IMPLEMENTATION PLAN

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

Onsite wastewater systems may be used to treat and 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, commercial, institutional and industrial developments with a discharge flow rate less than 2,500 gallons per day and community systems not regulated by waste discharge requirements must comply with these criteria. Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems serving more than 5 units or more than 5 parcels; or, (2) commercial, institutional or industrial systems treating sanitary wastewater equal to or greater than 2,500 gallons per day (average daily flow).

Conventional onsite wastewater systems consist of septic tanks and leachfield or seepage pits and are typically designed to treat and dispose of domestic wastewater. Alternatives to conventional onsite system designs are used when site constraints prevent the use of conventional systems. Examples of alternative systems include (but are not limited to) enhanced treatment systems, mound or evapotranspiration disposal systems, or at-grade disposal systems.

Conventional, alternative and community systems can pose serious water quality problems if improperly designed, installed, and/or 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".[EPA]

**Application area** shall be calculated no greater than the trench bottom and side walls below the bottom of the leach pipe, minus the first foot on each side. In seepage pits the application area refers to the total gravel depth in a seepage pit, minus any impervious, bedrock or clay lenses encountered in the sidewalls.[UPC]

**At-grade disposal systems** consist of distribution pipe and bed at the native ground surface level and cover provided by filled material. At-grade disposal systems are similar to mound systems without the sand layer.[UCD]

**Conventional onsite system** consists of a septic tank and leachfield or seepage pit.[EPA]

**Detrimental Water Quality Impact** is any significant increase in <u>waste</u> ~~pollutant~~ concentrations or impairment of beneficial uses of a water body.

**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 minus the first foot.

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

**Existing onsite system** is any onsite system approved and/or installed prior to adoption of these criteria on March 20, 2009 ~~May 9, 208~~.

**Failed or failing onsite system** is any system that displays symptoms of inadequate dispersion, treatment or assimilation of wastewater. These 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, odors, frequent pumping, or backflow into tank when pumped.[EPA]

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

**Inflow and infiltration** refers to non-wastewater (stormwater, groundwater, streams, seawater) entering the wastewater system through cracks, roof drains or other openings.

**Low permeability 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.

**Local governing jurisdiction** shall refer to the local governing jurisdiction, typically city or county, vested with legislative authority for onsite wastewater system permitting.

**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, or expansion of an existing onsite system to accommodate an increase in wastewater generation, after adoption of these criteria (March 20, 2009 ~~May 9, 208~~). 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 from any point in the application area that may be influenced by discharge from the disposal system.

**Reservoir** - A pond, lake, 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 drinking supply water.

**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 beneath the first hole in the central pipe of a seepage pit.[UPC]

**Threatened condition** is one that if left uncorrected may cause or contribute to water quality or public health impacts.

**Watercourse** - A natural or man-made channel for passage of water. 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. LOCAL GOVERNING JURISDICTION ACTIONS

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

The Water Board, on March 20, 2009, adopted a Basin Plan Implementation Program establishing a conditional waiver for onsite wastewater systems that meet the conditions (Basin Plan Section VIII.D.3). For an onsite wastewater system to be eligible for a conditional waiver, ~~It is incumbent upon~~ local governing jurisdictions must ~~to~~ develop and implement programs to ensure conformance with this Basin Plan and local regulations. Such programs shall include (but are not ~~be~~ limited to) procedures to:

- Ensure site suitability tests are performed as necessary, and that tests are performed in accordance with standard procedures;
- Ensure proper system siting, design, construction and installation; and

- Adequately inform property owners regarding proper installation, operation and ongoing maintenance of their onsite wastewater systems.

Local governing jurisdictions ~~agencies~~ can use staff inspectors or individuals under contract with the local government. A standard detailed checklist shall be completed by the inspector to verify the onsite wastewater system was constructed in conformance with the Basin Plan and local governing jurisdiction requirements.

Property owners should be aware of the nature and requirements of their onsite wastewater system. Plans should be available in city or county offices showing placement of soil absorption systems. Local governing jurisdictions ~~agencies~~ should require onsite wastewater system as-built plans as a condition of new construction final inspection.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. Local governing jurisdictions ~~agencies~~ should ensure the terms of the enforcement action are 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 governing jurisdiction 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. Dedicated system expansion areas are also appropriate. To protect this set-aside area from encroachment, the local governing jurisdiction 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&Rs) or additional map sheets recorded with the Parcel or Tract Final Map 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&Rs or Final Map.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems shall be done under permit from the local governing jurisdiction. The local governing jurisdiction shall require failing systems to be brought into compliance with Basin Plan ~~recommendations, requirements and prohibitions;~~ or repair criteria consistent with locally implemented onsite management plan (approved by the Central Coast Water Board or its Executive Officer).

Land use changes should not be approved by the local governing jurisdiction until the existing onsite system meets criteria of this Basin Plan and local ordinances.

Within the following sections, criteria are specified for RECOMMENDATIONS, REQUIREMENTS 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 be maintained by local onsite maintenance districts.

4. Standard soil testing procedures should be adopted.

REQUIREMENTS

5. Onsite Wastewater Management Plans shall be prepared and implemented for urbanizing and high density areas served by onsite wastewater systems.

6. Local governing jurisdictions shall require replacements or repairs to failing systems to be

in substantial conformance (to the greatest extent practicable) with Basin Plan recommendations, requirements and prohibitions or the local onsite wastewater management plan.

7. Local governing jurisdictions shall ensure that alternative onsite system owners are provided an informational maintenance or replacement document by the system designer or installer. 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 or waste discharge requirements issued or waived by the Water Board.[UPC, EPA]

## VIII.D.1.b. ONSITE WASTEWATER MANAGEMENT PLANS

The Water Board, on March 20, 2009, adopted a Basin Plan Implementation Program that sets forth a conditional waiver for onsite wastewater systems (Basin Plan Section VIII.D.3). For an onsite wastewater system to be eligible for a conditional waiver, the local governing jurisdiction must adopt and implement an onsite wastewater management plan that complies with this section.

Onsite wastewater management plans 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.[EPA] Onsite wastewater management plans should be a comprehensive planning tool to specify onsite disposal system limitations to prevent ground or surface water degradation. Onsite wastewater management plans shall include (but not be limited to) the following elements:

- Survey and evaluation of existing onsite systems.
- Water quality (groundwater and surface water) monitoring program.[EPA]
- Projections of onsite disposal system demand and determination of methods to best meet demand.
- Recommendations and requirements for existing onsite wastewater system inspection, monitoring, maintenance and repairs.[EPA]
- Recommendations and requirements for new onsite wastewater systems.[EPA]
- Alternative means of disposing of sewage in the event of disposal system failure and/or irreversible degradation from onsite disposal.
- Education and outreach program.[EPA]
- Enforcement options.[EPA]
- Septage management.[EPA]
- Program administration, staffing, records keeping, installation and repairs tracking, and financing.[EPA]

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 or its Executive Officer. Approval of onsite wastewater management plans shall be based upon guidance provided in the *Central Coast Water Board Checklist for Developing & Reviewing Onsite Wastewater Management Plans* (included as Attachment 2 of March 20, 2009 Staff Report).

## VIII.D.1.c. ONSITE WASTEWATER SYSTEM MAINTENANCE DISTRICTS

It may be appropriate for community onsite systems to be maintained by local 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.
Onsite wastewater system maintenance districts are responsible for onsite system operation and maintenance in conformance with this Water Quality Control Plan. Such districts ~~Administrators~~ should ensure proper construction, installation, operation, and maintenance of onsite wastewater systems. Maintenance districts should establish onsite system surveillance, maintenance and pumping programs, 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 includes criteria for all new onsite wastewater disposal systems. Local governing jurisdictions should incorporate these criteria and guidelines into their local ordinances. These criteria will be used by the Central Coast Water Board for Water Board regulated systems and exemptions.

Local governing jurisdictions ~~agencies~~ may authorize alternative onsite systems if the agency acts consistent with locally implemented onsite wastewater management plans approved by the Central Coast Water Board or its Executive Officer and with the Basin Plan criteria.[UPC, EPA]

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 governing jurisdictions ~~onsite system management districts~~.[EPA]

Onsite wastewater system criteria are arranged in sequence under the following categories: site suitability, system design, construction, maintenance, community system design, and local governing jurisdictions ~~agencies~~. Within each category, criteria are specified for RECOMMENDATIONS, REQUIREMENTS and PROHIBITIONS.

### VIII.D.2.a. 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 (CC&Rs), recorded in Final Maps or similar mechanisms.

2. Percolation test holes (at least 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.

4. An excavation should 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.

REQUIREMENTS

5. At least one soil boring or excavation per onsite system shall be performed to determine soil suitability, depth to groundwater, 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 and be performed during or shortly after the wet season to characterize the most limiting conditions.

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

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

8. Percolation tests shall be performed at a 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 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, requirements and prohibitions specified in this section). Seepage pits should be utilized only after careful consideration of site suitability.

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

| Percolation Rate (minutes/inch)* | Distance (feet) |
|---|---|
| 1-4 | 20 |
| 5-29 | 8 |
| >30 | 5 |

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

12. Onsite disposal systems on slopes greater than 20% shall be designed by a certified professional.

PROHIBITIONS

13. For new land divisions (including lot splits) served by onsite systems, lot sizes less than one acre are prohibited unless authorized under an onsite management plan approved by the Central Coast Water Board or its Executive Officer. For the purpose of this prohibition, secondary units are considered "de-facto" lot splits and shall not be constructed on lots less than two acres in size unless consistent with onsite management plans.[LO 1994]

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

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

16. Leachfields are prohibited in soils where percolation rates are slower than 120 min/in unless parcel size is at least two acres. Disposal systems designed to accommodate slow percolation rates (such as evapotranspiration systems) 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 one acre, 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 where soils or formations with channels, cracks, fractures, or percolation rates allow inadequately treated waste to surface or degrade water quality.*

* Unless a setback distance of at least 250 feet to any domestic water supply well or surface water is ensured.

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 | additional treatment required |
| Gravels with few fines* | 20 |
| Other | 10 |

* 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 governing jurisdiction and approved by the Central Coast Water Board Executive Officer.

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

## VIII.D.2.b. ONSITE SYSTEM DESIGN

RECOMMENDATIONS

1. Dual disposal fields (200 percent of original calculated disposal area) should be installed.[EPA]

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 no greater than the area calculated using trench bottom and sidewalls minus the first foot below the distribution pipe.[UPC]

5. Seepage pit application rate should not exceed 0.3 gallons per day (gpd) per square foot.

REQUIREMENTS

6. Onsite wastewater treatment tanks shall be water-tight, and designed to remove settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.[EPA]

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

8. Drainfield design shall be based only upon usable permeable soil layers.

9. Leachfield loading application rate 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 |

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

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

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

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

14. All onsite disposal systems shall reserve an expansion area (additional 100% disposal capacity) to be set aside and protected from all uses except future drainfield repair and replacement.[UPC] Community systems shall install dual drainfields (200% disposal capacity) and reserve replacement area (3rd 100% disposal capacity).

15. Community systems shall provide duplicate individual equipment components for components subject to failure (such as pumps).

16. Distances between trench/pit bottom and bedrock or other low permeability material shall be at least ten feet.

17. Where site conditions permit migration of wastewater to water, setback distances from

disposal trench/pit shall be at least:

| | Minimum Setback Distance (feet) |
|---|---|
| Domestic water supply wells | 100 |
| Watercourse | 100 |
| Drinking water supply 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 of 0.1 gpd per square foot of application area, or less.

21. Discharge shall not exceed 40 grams per day of total nitrogen, on the average, per acre served by onsite system overlying groundwater recharge areas, except where a local governing jurisdiction has adopted a Wastewater Management Plan 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 governing 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 properly functional and in compliance with all Basin Plan criteria.

25. Curtain drains that discharge to ground surface or surface water are prohibited within 50 feet down slope 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.

REQUIREMENTS

2. Alternative onsite wastewater systems shall be designed by a certified professional competent in alternative onsite wastewater system design.[EPA]

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.[UPC, EPA]

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.[UPC, EPA]

## 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.[EPA]

2. Onsite wastewater systems should have a slightly sloped finished grade to promote surface runoff.

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

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

5. In clayey soils, work should be done only when soil moisture content is low enough to avoid smearing of infiltrative surfaces.

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

7. Bottom of trench or bed distribution piping should be level throughout to prevent localized overloading.

8. 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.

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

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

11. 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.

REQUIREMENTS

12. Prior to backfilling, the distribution system shall be tested to check the hydraulic loading pattern.

13. Disposal systems shall be inspected by the permitting agency prior to covering to ensure proper construction. Designers and/or installers of engineered onsite wastewater systems shall provide a letter to the permitting authority stating that the onsite system was installed in conformance with the approved plans.

## 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. Septic tanks should 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.[EPA]

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

REQUIREMENTS

4. 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.[EPA]

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 onsite system owner and available upon request.[EPA]

## 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 should be increased.[EPA]

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

3. Bleach, solvents, fungicides and any other toxic material, grease and oil should not be discharged into onsite wastewater systems.

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 discharge to onsite wastewater systems is prohibited unless consistent with a salts minimization plan approved by the Water Board Executive Officer and implemented by the local governing 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:

PROHIBITIONS

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 Basin Plan 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 Basin Plan 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 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 Principles 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.

## VIII.D.3. ONSITE SYSTEM IMPLEMENTATION PROGRAM

California Water Code § 13260(a) requires that any person discharging waste or proposing to discharge waste that could affect the quality of the waters of the State, shall file with the appropriate Regional Board a report of waste discharge, unless the Regional Board waives such requirement.

California Water Code §13263 requires the Regional Board to prescribe waste discharge requirements, or waive waste discharge requirements, for the discharge. The waste discharge requirements must implement relevant water quality control plans and the Water Code.

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

California Water Code §13269 requires that waivers shall be conditional and may be terminated at any time by the Central Coast Water Board. Waivers may be granted for discharges of waste to land, but may not be granted for discharges of waste subject to the NPDES requirements of the federal Clean Water Act. The waiver must also include monitoring unless the Regional Board determines that the discharges do not pose a significant threat to water quality.

This Basin Plan Amendment sets forth an Implementation Program to ensure protection of waters of the state as a conditional waiver of waste discharge requirements and reports of waste discharge requirements. This Conditional Waiver contains conditions and is consistent with the Basin Plan.

The Central Coast Water Board finds that this Conditional Waiver is in the public interest and consistent with the Basin Plan because:

1. Waivers granted for discharges that do not pose a significant threat to water quality enable staff resources to be used effectively and avoid unnecessary expenditures of limited resources.

2. It was adopted in compliance with Water Code Sections 13242 and 13269 and other applicable law;

3. It requires compliance with the Basin Plan;

4. It includes conditions that are intended to reduce and prevent pollution and nuisance and protect the beneficial uses of the waters of the State.

5. Dischargers may not discharge any waste not specifically regulated by this Conditional Waiver except in compliance with the Water Code.

6. Dischargers who violate the conditions of this Conditional Waiver are subject to enforcement pursuant to Water Code section 13350 and other applicable law.

7. The discharges from onsite wastewater systems all discharge the same type of waste.

8. It provides a method for coordinating regulation with local governing jurisdictions, that routinely permit and oversee onsite wastewater systems, thereby reducing overlapping regulation.

It is appropriate to regulate onsite wastewater systems by way of a Conditional Waiver rather than with individual waste discharge requirements because there are over a hundred thousand discharges of the listed categories. Issuing individual waste discharge requirements to each of those would use significant staff resources and is not necessary in most circumstances because such systems are regulated by local governing jurisdictions. The conditions imposed in this Conditional Waiver will be protective of waters of the state. This Conditional Waiver will simplify and streamline the regulatory process without compromising the protection of water quality.

Although a discharge may qualify for waiver enrollment, the Central Coast Water Board retains 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). The Central Coast Water Board may terminate a waiver at any time and require the discharge to obtain waste discharge requirements or terminate the discharge.

Appropriately developed and implemented memoranda of understanding between the Central Coast Water Board and local governing jurisdiction (e.g., counties and cities) provide practical and enforceable tools to compel compliance with the Basin Plan criteria for onsite systems and ensure water quality protection.

The Central Coast Water Board's Executive Officer is authorized to approve and execute, on behalf of the Central Coast Water Board, individual memoranda of understanding with local governing jurisdiction 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 memoranda of understanding shall commit the local governing jurisdiction to amending its municipal code and onsite wastewater system program, if necessary, in order to be substantially equivalent to the Basin Plan. If and when statewide criteria are adopted pursuant to California Water Code §13291, the memoranda of understanding will be reviewed to determine if they need to be modified. Individual memoranda of understanding shall incorporate additional measures to be taken by the local governing jurisdiction to identify and address areas of degraded groundwater or surface water quality, where onsite wastewater systems are a potential source of pollution.

This Implementation Program sets forth two types of conditional waivers for the regulation of onsite wastewater systems. Section VIII.D.3.a. conditionally waives waste discharge requirements, but not reports of waste discharges, for those systems regulated directly by the Central Coast Water Board. Section VIII.D.3.b conditionally waives waste discharge requirements and reports of waste discharge for those systems that are regulated by local governing jurisdictions that comply with the conditions of this section.

## VIII.D.3.a.CONDITIONS FOR WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SYSTEMS REGULATED DIRECTLY BY THE CENTRAL COAST WATER BOARD

Waste discharge requirements [California Water Code §13263(a)] are conditionally waived as follows:

The Central Coast Water Board's Executive Officer is authorized to enroll applicants in the onsite wastewater system conditional waiver, provided the following conditions are met.

1. The onsite wastewater system is sited, designed, managed and maintained in a manner consistent with criteria specified in the Basin Plan, Chapter 4, Section VIII.D.

2. The applicant submits a report of waste discharge to the Central Coast Water Board for approval that provides documentation of consistency with each Basin Plan criterion.

3. The applicant submits with the report of waste discharge 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 set forth in Title 23 California Code of Regulations.

4. The applicant enrolled in the Conditional Waiver complies with conditions specified in a Water Board Executive Officer-approved onsite management plan implemented by the local governing jurisdiction.

The Central Coast Water Board or its Executive Officer may terminate the discharger's enrollment in the Conditional Waiver at any time.

## VIII.D.3.b. CONDITIONS FOR WAIVER OF WASTE DISCHARGE REQUIREMENTS AND REPORTS OF WASTE DISCHARGE FOR SYSTEMS REGULATED BY LOCAL GOVERNING JURISDICTIONS

The requirement to submit a report of waste discharge, associated fee, and waste discharge requirements to the Central Coast Water Board and to receive enrollment notification are waived for onsite wastewater systems regulated by a local governing jurisdiction, provided the following conditions are met.

For New Discharges (systems installed after March 20, 2009):

1. The onsite wastewater system is permitted by a local governing jurisdiction that implements an onsite management plan approved by the Central Coast Water Board or its Executive Officer.
2. The local governing jurisdiction has entered into a memorandum of understanding with the Central Coast Water Board regarding onsite wastewater system management.
3. The onsite wastewater system meets the criteria in Basin Plan Chapter 4, Section VIII.D.
4. The onsite wastewater system is sited, designed, managed and maintained in a manner consistent with the Water Board Executive Officer-approved onsite management plan implemented by the local governing jurisdiction.

For Existing Discharges (systems installed before March 20, 2009):

5. The onsite wastewater system is managed and maintained in a manner consistent with the Water Board Executive Officer-approved onsite management plan implemented by the local governing jurisdiction.

# CALIFORNIA DEPARTMENT OF FISH AND GAME

## CERTIFICATE OF FEE EXEMPTION

## De Minimis Impact Finding

**Project Title/Location Name and Address of Project Proponent:** AMENDING THE WATER QUALITY CONTROL PLAN REGARDING ONSITE WASTEWATER SYSTEM IMPLEMENTATION PROGRAM (Resolution No. R3-2009-0012)

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), held a public hearing on March 20, 2009, 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 Basin Plan sections pertaining to onsite wastewater system requirements and implementation of such requirements.

**Findings of Exemption:** Please see the attached Report for Basin Plan Amendment and 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

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# CALIFORNIA ENVIRONMENTAL QUALITY ACT SUBSTITUTE ENVIRONMENTAL DOCUMENT REPORT FOR BASIN PLAN AMENDMENT REGARDING ONSITE WASTEWATER SYSTEM IMPLEMENTATION PROGRAM (RESOLUTION NO. R3-2009-0012)

The California Regional Water Quality Control Board, Central Coast Region (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 protection of waters of the State 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 California Resources Agency has certified the Basin Planning process as an exempt regulatory program for the purposes of complying with the California Environmental Quality Act (CEQA) and the CEQA Guidelines [§15251, Title 14, California Code of Regulations (CCR)]. The Water Board is exempt from the requirement to prepare an environmental impact report or negative declaration. Any Regional Board exempt regulatory program must satisfy the documentation requirements of §3775(a), Title 23, CCR. This Report constitutes a substitute environmental document as set forth in §3775(a), Title 23, CCR. 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, §3775 et seq. All public comments were considered.

## I. DESCRIPTION OF PROPOSED ACTIVITY

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

Historically, discharges from conventional onsite wastewater systems have 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 §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 §13264. The

proposed Resolution No. R3-2009-0012 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 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 implementation program

The Central Coast Water Board could adopt an implementation program 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 implementation program 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. Adopt individual or general waste discharge requirements

The Central Coast Water Board could adopt individual or general waste discharge requirements for onsite wastewater systems. This alternative is not recommended. Individual waste discharge requirements would overwhelm the staff resources as there are many thousands of such systems in the Region. General waste discharge requirements are not necessary because the local agencies are best situated to regulate onsite wastewater systems in compliance with the Basin Plan. The proposed conditional waiver in the implementation program requires compliance with Basin Plan criteria, providing appropriate protection of waters of the state.

3. Take no action

Formal discharge authorization is required pursuant to California Water Code §13264. Currently, no such authorization is in place. If no action is taken, the current situation would continue, which does not provide adequate protection of water quality or compliance with the California Water Code. 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 approval is required for this Basin Plan amendment. 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.

## III. EVALUATION OF ENVIRONMENTAL IMPACTS

A significant effect on the environment is defined in regulation as "*a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. A social or economic change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant* (14 CCR section 15382)."

### ENVIRONMENTAL CHECKLIST

| | 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 -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may** | | | | |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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 -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. 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 | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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 | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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 ground water supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water 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 | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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 | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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:** | | | | |
| a) Result in 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: | ☐ | ☐ | ☐ | ☒ |
| Fire protection? | ☐ | ☐ | ☐ | ☒ |
| Police protection? | ☐ | ☐ | ☐ | ☒ |
| Schools? | ☐ | ☐ | ☐ | ☒ |
| Parks? | ☐ | ☐ | ☐ | ☒ |
| Other public facilities? | ☐ | ☐ | ☐ | ☒ |
| **14. RECREATION – Would the project:** | | | | |
| a) 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) 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? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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 DISCUSSION** (of checklist questions answered Potentially Significant Impact, Less than Significant with Mitigation Incorporation, or Less than Significant Impact).

The Water Board concludes that adoption of an implementation program that conditionally waives waste discharge requirements and reports of waste discharge for onsite wastewater systems will not have a significant impact on the environment. The Water Board will not authorize waivers of waste discharge requirements for new discharges except where the local governing jurisdiction has approved development after complying with CEQA and incorporating appropriate mitigation measures. The Water Board does not have jurisdiction to approve development, but only to regulate discharges of waste. There is no information available to the Water Board, other than speculation, that the adoption of the Implementation Program establishing a conditional waiver will result in more or less development. The Water Board also concludes that the adoption of revised onsite wastewater system criteria will not have a significant impact on the environment. The revised criteria establish more stringent conditions regulating onsite wastewater systems and will result in protection of waters of the state. The Basin Plan criteria, if implemented, are protective of water quality.

Reasonably foreseeable means of compliance, costs associated with such compliance, and resulting environmental impacts have also been considered and are addressed in the Staff Report.

**V. PRELIMINARY STAFF DETERMINATION**

☐ The proposed project COULD NOT have a significant effect on the environment, and, therefore, no alternatives or mitigation measures are proposed.

☐ The proposed project MAY have a significant or potentially significant effect on the environment, and therefore alternatives and mitigation measures have been evaluated.

| Signature | Date |
|---|---|
| Printed Name | For |

# ~ DRAFT FOR GUIDANCE ~

## CENTRAL COAST WATER BOARD
## CHECKLIST FOR DEVELOPING & REVIEWING
## ONSITE WASTEWATER MANAGEMENT PLANS

**GOAL:** Implementation of onsite management plan will protect and enhance ground and surface water. Each local agency is likely to have unique site limitations and potential water quality issues associated with onsite systems, and management measures to address those issues. Accordingly, the onsite management plan should be flexible and agency-specific. The plan must address each component required in the Basin Plan, however the means and degree to which each component is addressed is flexible. Following is based upon the order in which requirements appear in the Basin Plan, minus duplicative requirements (Chapter 4, Section VIII.D.)

**Note:** Many components of an effective onsite wastewater management plan may already be implemented by the local permitting jurisdiction or other resource agencies. To prevent duplicative efforts and maximize efficiency, such existing practices should be utilized to the maximum extent practical and summarized in the plan. For example, water quality monitoring data may be available from local health departments, water purveyors, Central Coast Water Board programs, etc. Such data can be used to support management plan activities providing the data is technically sound and adequately summarized in the plan. Adequate documentation should also be included to address any components omitted from a plan, such as those actions performed by other agencies or not applicable due to specified local conditions. The following guidance is based upon requirements adopted by the Central Coast Water Board on May 9, 2008, and not yet approved by the State Water Board.

1. Survey and evaluation of existing onsite systems.
   a. Identify areas served by existing onsite systems throughout jurisdiction. (Section should establish a baseline, include maps or GIS layers, identify areas suitable for conventional systems, summarize basis for suitability, etc.)
   b. Identify problematic areas (site limitations, failure rates, water quality impacts).
   c. Management measures 2, 3, 7 & 8 are implemented in problematic areas.

2. Water quality (ground and surface water) monitoring program.
   a. Ground and/or surface water monitoring in areas likely to detect and prevent degradation. (Include existing data sources and observations where available, document data sources, and document the basis for determining areas likely to be degraded.)
   b. Monitoring locations/depth are representative and can characterize early effects.
   c. Monitoring results support implementation measures and protection of water quality and beneficial uses.

3. Projections of onsite disposal system demand and determination of methods to best meet demand.
   a. Documentation/details that demand will be met without degrading water quality. (Section will reflect each agency's existing and planned policies, include feedback loops to ensure policies are working, and periodic reevaluation.)

b. If sewering is proposed, a realistic schedule is provided. (Include legal authority to prohibit onsite systems within specified proximity of sewer or other tools, summarize measures to prevent water quality impacts until sewer is provided.)

4. Recommendations and requirements for existing onsite wastewater system inspection, monitoring, maintenance and repairs. (Consider different levels for conventional vs. alternative systems.)
   a. Recommendations & requirements are consistent with Basin Plan.
   b. Recommendations & requirements are implemented in an effective manner. (Include feedback loop to ensure effectiveness of policies described.)
   c. Replacements/repairs comply with Basin Plan recommendations, requirements and prohibitions. (Management proposed if repairs can not meet Basin Plan standards, deed restrictions, etc.)
   d. Method for informing onsite system owners is described and effective.
   e. Tracking of system failures, pumping, or other means of identifying problems.
   f. Implementation methods are supported by adequate resources. (Identify who implements or will implement actions.)

5. Recommendations and requirements for new onsite wastewater systems.
   a. Recommendations & requirements are consistent with Basin Plan.
   b. Recommendations & requirements are implemented in effective manner. (Include feedback loop to ensure effectiveness of policies described.)
   c. Site suitability tests are performed and support design.
   d. Permitting process ensures proper siting, design, construction & maintenance.
   e. Permitting conditions reflect Basin Plan criteria and protects set-aside areas.
   f. Property owners are notified of proper installation, operation & maintenance. (Describe when and how notification will occur in the local permitting process.)
   g. Alternative systems are prohibited unless consistent with specified criteria. (Includes water quality protection criteria for alternative systems, if allowed.)
   h. Alternative system criteria include means of verifying ongoing compliance (performance monitoring and reporting).
   i. Alternative system owners are provided maintenance or replacement document by the system designer or installer, citing homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours.
   j. Provisions to ensure long-term performance of alternative systems (service contract, deed restrictions, disclosures, etc.)
   g. Implementation methods are supported by adequate resources. (Identify who implements or will implement actions.)

6. Alternative means of disposing of sewage in the event of disposal system failure and/or irreversible degradation from onsite disposal. (Define how local agency characterizes system failure or irreversible degradation and how it will be detected.)
   a. List of alternate disposal options. (Availability of capacity at each optional disposal facility should be documented.)
   b. Estimated cost of wastewater disposal alternatives.

7. Education and outreach program.
   a. Sample information is fact-based, accurate, user-friendly, and lasting.
   b. Provisions for public inquiry and assistance.

8. Enforcement options. (Including maintenance of alternative systems and commitment to follow through).
   a. Local ordinance reflects Basin Plan criteria.
   b. Local enforcement tools are available and commitment is clearly stated. (Describe escalation of enforcement and who will implement each action.)

9. Septage management.
   a. Septage volume estimated.
   b. Long-term disposal capacity (authorization if site not owned by same agency).
   c. Septage disposal plans & schedule, if site not currently available.
   d. Discussion of private hauling company coordination with local agencies.

10. Program administration, staffing, records keeping, installation and repairs tracking, and financing (are adequate resources provided to support all activities).
   a. Clear delegation of tasks, who does what.
   b. Staff/contract inspectors use detailed checklist to verify construction compliance.
   c. Periodic summary reports, contents of report, and feedback loop.
   d. Local ordinance reflects Basin Plan criteria and supports management plan implementation.

**NIPOMO COMMUNITY SERVICES DISTRICT**
**WATERLINE INTERTIE PROJECT**
**MONTHLY REPORT TO THE BOARD OF DIRECTORS**
**NOVEMBER 30, 2008**

| | REVENUES FY 2008-2009 (1) | MONTH OF NOVEMBER | FISCAL YEAR 7/1/2008 TO 6/30/2009 |
|---|---|---|---|
| | Supplemental Water Capacity Fees Collected | 0.00 | 59,937.75 |
| | Interest Income (monthly & quarterly posting) | 4,050.52 | 37,010.93 |
| | Revenue Subtotal | 4,050.52 | 96,948.68 |
| | EXPENDITURES FY 2008-2009 (2) | | |
| | CONSULTANTS | | |
| 1590-A1 | Feasibility Study (Cannon) | 0.00 | 0.00 |
| 1590-A2 | EIR Preparation (Wood & Assoc) | 10,251.58 | 49,855.75 |
| 1590-A3 | Estimate/Preliminary Schedule (Cannon) | 0.00 | 0.00 |
| 1590-A4 | Proposed Routes/Facilities (Cannon) | 0.00 | 0.00 |
| 1590-A5 | Prop 50 Grant Applicatin | 0.00 | 0.00 |
| 1590-A6 | Project Support (Cannon) | 0.00 | 0.00 |
| 1590-A7 | Groundwater Grant Assistance (SAIC) | 0.00 | 0.00 |
| | LEGAL | | |
| 1590-B1 | Shipsey & Seitz | 2,320.50 | 3,697.50 |
| 1590-B2 | McDonough, Holland & Allen | 0.00 | 0.00 |
| 1590-B3 | Richards, Watson & Gershon | 0.00 | 0.00 |
| | LAND ACQUISITION | | 0.00 |
| 1590-C1 | Appraisals (Tarvin & Reeder Gilman) | 0.00 | 0.00 |
| 1590-C2 | Property Negotiations (Hamner Jewell) | 450.00 | 6,647.50 |
| | FINANCIAL | | |
| 1590-D1 | Reed Group | 0.00 | 7,585.45 |
| 1590-D2 | Lobbying | 0.00 | 11,950.00 |
| | ENGINEERING | | |
| 1590-E1 | Preliminary Engineering Design (Boyle) | 0.00 | 2,194.43 |
| 1590-E2 | Water Modeling by Carollo (City of Santa Maria) | 0.00 | 0.00 |
| 1590-E3 | Alternative Water Supplies (Boyle) | 0.00 | 0.00 |
| 1590-E4 | Project Information (Boyle) | 0.00 | 0.00 |
| 1590-E5 | Project Design (Boyle) | 115,615.56 | 232,924.64 |
| 1590-E6 | Pressure Testing | 977.40 | 977.40 |
| | OTHER | | |
| 1590-F1 | FGL Environmental | 0.00 | 0.00 |
| 1590-F2 | Copy/Print | 0.00 | 0.00 |
| | PERMITS | | |
| 1590-G1 | Santa Maria Valley Water Conservation District | 0.00 | 130.00 |
| | ASSESSMENT DISTRICT | | |
| 1590-H1 | Wallace Group | 0.00 | 10,647.75 |
| | SALARY AND BENEFITS (3) | | |
| 1590-Z1 | Wages-Capitalized | 2,403.84 | 12,740.44 |
| 1590-Z2 | Payroll Taxes-Capitalized | 34.82 | 184.61 |
| 1590-Z3 | Retirement-Capitalized | 651.58 | 3,489.98 |
| 1590-Z4 | Medical-Capitalized | 223.97 | 1,119.85 |
| 1590-Z5 | Dental/Vision-Capitalized | 29.10 | 144.45 |
| 1590-Z6 | Workers Compensation-Capitalized | 20.38 | 106.96 |
| | Expenditure Subtotal | 132,978.73 | 344,396.71 |
| | Net Revenues less Expenditures | (128,928.21) | (247,448.03) |
| | Beginning Fund Balance as of July 1, 2008 | | 3,795,001.08 |
| | Ending Fund Balance as of November 30, 2008 | | 3,547,553.05 |

(1) See attached "Supplemental Water Fees Collected" Schedule for more detail.

(2) See attached "Supplemental Water Cost Summary" for more detail.

(3) Salary and Benefits of Project Manager are allocated among NCSD projects and capitalized as part of the cost of the project.

T:\\documents\projects\supplemental Water\Financial Reports\FY 6-30-09\monthly report to board.xls

**NIPOMO COMMUNITY SERVICES DISTRICT**
**SUPPLEMENTAL WATER COST SUMMARY**

| A/C # | DESCRIPTION | 7/1/2004 TO 6/30/2005 | 7/1/2005 TO 6/30/2006 | 7/1/2006 TO 6/30/2007 | 7/1/2007 TO 6/30/2008 | 7/1/2008 TO 6/30/2009 | GRAND TOTAL |
|---|---|---|---|---|---|---|---|
| 1645 | Reservation Fee-City of Santa Maria | 37,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 37,500.00 |
| 1590-A1 | Feasibility Study (Cannon) | 25,887.29 | 0.00 | 0.00 | 0.00 | 0.00 | 25,887.29 |
| 1590-A2 | EIR Preparation (Wood & Assoc) | 29,037.48 | 87,100.23 | 16,053.83 | 45,407.70 | 49,855.75 | 227,454.99 |
| 1590-A3 | Est/Preliminary Schedule (Cannon) | 3,706.19 | 2,602.75 | 0.00 | 0.00 | 0.00 | 6,308.94 |
| 1590-A4 | Proposed Routes/Facilities (Cannon) | 5,050.07 | 520.00 | 0.00 | 0.00 | 0.00 | 5,570.07 |
| 1590-A5 | Prop 50 Grant Application | 2,757.00 | 6,210.00 | 0.00 | 1,857.60 | 0.00 | 10,824.60 |
| 1590-A6 | Project Support (Cannon) | 0.00 | 11,797.44 | 0.00 | 0.00 | 0.00 | 11,797.44 |
| 1590-A7 | Groundwater Grant Assistance (SAIC) | 0.00 | 0.00 | 0.00 | 15,000.00 | 0.00 | 15,000.00 |
| 1590-B1 | Shipsey & Seitz | 0.00 | 23,095.55 | 17,564.25 | 2,201.50 | 3,697.50 | 46,558.80 |
| 1590-B2 | McDonough, Holland & Allen | 0.00 | 34,177.28 | 15,871.65 | 0.00 | 0.00 | 50,048.93 |
| 1590-B3 | Richard, Watson & Gershon | 0.00 | 9,472.38 | 27,954.81 | 0.00 | 0.00 | 37,427.19 |
| | | | | | 0.00 | 0.00 | |
| 1590-C1 | Aprraisals (Tarvin & Reeder Gilman) | 0.00 | 0.00 | 16,170.00 | 10,000.00 | 0.00 | 26,170.00 |
| 1590-C2 | Property Negotiations (Hamner Jewell) | 0.00 | 0.00 | 0.00 | 0.00 | 6,647.50 | 6,647.50 |
| 1590-D1 | Reed Group | 0.00 | 2,809.85 | 0.00 | 0.00 | 7,585.45 | 10,395.30 |
| 1590-D2 | Lobbying | 0.00 | 0.00 | 0.00 | 38,801.11 | 11,950.00 | 50,751.11 |
| 1590-E1 | Preliminary Engineering Design (Boyle) | 0.00 | 6,470.33 | 223,286.67 | 103,460.19 | 2,194.43 | 335,411.62 |
| 1590-E2 | Water Modeling by Carollo (City of SM) | 0.00 | 0.00 | 24,942.00 | 0.00 | 0.00 | 24,942.00 |
| 1590-E3 | Alternative Water Supplies (Boyle) | 0.00 | 0.00 | 164,230.48 | 70,772.01 | 0.00 | 235,002.49 |
| 1590-E4 | Project Information (Boyle) | 0.00 | 0.00 | 0.00 | 6,000.00 | 0.00 | 6,000.00 |
| 1590-E5 | Project Design (Boyle | 0.00 | 0.00 | 0.00 | 0.00 | 232,924.64 | 232,924.64 |
| 1590-E6 | Pressure Testing | 0.00 | 0.00 | 0.00 | 0.00 | 977.40 | 977.40 |
| 1590-F1 | Lab Testing (FGL Environmental) | 0.00 | 0.00 | 5,047.00 | 0.00 | 0.00 | 5,047.00 |
| 1590-F2 | Copy/Print | 0.00 | 0.00 | 740.24 | 1,022.01 | 0.00 | 1,762.25 |
| 1590-G1 | Permits | 0.00 | 0.00 | 0.00 | 0.00 | 130.00 | 130.00 |
| 1590-H1 | Assessment District | 0.00 | 0.00 | 0.00 | 0.00 | 10,647.75 | 10,647.75 |
| 1590-Z1 | Wages-Capitalized | 0.00 | 29,076.92 | 35,884.51 | 28,197.08 | 12,740.44 | 105,898.95 |
| 1590-Z2 | Payroll Taxes-Capitalized | 0.00 | 587.22 | 587.42 | 455.96 | 184.61 | 1,815.21 |
| 1590-Z3 | Retirement-Capitalized | 0.00 | 8,418.08 | 10,344.53 | 8,110.84 | 3,489.98 | 30,363.43 |
| 1590-Z4 | Medical-Capitalized | 0.00 | 2,861.36 | 3,367.02 | 2,564.88 | 1,119.85 | 9,913.11 |
| 1590-Z5 | Dental/Vision-Capitalized | 0.00 | 0.00 | 247.90 | 328.23 | 144.45 | 720.58 |
| 1590-Z6 | Workers Compensation-Capitalized | 0.00 | 260.35 | 341.83 | 225.21 | 106.96 | 934.35 |
| | | 103,938.03 | 225,459.74 | 562,634.14 | 334,404.32 | 344,396.71 | 1,570,832.94 |

**NIPOMO COMMUNITY SERVICES DISTRICT**
**CERTIFICATES OF PARTICIPATION**
**DEBT SERVICE SCHEDULE**

| | PRINCIPAL | INTEREST | TOTAL DEBT SERVICE | PRINCIPAL BALANCE |
|---|---|---|---|---|
| | | | | 4,000,000.00 |
| FY June 30, 2004 | 0.00 | 136,384.79 | 136,384.79 | 4,000,000.00 |
| FY June 30, 2005 | 75,000.00 | 169,950.00 | 244,950.00 | 3,925,000.00 |
| FY June 30, 2006 | 80,000.00 | 167,625.00 | 247,625.00 | 3,845,000.00 |
| FY June 30, 2007 | 80,000.00 | 165,225.00 | 245,225.00 | 3,765,000.00 |
| FY June 30, 2008 | 85,000.00 | 163,132.50 | 248,132.50 | 3,680,000.00 |
| FY June 30, 2009 | 85,000.00 | 162,240.00 | 247,240.00 | 3,595,000.00 |
| FY June 30, 2010 | 85,000.00 | 160,157.50 | 245,157.50 | 3,510,000.00 |

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**NIPOMO COMMUNITY SERVICES DISTRICT**
**SUPPLEMENTAL WATER FEES COLLECTED**

| PROJECT | DEVELOPER | SUMMARY | DATE PAID | WATER SUPPLY PORTION | PIPELINE PORTION | SUPPLEMENTAL TOTAL |
|---|---|---|---|---|---|---|
| CALFIRE | CALFIRE | Fire system Fee | 8/21/2008 | 41,568.11 | 5,137.64 | 46,705.75 |
| Villagio Market | Nester | Fire system Fee | 10/20/2008 | 11,082.28 | 1,369.72 | 12,452.00 |
| CO 05-0113 | David | Final Fees-Balance due to fee increase 7/1/08 | 10/6/2008 | 694.20 | 85.80 | 780.00 |
| | | **FISCAL YEAR 2008-2009** | **SUBTOTAL** | 53,344.59 | 6,593.16 | 59,937.75 |
| | | CARRY FORWARD TOTALS FOR FY 04-05, FY 05-06, FY 06-07 AND FY 07-08 | | 2,623,733.26 | 323,931.49 | 2,947,664.75 |
| | | | **GRAND TOTAL** | **2,677,077.85** | **330,524.65** | **3,007,602.50** |

**TO:** Bruce Buel, General Manager, Nipomo Community Services District

**FROM:** Joel Degner, Brad Newton, Ph.D., P.G., Bob Beeby, P.E.

**RE:** Fall 2008 Groundwater in Storage above Mean Sea Level

**DATE:** December 18, 2008

## INTRODUCTION

Groundwater surface elevations (GSE) underlying the Nipomo Mesa are regularly measured at many places (wells) across the mesa. Hydrographs from individual wells provide a temporal record of the GSE measurements at one location. Presented herein is the Fall 2008 GWS estimate along with estimates of historical annual variability in GWS from 1975 to 2008 based on groundwater surface elevation measurements collected during Spring and Fall across the Nipomo Mesa. Limited measurements of GSE were available for the years 1982, 1983, 1984, 1994 and 1997, thus precluding a reliable estimate of GWS for those years.

## RESULTS

Estimated Fall 2008 GWS is 65,000 acre-feet (AF), which is 18,000 AF less than Spring 2008 and 1,000 AF lower than Fall 2007 (Table 1, Figure 1).

## METHODOLOGY

The annual estimates of Spring and Fall GWS are based on GSE measurements regularly made by San Luis Obispo County Department of Public Works (SLO DPW), NCSD, USGS, and Woodlands. The integration of GSE data is accomplished by using computer software to interpolate between measurements and calculate GWS within the principal production aquifer assuming an unconfined aquifer and a specific yield of 11.7 percent. Limited measurements of GSE were available for the years 1982, 1983, 1984, 1994 and 1997, precluding a reliable estimate of GWS for those years.

The amount of GWS under the Nipomo Mesa was computed by multiplying the saturated volume above sea level with the aerially weighted specific yield (DWR, 2002), excluding bedrock (Figure 11: Base of Potential Water-Bearing Sediments, presented in the report, Water Resources of the Arroyo Grande – Nipomo Mesa Area [DWR 2002]). The amount of GWS under the Nipomo Mesa was constrained to the boundary determined in Phase III of the trial.

Data provided by DWR, consisting of well completion reports, lithographic logs, electronic logs, and pump tests, were used to develop an understanding of the hydrogeologic conditions underlying the Nipomo Mesa. A systematic review of these data pertaining to wells used for storage calculations was conducted in order to verify that each well's screened interval is within the principal production aquifer (Paso Robles Formation).



SAIC Engineering, Inc. A Subsidiary of Science Applications International Corporation
5464 Carpinteria Ave., Suite K • Carpinteria, CA 93013 • Telephone 805/566-6400 • Facsimile 805/566-6427

## Groundwater Surface Elevation Measurements

Groundwater surface elevation data were obtained from SLO DPW, NCSD, USGS, and Woodlands. SLO DPW measures GSE in monitoring wells during the spring and the fall of each year. Woodlands and NCSD measures GSE in their monitoring wells monthly. For the years 1975 to 1999, available representative GSE data were used to estimate GWS. For the years 2000 to 2008, only GSE data from the same 45 wells were used to estimate GWS.

The GSE data was reviewed in combination with well completion reports and historical hydrographic records in order to exclude measurements that do not accurately represent static water levels within the principal production aquifer. Wells that do not access the principal production aquifer or were otherwise determined to not accurately represent static water levels within the aquifer were not included in analysis.

## Groundwater Surface Interpolation

The individual GSE measurements from each year were used to produce a GSE field by interpolation using the inverse distance weighting (IDW) method.

## Groundwater Volume Estimate

The amount of groundwater in storage under the Nipomo Mesa was estimated for the boundary determined in Phase III of the trial. The GWS was estimated by subtracting both the mean sea level surface (elevation equals zero) and the volume of bedrock above sea level from the saturated volume. The bedrock surface elevation is based on Figure 11: Base of Potential Water-Bearing Sediments, presented in the report, Water Resources of the Arroyo Grande – Nipomo Mesa Area (DWR 2002). The bedrock surface elevation was preliminarily verified by reviewing driller reports obtained from DWR. The saturated volume above sea level was multiplied by a specific yield of 11.7% to estimate the recoverable amount of GWS. The specific yield is based on the average weighted specific yield for the Nipomo Mesa Hydrologic Sub-Area (DWR 2002, pg. 86).

## REFERENCES

Department of Water Resources (DWR). 2002. Water Resources of the Arroyo Grande – Nipomo Mesa Area, Southern District Report.

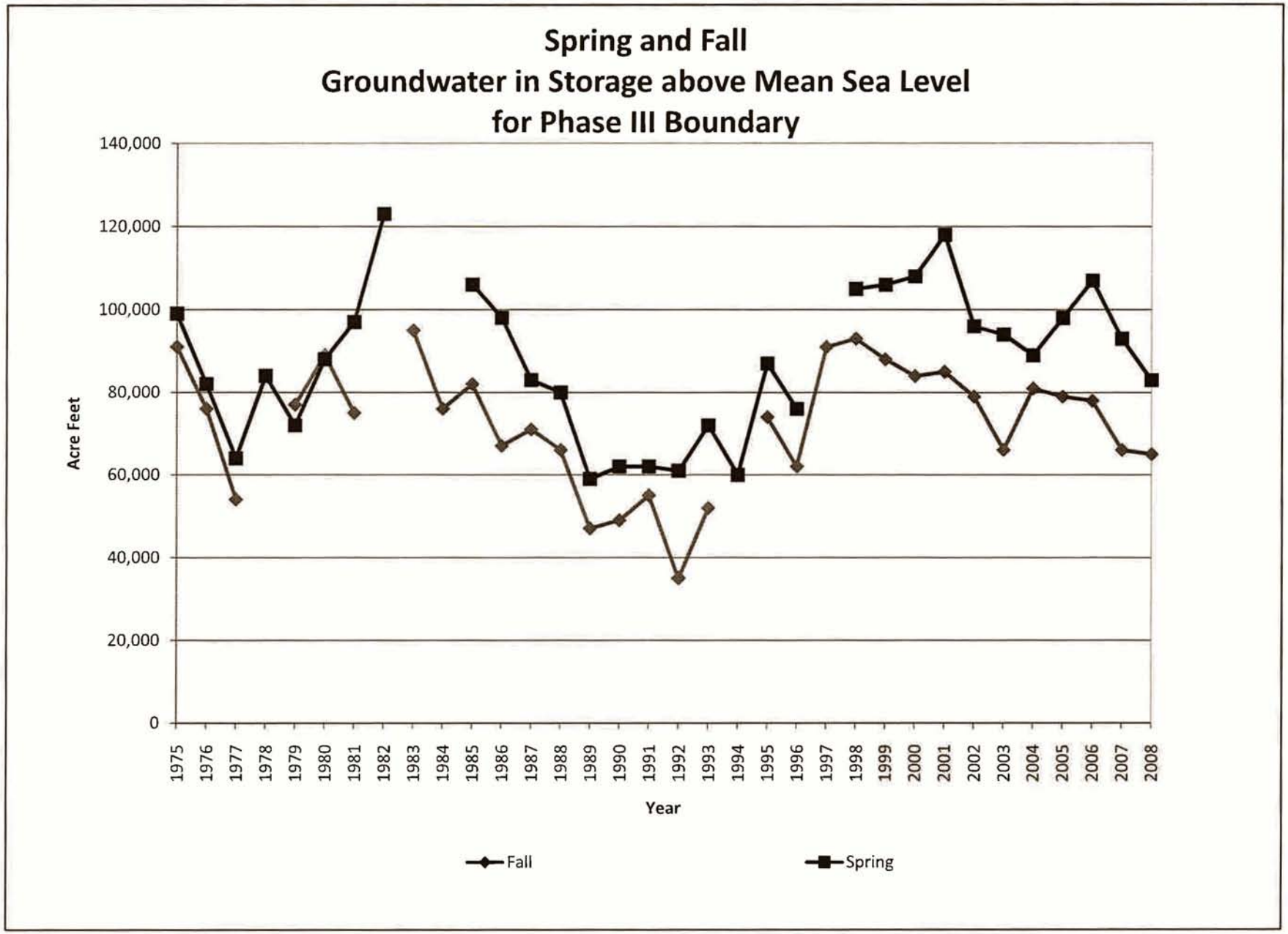
**Table 1**

**Spring and Fall**
**Groundwater in Storage above Mean Sea Level**
**for Phase III Boundary**

| Year | Rainfall (inches) | Spring GWS (Acre-Feet) | Number of Wells | Fall GWS (Acre-Feet) | Number of Wells | Spring to Fall Difference (Acre-Feet) |
|---|---|---|---|---|---|---|
| 1975 | 17.29 | 99,000 | 54 | 91,000 | 54 | 8,000 |
| 1976 | 13.45 | 82,000 | 45 | 76,000 | 65 | 6,000 |
| 1977 | 10.23 | 64,000 | 59 | 54,000 | 63 | 10,000 |
| 1978 | 30.66 | 84,000 | 62 | --- | 35 | --- |
| 1979 | 15.80 | 72,000 | 57 | 77,000 | 63 | (5,000) |
| 1980 | 16.57 | 88,000 | 55 | 89,000 | 46 | (1,000) |
| 1981 | 13.39 | 97,000 | 46 | 75,000 | 47 | 22,000 |
| 1982 | 18.58 | 123,000 | 42 | --- | 31 | --- |
| 1983 | 33.21 | --- | 35 | 95,000 | 42 | --- |
| 1984 | 11.22 | --- | 14 | 76,000 | 37 | --- |
| 1985 | 12.20 | 106,000 | 37 | 82,000 | 41 | 24,000 |
| 1986 | 16.85 | 98,000 | 51 | 67,000 | 51 | 31,000 |
| 1987 | 11.29 | 83,000 | 48 | 71,000 | 52 | 12,000 |
| 1988 | 12.66 | 80,000 | 51 | 66,000 | 49 | 14,000 |
| 1989 | 12.22 | 59,000 | 47 | 47,000 | 57 | 12,000 |
| 1990 | 7.12 | 62,000 | 55 | 49,000 | 53 | 13,000 |
| 1991 | 13.06 | 62,000 | 52 | 55,000 | 54 | 7,000 |
| 1992 | 15.66 | 61,000 | 52 | 35,000 | 48 | 26,000 |
| 1993 | 20.17 | 72,000 | 54 | 52,000 | 61 | 20,000 |
| 1994 | 12.15 | 60,000 | 54 | --- | 36 | --- |
| 1995 | 25.47 | 87,000 | 35 | 74,000 | 52 | 25,000 |
| 1996 | 16.54 | 76,000 | 45 | 62,000 | 57 | 14,000 |
| 1997 | 20.50 | --- | 20 | 91,000 | 48 | --- |
| 1998 | 33.67 | 105,000 | 41 | 93,000 | 44 | 12,000 |
| 1999 | 12.98 | 106,000 | 56 | 88,000 | 49 | 18,000 |
| 2000 | 14.47 | 108,000 | 44 | 84,000 | 41 | 24,000 |
| 2001 | 18.78 | 118,000 | 43 | 85,000 | 35 | 33,000 |
| 2002 | 8.86 | 96,000 | 29 | 79,000 | 41 | 17,000 |
| 2003 | 11.39 | 94,000 | 37 | 66,000 | 42 | 28,000 |
| 2004 | 12.57 | 89,000 | 42 | 81,000 | 35 | 8,000 |
| 2005 | 22.23 | 98,000 | 38 | 79,000 | 39 | 19,000 |
| 2006 | 20.83 | 107,000 | 44 | 78,000 | 41 | 29,000 |
| 2007 | 6.96 | 93,000 | 44 | 66,000 | 42 | 27,000 |
| 2008 | 15.18 | 83,000 | 43 | 65,000 | 42 | 18,000 |

---: insufficient for evaluation

**Figure 1**



TO: BOARD OF DIRECTORS

FROM: BRUCE BUEL BSB

DATE: JANUARY 9, 2009

**AGENDA ITEM G**
**JANUARY 9, 2009**

COMMITTEE REPORTS

**ITEM**

Review Committee Matters.

**BACKGROUND**

The Supplemental Water Project Design and Construction Committee met at 1pm on Monday December 14, 2008. Attached are draft minutes. This Committee is scheduled to meet again at 1pm on Monday January 24, 2009.

The Southland WWTF Upgrade Project Committee Finance is scheduled to meet at 2:00pm on Monday January 12, 2009.

The Water Conservation Committee is scheduled to meet again at 10am on Monday January 12, 2009.

**RECOMMENDATION**

It is recommended that your Honorable Board discuss the meetings as appropriate.

**ATTACHMENT**

- SWP COMMITTEE MEETING MINUTES

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2007\COMMITTEE REPORTS 090114.DOC

# NIPOMO COMMUNITY SERVICES DISTRICT

## MONDAY, DECEMBER 15, 2008

## 1:00 P. M.

# SPECIAL MEETING MINUTES

## SUPPLEMENTAL WATER PROJECT
## DESIGN & CONSTRUCTION COMMITTEE

**COMMITTEE MEMBERS**
ED EBY, **CHAIR**
CLIFFORD TROTTER, **MEMBER**

**PRINCIPAL STAFF**
BRUCE BUEL, **GENERAL MANAGER**
LISA BOGNUDA, **ASSIST. GENERAL MANAGER**
DONNA JOHNSON, **BOARD SECRETARY**
JON SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DISTRICT ENGINEER**

**MEETING LOCATION**
**District Board Room**
**148 S. Wilson Street**
**Nipomo, California**

### 1. CALL TO ORDER, ROLL CALL AND FLAG SALUTE

Chairperson Eby called the meeting to order at 1:00 p.m. and led the flag salute. Committee members Trotter and Eby were both present. Also present were General Manager Bruce Buel, District Engineer Peter Sevcik, District Superintendent Tina Grietens, AECOM/Boyle representatives Mike Nunley and Jon Hanlon and one member of the public.

### 2. REVIEW STATUS OF WATERLINE INTERTIE PROJECT

General Manager Bruce Buel summarized progress in advancing the Waterline Intertie Project and Mike Nunley reviewed his monthly update. Committee discussion followed on the basis for assessment, the EIR Process and the project schedule. There was no public comment.

### 3. REVIEW DRAFT CHLORAMINATION TECHNICAL MEMORANDUM

Jon Hanlon summarized the Technical Memorandum and answered Committee Questions regarding the projected cost of the disinfection systems. Cliff Trotter requested that AECOM research the threshold at which the chloramine can be tasted in the water supply. Jon Hanlon agreed to provide that information. The Committee agreed, by consensus, that the draft should be published along with the 30% Design Report for Committee and Board consideration.

There was no public comment.

## 4. DISCUSS PROCESS TO REFINE BASIS OF ASSESSMENT

General Manager Bruce Buel summarized the discussions on this topic to date and recommended that the District perform additional research so that the Board can compare options for calculating the assessment. Ed Eby distributed copies of a handout detailing the research that he thought would be meaningful. The Committee reviewed Ed Eby's handout and discussed the proposed research. Bruce Buel promised to circulate a proposal for the research prior to the next committee meeting.

There was no public comment.

## 5. SET NEXT COMMITTEE MEETING

The Committee agreed to have another meeting on Monday, January 26, 2009 at 1:00 p.m. to discuss the Geo-Physical Technical Memorandum, the Basis of Assessment and policy issues raised in the DEIR Comments. The Committee agreed, by consensus, that the District needed to provide maximum information to the Community regarding the project prior to mailing out the assessment ballots. There was no public comment.

## *6.* ADJOURN

The meeting was adjourned at 2:15 p.m.