

Local Area Management Plan (LAMP) and County of Nevada Onsite Sewage Disposal Ordinance (OWTS)

Prepared for:

County of Nevada Board of Supervisors
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Environmental Health Department

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Brief Overview of AB 885: 2000 to present day

- September 27, 2000: Governor Davis signs into law AB 885 that required the State Water Resources Control Board (SWRCB) to adopt standards or regulations for the permitting and operation of onsite wastewater treatment systems (OWTS) by January 1, 2004.
- 2005: The SWRCB released “draft” standards that were not adopted due to opposition by the public and interest groups.
- 2011: Organizations (Heal the Ocean & Heal the Bay Santa Monica) filed a lawsuit against SWRCB for failure to act. This resulted in the adoption of statewide policy standards.
- June 19, 2012: The SWRCB approved Resolution #: 2012-0032, adopting the Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy).
- The OWTS Policy took effect on May 13, 2013 and required each jurisdiction to submit a draft LAMP and OWTS by May 2016.

OWTS Policy Tiered System and County of Nevada

- The OWTS Policy incorporates a risk-based, tiered approach. The 5 Tiers are as follows:
 - Tier 0: Existing OWTS that are functioning properly
 - Tier 1: New, Repaired or modified OWTS that meet specific low risk standards defined in the policy and will be under State jurisdiction for regulation.
 - Tier 2: OWTS are regulated by the Local Agencies that have an CVRWQCB approved LAMP
 - Tier 3: OWTS located within specific distances of impaired surface water bodies
 - Tier 4: Failing OWTS. Failing OWTS must be repaired to comply with Tier 1, 2 or 3 standards
- County of Nevada has 1 impacted body of water that is federally-listed (303(d)): Wolf Creek. The County's LAMP proposes to address new, repaired or replacement OWTS within 600 feet of Wolf Creek to meet Tier 3 requirements of the State Policy.
- County of Nevada's LAMP proposes Tier 2 and Tier 3 of the State Policy. Tier 2 allows for the regulation at a local level (vs. State level).

OWTS Policy and County of Nevada

- County of Nevada Board of Supervisors approved Resolution # 16-196 on May 10, 2016 for the Environmental Health Department to submit the draft LAMP and OWTS for the County of Nevada to the Central Valley Regional Water Quality Control Board (CVRWQCB).
- The draft LAMP and OWTS policy was a collaborative effort by the County's Sewage Disposal Technical Advisory Group (SDTAG) comprised of Industry experts who are Board appointed, Technical and Engineering guidance from Nick Weigel, P.E. with Northstar Engineering and the Environmental Health Department's Land Use staff.
- August 2016: County of Nevada EH Department received the first comments from the CVRWQCB regarding draft submittal.
- August – December 2016: EH Department staff worked with CVRWQCB to implement State recommended changes to the draft. CVRWQCB accepted all changes and recommended EH Department move forward with Final Version submittal to the Central Valley Regional Water Quality Control Board (CVRWQCB) for approval.

Reporting Requirements for County of Nevada Environmental Health Department

- Per item 3.3 of Tier 2 of the OWTS Policy, an annual report shall be submitted to the CVRWQCB on or before February 1st of each year and shall include the following:
 - Number and location of complaints
 - Application and registrations (annual permits) of septage pumper trucks
 - Number, Location, description and type of all OWTS permits
 - Water Quality Monitoring identified in the OWTS Policy (9.3). Groundwater monitoring data shall be submitted in a format for inclusion into Geotracker, and surface water monitoring shall be submitted to California Environmental Data Exchange Network (CEDEN).
 - All variances from the adopted Ordinance shall be reported on an annual basis to the CVRWQCB and will include the following information:
 - Number of variances granted
 - Addresses of each location of the granted variance
 - Description of the permit and type of variance allowed
- Every 5th year, the EH Department will submit an evaluation of the monitoring program. The evaluation shall include an assessment of whether water quality is being impacted by septic systems and identify any changes in the LAMP to address identified impacts.

Reporting Requirements for County of Nevada Environmental Health Department

Current status of data for reporting requirements in the Environmental Health Department:

- Data exists for the following:
 - Number and Location of Complaints
 - Application and registration of annual permits for septage pumper trucks and companies
- Data potential complications:
 - Number, location, description and type of system for every parcel in County of Nevada
 - Majority of APN files contain accurate data, however, there are those that will need review, possible site inspection and updating
 - Groundwater monitoring and surface water monitoring data
 - EH Department has not had a water quality monitoring system in place that enters and tracks data until early January 2015.
 - EH staff assigned have created tracking mechanisms and reporting capabilities in 2015.
 - All regulated State small and public water system testing is now being entered and tracked (as of Jan 2015).
 - All data for Well water quality at time of well inspection (residential) is available, however, not all may be in a reportable format.
 - Groundwater Ambient Monitoring and Assessment (GAMA) program well data would need to be entered in a data collection format.

How will the updated County of Nevada OWTS Policy affect existing systems?

- The septic systems that are functioning properly will not be required to retrofit said systems to meet the newly adopted standards. Only when an existing system fails the newly adopted standards would apply.
- Existing systems that are located within 600 feet of Wolf Creek will be assessed to ensure that they are functioning properly. Should a system be found in failure, then the newly adopted standards would apply along with monitoring if necessary.
- The LAMP and OWTS Ordinance will go into effect on the date as determined by the Board of Supervisors, but no later than May 13, 2018.

Action Requested of the Board

Approve the Resolution authorizing the submittal of the Final Version of the Local Area Management Plan (LAMP) and Onsite Wastewater Treatment System (OWTS) Ordinance to the Central Valley Regional Water Quality Control Board.

Thank you

Questions/Comments?