

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

MEETING OF MAY 6-7, 2020

ITEM 6
CONSIDERING APPROVAL OF LOCAL AGENCY MANAGEMENT PROGRAM FOR LASSEN COUNTY

CHRONOLOGY	
November 28, 1989	California Regional Water Quality Control Board, Lahontan Region (Lahontan Water Board), entered into a Memorandum of Understanding (MOU) with Lassen County authorizing it to approve onsite wastewater treatment systems (OWTS) provided that the OWTS criteria in the <i>Water Quality Control Plan for the Lahontan Region</i> (Basin Plan) are met.
June 19, 2012	The State Water Resources Control Board (State Water Board) adopted the <i>Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems</i> (OWTS Policy).
Many 13, 2013	The State Water Board's OWTS Policy became effective.
April 9, 2014	Lahontan Water Board amended the Basin Plan to incorporate the OWTS Policy.
November 8, 2016	Lassen County submitted a proposed draft Local Agency Management Program (LAMP) to the Lahontan Water Board.
February 15, 2017	California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) issued a comment letter to the Lahontan Water Board regarding Lassen County's proposed draft LAMP (Enclosure 3).
November 15, 2017	The Lahontan Water Board issued a comment letter to Lassen County regarding the proposed draft LAMP (Enclosure 4).
July 3, 2019	Lassen County submitted a revised proposed draft LAMP to the Lahontan Water Board.
July 25, 2019	The Lahontan Water Board issued a comment letter to Lassen County regarding the submitted revised proposed draft LAMP (Enclosure 5).
November 6, 2019	Lahontan Water Board staff met with Lassen County regarding the County's revised proposed draft LAMP.
November 20, 2019	The Lahontan Water Board forwarded a copy of the revised proposed draft LAMP to State Water Board Division of

CHRONOLOGY	
	Drinking Water (DDW) to solicit comments regarding the proposed LAMP's policies and procedures, including notification to local water purveyors regarding OWTS permitting.
December 6, 2019	Lassen County submitted a third proposed draft Lassen County LAMP to the Lahontan Water Board.
December 11, 2019	DDW submitted comments to the Lahontan Water Board regarding Lassen County's revised proposed draft LAMP (Enclosure 6).
December 12, 2019	Lassen County submitted the proposed final Lassen County LAMP to the Lahontan Water Board (Enclosure 2).
January 21, 2020	The Lassen County Board of Supervisors heard and deferred voting on the Lassen County LAMP to a later date.
February 25, 2020	The Lassen County Board of Supervisors heard and approved the Lassen County LAMP.

BACKGROUND
<p>The OWTS Policy establishes risk-based tiers for existing, new, and replacement OWTS as follows:</p> <p>Tier 0: Applies to existing, properly functioning OWTS that are not impacting water quality.</p> <p>Tier 1: Sets state-wide protective requirements for siting and design of new or replacement OWTS that a local agency must follow when authorizing construction of new/replacement OWTS.</p> <p>Tier 2: Local agencies may tailor and implement a LAMP to regulate new and replacement OWTS within their jurisdiction, in lieu of Tier 1 standards.</p> <p>Tier 3: Applies specific standards to OWTS that may be affecting impaired surface waters.</p> <p>Tier 4: Applies to existing OWTS requiring corrective action.</p> <p>Lassen County has elected to implement a Tier 2 LAMP for OWTS management.</p> <p>Lassen County covers approximately 4,720 square-miles of land, of which approximately 60 percent is federally or state-owned. As of the 2018 United States Census Bureau population estimate, Lassen County is home to 30,802 residents, ranking it the 12th least populous county in California. The United States Census Bureau also estimates that Lassen County experienced a steady 11.7 percent population decline from 2010 to 2018. The majority of the population resides in towns with sewage collection and treatment systems, mainly within Susanville, the only</p>

BACKGROUND

incorporated city within the county. According to Lassen County's Environmental Health Department, about one-third of the residents in Lassen County rely on OWTS as their means of domestic waste discharge, equating to approximately 6,200 known and permitted OWTS. Lassen County receives, on average, 11 new OWTS and 35 replacement OWTS permits annually.

Lassen County is located in both the Central Valley Region and the Lahontan Region. The Lahontan Water Board is the designated Regional Water Board for approving the Lassen County LAMP. The Lahontan Water Board worked with the Central Valley Water Board to address their concerns during development of the Lassen County LAMP.

While the Central Valley Water Board does not list any applicable OWTS discharge prohibitions for Lassen County within its Water Quality Control Plan for the California Regional Water Quality Control Board, Central Valley Region, the Lahontan Water Board's Basin Plan identifies several prohibitions regarding domestic waste discharges within Lassen County, including prohibitions on:

- New discharge of waste to an OWTS within the Spalding Tract and Stones-Bengard subdivisions.
- Discharge of wastes to subsurface disposal systems exceeding a development density of one single family dwelling equivalent per 20 acres (250 gallons per day/20 acres), within the Eagle Drainage Hydrologic Area.
- Discharge of wastes containing nutrients from a subsurface disposal system on a lot with an elevation of less than 5,130 feet within the Eagle Drainage Hydrologic Area.
- Discharge of wastes from septic systems within the Eagle's Nest Tract for more than a five-consecutive-month period each calendar year.
- Discharge of waste within the Cady Springs Prohibition Area.

The Lassen County LAMP incorporates the Lahontan Water Board's Basin Plan prohibitions listed, above, prohibiting most OWTS in the Eagle Drainage Hydrologic Area and all OWTS in the Cady Springs Prohibition Area.

There are currently no water bodies within Lassen County listed in Attachment 2 of the OWTS Policy as impaired for nutrients or pathogens related to OWTS.

ISSUES

Should the Lahontan Water Board adopt the proposed Resolution (Enclosure 1) approving the Lassen County LAMP?

DISCUSSION

During the development of Lassen County's and other LAMPs within the region, the following questions were identified as the most critical with respect to water quality.

DISCUSSION

Additionally, these questions will recur during LAMP implementation and during the ongoing reviews of the required five-year Water Quality Assessment Program reports.

1. Where are the areas of existing or new OWTS that are expected to contribute to or cause groundwater contamination or pollution? Where are the nearest existing supply wells or likely potential supply wells?

Communities that utilize OWTS for domestic wastewater disposal are typically small communities/subdivisions with high development density that also rely on groundwater wells for drinking water supply. These are also the areas where groundwater pollution is more likely to occur. Lassen County has high development density communities in close proximity to a public, community, or commercial water supply well, which may indicate groundwater contamination or pollution. Public and commercial water well owners/operators are required by the State to sample the water supply, and Lassen County requires verification of a potable water supply before private water well installation. Specific existing communities that are suspected of impacting the groundwater supply, and therefore will be of primary interest during the Water Quality Assessment Programs, are Doyle, Johnstonville, Clear Creek, Lake Forest, and Standish.

2. For future growth areas, where will OWTS be allowed? Which of these areas will likely contribute/cause groundwater contamination or pollution? Where will likely supply wells be in these areas?

OWTS will be permitted anywhere within Lassen County outside the Lahontan Water Board's Basin Plan prohibition areas, provided they meet the various site-specific restrictions implemented by the LAMP. There are no additional prohibitions/restrictions on OWTS in the Central Valley Water Board's Basin Plan, nor in the Lassen County Code. A potable water supply must be verified prior to approval of new communities relying on wells (individual or public).

There are currently no new subdivisions anticipated within Lassen County. The LAMP identifies the requirements for new parcels and subdivisions that intend to use OWTS, including adhering to the Subdivision Map Act, Lassen County zoning, and development density limitations. Lassen County's Environmental Health Department currently receives approximately 11 applications for new OWTS and 35 for replacement OWTS annually. The majority of the new OWTS permits are in-fill of existing communities, or individual dwellings on large acreage. Additionally, with the declining population experienced in Lassen County, impacts from new OWTS are expected to be negligible.

DISCUSSION

3. When will pollution occur (greater than 10 mg/L nitrate-nitrogen) and to what extent?

With proper implementation of the design standards and site-specific prohibitions set forth in this LAMP, groundwater contamination is not expected to occur. By utilizing the empirically-based equivalent dwelling unit limit on discharge and implementing a minimum lot size, the discharge of domestic waste is expected to mitigate pollution while allowing continued development.

To verify that no pollution of the waters within Lassen County occurs, the LAMP proposes a minimum Water Quality Assessment Program, consistent with the OWTS Policy. Annual reports will include numbers and locations of complaints pertaining to OWTS, and the results of those findings; applications and registrations of septic tank pumping companies; the number, location, and description of permits issued for new and replacement OWTS; and supplemental treatment system performance data. Additionally, once every five years, an Assessment Report will include an evaluation of the effectiveness of Lassen County's OWTS program with respect to protecting receiving water quality, especially those communities with higher density OWTS and individual wells. The Water Quality Assessment Program will include monitoring and analysis of water quality data, and a review of complaints, OWTS failures, and OWTS inspections. The water quality data can be obtained from the following sources:

- a. Random well samples,
- b. Routine real estate transfer samples,
- c. Well samples taken to establish a well as a potable source,
- d. Routine water samples taken by community water systems,
- e. Any other sampling data deemed relevant or necessary for the protection of ground/surface water supplies,
- f. Data contained in the California Water Quality Assessment Database and Groundwater Ambient Monitoring and Assessment Program,
- g. Results of sampling required for supplemental treatment systems, and
- h. Reports from any inspections, maintenance, or pumping performed.

Johnstonville has historically detected elevated levels of nitrate in the routine sampling of private, public, and commercial water systems. This community is high in OWTS density and will be an area of focus during the Water Quality Assessment Program. Doyle is another high-density OWTS community with individual wells, but does not have any comprehensive analysis of water quality impacts from OWTS; therefore, it will also be an area of focus during the Water Quality Assessment Program. Other, similar communities will be evaluated for negative impacts upon their water supplies.

DISCUSSION

There are currently no segments of surface waters in Lassen County listed on the Clean Water Act Section 303(d) List as being impaired due to pathogens or nutrients associated with OWTS. If there is enough information to consider OWTS as a major contributing source, then Lassen County will revise the LAMP to implement the OWTS Policy Tier 3 program requirements for locations considered impaired by OWTS.

SUSTAINABLE GROUNDWATER MANAGEMENT ACT BASINS

For purposes of the Sustainable Groundwater Management Act, the California Department of Water Resources identifies the following groundwater basins in Lassen County, along with priority, near the discharge location within the Lahontan or Central Valley Regions.

Priority	Groundwater Basin
Very Low	Mountain Meadows Valley (5-008)
Very Low	Long Valley (5-044)
Very Low	Butte Creek Valley (5-051)
Very Low	Grays Valley (5-052)
Very Low	Dixie Valley (5-053)
Very Low	Ash Valley (5-054)
Very Low	Surprise Valley (6-001)
Very Low	Madeline Plains (6-002)
Very Low	Willow Creek Valley (6-003)
Very Low	Pine Creek Valley (6-092)
Very Low	Harvey Valley (6-093)
Very Low	Grasshopper Valley (6-094)
Very Low	Dry Valley (6-095)
Very Low	Eagle Lake Area (6-096)
Very Low	Horse Lake Valley (6-097)
Very Low	Tuledad Canyon Valley (6-098)
Very Low	Painters Flat (6-099)
Very Low	Secret Valley (6-100)
Very Low	Bull Flat (6-101)
Very Low	Long Valley (6-104)
Low	Alturas Area – South Fork Pitt River (5-002.01)
Low	Fall River Valley (5-005)
Low	Honey Lake Valley (6-004)
Medium	Big Valley (5-004)

Source: [Sustainable Groundwater Management Act Basin Prioritization](#)

PUBLIC OUTREACH/INPUT

Lassen County posted its proposed final LAMP from December 17, 2019 through February 25, 2020, requesting comments from the public. Lassen County received a

single comment from the public regarding acceptable precision of recording percolation rates. On January 21, 2020, the Lassen County Board of Supervisors heard and subsequently deferred a vote on the proposed final Lassen County LAMP to a later date. On February 25, 2020, the Lassen County Board of Supervisors heard and approved the proposed final Lassen County LAMP, during which no additional public comments were received.

The Lahontan Water Board circulated the draft Resolution and requested comments on the Lassen County LAMP from March 2, 2020 through April 24, 2020. No comments have been submitted. The draft and final LAMPs are published on the Water Board's website at:

https://www.waterboards.ca.gov/lahontan/water_issues/programs/owts/.

PRESENTERS

Trevor Miller, Lahontan Water Board, Water Resource Control Engineer (presentation is Enclosure 8).

RECOMMENDATION

Adopt the Resolution approving the Lassen County LAMP, as proposed.

ENCLOSURE	ITEM	BATES NUMBER
1	Lahontan Water Board Proposed Resolution No. R6T-2020-PROPOSED	6 - 9
2	Lassen County LAMP approved by Lassen County Board of Supervisors (February 25, 2020).	6 - 15
3	Central Valley Water Board-issued comment letter to Lahontan Water Board regarding the Lassen County proposed draft LAMP (February 15, 2017).	6 - 89
4	Lahontan Water Board-issued comment letter to Lassen County (November 15, 2017).	6 - 95
5	Lahontan Water Board-issued comment letter to Lassen County (July 25, 2019).	6 - 103
6	DDW-issued email to Lahontan Water Board regarding the Lassen County revised proposed draft LAMP (December 11, 2019).	6 - 109
7	Comparison of OWTS Policy, Lahontan Basin Plan, and Selected Lahontan Region Tier 2 LAMPs for Supplemental Treatment Systems and Development Density.	6 - 121
8	Lahontan Water Board staff presentation (Trevor Miller)	6 - 127