

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
MOUNTAIN REGION

192 LAKE TAHOE BOULEVARD
P.O. BOX 9428
SOUTH LAKE TAHOE, CALIFORNIA 95731-2428
(916) 544-3481



file: [unclear]
✓ file: Basin Plan
Amendment
Septic System

November 2, 1988

Wayne Lamoreaux
City Manager
City of Barstow
220 East Mountain View
Barstow, CA 92311

EXECUTED MEMORANDUM OF UNDERSTANDING (MOU) REGARDING PERMITTING
OF SUBSURFACE DISPOSAL SYSTEMS (SEPTIC SYSTEMS)

Dear Mr. Lamoreaux:

On October 28, 1988, we received the executed MOU between the City of Barstow and the California Regional Water Quality Control Board—Mountain Region regarding the septic system permitting process. We appreciate the cooperation extended from the City of Barstow by entering into this MOU.

Per the request of A. Kay Vinson, City Clerk, a copy of the fully executed MOU is enclosed. If you have any questions or require more information regarding this matter, please contact Cindy M. Rofer or David G. Himebaugh at the above number.

Yours truly,

for O.R. BUTTERFIELD
EXECUTIVE OFFICER

Enclosure

cc: A. Kay Vinson, City Clerk, City of Barstow

ds

SEPTIC TANK GUIDELINES

Memorandum of Understanding
Between the
California Water Quality Control Board
Lahontan Region
and the
City/County of Barstow

This Memorandum of Understanding is entered into by and between the California Regional Water Quality control Board, Lahontan Region (hereinafter Board), and the City/County of Barstow (hereinafter City/County). Its purpose is to expedite the overall review process for proposed developments and to provide a clear operating policy between the Board and the City/County on the implementation of the Board's guidelines for wastewater disposal from land developments.

Section 13260 of the California Water Code requires any person discharging waste or proposing to discharge waste that may affect waters of the State, except to a community sewer system, to file a report of waste discharge with the regional board of that region. Implementation of this code section has included regulation of individual waste systems wherever warranted.

In 1973 and again in 1974, the Board adopted guidelines to (1) establish the conditions under which waivers of the filing requirement would be in the public interest (pursuant to California Water Code Section 13269); (2) establish minimum criteria for the use of individual systems; and (3) prevent pollution or nuisance caused by the discharges from leaching or percolation systems.

On January 14, 1988, the Regional Board adopted revisions to the "Guidelines for Waste Disposal From Land Developments." In conjunction with these revisions, the Regional Board also adopted the "Regional Board Guidelines for Implementation of Criteria for Individual Waste Disposal Systems." These implementation guidelines list general and specific provisions in considering exemptions to the maximum density criteria (2 EDUs per acre) for individual waste disposal systems in both new and existing land developments.

This requirement also applies to domestic wastewater discharges from new commercial and industrial development with wastewater discharge volumes exceeding two EDU per acre density (500 gal/day/acre based on 250 gal/day/EDU). On June 16, 1988, the State Water Resources Control Board approved the revisions. For purposes of this Memorandum of Understanding gross acreage is that area which encompasses the entire net lot area plus any underlying fee title within the adjacent right-of-ways, if any.

Inasmuch as the City/County has incorporated into its review criteria the "Minimum Criteria for Subsurface Discharge of Sewage" contained in the Board's guidelines, and has consistently applied these criteria in its review of proposed developments, it is not against the public interest for the Board to reduce its oversight work by eliminating redundant review of proposed projects.

It is agreed that:

- I. The City/County is authorized to issue construction permits for projects that utilize individual subsurface disposal systems without Regional Board approval under the following conditions:

A. All of the Following:

1. The on-site soil characteristics comply with the established "Minimum Criteria for Individual Waste Disposal Systems as adopted by Resolution 6-88-15; and
2. The discharge is composed of domestic wastewater only; and

B. One of the Following:

1. The development consists of single-family residences or multiple-family residences, the density does not exceed two equivalent dwelling units (EDU) per acre (500 gallons/acre/day wastewater flow), or
2. The development consists only of a single-family home on an individual lot which has a minimum net area of 15,000 square feet; or
3. The development is non-residential or of mixed occupancy and the wastewater discharge does not exceed 500 gallons/acre/day as determined using Table I-2 and I-3 in the Uniform Plumbing Code and occupant loads as determined by Table 33A in the Uniform Building Code; or
4. The project is in a class that has been designated exempt from Regional Board review in writing under signature of the Regional Board Executive Officer; or
5. The project/development has been granted an exemption by the Board and complies with the City/County's standards for use of septic tank wastewater disposal systems.

^{CITY}
II. The County shall not issue construction permits without Regional Board approval for the following projects:

- A. Projects that involve domestic wastewater discharge from commercial or industrial development in excess of 500 gallon/acre/day as determined by the Board; or
- B. Projects that will have industrial wastewater discharges; or
- C. Projects that exceed the two EDU/acre density requirement for septic tank use (except in exempted areas); or
- D. Projects that do not comply with the City's/County's standards for use of septic tank wastewater disposal systems; or
- E. Projects located within existing waste discharge prohibition areas (unless in areas exempted in I.B. above); or
- F. Projects utilizing package wastewater treatment plants with on-site disposal; or
- G. Projects that consist of a single-family home on individual lots that were created out of a subdivision after June 16, 1988 when the lot has a net area of less than 15,000 square feet.

III. The City/County, at its discretion, may defer consideration of projects, based on water quality impacts, to the Board for any projects even if it appears that compliance with Section I. of this Memorandum of Understanding has been achieved.

IV. The City/County, at its discretion, may require the formation of a public entity (as defined in the State of California Government Code Section 53090 et seq.) to maintain septic systems in residential developments of one hundred (100) lots or more.

- V. The Board may review permits issued by the City/County at its discretion. Copies of permits will be made available upon request for review in City/County offices.
- VI. The Board, upon reviewing permits issued by the City/County, may require proposals be submitted and/or waste discharge requirements (permits) be obtained for all other types of waste discharges such as stormwater runoff and solid waste leachate.
- VII. The City/County, on its own initiative or at the request of an applicant and upon providing the information specified in the implementation guidelines, may apply for individual, large scale, or area-wide exemptions.
- VIII. The applicant, for projects found in compliance with the Board's guidelines, will be notified of acceptance by issuance of a City/County building permit or by issuance of a Board clearance letter.
- IX. The City/County shall maintain a record of all documents submitted and reviewed under this Memorandum of Understanding. This record shall be kept as a note on the construction permit for each project.
- X. This Memorandum of Understanding shall be effective immediately after execution of this agreement and shall remain in full force until terminated by a prior thirty (30) day written notice by either party.

Memorandum of Understanding
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XI. This Memorandum of Understanding may be amended as mutually agreed to by the City/County and the Regional Board.

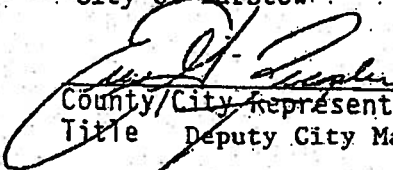
XII. All notices and communications under this Memorandum of Understanding shall be addressed to the following:

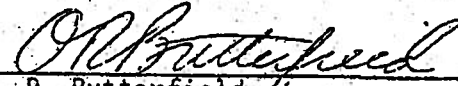
E. Wayne Lamoreaux, City Mgr.
City of Barstow
220 E. Mt. View
Barstow, CA 92311

O. R. Butterfield
California Regional Water Quality
Control Board, Lahontan Region
15371 Bonanza Road
Victorville, CA 92392-2494

This Memorandum of Understanding is executed on the date of the most recent signature below, by the following authorized representatives of the parties.

City of Barstow


County/City Representative
Title Deputy City Manager


O. R. Butterfield
Executive Officer

Date October 24, 1988

Date 10.28.88

7/88