

Comment Letter- R7 OWTS Implementation Program

To: Jennine Townsend, Clerk to the Board
From: Claude Short, Resident, Yucca Valley, Ca.

Jennine,

1. I wish to address section 2.1 of the Water Quality Control Plan for the Colorado River Basin Region which was adopted June 19th, 2012.

The section states:

“All new, replaced, or existing OWTS within an area that is subject to a Basin Plan prohibition of discharges from OWTS, must comply with the prohibition. If the prohibition authorizes discharges under specified conditions, the discharge must comply with those conditions and the applicable provisions of this Policy.”

I suggest that the 1st sentence in that section (All new, replaced, or existing OWTS within an area that is subject to a Basin Plan prohibition of discharges from OWTS, must comply with the prohibition) be amended to read “All new, replaced, or existing OWTS within an area that is subject to a Basin Plan prohibition of discharges from OWTS, must comply with the prohibition, *unless the owner can show that the existing system has been brought up to the standards required by the State Water Quality Control Board.*”

Our area (Yucca Valley) has been placed under a discharge ban that begins to take effect in 2016. It is my understanding that the ban was put in place to protect the groundwater in our basin. If the current systems can be upgraded/replaced with newer systems that meet the latest requirements of the State Board, the purpose of the ban would be met. Our groundwater would be protected.

In addition, the recharge of our groundwater from the *upgraded* systems would be allowed to continue. Our area would not be forced to purchase more State Water than we are already buying.

Our local water district (Hi-Desert Water District) is planning a centralized sewer system. The system that is envisioned would not replenish our aquifer. The discharge from the sewer system is meant to add static pressure that would reduce the loss of our water from the aquifer over the Yucca Barrier. While this is a valid method of conserving SOME water, it would not allow for replenishment of our aquifer. In addition, the recycled water from the sewer system would, itself, be flowing over the Yucca Barrier resulting in a net loss of water in or aquifer.

2. I do not know if these comments (or similar ones) were addressed by the Colorado River Basin Regional Water Board.

3. I did not submit these comments to the Regional Water Board in a timely manner. I was unaware that the amendments to the OWTS policy were being considered. However, I am now aware and would like to submit my comments.

Claude Short
7402 Elata Ave.
Yucca Valley, Ca. 92284

Comment Summary and Responses
Comment Deadline: November 27, 2013

Approval of Amendment to the Colorado River Basin Region Water Quality Control Plan regarding the Onsite Wastewater Treatment System Implementation Program

List of Commenter's:

Comment Reference	Organization	Representative
1	Town of Yucca Valley Citizen	Claude Short
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Response to Comments:

No.	Author	Comment	Response
1.1	Claude Short	I wish to address section 2.1 of the Water Quality Control Plan for the Colorado River Basin Region which was adopted June 19 th , 2012.	We believe that you in fact meant to reference section 2.1 of the State Water Resources Control Board's (SWRCB's) Onsite Wastewater Treatment Systems (OWTS) Policy, which was adopted by the SWRCB on June 19, 2012, approved by the Office of Administrative Law on November 13, 2012, and became effective on May 13, 2013. Consequently, the OWTS Policy regulatory approval process has concluded, the Policy is currently in effect, and thus, the language contained therein cannot be changed at this time. Accordingly, the currently proposed action simply seeks SWRCB approval of the Colorado River Basin Water Board's Basin Plan Amendment, which incorporated by reference and without change, the previously approved SWRCB OWTS Policy. The Colorado River Basin Water Board duly adopted the Basin Plan Amendment pursuant to Resolution R7-2013-0049 in a public meeting held on September 19, 2013. That Regional Water Board approval process has similarly concluded.
1.2	Claude Short	I suggest that the 1 st sentence in that section (All new, replaced, or existing OWTS within an area that is subject to a Basin Plan prohibition of discharges from OWTS, must comply with the prohibition) be amended to read "All new, replaced, or existing OWTS within and area that is subject to a Basin Plan prohibition of discharges from OWTS, must comply with the prohibition, <i>unless the owner can show that the existing system has been</i>	Please see response to comment 1.1 above. For clarification purposes, however, we note that the language change you propose is not necessary in any event since it reflects the regulatory framework that is already in place in the area controlled by the Prohibition of Discharges from Septic Systems in the Town of Yucca Valley. Onsite wastewater treatment

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		<i>brought up to the standards required by the State Water Quality Control Board.”</i>	systems within the prohibition area that comply with effluent limitations contained within applicable Waste Discharge Requirements will be in compliance with the prohibition.
1.3	Claude Short	Our area (Yucca Valley) has been placed under a discharge ban that begins to take effect in 2016. It is my understanding that the ban was put in place to protect the groundwater in our basin. If the current Systems can be upgraded/replaced with newer systems that meet the latest requirements of the State Board, the purpose of the ban would be met. Our groundwater would be protected.	Please see response to comment 1.2 above
1.4	Claude Short	In addition, the recharge of our groundwater from <i>upgraded</i> systems would be allowed to continue. Our area would not be forced to purchase more State Water than we already are buying.	Point noted, but your comment is irrelevant for purposes of the current regulatory action before the SWRCB for the reasons given in comment 1.1 above. We note, however, that the Warren Groundwater Basin underlying the prohibition area is an “adjudicated basin,” meaning that management of that resource has been assigned to the court-designated Watermaster, which in this case is the Hi-Desert Water District. Managing the resource effectively is a complex undertaking that necessarily takes many factors into account, including State Water Project water availability, recharge rates from other sources, and the capacity of the basin to accept recharge without raising the water table to an elevation that causes it to intercept septic tank effluent.
1.5	Claude Short	Our local water district (Hi-Desert Water District) is planning a centralized sewer system. The system that is envisioned would not replenish our aquifer. The discharge from the sewer system is meant to add static pressure that would reduce the loss of our water from the aquifer over the Yucca Barrier. While this is a valid	Please see the response to comment 1.4 above.

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		method of conserving SOME water, it would not allow for replenishment of our aquifer. In addition the recycled water from the sewer system would, itself, be flowing over the Yucca Barrier resulting in a net loss of water in or aquifer.	
1.6	Claude Short	I did not submit these comments to the Regional Water Board in a timely manner. I was unaware that the amendments to the OWTS Policy were being considered. However, I am now aware and would like to submit my comments.	What is being considered in this action is the incorporation of the OWTS Policy, in its entirety and by reference, into the Colorado River Basin Water Board's Basin Plan. Amendments to the OWTS Policy adopted by the SWRCB and approved by OAL cannot be considered as part of this action for the reasons stated in comment 1.1 above.