



# City of Rolling Hills

INCORPORATED JANUARY 24, 1957

PATRICK WILSON  
*Mayor*

LEAH MIRSCH  
*Mayor Pro Tem*

JAMES BLACK, M.D.  
*Councilmember*

BEA DIERINGER  
*Councilmember*

JEFF PIEPER  
*Councilmember*

NO. 2 PORTUGUESE BEND ROAD  
ROLLING HILLS, CALIF. 90274  
(310) 377-1521  
FAX: (310) 377-7288

April 13, 2018

Ms. Deb Smith, Executive Officer  
Los Angeles Regional Water Quality Control Board  
320 West 4<sup>th</sup> Street, #200  
Los Angeles, CA 90013

Attn: Mr. Peter Raftery, Groundwater Permitting Unit  
Via email: [peter.raftery@waterboards.ca.gov](mailto:peter.raftery@waterboards.ca.gov)

Subject: Local Agency Management Program for Onsite Wastewater Treatment Systems -  
Los Angeles County

Dear Ms. Smith, Ms. Chou and Mr. Raftery:

The City Council of the City of Rolling Hills respectfully requests the extension of existing waivers of waste discharge requirements (WDRs) in effect since 2004 until the Los Angeles County LAMP can be put into effect within the individual municipalities of Los Angeles County.

The City of Rolling Hills (City) is a small (three square miles), entirely residential semi-rural community of 685 single-family, one-story homes located on the Palos Verdes Peninsula. Most properties within the City are served by onsite wastewater treatment systems (OWTS) as they are without access to a sanitary sewer connection. The City has been relying for decades on the services of the Los Angeles County Department of Public Health (LACDPH) to review and approve residential OWTS facilitated by the City's adoption of the Los Angeles County Health and Safety and Plumbing Codes. In 2004 the City executed a memorandum of understanding (MOU) with the Los Angeles Regional Water Quality Control Board (Regional Board) to enable a waiver of the Regional Board's 2004 General WDRs for individual OWTS property owners and to continue to regulate residential OWTS within the City through LACDPH. On February 5, 2016, the City

received a letter from the Regional Board stating that due to the Statewide OWTS Policy, the 2004 MOU would no longer be in effect after May 13, 2018. The City responded by notifying the Regional Board of its intention to rely upon the Los Angeles County LAMP once the MOU expired.

With the MOU set to be terminated on May 13, 2018 and delays in approval of the Los Angeles County LAMP by the Regional Board beyond the OWTS Policy timelines, the City and its residents/property owners have been placed in a difficult and burdensome position. Even after the Los Angeles County LAMP is approved by the Regional Board, the following additional steps must occur in order to fully implement the Los Angeles County LAMP within the City:

1. Los Angeles County Board of Supervisors must approve and adopt the final LAMP and ordinance.
2. City and Los Angeles County must enter into a 5-year MOU designating the County as the Qualified Local Agency to regulate OWTS within the City.
3. City must: adopt the Los Angeles County LAMP Ordinance, adopt the Los Angeles County Professional Guide on Conventional and Non-Conventional OWTS Requirements and Procedures, adopt any necessary revisions to the Los Angeles County Plumbing Code, and pass a Resolution authorizing Los Angeles County to enforce its code within the City.

We have been informed that these steps will take a significant amount of time, thereby creating a regulatory gap in local authority for permitting of residential OWTS if the MOU between the Regional Board and the City is not extended. Many new and replacement OWTS within the City require non-conventional systems and will not qualify as Tier 1 (low risk) and therefore property owners will be required to apply directly to the Regional Board for an individual WDR, pay an annual fee of \$1,044, and submit quarterly and annual reports uploaded to the Geotracker online system.

The City understands that the delay in approval of the Los Angeles County LAMP beyond the 1-year review and approval period that was provided for in the State's OWTS Policy timeline occurred as a result of insufficient staff resources at the Regional Board. The undertaking of regulating all new and replacement Tier 2 OWTS in Los Angeles County would place a significant and unnecessary burden on your already limited staff resources. In addition, no process has been described for transitioning those OWTS with individual WDRs into the County LAMP program once it is established, therefore, it is unclear what the regulatory fate of these properties will be. Additionally, we understand that the currently implemented LACDPH siting and design requirements for OWTS are equivalent to those in the proposed Los Angeles County LAMP, as such, public health will be protected if the Regional Board's MOU with the City and waivers of WDRs are allowed to remain in force until the LAMP becomes fully effective within the incorporated cities of Los Angeles County.

In order to avoid this regulatory snarl and to prevent unnecessary inconvenience and cost to both rural property tax payers of Los Angeles County and Regional Board staff, the City urges the Regional Board to extend the existing MOUs for waivers of WDRs for an additional year from the date of the Regional Board's approval of the Los Angeles County LAMP. This will provide the necessary time for the Los Angeles County LAMP to be put into effect within the individual incorporated municipalities of Los Angeles County consistent with the one year local authority adjustment period in the OWTS Policy Timelines. This will bridge the regulatory gap and allow the reliable services of LACDPH to regulate residential OWTS as it has been doing for decades.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick Wilson", followed by a horizontal line extending to the right.

Patrick Wilson,  
Mayor, City of Rolling Hills

PW:yh

*04-13-18CommentLetterRegionalWaterQualityControlBoard.docx*

cc: [via email]

Dr. Rebecca Chou, P.E., Section Chief, Groundwater Permitting and Land Disposal  
Regional Water Quality Control Board, Los Angeles Region;

[rchou@waterboards.ca.gov](mailto:rchou@waterboards.ca.gov)

Michelle Tsiebos, REHS, DPA, MPA Chief Environmental Health Specialist

Land Use program, LACPHD; [MTsiebos@ph.lacounty.gov](mailto:MTsiebos@ph.lacounty.gov)

City Councilmembers