
Central Valley Regional Water Quality Control Board

12 December 2022

Matthew Kelley
US Army Corps of Engineers
New Hogan Lake Recreational Areas
2713 Hogan Dam Road
Valley Springs, CA 95252

CERTIFIED MAIL
7021-0950-0001-0236-1014

**NOTICE OF APPLICABILITY
GENERAL WASTE DISCHARGE REQUIREMENTS FOR
SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS
ORDER WQ 2014-0153-DWQ
FOR
U.S. ARMY CORPS OF ENGINEERS
NEW HOGAN LAKE RECREATIONAL AREAS
CALAVERAS COUNTY**

On 28 May 2021, the U.S. Army Corps of Engineers (hereafter Discharger) submitted a Report of Waste Discharge (RWD) describing the wastewater treatment facilities at New Hogan Lake Fiddleneck Day Use Area and Acorn Campground in Calaveras County. The discharge has been regulated by Waste Discharge Requirements (WDR) Order 98-075, which was adopted on 17 April 1998. Based on information provided in the RWD, the wastewater treatment system and discharge are consistent with the requirements of the State Water Resources Control Board (State Water Board) *General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems, Order WQ 2014- 0153-DWQ* (General Order). This Notice of Applicability (NOA) provides notice that the General Order is applicable to the facilities as described below. You are hereby assigned Order WQ 2014-0153-DWQ-R5381 for the discharge. After Waste Discharge Requirements (WDRs) Order 98-075 has been revoked, coverage under General Order 2014-0153-DWQ will become effective. A copy of the [General Order](#) is enclosed and also available at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0153_dwq.pdf

You should familiarize yourself with the entire General Order and its attachments, which describe mandatory discharge and monitoring requirements. The General Order contains operational and reporting requirements by wastewater system type. Sampling, monitoring, and reporting requirements applicable to your treatment and disposal methods must be completed in accordance with the appropriate treatment system sections of the General Order and the attached Monitoring and Reporting Program (MRP) WQ 2014-0153-DWQ-R5381. The Discharger is responsible for all the applicable requirements that exist in the General Order and this NOA.

EXISTING FACILITY AND DISCHARGE DESCRIPTION

Fiddleneck Day Use Area and Acorn Campground are two of New Hogan Lake Recreational Areas in Valley Springs, Calaveras County, as shown on attachment A, which is incorporated herein. The site plans of the two recreational areas are shown on Attachments B, and C, which are incorporated herein. The Discharger owns and operates the wastewater treatment disposal facilities at the two recreational areas.

Fiddleneck Day Use Area is about 1.5 miles northeast of New Hogan Dam. The Assessor's Parcel Number (APN) for this area is 46-019-38 in Sections 29, T4N, R11E. Fiddleneck Day Use Area has four restrooms with low flow fixtures. Wastewater and solids generated from the restrooms are gravity fed to two underground septic tanks. Each septic tank has a capacity of 6,000 gallons. Effluent from septic tanks is disposed via a lined evaporation pond with an estimated capacity of 1.2 million gallons based on two feet of free board. The evaporation pond at Fiddleneck Day Use Area is located approximately 250 feet uphill of New Hogan Lake as shown on attachment B.

Acorn Campground is about two miles northeast of New Hogan Dam. Acorn Campground's APN is 46-019-39 in Sections 30, T4N, R11E. Acorn Campground has seven restrooms and a shower facility. Domestic wastewater generated onsite is discharged into two septic tanks with capacities of 6,000 and 9,000 gallons. Septic tank effluent is disposed via a lined evaporation pond with an estimated capacity of 1.3 million gallons based on two feet of free board. The pond at the Acorn Campground site is located approximately 500 ft uphill of New Hogan Lake, as shown on the Attachment C. This recreation area also provides campers with a recreational vehicle (RV) dump station, but those discharges are kept in separate holding tanks that are not connected to the domestic wastewater treatment system. The RV waste is hauled off site to a permitted facility.

Both evaporation ponds at Fiddleneck Day Use Area and Acorn Campground have the same type of liners. Each pond was originally lined with an 8-mm vinyl plastic membrane, which was underlain by 6-inch sand cushion and overlain by a 6-inch gravel cover. Based on the RWD, the liners of both ponds were replaced in the early 1990's, but documentation of the event and design schematics are unavailable. The RWD states that the replacement liner design is likely similar to the original liners by visual observation.

There is no flow measurement installed at both recreational areas. Wastewater flow rates from the Fiddleneck Day Use Area and the Acorn Campground are estimated based on annual visitor records. The estimated annual average wastewater flow rates of Fiddleneck Day Use Area and Acorn Campground are 2,270 gallons per days (gpd) and 3,375 gpd, respectively. Septic tank solid wastes from the two recreational areas are hauled offsite to a permitted facility by a contractor.

SITE-SPECIFIC REQUIREMENTS

Note that the General Order contains prohibitions and specifications that apply to all

wastewater treatment systems as well as those that only apply to specific treatment and/or disposal systems. The Discharger shall comply with all applicable sections in the General Order. The specific requirements for your treatment system are summarized below.

1. Requirements A. Prohibitions

2. Requirements B.1.a.

The Discharger shall comply with the following flow limit: The total effluent flow entering the disposal ponds at Fiddleneck Day Use Area and Acorn Campground shall not exceed 19,000 gpd as an annual average.

3. Requirements B.1.b. through B.1.l

For Section B.1.l, the Discharger shall comply with the following setback requirements, which are based on Table 3 of the General Order:

Equipment or Activity	Domestic Well	Flowing Stream	Ephemeral Stream Drainage	Property Line	Lake or Reservoir
Septic Tank, Aerobic Treatment Unit, Treatment System, or Collection System	150 ft.	50 ft.	50 ft.	5 ft.	100 ft.
Impoundment	150 ft.	150 ft.	150 ft.	50 ft.	200 ft.

4. Requirements B.2 Septic Systems

5. Requirements B.5 Pond Systems

6. Requirements B.8 Sludge/Solids/Biosolids Disposal

7. Provision E.2 and E.3

8. On 27 September 2019, Senate Bill 317 was signed by the Governor adding Section 25210.2 to the California Health and Safety Code, which contains chemical sale, use, and discharge prohibitions for RV chemical wastes to land, as of 1 January 2022. The Discharger shall post, in a conspicuous location, a notice stating the following:

"The State of California prohibits the use of products in RV holding tanks, including deodorizers, that contain bronopol, dowicil, formalin, formaldehyde, glutaraldehyde, paraformaldehyde, para-dichlorobenzene, benzene, toluene, xylene, ethylene glycol, 1, 1, 1-trichloroethane, trichloroethylene, or perchloroethylene. These chemicals can inhibit biological activity in onsite wastewater treatment systems and threaten groundwater and drinking water wells, and are strictly forbidden. Please use bacteria- or enzyme-based products."

The Discharger shall certify compliance with the above notification posting in the first annual report.

On 31 May 2018, the Central Valley Water Board adopted Basin Plan amendments incorporating new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley as part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative. Further details of these strategies are discussed in the enclosed memorandum. As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of this NOA to ensure the goals of the Salt and Nitrate Control Program are met. The Discharger has selected participating in the Prioritization and Optimization Study for the Salt Control Program.

MONITORING AND REPORTING PROGRAM

WDRs Order 98-075 will be revoked at an upcoming Central Valley Water Board meeting. Effective upon the first day of the month following revocation of WDRs Order 98-075, the Discharger shall comply with MRP WQ 2014-0153-DWQ-R5381, which is incorporated herein.

ENFORCEMENT

Please review this NOA carefully to ensure that it completely and accurately reflects the discharge. Discharge of wastes other than those described in this NOA is prohibited. Prior to allowing changes to the wastewater strength, generation rate, or to the method of waste disposal, you must contact the Central Valley Water Board to determine if submittal of a Report Waste Discharge is required.

The Discharger generates the waste subject to the terms and conditions of Water Quality Order WQ 2014-0153-DWQ-R5381 and maintains exclusive control over the discharge. As such, the Discharger is primarily responsible for compliance with this NOA, MRP, and General Order, with all attachments. Failure to comply with the requirements in the General Order or this NOA could result in an enforcement action as authorized by provisions of the California Water Code.

DOCUMENT SUBMITTAL

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to:

centralvalleysacramento@waterboards.ca.gov.

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: New Hogan Lake Recreational Areas
Program: Non-15 Compliance
Order: WQ 2014-0153-DWQ-R5381
CIWQS Place ID: CW- 244186

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

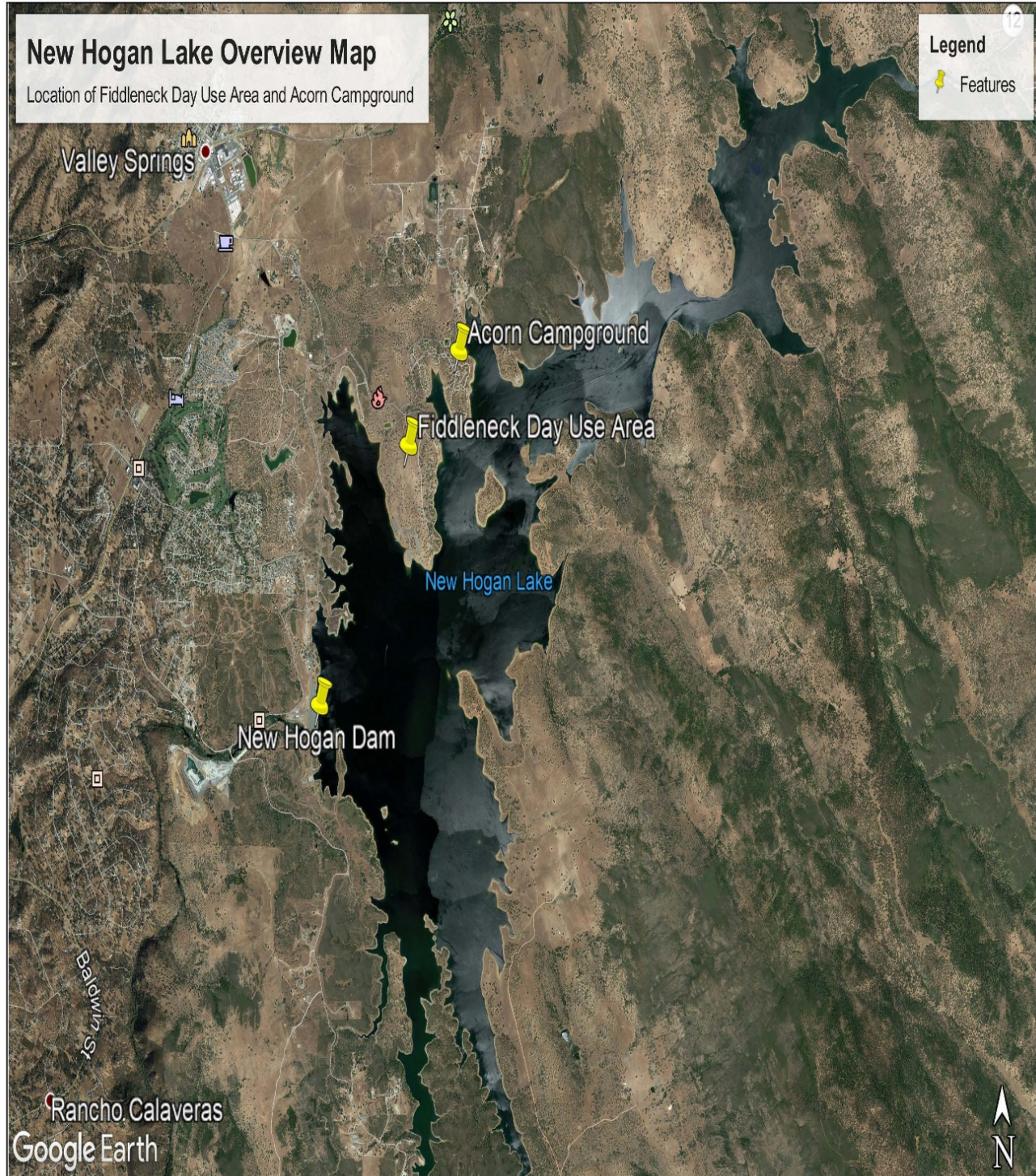
Now that the NOA has been issued, the Board's Compliance and Enforcement section will take over management of your case. Kenny Croyle is your new point of contact for any questions about the Waiver. If you find it necessary to make a change to your permitted operations, Kenny will direct you to the appropriate Permitting staff. You may contact Kenny at (916) 464-4676 or at kcroyle@waterboards.ca.gov .

*Ordered by: Original Digitally Signed
by John J. Baum on Date: 2022.12.12
21:44:17-08'00'*

for Patrick Pulupa
Executive Officer

Enclosure: Water Quality Order WQ 2014-0153-DWQ
Monitoring and Reporting Program WQ 2014-0153-DWQ-R5381
Attachment A, Location Map
Attachment B, Site Plan A
Attachment C, Site Plan B
Staff Review Memorandum for New Hogan Lake Recreational Areas

cc w/out enc: Brian Moss, Calaveras County Environmental Health Department, San Andreas
Debbie Webster, CVCWA (via email)
Laurel Warddrip, State Water Resources Control Board, Sacramento (via email)
Howard Hold, Central Valley Water Board, Rancho Cordova (via email)



Drawing Reference:
U.S. Army Corps of Engineers,
Report of Waste Discharge,
May 2021

LOCATION MAP
U.S. ARMY CORPS OF ENGINEERS
NEW HOGAN LAKE FIDDLENECK DAY
USE AREA AND ACORN CAMPGROUND
CALAVERAS COUNTY

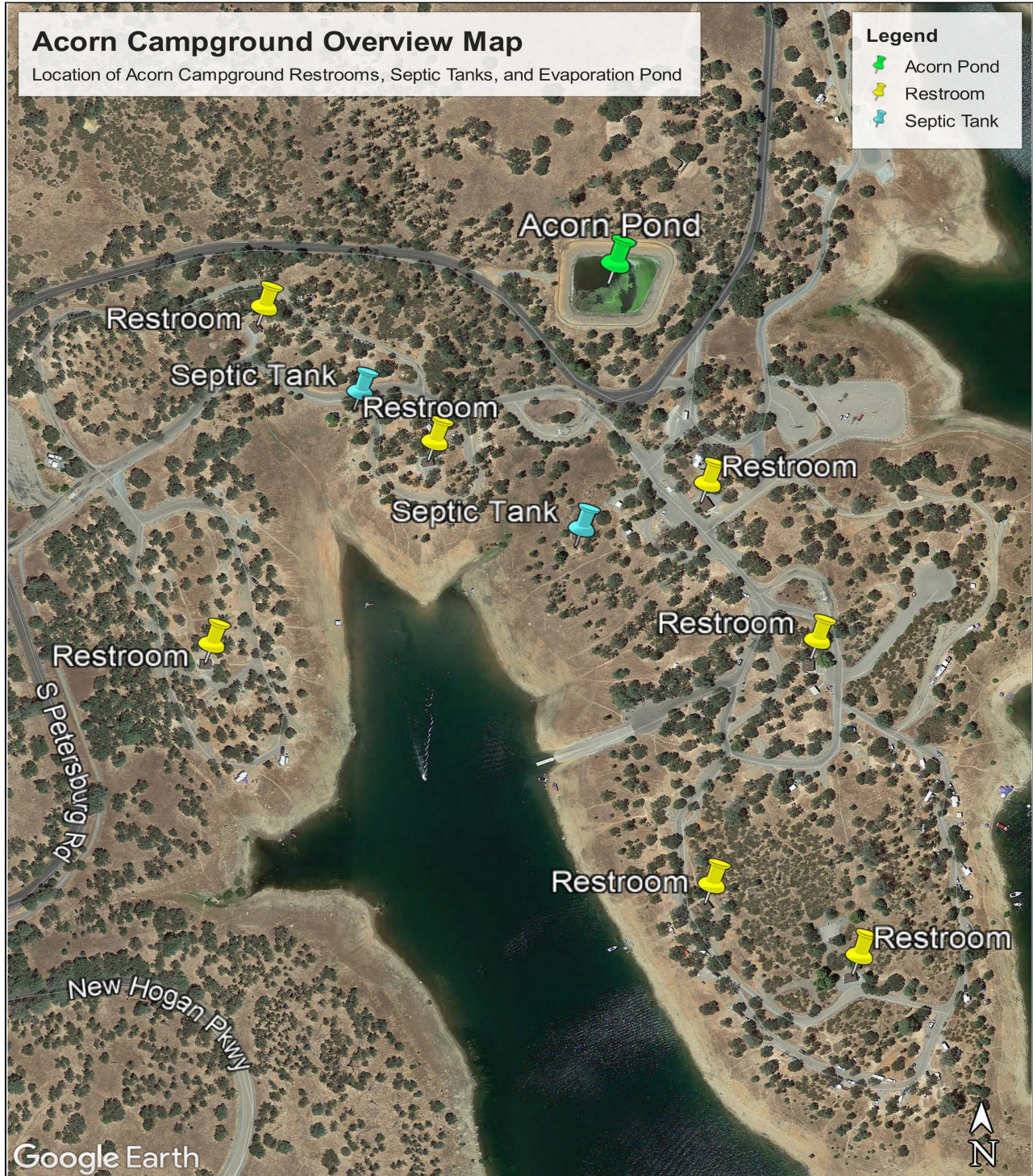
NO SCALE



Drawing Reference:
U.S. Army Corps of Engineers,
Report of Waste Discharge,
May 2021

SITE PLAN A
U.S. ARMY CORPS OF ENGINEERS
NEW HOGAN LAKE FIDDLENECK DAY USE
AREA CALAVERAS COUNTY

NO SCALE



Drawing Reference:
U.S. Army Corps of Engineers,
Report of Waste Discharge,
May 2021

SITE PLAN B
U.S. ARMY CORPS OF ENGINEERS
NEW HOGAN LAKE ACORN CAMPGROUND
CALAVERAS COUNTY

NO SCALE

TO: Robert Busby
Supervising Engineering Geologist

FROM: Scott Armstrong
Senior Engineering Geologist

DATE: 9 September 2022

APPLICABILITY OF COVERAGE UNDER STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2014-0153-DWQ; GENERAL WASTE DISCHARGE REQUIREMENTS FOR SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS; U.S. ARMY CORPS OF ENGINEERS, NEW HOGAN LAKE RECREATIONAL AREAS; CALAVERAS COUNTY

On 28 May 2021, the U.S. Army Corps of Engineers (hereafter Discharger) submitted a Report of Waste Discharge for the wastewater treatment facilities at the New Hogan Lake Fiddleneck Day Use Area and Acorn Campground to obtain coverage under the State Water Resources Control Board (State Water Board) General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems, Order WQ 2014-0153-DWQ (General Order). This memorandum provides a summary of the applicability of this discharge for coverage under the General Order.

REGULATORY BACKGROUND

Waste Discharge Requirements (WDRs) 98-075, adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 17 April 1998, prescribes requirements for wastewater treatment and disposal at New Hogan Lake Fiddleneck Day Use Area and Acorn Campground. WDRs Order 98-075 has a flow limit of 20,000 gallons per day as a monthly average dry weather discharge flow. WDRs Order 98-075 will be revoked at an upcoming Central Valley Water Board meeting. Effective upon revocation of Order 98-075, the discharge described in this NOA shall be regulated pursuant to the General Order.

EXISTING FACILITY AND DISCHARGE DESCRIPTION

The source of potable water for the New Hogan Lake Recreational Areas is three groundwater wells located near the Fiddleneck evaporation pond. The water is treated onsite and stored in a water tank until needed.

Both ponds at Fiddleneck Day Use Area and Acorn Campground have adequate storage capacities to retain the wastewater at the ponds. Historically, the evaporation pond in the Fiddleneck Day Use Area has never been over 50 percent of the maximum capacity. Prior to 2010, the Acorn Campground evaporation pond was almost at full capacity, so contractors were hired to remove the wastewater. However, the Discharger installed coin-operated showers in 2010 at Acorn Campground which significantly reduced water usage. Since this change, the Acorn evaporation pond has not exceeded 50 percent of the maximum capacity.

Monitoring and Reporting Program 98-075 does not have monitoring requirements for effluent sampling. Therefore, there are no effluent data available. MRP WQ 2014-0153-DWQ-R5381 includes monitoring requirements for effluent quality.

SALT AND NITRATE CONTROL PROGRAMS

The Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. The Basin Plan amendments were conditionally approved by the State Water Board on 16 October 2019 (Resolution 2019-0057) and by the Office of Administrative Law on 15 January 2020 (OAL Matter No. 2019-1203-03).

For nitrate, dischargers that are unable to comply with stringent nitrate requirements will be required to take on alternate compliance approaches that involve providing replacement drinking water to persons whose drinking water is affected by nitrates. Dischargers may comply with the new nitrate program either individually or collectively with other dischargers. For the Nitrate Control Program, the facility falls within Non-Prioritized Groundwater Basins. Notices to Comply for Non-Prioritized Basins will be issued within two to four years after the effective date of the Nitrate Control Program.

For salinity, dischargers that are unable to comply with stringent salinity requirements will instead need to meet performance-based requirements and participate in a basin-wide effort to develop a long-term salinity strategy for the Central Valley.

As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of this Order to ensure the goals of the Salt and Nitrate Control Programs are met. This order may be amended or modified to incorporate newly applicable requirements. More information regarding this regulatory planning process can be found on the [Central Valley Water Board CV-SALTS website](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity) (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity).