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## Central Valley Regional Water Quality Control Board

25 February 2015

<Local Agency Manager>  
<Street Address>  
<City, Zip Code>

### REVIEW CRITERIA, LOCAL AGENCY MANAGEMENT PROGRAMS (LAMPS) FOR TIER 2 ONSITE WASTEWATER TREATMENT SYSTEMS

On 19 June 2012, the State Water Resources Control Board (State Board) adopted *Policy for the Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (Policy). The Policy requires your agency to determine if it will comply with the prescriptive Tier 1 requirements of the Policy or, elect to implement Tier 2 requirements by submitting a Local Agency Management Program (LAMP). If your agency wishes to, it would submit its LAMP to the Central Valley Regional Water Quality Control Board (Central Valley Water Board) for review and approval following a public comment period<sup>1</sup>. Since many of the agencies within the Central Valley Water Board have expressed their desire to pursue the Tier 2 option, staff has developed the attached checklist to serve two purposes:

- Serve as a guide to the agency as it develops a LAMP, and
- Assist Board staff to expedite their review of the proposed LAMPs.

The checklist was developed by Central Valley Water Board staff in cooperation with the California Conference of Directors of Environmental Health and State Water Resources Control Board staff. It summarizes OWTS Policy requirements for LAMPs and is to be used and completed during development of your LAMP. For your convenience, we can e-mail you the checklist as a spreadsheet.

The checklist was developed to ensure that a LAMP will comply with Section 9 of the OWTS Policy. To aid in determining compliance with the Policy, we request that you develop your LAMP in two parts; *Program* and *Codes*. The *Program* part should describe your agency's means of complying with the OWTS, and must include adequate detail, including technical information, to support how all the criteria work together to

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<sup>1</sup> Approved, the [final version will serve as a conditional waiver](#) of Waste Discharge Requirements, pursuant to §13269 California Water Code. For details, see: ([http://www.waterboards.ca.gov/water\\_issues/programs/owts/docs/owts\\_policy.pdf](http://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf)).

protect water quality and human health (Section 9.5, OWTS Policy). The *Codes* part should be a complete, detailed compilation of appropriate supporting local codes and ordinances that demonstrate your agencies legal authority to fully implement the LAMP to ensure compliance with the OWTS Policy.

We encourage you to work with Central Valley Water Board staff during development of your LAMP to ensure it fully complies with the OWTS Policy. The following are staff contacts for this program:

- Redding Office: Eric Rapport (530) 224-4998, or [erapport@waterboards.ca.gov](mailto:erapport@waterboards.ca.gov),
- Rancho Cordova Office: Anne Olson at (916) 464-4740 or [aolson@waterboards.ca.gov](mailto:aolson@waterboards.ca.gov),
- Fresno Office: Dale Harvey at (559) 445-6190 or [dharvey@waterboards.ca.gov](mailto:dharvey@waterboards.ca.gov).

We look forward to working with you on this very important program for the Central Valley Water Board.

*Original Signed By Clint E. Snyder*

CLINT E. SNYDER, P.G.  
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Attachment: Checklist

cc + attach:

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## Completeness Checklist for LAMPs

<b>GENERAL REQUIREMENTS FOR LAMPs</b>				
<b>OWTS Policy Section</b>	<b>OWTS Policy Section Summary</b>	<b>Region 5 Comments (These do not replace your review of the OWTS Policy. Italics and websites are specific explanations, more detailed than in the Policy.)</b>	<b>Relevant LAMP Section</b>	<b>Legal Authority/ Code Section</b>
3.3	Annual Reporting	For Section 3.3 et seq., describe your program for annual reporting to Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff in a tabular spreadsheet format.		
3.3.1	Complaints	Include numbers and locations of complaints, related investigations, and means of resolution.		
3.3.2	OWTS Cleaning	Include applications and registrations issued as part of the local cleaning registration pursuant to California Health and Safety Code §117400 et seq.		
3.3.3	Permits for New and Replacement OWTS	Include numbers and locations of permits for new and replacement OWTS, and their Tiers.		
3.4	Permanent Records	Describe your program for permanently retaining records, and means of making them available to Central Valley Water Board staff within 10 working days of a written request.		
3.5	Notifications to Municipal Water Suppliers	Describe your program for notifying public well and water intake owners, and the California Department of Public Health. Notification shall be as soon as practicable, but no later than 72 hours upon discovery of a failing OWTS, as described in Sections 11.1 and 11.2, within setbacks described in Sections 7.5.6 through 7.5.10.		
9.0	Minimum OWTS Standards	This Section is an introduction; we require no specific LAMP Section citation here.		Not applicable
9.1	Considerations for LAMPs	For Section 9.1 et seq., provide your commitment to evaluate complaints, variances, failures, and inspections in Section 9.3.2 (Water Quality Assessment); and your proposed means of assessment to achieve this Policy's purpose of protecting water quality and human health.		

9.1.1	Degree of vulnerability due to local hydrogeology	<p><i>Describe your commitment, and proposed means to identify hydrogeologically vulnerable areas for Section 9.3.2, after compiling monitoring data. Discuss appropriate related siting restrictions and design criteria to protect water quality and public health. Qualified professionals ("Definitions," page 9 in the Policy) should identify hydrogeologically vulnerable areas. Such professionals, where appropriate during a Water Quality Assessment, should generally consider locally reasonable percolation rates of least permeable relevant soil horizons, best available evidence of seasonally shallowest groundwater (including, but not limited to, soil mottling and gleying, static water levels of nearby wells and springs, and local drainage patterns), threats to receptors (supply wells and surface water), and potential geotechnical issues (including, but not limited to, potentially adverse dips of bedding, foliations, and fractures in bedrock).</i></p>		
9.1.2	High quality waters and other environmental conditions requiring enhanced protection	<p>Describe special restrictions to meet water quality and public health goals pursuant to all Federal, State, and local plans and orders. <i>Especially consider appropriate alternatives to those provided in Section 7.8, Allowable Average Density Requirements under Tier 1. See also: State Water Resources Control Board Resolution No. 68-16.</i></p>		
9.1.3	Shallow soils requiring non-standard dispersal systems	<p><i>We interpret "shallow" soils generally to mean thin soils overlying bedrock or highest seasonal groundwater. Dependent on threats to receptors, highest seasonal groundwater can locally include perched and intermittent saturated zones, as well as the shallowest local hydraulically unconfined aquifer unit. See Section 8.1.5 for Minimum Depths to Groundwater under Tier 1. Qualified professionals should make appropriate determinations on the design and construction of non-standard dispersal systems due to shallow soils.</i></p>		

9.1.4	High domestic well usage areas	<p><i>Our key potential concerns are nitrate and pathogen transport toward receptor wells, especially in areas with existing OWTS already prone to soft failures (OWTS failures not evident at grade). Appropriate qualified professionals should consider reasonable pollutant flow paths toward domestic wells, at minimum based on; publically available nitrate concentrations in local wells, published technical literature on local wastewater and non-wastewater nitrate sources, well constructions, pumping demands, and vulnerability of wells due to local hydrogeology. For pathogens, qualified professionals should ensure that field methods are sufficient to mitigate the potential for false positives.</i></p>		
9.1.5	Fractured bedrock	<p><i>Where warranted, appropriate qualified professionals should assess permeability trends of water-bearing fractures, and related potential pathways of effluent toward receptors, including but not limited to, domestic wells and surface water. The professionals should also consider potential geotechnical issues. We suggest consideration of fractured bedrock in concert with percolation rates of overlying soils; either very high or low percolation rates might warrant siting restrictions or non-standard dispersal systems. See also State Water Resources Control Board Order WQ 2014-0153-DWQ, Attachment 1, page 1-3, Item A-3.</i></p>		
9.1.6	Poorly drained soils	<p><i>Appropriate qualified professionals should give criteria for determination of representative percolation rates, including but not limited to, general site evaluation, trench logging, pre-soak and measurement methods of percolation tests, and acceptable alternatives for percolation tests.</i></p>		
9.1.7	Vulnerable surface water	<p><i>Our key potential concern is eutrophication of fresh surface water. While typically with relatively low mobility in groundwater and recently informally banned in dishwater detergents, phosphate is a common cause. At minimum, describe appropriate qualified professionals who will consider potential pathways of wastewater-sourced phosphate and other nutrients toward potentially threatened nearby surface bodies.</i></p>		

9.1.8	Impaired water bodies	<i>Wolf Creek, Nevada County, and Woods Creek, Tuolumne County will require Tier 3 Advanced Protection Management Programs. This applies to Nevada, Placer, and Tuolumne Counties. See Attachment 2 of the OWTS Policy.</i>		
9.1.9	High OWTS density areas	<i>Where nitrate is an identified chronic issue, at minimum, consider nitrogen loading per area; for example, see Hantzsche and Finnemore (1992), Crites and Tchobanoglous (1998), and more recent publications as appropriate.</i>		
9.1.10	Limits to parcel size	At minimum, consider hydraulic mounding, nitrate and pathogen loading, and sufficiency of potential replacement areas.		
9.1.11	Areas with OWTS that predate adopted standards	This refers to areas with known, multiple existing OWTS.		
9.1.12	Areas with OWTS either within prescriptive, Tier 1 setbacks, or within setbacks that a Local Agency finds appropriate	This refers to areas with known, multiple existing OWTS.		
9.2	Scope of Coverage:	For Section 9.2 et seq., provide details on scope of coverage, for example maximum authorized projected flows, allowable system types, and their related requirements for site evaluation, siting, and design and construction requirements.		
9.2.1	Installation and Inspection Permits	Permits generally cover procedures for inspections, maintenance and repair of OWTS, including assurances that such work on failing systems is under permit; see Tier 4.		
9.2.2	Special Provision Areas and	<i>Wolf Creek, Nevada County, and Woods Creek, Tuolumne County will require Tier 3 Advanced Protection Management Programs. This applies to</i>		

	Requirements near Impaired Water Bodies	<i>Nevada, Placer, and Tuolumne Counties. See Attachment 2 of the OWTS Policy.</i>		
9.2.3	LAMP Variance Procedures	Variances for new installations and repairs should be in substantial conformance to the Policy, to the greatest extent practicable. Variances cannot authorize prohibited items in Section 9.4.		
9.2.4	Qualifications for Persons who Work on OWTS	Qualifications generally cover requirements for education, training, and licensing. <i>We suggest that Local Agencies review information available from the <a href="http://www.cowa.org/">California Onsite Water Association</a> (COWA), see: (<a href="http://www.cowa.org/">http://www.cowa.org/</a>)</i>		
9.2.5	Education and Outreach for OWTS Owners	Education and Outreach generally supports owners on locating, operating, and maintaining OWTS. At minimum, ensure that you will require OWTS designers and installers to provide owners with sufficient information to address critical maintenance, repairs, and parts replacements within 48 hours of failure; <i>see also Tier 4</i> . Also, provide information to appropriate volunteer groups. <i>At minimum, we suggest providing this information on your webpage.</i>		
9.2.6	Septage Disposal	Assess existing and proposed disposal locations, and their adequacy.		
9.2.7	Maintenance Districts and Zones	<i>These generally refer to Homeowners Associations, special maintenance districts, and similar responsible entities. Requirements for responsible entities should generally reflect the Local Agency's judgment on minimum sizes of subdivisions that could potentially cause environmental impacts. LAMPs should ensure that responsible entities have the financial resources, stability, legal authority, and professional qualifications to operate community OWTS.</i>		
9.2.8	Regional Salt and Nutrient Management Plans	Consider development and implementation of, or coordination with, Regional Salt and Nutrient Management Plans; <i>see also State Board <a href="#">Resolution 2009-0011</a>: (<a href="http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/laws_regs_policies/rw_policy_implementation_mem.pdf">http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/laws_regs_policies/rw_policy_implementation_mem.pdf</a>)</i>		

9.2.9	Watershed Management Groups	Coordinate with <i>volunteer well monitoring programs</i> and similar watershed management groups.		
9.2.10	Proximity of Collection Systems to New or Replacement OWTS	Evaluate proximity of sewer systems to new and replacement OWTS. See <i>also Section 9.4.9.</i>		
9.2.11	Public Water System Notification prior to permitting OWTS Installation or Repairs	Give your notification procedures to inform public water services of pending OWTS installations and repairs within prescribed setback distances.		
9.2.12	Policies for Dispersal Areas within Setbacks of Public Wells and Surface Water Intakes	Discuss supplemental treatments; see Sections 10.9 and 10.10. A Local Agency can propose alternate criteria; <i>however we will need rationale in detail.</i>		
9.2.13	Cesspool Discontinuation and Phase-Out	Provide plans and schedule.		
9.3	Minimum Local Agency Management Responsibilities:	For Section 9.3 et seq., discuss minimum responsibilities for LAMP management. Responsibilities should generally cover data compilation, water quality assessment, follow-up on issues, and reporting to the Central Valley Water Board:		
9.3.1	Permit Records, OWTS	Describe your records maintenance; numbers, locations, and descriptions of permits where you have granted variances.		



	with Variances			
9.3.2	Water Quality Assessment Program:	<p>In the Water Quality Assessment Program, generally focus on areas with characteristics covered in Section 9.1. Include monitoring and analysis of water quality data, complaints, variances, failures, and inspections. Also include appropriate monitoring for nitrate and pathogens; you can use information from other programs. <i>We are available to provide further guidance on reporting requirements. In the interim, to assist with analyses and evaluation reports (Section 9.3.3), we suggest posting data on appropriate maps; for example consider the following links:</i></p> <p><a href="http://www.nrcs.usda.gov/wps/portal/nrcs/site/ca/home/">http://www.nrcs.usda.gov/wps/portal/nrcs/site/ca/home/</a>  <a href="http://www.cdpr.ca.gov/docs/emon/grndwtr/gwpa_maps.htm">http://www.cdpr.ca.gov/docs/emon/grndwtr/gwpa_maps.htm</a>  <a href="http://ngmdb.usgs.gov/maps/mapview/">http://ngmdb.usgs.gov/maps/mapview/</a>  <a href="http://www.conservation.ca.gov/cgs/information/publications/ms/Documents/MS58.pdf">http://www.conservation.ca.gov/cgs/information/publications/ms/Documents/MS58.pdf</a>  <a href="http://www.water.ca.gov/groundwater/data_and_monitoring/northern_region/GroundwaterLevel/SacValGWContours/100t400_Wells_Spring-2013.pdf">http://www.water.ca.gov/groundwater/data_and_monitoring/northern_region/GroundwaterLevel/SacValGWContours/100t400_Wells_Spring-2013.pdf</a>  <a href="http://www.water.ca.gov/waterdatalibrary/">http://www.water.ca.gov/waterdatalibrary/</a>  <a href="http://www.waterboards.ca.gov/gama/docs/hva_map_table.pdf">http://www.waterboards.ca.gov/gama/docs/hva_map_table.pdf</a>  <a href="http://geotracker.waterboards.ca.gov/gama/">http://geotracker.waterboards.ca.gov/gama/</a>  <a href="http://msc.fema.gov/portal">http://msc.fema.gov/portal</a></p>		
9.3.2.1	Domestic Well Sampling	<p><i>Apply your best professional judgment to ensure that well sampling focuses on hydrogeologically reasonable pollutant (primarily nitrate) flow paths. A qualified professional should generally design an appropriate directed, judgmental, sample (i.e., statistically non-random). Of the links provided, the Geotracker GAMA website might be particularly useful to the professional; at minimum we suggest reviews of available nitrate data in relevant domestic wells, up-gradient, within, and down-gradient of an area of interest. For some instances, for example where a developer proposes a relatively large project, a Local Agency might require a special study to distinguish between wastewater and non-wastewater sourced nitrate. In such cases, we suggest your consideration of requiring focused sampling and analyses, for example of <math>\delta^{18}\text{O}</math> and</i></p>		

		<i><math>\delta^{15}\text{N}</math> of nitrate (Megan Young, USGS, 2014 pers comm), and the artificial sweeteners sucralose and acesulfame-K (Buerge et al 2009, Van Stempvoort et al 2011, and more recent publications as they become available).</i>		
9.3.2.2	Domestic Well Sampling, Routine Real Estate Transfer Related	This applies only if those samples are routinely performed and reported.		
9.3.2.3	Water Quality of Public Water Systems	Reviews can be by your agency or another municipality.		
9.3.2.4	Domestic Well Sampling, New Well Development	This applies if those data are reported.		
9.3.2.5	Beach Water Quality Sampling, H&S Code §115885	<i>Public beaches include those on freshwater.</i>		
9.3.2.6	Receiving Water Sampling Related to NPDES Permits	This refers to existing data from other monitoring programs.		
9.3.2.7	Data contained in	This refers to existing data from other monitoring programs.		

	California Water Quality Assessment Database			
9.3.2.8	Groundwater Sampling Related to Waste Discharge Requirements	This refers to existing data from other monitoring programs.		
9.3.2.9	Groundwater Sampling Related to GAMA Program	This refers to existing data from other monitoring programs.		
9.3.3	Annual Status Reports Covering 9.3.1-9.3.2	Reports are due 1 February, annually, beginning one year after a Regional Board approves LAMP. Every fifth year also include an evaluation report. Submit all groundwater monitoring data in Electronic Delivery Format (EDF) for Geotracker; submit all surface water data to CEDEN.		
9.4	Not Allowed or Authorized in LAMP:	For Section 9.4 et seq., ensure that your LAMP covers prohibitions.		
9.4.1	Cesspools	Local Agencies cannot authorize cesspools of any kind or size.		
9.4.2	Projected Flow greater than 10,000 gpd	<i>Apply professional judgment to further limit projected flows.</i>		
9.4.3	Effluent Discharge r Above Post-Installation Ground Surface	For example, Local Agencies cannot authorize effluent disposal using sprinklers, exposed drip lines, free-surface wetlands, and ponds.		

9.4.4	Installation on Slopes greater than 30% without Registered Professional's Report	<i>See also earlier comments, Section 9.1.1, regarding potential geotechnical concerns.</i>		
9.4.5	Decreased Leaching Area for IAPMO-Certified Dispersal System with Multiplier less than 0.70	IAPMO refers to International Association of Plumbing and Mechanical Officials. <i>Decreased leaching area refers to alternatives to conventional (stone-and-pipe) dispersal systems; these alternatives require relatively less area. The multiplier, less than 1, allows for a reduction in dispersal field area relative to a conventional system.</i>		
9.4.6	Supplemental Treatments without Monitoring and Inspection	<i>Therefore, ensure that the LAMP describes periodic inspection and monitoring for OWTS with supplemental treatments.</i>		
9.4.7	Significant Wastes from RV Holding Tanks	<i>We interpret significant amounts to mean amounts greater than incidental dumping, such that volume, frequency, overall strength, or chemical additives preclude definition as domestic wastewater; see Definitions in OWTS Policy. See also, State Water Resources Control Board Order WQ 2014-0153-DWQ, Attachment B-2.</i>		
9.4.8	Encroachment Above Groundwater	Bottom of OWTS dispersal systems cannot be less than 2 feet above groundwater, or bottom of seepage pits, less than 10 feet above groundwater. <i>We interpret groundwater to include inter-flow and perched zones, along with the shallowest main unconfined aquifer. Degree of vulnerability to pollution due to hydrogeological conditions, Section 9.1.1, and the Water Quality Assessment, Section 9.3.2., should cover in detail means of assessing seasonally shallowest depth to groundwater.</i>		

9.4.9	Installations Near Existing Sewers	New and replacement OWTS cannot occur on any lot with available public sewers less than 200 feet from a building or exterior drainage facility (exception; connection fees plus construction costs are greater than 2 times the replacement OWTS costs, and Local Agency determines no impairment to any drinking water.)		
9.4.10	Minimum Setbacks:	These setbacks are from public water systems.		
9.4.10.1	From Public Supply Wells	If the dispersal system is less than 10' in depth, then the setback must be greater than 150' from public water supply well.		
9.4.10.2	From Public Supply Wells	If the dispersal system is greater than 10' in depth, then the setback must be greater than 200' from public water supply well.		
9.4.10.3	From Public Supply Wells, Regarding Pathogens	If the dispersal system is greater than 20' in depth, and less than 600' from public water supply well, then the setback must be greater than the distance for two-year travel time of microbiological contaminants, as determined by qualified professional. In no case shall the setback be less than 200'.		
9.4.10.4	From Public Surface Water Supplies	If the dispersal system is less than 1,200' from public water system's surface water intake, within its drainage catchment, and potentially threatens an intake, then the setback must be greater than 400' from the high water mark of the surface water body.		
9.4.10.5	From Public Surface Water Supplies	If the dispersal system is greater than 1,200', but less than 2,500', from public water system's surface water intake, within its drainage catchment, and potentially threatens an intake, then the setback must be greater than 200' from high water mark of surface water body.		
9.4.11	Supplemental Treatments, Replacement OWTS That Do Not Meet Minimum Setback	Replacement OWTS shall meet minimum horizontal setbacks to the maximum extent practicable.		

	Requirements			
9.4.12	Supplemental Treatment s, New OWTS That Do Not Meet Minimum Setback Requirements	New OWTS shall meet minimum horizontal setbacks to the maximum extent practicable, and meet requirements for pathogens as specified in Section 10.8., and any other Local Agency's mitigation measures.		
9.5	Technical Support of LAMP	Include adequate detail to ensure that the combination of all proposed criteria will protect water quality and public health sufficiently to warrant the Central Valley Water Board's waiver of Waste Discharge Requirements, pursuant to §13269, California Water Code.		
9.6	Regional Water Quality Control Board Consideration of LAMP	Regional Boards shall consider past performance of local programs to protect water quality. <i>We will generally consider past performance based on our reviews of annual status and evaluation reports; see Section 9.3.3.</i>		

## References:

Hantzsche, N.N. and E.J. Finnemore (1992). Predicting groundwater nitrate-nitrogen impacts. "Groundwater," 30, No. 4, pages 490-499.

Crites, R and G. Tchobanoglous (1998). Small and Decentralized Wastewater Management Systems, McGraw-Hill, ISBN 0-07-289087-8, 1084 pages (see especially pages 919-920).

Young, Megan, USGS Menlo Park, mbyoung@usgs.gov , (650-329-4544)

Buerge, Ignaz J., Hans-Rudolf Buser, Maren Kahle, Markus D. Muller, and Thomas Poiger (2009). Ubiquitous occurrence of the artificial sweetener acesulfame in the aquatic environment: an ideal chemical marker of domestic wastewater in groundwater. "Environmental Science and Technology," 43" pages 4,381 to 4,385.

Van Stempvoort, Dale R., James W. Roy, Susan J. Brown, and Greg Bickerton (2011). Artificial sweeteners as potential tracers in groundwater in urban environments. "Journal of Hydrology," 401 pages 126 to 133.

## Local Agency Addressees:

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