

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2003-0162

ALLOWING AN EXEMPTION FOR AN ENGINEERED RESIDENTIAL  
WASTEWATER DISPOSAL SYSTEM UNDER  
WASTE DISCHARGE REQUIREMENTS ORDER NO. 85-039  
FOR  
121 SMITHNECK ROAD (LOT NO. 118)  
SIERRA BROOKS SUBDIVISION, LOYALTON  
SIERRA COUNTY

WHEREAS, the Central Valley Regional Water Quality Control Board (hereafter “Regional Board”) proposes to grant an exemption for an engineered residential wastewater treatment and disposal system for Lot No. 118 at 121 Smithneck Road, Loyalton (APN 016-180-039) in the Sierra Brooks Subdivision under terms and conditions of Waste Discharge Requirements (WDRs) Order No. 85-039; and

WHEREAS, Discharge Prohibitions, A.1. of WDRs Order No. 85-039 states, in part, that, “An exemption may be approved by the Regional Board if a report is prepared by a civil engineer registered in the State of California, supporting the engineering conclusion that a septic tank/leaching system on the parcel(s) in question will provide adequate treatment and disposal....The report must be approved by the Sierra County Health Department and the Regional Board before an exemption may be issued.”; and

WHEREAS, the primary concern with residential wastewater disposal on this lot (and many other lots in the subdivision) is inadequate groundwater separation, variable soil conditions, and high housing density. The soil percolation rate of 60 minutes per inch reported for this lot is the maximum percolation rate allowed by Order No. 85-039 and the Board’s *Guidelines for Waste Disposal From Land Developments*; and

WHEREAS, the proposed engineered on-site wastewater treatment and disposal system will consist of a septic tank and absorption trench leachfield system for a two-bedroom residence. Effluent will be pre-treated in a 1,000-gallon septic tank. The septic tank effluent will flow by gravity to an engineered leachfield that will consist of two three-foot wide by 80-foot long absorption trenches configured to provide even distribution of septic tank effluent across the disposal area. The absorption trenches will have a minimum depth of 45 inches, or will extend six inches below the sandy clay layer found on the site, whichever is greater. A medium to coarse sand will be placed from the bottom of the trench to the 30-inch depth, and a standard trench system will be constructed from that point. The design is based upon an average percolation rate of 60 minutes per inch, highest seasonal groundwater of at least eight feet below grade and a peak flow of 300 gallons per day. The sand layer in the bottom portion of the absorption trenches was included to provide a higher quality effluent; and

RESOLUTION NO. R5-2003-0162  
ALLOWING AN EXEMPTION FOR AN ENGINEERED RESIDENTIAL  
WASTEWATER DISPOSAL SYSTEM FOR 121 SMITHNECK ROAD  
SIERRA COUNTY

- 2 -

WHEREAS, at the request of the Discharger, staff has reviewed the engineered residential wastewater treatment and disposal system design report submitted by Testing Engineering Construction Consultants, Inc., dated 28 March 2003, as well as subsequent additional information submitted on 12 August 2003; and

WHEREAS, the Sierra County Health Department has reviewed and approved the revised engineered system design report, including conditions recommended by Board staff; and

WHEREAS, Board staff has reviewed the revised design report and concurs that the revised engineered system design, with conditions, will provide adequate treatment and disposal of domestic wastewater for the proposed residence; and

WHEREAS, the revised engineered system design and conditions recommended by Board staff will ensure the long-term protection of water quality; and

WHEREAS, the action to grant this exemption under WDRs Order No. 85-039 for this existing facility is exempt from the provisions of the California Environmental Quality Act (CEQA), in accordance with Title 14, California Code of Regulations (CCR), Section 15301; and

WHEREAS, the Board considered all testimony and evidence at a public hearing held on 17 October 2003 in Sacramento, California;

THEREFORE BE IT RESOLVED that the California Regional Water Quality Control Board, Central Valley Region, finds as follows for the residence at 121 Smithneck Road:

1. The revised engineered system shall be installed as described above and as described in the revised system design submitted on 12 August 2003.
2. The revised engineered system shall be operated in a manner consistent with the following conditions:
  - a. The residence shall contain no more than two bedrooms as long as domestic wastewater is discharged to this engineered residential on-site wastewater treatment and disposal system;
  - b. Low flow fixtures shall be installed in the dwelling;
  - c. Vegetative growth must be maintained in such a manner to prevent vegetation with invasive root systems growing within the treatment and disposal area. Irrigation of the leachfield area shall be prohibited;

RESOLUTION NO. R5-2003-0162  
ALLOWING AN EXEMPTION FOR AN ENGINEERED RESIDENTIAL  
WASTEWATER DISPOSAL SYSTEM FOR 121 SMITHNECK ROAD  
SIERRA COUNTY

- 3 -

- d. A 100% replacement area shall be reserved until such time that a community wastewater collection, treatment and disposal system is available to this lot;
  - e. The lot will be required to connect to a community wastewater collection, treatment and disposal system if the alternative system fails and a community system is operational. During construction of the proposed residence and wastewater disposal system, a stub-out shall be provided for future connection to a community collection system;
  - f. The engineered residential wastewater treatment and disposal system shall be installed and maintained in accordance with the manufacturer's and Testing, Engineering, Construction, Consultants, Inc.'s guidelines; and
  - g. Conditions of this Resolution and those required by Sierra County Health Department shall be recorded as a Deed Restriction to notify future owners that this property uses an engineered on-site residential wastewater treatment and disposal system and that maintenance as recommended by the manufacturer shall be performed by a licensed contractor.
3. An exemption under Waste Discharge Requirements Order No. 85-039 is granted for the revised engineered residential wastewater disposal system, with the above conditions, for Lot No. 118 at 121 Smithneck Road, Loyalton (APN 016-180-039) in the Sierra Brooks Subdivision.

I, Thomas R. Pinkos, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region, on 17 October 2003.

---

THOMAS R. PINKOS, Executive Officer