COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY

950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 478-5799 http://mynevadacounty.com

Sean Powers, Agency Director

| Agricultural Commissioner | Building Department | Environmental Health | Planning Department | Dept. of Public Works |

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: May 10, 2016

TO: Board of Supervisors

FROM: **Amy Irani, Director of Environmental Health**

SUBJECT: Resolution approving a draft of the County of Nevada On-Site Sewage Disposal Regulations and related documents which comprise the proposed draft Local Area Management Plan ("LAMP") and authorize the Nevada County Department of Environmental Health to submit the draft LAMP to the Central Valley Regional Water Quality Control Board ("CVRWQCB").

RECOMMENDATION: Approve the resolution.

FUNDING: N/A

BACKGROUND: On June 19, 2012, as a result of Assembly Bill 885, the State of California Water Resources Control Board ("SWRCB") adopted a revised On-Site Wastewater Treatment System Policy ("OWTS"). The OWTS established a statewide, risk-based, tiered approach for the regulation and management of onsite wastewater treatment systems, commonly called septic systems. The OWTS requires that local agencies update existing onsite wastewater regulations in compliance with the OWTS.

The OWTS authorizes local enforcement agencies to continue to permit septic systems under a customized local program that complies with the OWTS Tier 2 requirements or adopt the generic statewide Tier 1 Standards.

Under Tier 2, the local enforcement agency may develop their own local program with alternative siting and designs standards for the purpose of addressing various site constraints unique to the local jurisdiction, while still providing the same level of protection of water quality and public health. The proposed LAMP must be submitted to the CVRWQCB no later than May 13, 2016. Failure to do so would result in the local enforcement agency being limited to only the Tier 1 Standards.

In the interest of maintaining local control over permitting of septic systems in the County of Nevada, and in the best interest of serving residents and businesses, the Tier 2 option was chosen. Environmental Health staff contracted with NorthStar Engineering staff engineer Dominickus (Nick) J. Weigel to guide the development and submittal of the draft LAMP and worked closely with the Sewage Disposal Technical Advisory Group to prepare the draft LAMP.

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The SWRCB's approval of policies for water quality control is a regulatory program that has been certified as exempt from CEQA requirements by the Secretary for Natural Resources. However, the SWRCB prepared a Substitute Environmental Document (SED) for the OWTS in accordance with the requirements of Article 6, Exempt Regulatory Programs, of Title 23, Division 3, Chapter 27 of the California Code of Regulations (23 CCR δ 3775 et seq.). The SWRCB approved the OWTS and the accompanying SED on June 19, 2012. The SED allows for all subsequent implementation of the OWTS by the State Water Board, regional water boards, and local agencies is expected to have the same or similar types of, potential environmental impacts as those analyzed in the SED. Therefore, unless a subsequent implementation action by the State Water Board, a regional water board, or a local agency results in environmental impacts not analyzed in the SED, it is expected that no further environmental documentation would be required for those implementation actions (SWRCB, SED pg. 174).

The draft LAMP is ready to be submitted to the CVRWQCB upon approval of the Board of Supervisors.

Item Initiated and Approved by: Amy Irani

Submittal Date:

Revision Date: