

Concise Summary of Regulatory Provisions

Please revise Section 3969.1 - "Prohibition of Discharges of Wastewater into the Ground from Septic Systems in the Town of Yucca Valley" as follows. All proposed changes are shown in "redline/strikethrough."

Title 23. Waters

Division 4. Regional Water Quality Control Boards

Chapter 1. Water Quality Control Plans, Policies, and Guidelines

Article 7. Colorado River Basin Region

§ Section 3969.1 Prohibition of Discharges of Wastewater into the Ground from Septic Systems in the Town of Yucca Valley

(a) On May 19, 2011, the Regional Water Quality Control Board, Colorado River Basin Region, adopted Resolution No. R7-2011-0004, amending the Water Quality Control Plan for the Colorado River Basin Region. The State Water Resources Control Board approved the amendment under Resolution No. 2011-0054, on November 1, 2011.

(b) Resolution No. R7-2011-0004 prohibits the discharge of wastewater from new or existing individual disposal systems on parcels within Phases 1, 2, and 3 of the Hi-Desert Water District (HDWD) Sewer Master Plan (Final Report, January 2007) no later than May 19, 2016, May 19, 2019, and May 19, 2022, respectively, or when a municipal sewage collection system becomes available, whichever occurs first. The prohibition allows the Colorado River Basin Water Board to consider and grant exemptions on a case-by-case basis, pursuant to exemption applications submitted to the Executive Officer. Exemptions granted must be based upon the weight of evidence demonstrating unique 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.

~~HDWD is required to submit a report to the Colorado River Basin Water Board describing an implementation plan to comply with the May 19, 2016, the May 19, 2019, and the May 19, 2022 prohibition dates. Thereafter, HDWD is required to submit biannual reports to the Colorado River Basin Water Board by January 1st and July 1st of each year regarding any actions taken by HDWD or any other person or entity in order to achieve compliance by the above deadlines. The Executive Officer is also directed to provide the Regional Water Board an annual written report, beginning on May 23, 2012, regarding overall progress to achieve compliance with the terms of the prohibition.~~

(c) On March 10, 2016, the Regional Water Quality Control Board, Colorado River Basin Region adopted Resolution No. R7-2016-0001 revising the prohibition adopted in Resolution No. R7-2011-0004. The State Water Resources Control Board approved these revisions under Resolution No. 2016-0050 on September 20, 2016. Resolution No. R7-2016-0001 revises the prohibition as follows:

(1) Extends the Phase 1 compliance deadline from May 19, 2016, to June 30, 2021;

(2) Consolidates and extends the Phase 2 and Phase 3 compliance deadlines of May 19, 2019, and May 19, 2021, respectively, into a single deadline of December 31, 2025;

(3) Revises the internal boundaries for Phases 1, 2, and 3 to coincide with the construction of the HDWD's sewage collection system;

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(4) Incorporates criteria for addressing “deferred parcels,” which are properties that do not generate sufficient wastewater to ensure proper operation of a sewage collection system;

(5) Establishes monitoring and reporting requirements to collect information on deferred parcels; and

(6) Eliminates outdated and unnecessary language.