

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION R5-2017-0047

APPROVING THE LOCAL AGENCY MANAGEMENT PROGRAM
FOR
NEVADA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

WHEREAS, on 19 June 2012, the State Water Resources Control Board (hereafter State Board) adopted Resolution No. 2012-0032, which in part approves the *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (hereafter the OWTS Policy); and

WHEREAS, the OWTS Policy allows Local Agencies to propose Local Agency Management Programs (hereafter LAMPs) for California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board) approval, as conditional waivers of Waste Discharge Requirements; and

WHEREAS, The OWTS Policy requires Central Valley Water Board staff (hereafter staff) to solicit comments from the State Water Resources Control Board Division of Drinking Water (hereafter DDW) regarding a LAMP's proposed setbacks and notifications to water purveyors; and

WHEREAS, on 1 April 2016 the Nevada County Environmental Health Department (hereafter NCEHD) submitted an informal draft LAMP, along with a preliminary completeness checklist (hereafter checklist) per staff's request; on 12 April 2017 staff provided informal comments, and on 12 May 2016 NCEHD submitted a formal draft; and

WHEREAS, on 6 June 2016 staff requested comments from the DDW and on 15 September 2016 DDW concurred with the proposed setbacks and notifications contingent on an appropriate workshop by 13 May 2018 to define public agency responsibilities and procedures for OWTS Policy implementation; and

WHEREAS, on 17 June 2016 staff requested comments from the Lahontan Regional Water Quality Control Board (hereafter Region 6); and on 2 December 2016 Region 6 provided comments that required changes to the LAMP to comply with the Water Quality Plan for the Lahontan Region and the OWTS Policy; and

WHEREAS, on 14 December 2016 staff, Region 6, and NCEHD completed discussions on the formal draft and checklist; and

WHEREAS, on 26 January 2017, the Central Valley Water Board notified NCEHD and interested parties of its intent to approve the LAMP, and provided them with an opportunity for public hearing, and an opportunity to submit comments and recommendations, both on the draft LAMP and checklist;

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WHEREAS, on 27 February 2017, the South Yuba River Citizens League (hereafter SYRCL) commented on the draft LAMP; SYRCL requested staff's consideration of the South Yuba River in the LAMP's Advanced Protection Management Program (APMP) for impaired surface water bodies (the OWTS Policy includes a specific list of such water bodies). On 3 March 2017, NCEHD responded to SYRCL's comments that inclusion of the South Yuba River in the APMP is beyond the current scope of the OWTS Policy and would require an amendment from State Board. On 6 March 2017, SYRCL concurred with NCDEH's response and rescinded its comments. NCDEH and staff will work collaboratively with SYRCL to further assess the South Yuba River; and

WHEREAS, on 7 April 2017, the Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to this action:

Therefore, be it RESOLVED, that the Central Valley Water Board hereby approves the Local Agency Management Program submitted by the Nevada County Environmental Health Department. I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the Central Valley Water Board, on 7 April 2017.

Original signed by

PAMELA C. CREEDON, Executive Officer