



Los Angeles Regional Water Quality Control Board

NOTICE OF HEARING AND OPPORTUNITY TO COMMENT

TO: Interested Persons

FROM: Renee Purdy *RAP*
Section Chief, Regional Programs

DATE: February 27, 2014

SUBJECT: NOTICE OF PUBLIC HEARING FOR PROPOSED AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION TO INCORPORATE THE STATE WATER RESOURCES CONTROL BOARD'S ONSITE WASTEWATER TREATMENT SYSTEMS POLICY

The California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) will hold a public hearing to consider adoption of amendments to the *Water Quality Control Plan for the Los Angeles Region* (Basin Plan). The purpose of this action is to modify the Basin Plan to include, by reference, the *Water Quality Control Policy for the Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy), which was adopted by the State Water Resources Control Board (State Water Board) on June 19, 2012.

Background on the State Water Board's OWTS Policy

The OWTS Policy applies statewide and designates the regional water boards with principal responsibility for overseeing implementation of the policy. In adopting the OWTS Policy, the State Water Board required that regional boards incorporate the policy's requirements into regional basin plans within a year of the policy's effective date. The proposed amendments will revise the Basin Plan for the Los Angeles Region to incorporate the State Water Board's OWTS Policy. Implementation of the OWTS Policy will provide more effective and efficient regulation of onsite wastewater treatment systems (a.k.a. septic systems) by providing clear, consistent criteria, a streamlined regulatory tool (i.e., conditional waiver of waste discharge requirements), broader coverage (systems treating up to 10,000 gallons per day), and flexibility to implement local alternatives where Local Agency Management Programs (LAMPs) are implemented.

The OWTS Policy conditionally waives requirements to submit a report of waste discharge and pay associated application fees, and conditionally waives waste discharge requirements for onsite wastewater treatment systems that comply with the policy (OWTS Policy Section 12). The conditional waiver allows the use of onsite wastewater treatment systems in a manner protective of water quality without the administrative burden of applying for and issuing waste discharge requirements. It should be noted, however, that the OWTS Policy does not limit the Los Angeles Water Board's authority to require reports of waste discharge and to issue individual or general waivers or waste discharge requirements when such actions are needed to protect water quality. Additionally, the OWTS Policy does not supersede or modify any

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discharge prohibitions imposed on onsite wastewater treatment systems and/or local agency requirements.

I. HEARING DATE AND LOCATION

The Los Angeles Water Board will hold a public hearing to consider amending the Basin Plan to incorporate the OWTS Policy after hearing Board staff's presentation and public comments. The Los Angeles Water Board is expected to take formal action on the proposed amendments to incorporate the OWTS Policy into the Basin Plan. The Board is scheduled to consider this matter at its regularly scheduled board meeting on:

Date: Thursday, May 8, 2014

Time: 9:00 AM

Place: Metropolitan Water District of Southern California
700 North Alameda Street
Los Angeles, California 90012

Please check the Los Angeles Water Board's website (<http://www.waterboards.ca.gov/losangeles/>) for the most up-to-date public hearing location as it is subject to change.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Theresa Rodgers at (213) 576-6789 at least five working days prior to the meeting.

II. AVAILABILITY OF DOCUMENTS

The tentative resolution, proposed Basin Plan amendments, and draft staff report are available on the Los Angeles Water Board's website at:

http://www.waterboards.ca.gov/losangeles/water_issues/programs/basin_plan/.

These amendments are wholly within the scope of the OWTS Policy as analyzed by the State Water Board in the Substitute Environmental Document for the OWTS Policy. As such, the recommended actions do not require further environmental review pursuant to CEQA (Pub. Res. Code §21166; Cal. Code Regs. tit. 14, §§15161, 15163).

These documents are also available for inspection and copying between the hours of 8:00 AM and 4:30 PM at the following address:

California Regional Water Quality Control Board
Los Angeles Region
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of documents in the Administrative Record may be made by calling the Los Angeles Regional Board at (213) 576-6600. Comments and responses to comments and other subsequent relevant documents will be available online as they are generated.

III. PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment on the tentative resolution, proposed Basin Plan amendments, and staff report or submit evidence for the Los Angeles Water Board to consider, are invited to submit them in writing.

Any person may present relevant statements or arguments on the proposed Basin Plan amendments. When commenting on the proposed Basin Plan amendments, interested persons should take into consideration that the scope and timing of the proposed amendments are based on the State Water Board's requirement that all regional water boards incorporate the requirements of the Statewide OWTS Policy into their regional basin plans by May 2014. It should be further noted that neither the OWTS Policy nor these proposed Basin Plan amendments apply to or supersede septic system prohibitions. Therefore, comments concerning existing septic system prohibitions in the Los Angeles Region are outside the scope of this proposed action, and will not be addressed in this context. Comments should be limited to the proposed incorporation of the OWTS Policy into the Basin Plan.

To be evaluated and responded to by Board staff, included in the Board's agenda binder, and fully considered by the Board members in advance of the hearing, all written comments and evidence must be received by the Board no later than 5:00 PM on April 14, 2014. Untimely submittal of written comments will not be accepted or responded to by the Los Angeles Water Board. Failure to comply with these requirements is grounds for the Los Angeles Water Board to refuse to admit the proposed written comment or evidence into the administrative record.

Interested persons are encouraged to submit comments electronically. Send comments by e-mail to: Ginachi.Amah@waterboards.ca.gov. Please indicate in the subject line, "Comment Letter – Incorporation of OWTS Policy." Written comments submitted through email are requested to be transmitted in Microsoft Word format. Written comments sent by mail should be addressed to:

California Regional Water Quality Control Board
Los Angeles Region
Attn: Dr. Ginachi Amah
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Interested persons are also invited to attend the hearing and present oral comments. Oral presentations should be summarized in writing to the extent possible. At the discretion of the chair, time limitations on presentations may be imposed, depending on the number of persons wishing to be heard.

The State Water Board when considering approval of a regional water board's adoption of Basin Plan amendments may refuse to accept any comments that were not timely raised before the regional water board. Therefore, interested persons are strongly encouraged to make all comments on this proposed action to the Los Angeles Water Board before or during the public hearing.

IV. FUTURE NOTIFICATIONS FROM STATE WATER BOARD

Any person desiring to receive future notices from the State Water Board regarding its approval process for the proposed amendments must sign up for the State Water Board's Lyrus list at http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

V. LOS ANGELES WATER BOARD STAFF CONTACTS

For additional information regarding this proposed action, please contact Dr. Ginachi Amah at (213) 576-6685 or Ginachi.Amah@waterboards.ca.gov.