

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER QUALITY  
NOVEMBER 1, 2011**

**ITEM 4**

**SUBJECT**

CONSIDERATION OF A RESOLUTION APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE COLORADO RIVER BASIN REGION (BASIN PLAN) TO PROHIBIT SEPTIC TANK DISCHARGES IN THE TOWN OF YUCCA VALLEY

**DISCUSSION**

The Town of Yucca Valley has a population of approximately 20,000, virtually all of whom use septic tanks for wastewater treatment and disposal, and groundwater for municipal water supply. The Town has experienced rapid population growth and localized increases in septic system density which, combined with septic system failures, pose a significant threat to public health due to increased wastewater loading to the vadose zone and impacts to local groundwater from nitrates, pathogens, and salts. To assist the Town and to address the impacts and threats to groundwater presented by the septic system wastewater discharges, the local water purveyor, the Hi-Desert Water District (HDWD), sought and recently received approval from the San Bernardino County Local Agency Formation Commission to provide sewerage service to the Town. As a result of receiving that approval, HDWD prepared a Sewer Master Plan. In the Sewer Master Plan HDWD recommends constructing a municipal sewage collection and wastewater treatment facility in three location-specific phases, beginning with the main business corridor for Phase 1, and spreading outward in Phases 2 and 3. The prohibition takes effect in accordance with HDWD's estimated completion dates for construction of these phases, with Phase 1 estimated to be completed five years following the Colorado River Basin Water Board's adoption of the prohibition on May 19, 2011. Thus, Phase 1 of the prohibition becomes effective on May 19, 2016. Phases 2 and 3 become effective three years and six years later, respectively (i.e., 5/19/2019 and 5/19/2022).

The prohibition also provides specified exemptions if certain conditions are demonstrated. These conditions include, but are not limited to, technical, environmental, or economic conditions that would make connection to the collection system or installation of an on-site advanced treatment and disposal system technically impracticable or economically excessively burdensome. The responsible party potentially subject to the prohibition who wishes to obtain an exemption must submit an exemption application and other applicable documents, as specified in the prohibition, for initial review and recommendation by the Colorado River Basin Water Board's Executive Officer and for consideration of approval by the Colorado River Basin Water Board.

RB Adoption Date:	May 19, 2011
Resolution #:	R7-2011-0004
Impaired Beneficial Uses:	Municipal Supply
Location:	Town of Yucca Valley, 25 miles north of Palm Springs, 100 miles east of Los Angeles

Implementation: Prohibition to be enforced by May 19, 2016, for Phase 1, May 19, 2019, for Phase 2, and May 19, 2022, for Phase 3. Business and residential land owners that use septic systems for wastewater disposal are responsible parties.

Monitoring: HDWD to submit bi-annual progress reports beginning in January 2012.

## POLICY ISSUE

Should the State Water Board approve the amendment to the Basin Plan to prohibit septic tank discharges in the Town of Yucca Valley?

## FISCAL IMPACT

Colorado River Basin Regional Water Board and State Water Board staff work associated with or resulting from this action will be addressed with existing and future budgeted resources.

## REGIONAL BOARD IMPACT

Yes, approval of this resolution will amend the Colorado River Basin Regional Water Board's Basin Plan.

## STAFF RECOMMENDATION

That the State Water Board:

1. Approve the amendment to the Basin Plan adopted under Colorado River Basin Water Board Resolution No. R7-2011-0004.
2. Authorize the Executive Director or designee to submit the amendment adopted under Colorado River Basin Water Board Resolution No. R7-2011-0004 as approved, and the administrative record for this action to the Office of Administrative Law for approval.

State Water Board action on this item will assist the Water Boards in reaching **Goal 2** of the Strategic Plan Update: 2008-2012 to: *Improve and protect groundwater quality in high-use basins by 2030.* In particular, approval of this item will assist in fulfilling **Action 2.1.3.** *Where a decline in groundwater quality is due to unregulated discharges, the Regional Water Boards will regulate those discharges to protect groundwater quality;* **Objective 2.2** *Identify strategies to ensure that communities that rely on groundwater contaminated by anthropogenic sources will have a reliable drinking water supply, which may include surface water replacement;* and **Action 2.2.3.** *Upon identification of sources contributing to the contamination of groundwater relied on by these communities, take appropriate regulatory or enforcement action.*

# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2011-

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE COLORADO RIVER BASIN REGION (BASIN PLAN) TO PROHIBIT SEPTIC TANK DISCHARGES IN THE TOWN OF YUCCA VALLEY IN SAN BERNARDINO COUNTY

### WHEREAS:

1. On May 19, 2011, the Colorado River Basin Water Board adopted [Resolution No. R7-2011-0004](#) amending the Basin Plan to prohibit septic tank discharges in the Town of Yucca Valley, San Bernardino County.
2. The prohibition of septic tank discharges in the Town of Yucca Valley will protect the Municipal Supply (MUN) beneficial use of area aquifers by eliminating these discharges as sources of nitrate pollution to those aquifers.
3. The Colorado River Basin Water Board found that the analysis contained in the “Staff Report In Support Of A Basin Plan Amendment To Prohibit The Discharge Of Wastewater Into The Ground From Septic Systems In The Town Of Yucca Valley” (including all appendices), and the California Environmental Quality Act (CEQA) substitute environmental documentation for the proposed Basin Plan amendment (including the CEQA Checklist and the responses to comments prepared by the Colorado River Basin Water Board staff) complies with the requirements of the State Water Board’s certified regulatory CEQA process, as set forth in the California Code of Regulations, Title 23, section 3775 et seq.
4. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans; section 13242, which requires a program of implementation of water quality objectives, and section 13243, which authorizes Regional Water Quality Control Boards to specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted..
5. The State Water Board also finds that this regulatory action meets the “Necessity” standard set forth in Government Code section 11353, subdivision (b)(2)(C) of the Administrative Procedure Act.
6. The Colorado River Basin Water Board found that the Basin Plan amendment would not have a significant adverse effect on the environment since the prohibition will eliminate the source of contamination of the groundwater aquifer, thereby restoring water quality and attaining water quality standards. As such, the amendment is consistent with the Antidegradation Policy ([State Water Board Resolution No. 68-16](#)) and the federal Antidegradation Policy (40 CFR 131.12).
7. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL).

# DRAFT

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan, as adopted under Colorado River Basin Water Board Resolution No. R7-2011-0004.
2. Authorizes the Executive Officer or designee to submit the amendment adopted under Colorado River Basin Water Board Resolution No. R7-2011-0004, as approved, and the administrative record for this action to OAL for approval of the regulatory provisions.

## CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 1, 2011.

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Jeanine Townsend  
Clerk to the Board