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GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Santa Ana Regional Water Quality Control Board

October 21, 2016

Hadi Tabatabaee, Manager  
County Building Official  
Orange County Development Services  
300 N. Flower Street  
Santa Ana, CA 92702-4048

### COMMENTS REGARDING THE PROPOSED LOCAL AGENCY MANAGEMENT PLAN FOR UNINCORPORATED ORANGE COUNTY

Dear Mr. Tabatabaee:

This letter is in response to your submittal of the proposed Onsite Wastewater Treatment System (OWTS) Local Agency Management Plan (LAMP) for the unincorporated Orange County (County). Orange County falls within the Santa Ana and San Diego Regional Water Quality Control Board jurisdictions. The Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) is the designated<sup>1</sup> Regional Board for purposes of reviewing and, if appropriate, approving the LAMP for Orange County under the OWTS Policy.

The San Diego Regional Water Quality Control Board (San Diego Water Board) has submitted comments on the draft LAMP applicable to their jurisdiction and are included as an enclosure. We concur with these comments. To avoid duplication, we offer the same OWTS Policy-specific comments as they apply to the Santa Ana Water Board jurisdiction, and have the following additional comments to the draft LAMP:

1. Section 3.2, 2015 Survey and Evaluation Update: Gaps and Future Needs: The County identified the need to update the 2002-2003 inventory of septic systems, to include the OWTS in rural canyon unincorporated areas, develop a useable database in an electronic format to better reflect the current quantity and locations of OWTS and allow for the County to search and track permit status, as well as efficiently identify OWTS requiring corrective action in accordance with Tier 4, and phase out systems that are no longer in use. The updated format for tracking OWTS would also allow for greater collaboration with sanitation districts during the permitting stage and more effectively allow for the County to isolate those properties capable of accessing sanitary sewer, eliminating the need for installation of new OWTS. We appreciate and agree with the County's needs assessment. The updated information will also provide a more recent and complete basis for the water quality assessment required in the OWTS to determine the impacts of OWTS to surface and

<sup>1</sup> Attachment 3 of the Onsite Water Treatment System Policy,

[http://www.waterboards.ca.gov/water\\_issues/programs/owts/in dex.shtml](http://www.waterboards.ca.gov/water_issues/programs/owts/in dex.shtml)

groundwater quality. Please identify a schedule for updating the inventory and indicate in Section 5, Annual Reporting that a status report will be provided annually.

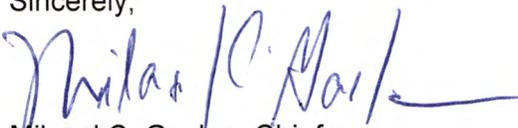
2. Section 4.1.8. High Density Areas for OWTS: This section identified four areas within Orange County with high OWTS density (17 or more systems per square mile): San Juan Capistrano along San Juan and Trabuco Creeks, unincorporated areas along Upper Arroyo Trabuco Creek surrounding Rancho Santa Margarita, the western third of Yorba Linda, and the unincorporated area immediately north of Tustin. Please revise the following statement to state: "... Also, OWTS inspections **will should** be completed every five years within these areas to ensure that all functioning systems remain in working order and do not meet the guidelines of a system requiring corrective action under Tier 4."
3. Section 4.1.9, Limits to Parcel Size: Currently, the County requires a one-half acre lot size requirement for new OWTS. The County LAMP proposes to increase the lot size requirement from 0.5-acre to 1-acre size. Along with the written rationale for the smaller lot sizes than the 2.5 acres established in the OWTS Policy as stated in the San Diego Water Board comments, please include a map of developable areas within the unincorporated county that would require OWTS.
4. Section 4.1.9, Limits to Parcel Size: The last paragraph of this section states:" For OWTS within Orange County that pre-date the adopted standards outlined in this document, the County will appropriately document these areas in a comprehensive database and provide education and outreach materials to the property owners of these parcels in order to explain why improving their systems will benefit local water quality and public health. The County will also provide these property owners with a succinct guide that includes new requirements and the effective path to permitting and installing an updated OWTS." We support this approach, please include this as a reporting element in Section 5, Annual Reporting, as part of program status updates.
5. Section 4.1.10, Areas with OWTS that Predate Adopted Standards, paragraph 5: There was a reference to the Central Coast Regional Board. Please revise.
6. Section 4.2, Scope of Coverage: Please revise paragraph 1, sentence 2, to include "Any systems with project flows surpassing 10,000-gpd are required to obtain waste discharge requirements from the Santa Ana Regional **or the San Diego Regional Board.**"
7. Section 4.2 Scope of Coverage – This paragraph also states that "Cesspool storage is not included within these guidelines and every effort should be made to phase out these systems in a timely manner." Please describe specific tasks and projected schedule to phase out cesspools and include as status reporting element in Section 5, Annual Reporting.
8. Section 4.2.3 Education and Outreach for OWTS Owners: This section describes the County's plan for public outreach to inform property owners who currently have an OWTS and qualified contractors and maintenance companies involved in siting, designing, inspecting, and maintaining OWTS, of the LAMP requirements. Please include this as a status reporting element in Section 5, Annual Reporting.
9. Section 4.2.4, Septage Disposal: This section reported the results of a survey of 34 certified septage haulers in 2002 that are located within Orange County. The survey found that the volume pumped exceeded the total annual capacity of the Orange County Sanitation District

and concluded that the surplus 4.8 million gallons per year must have been hauled to another Publicly Owned Treatment Works or treated in another way. Please provide an updated assessment of the septage generation and adequacy of disposal capacity as part of the annual report. Also, please include the following reporting elements in Section 5, Annual Reporting: Information on the volume, location of disposal, and hauler for all liquid waste disposal of septage.

10. Section 4.3, Minimum Local Agency Management Responsibilities: In addition to the San Diego Water Board comments to this section of the draft LAMP, please revise paragraph 2, sentence 2 as follows: *The monitoring protocol and results will be kept within the OWTS database with the County of Orange and used to generate annual reports to the **San Diego and Santa Ana Regional Boards.***
11. Section 4.3.2, Water Quality Assessment Program: Section 4.1.8 of the draft LAMP reported that the high density area within Yorba Linda has the greatest system density at 56 OWTS per square mile. Please explain why the Santa Ana River downstream of the City of Yorba Linda is not identified in the list of surface water to focus extensive water quality data collection in order to closely monitor the impacts of current OWTS on water quality.
12. Section 4.3.2, Water Quality Assessment Program: Consistent with Section 9.2.8 of the OWTS policy, please describe consideration given to the Salt Nutrient Management Plan for Orange County areas within Region 8.

Please submit a revised LAMP and a written summary of how all comments are addressed. We are available for further discussions or to meet with you to assist in finalizing the Orange County LAMP. Should you have any questions, please contact me at (951) 782-4419 or at [milasol.gaslan@waterboards.ca.gov](mailto:milasol.gaslan@waterboards.ca.gov) or Susan Beeson at (951) 782-4902 or at [susan.beeson@waterboards.ca.gov](mailto:susan.beeson@waterboards.ca.gov).

Sincerely,



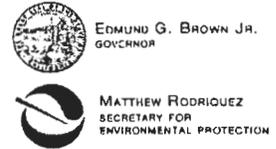
Milasol C. Gaslan, Chief  
Wastewater Section

Enclosure: San Diego Regional Water Board Comments dated June 15, 2016

Cc: Jian Peng, PhD, Chief, Water Quality Planning, [Jian.Peng@ocpw.ocgov.com](mailto:Jian.Peng@ocpw.ocgov.com)  
Orange County Public Works

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EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## San Diego Regional Water Quality Control Board

June 15, 2016

Ms. Milasol Gaslan, P.E.  
Senior Water Resources Control Engineer  
California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-3339

**In reply refer to / attn:**  
**656901:oosibodu**

**Subject: San Diego Water Board's Comments on the Local Agency  
Management Plan for Orange County**

Ms. Gaslan:

Enclosed are the comments from the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) on the draft Local Agency Management Plan (LAMP)<sup>1</sup> for Orange County. The draft LAMP was provided to the San Diego Water Board by the California Regional Water Quality Control Board, Santa Ana Region on May 3, 2016. Pursuant to the State Board *Water Quality Control Policy for Siting, Design, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy), local agencies can develop LAMPs establishing minimum standards that are different from those specified in Tier 1 of the OWTS Policy. The draft LAMP contains the minimum standards that Orange County Public Works (OCPW) will utilize to regulate onsite wastewater treatment systems (OWTS) in Orange County.

The San Diego Water Board comments on specific sections of the draft LAMP and implementation of the OWTS Policy are provided below. The comments only apply to portions of Orange County within the jurisdiction of the San Diego Water Board. The San Diego Water Board is requesting that OCPW either submit a revised version of the LAMP or a written response that addresses the comments below.

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<sup>1</sup> Prepared by GEI Consulting Engineers and Scientists on behalf of Orange County Public Works and dated March 21, 2016.

Specific Comments on the Draft LAMP

1. Section 4.1.9 of draft LAMP: The LAMP increases the minimum lot size for new properties proposing to use OWTS from 0.5 acres to 1 acre. Section 7.8, Table 1 of the OWTS Policy establishes a minimum lot size of 2.5 acres in areas with an annual average rainfall between 0 to 15 inches. The LAMP should be revised to include a written rationale that justifies using smaller minimum lot sizes than those established in the OWTS Policy. It is the understanding of the San Diego Water Board that the lot size densities specified in the OWTS Policy are the minimum lot sizes required to ensure that an OWTS discharge will not cause the concentration of nitrate in groundwater to exceed 45 milligrams per liter.
2. Section 4.3 of draft LAMP: Please include an organizational chart or further clarify and describe the roles of the various departments of the County (i.e., OCPW, Orange County Health Care Agency, Orange County Development Services, etc.) in the permitting, installation, and maintenance and oversight of new and existing OWTS.
3. Section 4.3.2 of draft LAMP: Please note, OCPW is also required to maintain a water quality assessment program to determine the general operation status of OWTS discharges. The San Diego Water Board is interested in these data as they allow the OCPW to assess the extent to which groundwater and local surface water quality may be adversely impacted (see section 9.3.2 of the OWTS Policy). The focus of the assessment should be areas with characteristics listed in section 9.1 of the OWTS Policy. The assessment program should include monitoring and analysis of water quality data, review of complaints, variances, failures, and any information resulting from inspections. The assessment may use existing water quality data from other monitoring programs and establish the terms, conditions, and timing for monitoring done by the local agency. At a minimum this assessment will include monitoring data for nitrates and pathogens, and may include data for other constituents which are needed to adequately characterize the impacts of OWTS on water quality.

Unless another arrangement is made by the San Diego and Sanita Ana Water Boards, OCPW shall submit an annual report to the San Diego Water Board by February 1 each year summarizing the status of the required items in sections 9.3.1 and 9.3.2 of the OWTS Policy. The annual report must include the required items in sections 9.3.1 and 9.3.2 of the OWTS Policy for areas of Orange County located within the jurisdiction of the San Diego Water Board. Every fifth year, OCPW must submit an evaluation of the monitoring program and an assessment of whether water quality is being impacted by OWTS, identifying any changes in

the LAMP that will be undertaken to address impacts from OWTS. The first report will commence one year after approval of OCPW's LAMP (see section 9.3.3 of the OWTS Policy). In addition to summarizing monitoring data collected pursuant to section 9.3.2 of the OWTS Policy, all groundwater monitoring data generated by OCPW shall be submitted in EDF format for inclusion into the Geotracker database, and surface water monitoring shall be submitted to CEDEN in a SWAMP comparable format.

Comments on Implementation of Specific Sections of the OWTS Policy

1. Section 9.2.4 of the OWTS Policy: Please revise the draft LAMP to include any educational, training, certification, and/or licensing requirements that will be required of OWTS service providers, site evaluators, designers, installers, pumpers, maintenance contractors, and any other person relating to OWTS activities pursuant to Section 9.2.4 of the OWTS Policy. Also revise the draft LAMP to include OWTS service provider qualification requirements.
2. Section 9.2.8 of the OWTS Policy: Please describe any consideration that was given to the implementation of South Orange County Wastewater Authority's Salt and Nutrient Management Plan for the San Juan groundwater basin in the development of the draft LAMP pursuant to section 9.2.8 of the OWTS Policy.

In the subject line of any response, please include reference **656901:0osibodu**. Please contact Mr. Fisayo Osibodu at 619-521-8036, or at [Olufisayo.Osibodu@waterboards.ca.gov](mailto:Olufisayo.Osibodu@waterboards.ca.gov) if you have any questions or comments.

Sincerely,



JOHN R. ODERMATT, M.Sc., P.G  
Senior Engineering Geologist  
Groundwater Protection Branch - Land Discharge Unit

JRO: oo