CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

RESOLUTION R8-2018-0054

APPROVING THE LOCAL AGENCY MANAGEMENT PROGRAM
FOR ONSITE WASTEWATER TREATMENT SYSTEMS
IN UNINCORPORATED ORANGE COUNTY

1. WHEREAS, on June 19, 2012, the State Water Resources Control Board (State Water 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 (OWTS Policy) statewide; and

2. WHEREAS, the OWTS Policy, allows Local Agencies to propose Local Agency Management Programs (hereafter LAMP) for California Regional Water Quality Control Board, Santa Ana Region approval, as conditional waivers of waste discharge requirements; and

3. WHEREAS, the County of Orange LAMP’s area of applicability extends within the boundaries of two California Regional Water Quality Control Boards, the Santa Ana Regional Water Quality Control Board and the San Diego Regional Water Quality Control Board; and

4. WHEREAS, Water Code Section 13228) states that Regional Water Boards, upon mutual agreement, may designate one Regional Water Board to regulate a person or entity that is under the jurisdiction of both, and

5. WHEREAS, Attachment 3 of the OWTS Policy identified the Santa Ana Regional Water Board as the designated Regional Water Board for reviewing and, if appropriate, approving the Local Agency Management Plan for the County of Orange, and

6. WHEREAS, on April 25, 2016, Orange County Public Works submitted an initial draft LAMP for review by the Santa Ana and San Diego Regional Water Boards; and

7. WHEREAS, on October 21, 2016, the Santa Ana Regional Water Board solicited, received, and incorporated comments from the State Water Resources Control Board, San Diego Regional Water Quality Control Board, and

8. WHEREAS, on February 15, 2017, the Santa Ana Regional Water Board solicited and received comments from the State Water Resources Control Board, Division of Drinking Water stated to be applicable to all LAMPs and incorporated those comments into the draft LAMP; and

9. WHEREAS, on March 14, 2018, the Santa Ana Regional Water Board completed discussions on the draft LAMP; and
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10. WHEREAS, on March 15, 2018, the Santa Ana Regional Water Board provided an opportunity for the public to review and submit comments by posting a notice of public hearing, staff report, draft LAMP; tentative Resolution R8-2018-0054; and

11. WHEREAS, The County of Orange, the Santa Ana and San Diego Regional Water Board staff worked collaboratively in the development of the LAMP and has determined that the LAMP addresses the required elements of the OWTS Policy; and therefore recommends Santa Ana Regional approval by adoption of Resolution R8-2018-0054; and

12. WHEREAS, In compliance with California Environmental Quality Act (CEQA), Orange County Public Works has preliminarily determined that approval of the LAMP and adoption of an ordinance implementing the LAMP to regulate Onsite Wastewater Treatment Systems in the County will be exempt from CEQA pursuant to CEQA Guidelines section 15308, Actions by Regulatory Agencies for Protection of the Environment. The County's final CEQA determination will be made prior to adoption of the ordinance. 

13. WHEREAS, on May 4, 2018, the Santa Ana Regional Basin Water Board, in a public meeting, heard and considered all comments pertaining to this action:

THEREFORE, BE IT RESOLVED:

1. That the California Regional Water Quality Control Board, Santa Ana Region, hereby approves the LAMP submitted by Orange County Public Works; and

2. That the OWTS Policy's Tier 0 (zero), Existing OWTS, extends regulatory coverage to existing systems, which are properly functioning and do not need corrective action, and can otherwise comply with the criteria in the Waiver of Waste Discharge Requirements (Waiver), prescribed as Section 12 in the OWTS Policy, and for the purposes of compliance with the Waiver, the County of Orange shares Board authority to designate that an existing system needs corrective action; and

3. The Santa Ana Regional Water Board directs that the County of Orange may continue to implement onsite programs within their local jurisdiction; and

4. That the Board further directs its Executive Officer to act on its behalf, to process for review, request changes to the LAMP if appropriate, comment and ultimate approval of future modifications to the LAMP submitted by the Orange County Public Works.

I, Hope A. Smythe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of Resolution R8-2018-0054 adopted by the California Regional Water Quality Control Board, Santa Ana Region, on May 4, 2018.

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Hope A. Smythe
Executive Officer