

State of California
California Regional Water Quality Control Board
Santa Ana Region

STAFF REPORT
November 3, 2017

ITEM: *

SUBJECT: Local Agency Management Program for Onsite Wastewater Treatment Systems, City of Yucaipa, San Bernardino County

SUMMARY:

The City of Yucaipa (City) prepared and submitted a Local Agency Management Program (LAMP) for Onsite Wastewater Treatment Systems (OWTS), describing the City's proposed program for regulating OWTS. The LAMP was developed in accordance with the Santa Ana Regional Water Quality Control Board's (Water Board) Basin Plan and the State Water Resources Control Board's Policy for the Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems, June 19, 2012 (OWTS Policy). The City submitted the LAMP to the Water Board for review and approval. Water Board staff has reviewed the City's Local Agency Management Program, finds the program described for regulation of OWTS to be acceptable with respect to both the requirements and recommendations of the OWTS Policy, and current appropriate practices for OWTS installation, operation, and management. Water Board staff has requested comments on the proposed City of Yucaipa Local Agency Management Program and its intent to approve the proposed LAMP. The proposed LAMP may be found at:

http://www.waterboards.ca.gov/santaana/water_issues/programs/septic_tanks/index.shtml

BACKGROUND:

On June 19, 2012, the State Water Resources Control Board adopted the Onsite Wastewater Treatment Systems (OWTS) Policy. OWTS are commonly known as septic systems which primarily treat domestic wastewater for subsurface disposal. The OWTS Policy became effective May 13, 2013, after approval from the Office of Administrative Law. On April 25, 2014, the Santa Ana Regional Water Quality Control Board adopted Resolution No. R8-2014-0005 amending the Water Quality Control Plan (Basin Plan), in part, to incorporate State Board's 2012 OWTS Policy.

The OWTS Policy established a statewide, risk-based, tiered approach to the regulation and management of OWTS and established requirements for each tier as follows:

Tier 0 – Existing OWTS

Those existing OWTS which are properly functioning and do not require corrective action are automatically covered by the Policy's waiver of waste discharge requirements if they meet the provisions in Section 6 of the Policy.

Tier 1 – Low-Risk New or Replacement OWTS

New or Replacement systems that meet low risk siting and design requirements specified in Sections 7 and 8 of the Policy.

Tier 2 – Local Agency Management Program (LAMP) for New or Replacement OWTS
New or replacement OWTS that comply with a LAMP approved under Tier 2 that addresses local conditions but may differ from Tier 1 requirements but is still protective of water quality and public health. Tier 2 requirements are specified in Section 9 of the Policy.

Tier 3 – Impaired Areas

Existing, new, and replacement OWTS that are near impaired water bodies may be addressed by a Total Maximum Daily Load (TMDL) and its implementation program, or special provisions contained in a Local Agency Management Program. If there is no TMDL or special provisions, new or replacement OWTS within 600 feet of impaired water bodies listed in Attachment 2 must meet the specific requirements of Tier 3 specified in Section 10 of the Policy.

Tier 4 – OWTS Requiring Corrective Action

OWTS that require corrective action or are either presently failing or fail at any time while the Policy is in effect are automatically included in Tier 4 and must follow the requirements as specified in Section 11 of the Policy.

The Policy recognizes variability in local conditions by allowing local agencies to propose for approval by regional boards, a Local Agency Management Program (LAMP) under Tier 2 that would achieve the same policy purpose to protect water quality and public health. Once the LAMP is approved, all future OWTS decisions will be governed by the Local Agency Management Program until it is modified, withdrawn, or revoked. Where there is no approved Local Agency Management Program per Tier 2, Tier 1 requirements apply.

Where a county crosses multiple regional board jurisdictions, Attachment 3 of the OWTS Policy designated a lead Regional Board for reviewing and approving the LAMP. The Santa Ana Regional Board is the lead agency for the review and approval of the LAMP for Orange County. LAMPs submitted by cities are reviewed and approved by the Regional Board with jurisdiction. The City of Yucaipa falls within the jurisdictional boundary of the Santa Ana Regional Water Quality Control Board

LAMP REVIEW:

On May 12, 2016, the City of Yucaipa submitted their initial draft LAMP and has since worked collaboratively with Board staff to finalize the proposed LAMP under Tier 2 requirements. Comments were requested and received from the State Water Board's Division of Drinking Water regarding the City's proposed LAMP.

The LAMP was prepared by the City pursuant to sections 3 and 9 of the OWTS Policy. The LAMP contains the criteria to be used by the City for siting, design, and permitting of new and replacement onsite wastewater treatment systems. The City covers approximately 28 square miles in its incorporated boundaries, at an average elevation of 2,600 feet. The 2016 population is approximately 53,800. The City LAMP identified those parcels of land that are connected to sewer; parcels not connected to sewer and utilize OWTS; and those parcels that are currently vacant. Approximately 75% of development in the City is connected to sewer facilities. Wastewater is conveyed and treated at the Yucaipa Valley Water District's (YVWD) Wochholz Regional Recycling Facility.

The LAMP specifies requirements for seepage pits and sewage holding tanks. It also details required corrective actions in the event of OWTS failure and enforcement actions that the City will take if corrective actions are not completed within acceptable time frame.

The City allows the use of alternative OWTS with supplemental treatment for sites that cannot support a conventional OWTS due to soil depth conditions. All alternative OWTS are required to be certified by the National Sanitation Foundation or by an approved third party tester. Due to their complexity, the City requires ongoing maintenance contracts and annual operating permits for alternative systems. .

The City LAMP identifies the types of proposed waste that will not be allowed which include:

- OWTS with a projected wastewater flow above 10,000 gallons per day
- Any OWTS that receives high strength wastewater (unless waste stream is from a commercial food service facility)
- Any OWTS that receives high strength wastewater with a biological oxygen demand (BOD) higher than 900 mg/L

The City notes there are no impaired water bodies within the incorporated limits of the City of Yucaipa. Therefore, Tier 3, an Advanced Protection Management Program (APMP) is not included as part of the City LAMP,

The LAMP described the annual reports to be submitted as specified in Sections 3.3 and 9.3.3 of the OWTS Policy. The City also described its Water Quality Assessment

Program that includes an evaluation of monitoring data and its program every five years to determine if water quality is impacted and if any changes to the LAMP will be undertaken to address impacts from OWTS.

The City intends to adopt an ordinance to implement the requirements of the City's approved LAMP and will include the adopted ordinance in the adopted LAMP.

RECOMMENDATION:

Adopt Resolution No. R8-2017-0043 approving the Local Area Management Program for the City of Yucaipa, effective on the date of adoption of the City's implementing ordinance.

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