



PUBLIC COMMENT DRAFT

**WATER QUALITY CONTROL POLICY
FOR
SITING, DESIGN, OPERATION, AND
MAINTENANCE
OF
ONSITE WASTEWATER TREATMENT
SYSTEMS**

Draft Release Date:
September 30, 2011

STATE WATER RESOURCES CONTROL BOARD

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Preamble

Onsite wastewater treatment systems (OWTS) are useful and necessary structures that allow habitation at locations that are removed from centralized wastewater treatment systems. When properly sited, designed, operated, and maintained, OWTS treat domestic wastewater to reduce its polluting impact on the environment and most importantly protect public health. Estimates for the number of installations of OWTS in California at the time of this policy are that more than 1.2 million systems are installed and operating. The vast majority of these are functioning in a satisfactory manner and meeting their intended purpose.

However there have been occasions in California where OWTS for a varied list of reasons have not satisfactorily protected either water quality or public health. Some instances of these failures are related to the OWTS not being able to adequately treat and dispose of waste as a result of poor design or improper site conditions. Others have occurred where the systems are operating as designed but their densities are such that the combined effluent resulting from multiple systems is more than can be assimilated into the environment. From these failures we must learn how to improve our usage of OWTS and prevent such failures from happening again.

As California's population continues to grow, and we see both increased rural housing densities and the building of residences and other structures in more varied terrain than we ever have before, we increase the risks of causing environmental damage and creating public health risks from the use of OWTS. What may have been effective in the past may not continue to be as conditions and circumstances surrounding particular locations change. So necessarily more scrutiny of our installation of OWTS is demanded of all those involved, while maintaining an appropriate balance of only the necessary requirements so that the use of OWTS remains viable.

Purpose of the Policy

The purpose of this policy is to allow the continued use of onsite wastewater treatment systems, while protecting water quality and public health. To accomplish this purpose, this Policy establishes a statewide, risk-based, tiered approach for the management of OWTS installations and replacements and sets the level of performance and protection expected from OWTS. This Policy only authorizes subsurface disposal of domestic wastewater and establishes minimum requirements for the permitting, monitoring, and operation of OWTS for protecting beneficial uses of waters of the State and preventing conditions of pollution and nuisance. And finally, this Policy also conditionally waives the requirement for owners of OWTS to apply for and receive Waste Discharge Requirements in order to operate their systems when they meet the conditions set forth in the Policy. Nothing in this Policy supersedes or requires modification of Total Maximum Daily Loads or Basin Plan prohibition of discharges from OWTS.

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Structure of the Policy

This Policy is structured into seven major parts:

Definitions

Definitions for all the major terms used in this Policy are provided within this part and wherever used in the Policy the definition given here overrides any other possible definition.

[\[Section 1\]](#)

Responsibilities and Duties

Implementation of this Policy involves individual OWTS owners; local agencies be they counties, cities, or any other subdivision of state government with permitting powers over OWTS; Regional Water Quality Control Boards, and the State Water Resources Control Board.

[\[Sections 2, 3, 4, and 5\]](#)

Tier 0 – Existing OWTS

Existing OWTS that are properly functioning, and do not meet the conditions of failing systems or otherwise require corrective action (for example, to prevent groundwater impairment) as specifically described in Tier 4, and are not determined to be contributing to an impairment of surface water as specifically described in Tier 3, are automatically included in Tier 0.

[\[Section 6\]](#)

Tier 1 – Low-Risk New or Replacement OWTS

New or Replacement OWTS that can meet low risk siting and design requirements as specified, and are not deemed to be included in Tier 2, Tier 3, or Tier 4 by either the local authority or Regional Water Board are eligible for Tier 1.

[\[Sections 7 and 8\]](#)

Tier 2 – Local Agency Management Program for New or Replacement OWTS

California is well known for its extreme range of geological and climatic conditions. As such, the establishment of a single set of criteria for OWTS would either be too restrictive so as to protect for the most sensitive case, or would have broad allowances that would not be protective enough under some circumstances. To accommodate this extreme variance, local agencies may submit management programs for approval, and upon its approval then manage the installation of new and replacement OWTS under that program.

Local Agency Management Programs approved under Tier 2 provide an alternate method from Tier 1 programs to achieve the same policy purpose, which is to protect water quality and public health. Local Agency Management Programs may have

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differing standards, based on local conditions, than the Tier 1 requirements for new and replacement OWTS contained in Sections 7 and 8. As examples, a Local Agency Management Plan may authorize different soil characteristics, usage of seepage pits, and different densities for new developments. Once the Local Agency Management Plan is approved, new and replacement OWTS that are included within the Local Agency Management Plan may be approved by the Local Agency. While the individual standards may differ from Tier 1, the overall program must be protective of water quality and public health.

[\[Section 9\]](#)

Tier 3 – Impaired Areas

OWTS that are near impaired water bodies will be addressed by a TMDL and its implementation program. Existing OWTS that are within the defined boundaries of a specifically identified impaired area for pathogens or nitrogen compounds where there is not an adopted TMDL must meet the timelines and requirements of Tier 3. New or replacement OWTS near impaired water bodies for pathogens or nitrogen must meet the specific performance requirements of Tier 3.

[\[Section 10\]](#)

Tier 4 – OWTS Requiring Corrective Action

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

[\[Section 11\]](#)

Conditional Waiver of Waste Discharge Requirements

The requirement to submit a report of waste discharge for discharges from OWTS that are in conformance with this policy is waived.

[\[Section 12\]](#)

Effective Date

When this Policy becomes effective

[\[Section 13\]](#)

Attachment 1

AB 885 Regulatory Program Timelines

Attachment 2

Tables 4 and 5 specifically identify those impaired water bodies that per Tier 3 must have a completed TMDL in 5 years.

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1.0 Definitions. The following definitions apply to this Policy:

“303 (d) list” means the same as **“Impaired Water Bodies.”**

“At-grade system” means an OWTS dispersal system with a discharge point located at the preconstruction grade (ground surface elevation). The discharge from an at-grade system is always subsurface.

“Basin Plan” means the same as “water quality control plan” as defined in Division 7 (commencing with Section 13000) of the Water Code. Basin Plans are adopted by each Regional Water Board, approved by the State Water Board and the Office of Administrative Law, and identify surface water and groundwater bodies within each Region’s boundaries and establish, for each, its respective beneficial uses and water quality objectives. Copies are available from the Regional Water Boards, electronically at each Regional Water Boards website, or at the State Water Board’s *Plans and Policies* web page (http://www.waterboards.ca.gov/plans_policies/).

“Bedrock” means the rock, usually solid, that underlies soil or other unconsolidated, surficial material.

“CEDEN” means California Environmental Data Exchange Network and information about it is available at the State Water Boards website or <http://www.ceden.org/index.shtml>.

“Cesspool” means an excavation in the ground receiving wastewater, designed to retain the organic matter and solids, while allowing the liquids to seep into the soil. Cesspools differ from seepage pits because cesspool systems do not have septic tanks and are not authorized under this Policy.

“Clay” means a soil particle; the term also refers to a type of soil texture. As a soil particle, clay consists of individual rock or mineral particles in soils having diameters <0.002 mm. As a soil texture, clay is the soil material that is comprised of 40 percent or more clay particles, not more than 45 percent sand and not more than 40 percent silt particles using the USDA soil classification system.

“Cobbles” means rock fragments 76 mm or larger using the USDA soil classification systems.

“Community water system” means a public water system regulated by the California Department of Public Health or a local health department.

“Dispersal system” means a leachfield, seepage pit, mound, at-grade, subsurface drip field, evapotranspiration and infiltration bed, or other type of system for final wastewater treatment and subsurface discharge.

“Domestic wastewater” means wastewater with a measured strength less than high-strength wastewater and is the type of wastewater normally discharged from, or similar to, that discharged from plumbing fixtures, appliances and other household devices including, but not limited to toilets, bathtubs, showers, laundry facilities, dishwashing facilities, and garbage disposals. Domestic wastewater may include wastewater from commercial buildings such as office buildings, retail stores, and

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some restaurants, or from industrial facilities where the domestic wastewater is segregated from the industrial wastewater. Domestic wastewater does not include wastewater from industrial processes or RV dump stations.

“Domestic well” means a groundwater well that provides water for human consumption and is not regulated by the California Department of Public Health.

“Earthen material” means a substance composed of the earth’s crust (i.e. soil and rock).

“EDF” see “electronic deliverable format.”

“Effluent” means sewage, water, or other liquid, partially or completely treated or in its natural state, flowing out of a septic tank, subsurface wastewater infiltration system, aerobic treatment unit, or other treatment system or system component.

“Electronic deliverable format” or **“EDF”** means the data standard adopted by the State Water Board for submittal of groundwater quality monitoring data to the State Water Board’s internet-accessible database system Geotracker (<http://geotracker.waterboards.ca.gov/>).

“Escherichia coli” means a group of bacteria predominantly inhabiting the intestines of humans or other warm-blooded animals, but also occasionally found elsewhere. Used as an indicator of human fecal contamination.

“Existing OWTS” means an OWTS that was constructed and operating prior to the effective date of this Policy, and OWTS for which a construction permit has been issued prior to the date when provisions of the Policy become effective for all new construction permits.

“Gravel-less chamber” system means a buried structure used to create an aggregate-free absorption area for infiltration and treatment of wastewater.

“Grease interceptor” means a passive interceptor that has a rate of flow exceeding 50 gallons-per-minute and that is located outside a building. Grease interceptors are used for separating and collecting grease from wastewater.

“Groundwater” means water below the land surface that is at or above atmospheric pressure.

“High-strength wastewater” means wastewater having a 30-day average concentration of biochemical oxygen demand (BOD) greater than 300 milligrams-per-liter (mg/L) or of total suspended solids (TSS) greater than 330 mg/L or a fats, oil, and grease (FOG) concentration greater than 100 mg/L prior to the septic tank or other OWTS treatment component.

“Impaired Water Bodies” means those surface water bodies or segments thereof that are identified on a list approved first by the State Water Board and then approved by US EPA pursuant to Section 303(d) of the federal Clean Water Act.

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“Local agency” means any subdivision of state government that has responsibility for permitting the installation of and regulating OWTS within its jurisdictional boundaries; typically a county, city, or special district.

“Major repair” means either: (1) for a dispersal system, any repair required for an OWTS dispersal system due to surfacing wastewater effluent from the dispersal field and/or wastewater backed up into plumbing fixtures because the dispersal system is not able to percolate the wastewater, or (2) for a septic tank, any repair required to the tank for a baffle failure or tank structural integrity failure such that either wastewater is exfiltrating or groundwater is infiltrating.

“Mottling” means a soil condition that results from oxidizing or reducing minerals due to soil moisture changes from saturated to unsaturated over time. Mottling is characterized by spots or blotches of different colors or shades of color (grays and reds) interspersed within the dominant color as described by the USDA soil classification system. This soil condition can be indicative of historic seasonal high groundwater level, but the lack of this condition may not demonstrate the absence of groundwater.

“Mound system” means an aboveground dispersal system (covered sand bed with effluent leachfield elevated above original ground surface inside) used to enhance soil treatment, dispersal, and absorption of effluent discharged from an OWTS treatment unit such as a septic tank. Mound systems have a subsurface discharge.

“New OWTS” means an OWTS permitted after the effective date of this Policy.

“NSF” means NSF International (a.k.a. National Sanitation Foundation), a not for profit, non-governmental organization that develops health and safety standards and performs product certification.

“Onsite wastewater treatment system(s)” (OWTS) has the same meaning as found in section 13290 of the California Water Code. The short form of the term may be singular or plural.

“Percolation test” means a method of testing water absorption of the soil. The test is conducted with clean water and test results can be used to establish the dispersal system design.

“Permit” means a document that allows the installation and use of an OWTS. The term refers to any one of the following:

1. A conditional waiver of waste discharge requirements issued by the State Water Board or a Regional Water Board;
2. Waste discharge requirements issued by a Regional Water Board or the State Water Board; or
3. A document, so named, issued by a local agency that is operating under an approved program pursuant to these regulations.

“Person” means any individual, firm, association, organization, partnership, business trust, corporation, company, State agency or department, or unit of local government who is, or that is, subject to this Policy.

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“Policy” means this Policy for Siting, Design, Operation and Management of Onsite Wastewater Treatment Systems.

“Pollutant” means any substance that alters water quality of the waters of the State to a degree that it may potentially affect the beneficial uses of water, as listed in a Basin Plan.

“Public Water System” is a water system regulated by the California Department of Public Health or a Local Primacy Agency pursuant to Chapter 12, Part 4, California Safe Drinking Water Act, Section 116275 (h) of the California Health and Safety Code.

“Public Water Well” is a ground water well serving a public water system. A spring which is not subject to the California Surface Water Treatment Rule (SWTR), CCR, Title 22, sections 64650 through 64666 is a public well.

“Qualified professional” means an individual licensed or certified by a State of California agency to design and/or construct OWTS. Depending on the work to be performed and various licensing and registration requirements, this may include an individual who possesses a registered environmental health specialist certificate or is currently licensed as a professional engineer or professional geologist.

“Regional Water Board” is any of the Regional Water Quality Control Boards designated by Water Code Section 13200. Any reference to an action of the Regional Water Board in this Policy also refers to an action of its Executive Officer, including the conducting of public hearings, pursuant to any general or specific delegation under Water Code Section 13223.

“Replaced OWTS” means an OWTS that has its treatment capacity expanded, or any portion of its dispersal system replaced or added onto, after the effective date of this Policy.

“Sand” means a soil particle; this term also refers to a type of soil texture. As a soil particle, sand consists of individual rock or mineral particles in soils having diameters ranging from 0.05 to 2.0 millimeters. As a soil texture, sand is soil that is comprised of 85 percent or more sand particles, with the percentage of silt plus 1.5 times the percentage of clay particles comprising less than 15 percent.

“Seepage pit” means a drilled or dug excavation, three to six feet in diameter, either lined or gravel filled, that receives the effluent discharge from a septic tank or other OWTS treatment unit for dispersal.

“Septic tank” means a watertight, covered receptacle designed for primary treatment of wastewater and constructed to:

1. Receive wastewater discharged from a building;
2. Separate settleable and floating solids from the liquid;
3. Digest organic matter by anaerobic bacterial action;
4. Store digested solids; and
5. Clarify wastewater for further treatment with final subsurface discharge.

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“**Service provider**” means a person capable of operating, monitoring, and maintaining an OWTS in accordance to this Policy.

“**Silt**” means a soil particle; this term also refers to a type of soil texture. As a soil particle, silt consists of individual rock or mineral particles in soils having diameters ranging from between 0.05 and 0.002 mm. As a soil texture, silt is soil that is comprised as approximately 80 percent or more silt particles and not more than 12 percent clay particles using the USDA soil classification system.

“**Site**” means the location of the OWTS and, where applicable, a reserve dispersal area capable of disposing 100 percent of the design flow from all sources the OWTS is intended to serve.

“**Site Evaluation**” means an assessment of the characteristics of the site sufficient to determine its suitability for an OWTS to meet the requirements of this Policy.

“**Soil**” means the naturally occurring body of porous mineral and organic materials on the land surface, which is composed of unconsolidated materials, including sand-sized, silt-sized, and clay-sized particles mixed with varying amounts of larger fragments and organic material. The various combinations of particles differentiate specific soil textures identified in the soil textural triangle developed by the United States Department of Agriculture (USDA) as found in Soil Survey Staff, USDA; **Soil Survey Manual, Handbook 18**, U.S. Government Printing Office, Washington, DC, 1993, p. 138. For the purposes of this Policy, soil shall contain earthen material of particles smaller than 0.08 inches (2 mm) in size.

“**Soil texture**” means the soil class that describes the relative amount of sand, clay, silt and combinations thereof as defined by the classes of the soil textural triangle developed by the USDA (referenced above).

“**State Water Board**” is the State Water Resources Control Board

“**Supplemental treatment**” means any OWTS or component of an OWTS, except a septic tank or dosing tank, that performs additional wastewater treatment so that the effluent meets the performance requirements prior to discharge of effluent into the dispersal field.

“**SWAMP**” means Surface Water Ambient Monitoring Program and more information is available at: http://www.waterboards.ca.gov/water_issues/programs/swamp/

“**Telemetric**” means the ability to automatically measure and transmit OWTS data by wire, radio, or other means.

“**TMDL**” is the acronym for "total maximum daily load." Section 303(d)(1) of the Clean Water Act requires each State to establish a TMDL for each impaired water body to address the pollutant(s) causing the impairment. In California, TMDLs are usually adopted as Basin Plan amendments and contain implementation plans detailing how water quality standards will be attained.

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“**Total coliform**” means a group of bacteria consisting of several *genera* belonging to the family *Enterobacteriaceae*, which includes *Escherichia coli* bacteria.

“**USDA**” means the U.S. Department of Agriculture.

“**Waste discharge requirement**” or “**WDR**” means an operation and discharge permit issued for the discharge of waste pursuant to Section 13260 of the California Water Code.

Responsibilities and Duties

2.0 OWTS Owners Responsibilities and Duties

- 2.1 All new, replaced, or existing OWTS within an area that is subject to a Basin Plan prohibition of discharges from OWTS, must comply with the prohibition. If the prohibition authorizes discharges under specified conditions, the discharge must comply with those conditions and the applicable provisions of this Policy.
- 2.2 Owners of OWTS shall adhere to the requirements prescribed in local codes and ordinances. Owners of new and replaced OWTS shall also meet the minimum standards contained in Tier 1, or an alternate minimum standard provided by a Local Agency Management Plan per Tier 2, or shall comply with the requirements of Tier 3 if found to be contributing to an impairment of waters of the State, or shall provide corrective action for their OWTS if their system meets conditions that place it in Tier 4.
- 2.3 Owners of OWTS shall comply with any and all permitting condition imposed by a local agency implementing its approved Local Agency Management Program per Section 9 of this Policy, including if those conditions are more stringent than required by this Policy.
- 2.4 To receive coverage under this Policy and the included waiver of waste discharges, OWTS shall be operated to accept and treat flows of domestic strength wastewater, excluding any material not generally associated with household activities. Activities that generate domestic wastewater include, but are not limited to, toilet flushing, food preparation, laundry, household cleaning including drain cleaning, and personal hygiene.
- 2.5 Owners of OWTS shall maintain their OWTS in good working condition including inspections and pumping of solids as necessary, or as required by local ordinances, to maintain proper function and assure adequate treatment.
- 2.6 The following owners of OWTS shall notify the Regional Water Board by submitting a Report of Waste Discharge for the following:
 - 2.6.1 a new or replaced OWTS that does not meet the conditions and requirements set forth in this Policy;

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- 2.6.2 a new or replacement OWTS with the projected flow of over 3,500 gallons-per-day where the local permitting authority does not have an approved Local Agency Management Program that includes regulations of flows greater than or equal to the projected flow of the OWTS;
 - 2.6.3 an existing OWTS, not currently under individual waste discharge requirements or a waiver of individual waste discharge requirements issued by a Regional Water Board, with the projected flow of over 10,000 gallons-per-day;
 - 2.6.4 an existing OWTS that will be accepting or has accepted after the effective date of this Policy a change in the nature of the waste stream from domestic wastewater to high-strength wastewater;
 - 2.6.5 a new or replaced OWTS that accepts high-strength wastewater.
- 2.7 All Reports of Waste Discharge shall be accompanied by the required application fee pursuant to Section 2200, Article 1, Chapter 9, Division 3, Title 23 of the California Code of Regulations.

3.0 Local Agency Requirements and Responsibilities

- 3.1 Local agencies, in addition to implementing their own local codes and ordinances, shall determine whether the requirements within their local jurisdiction will be limited to the water quality protection afforded by the statewide minimum standards in Tier 0, Tier 1, Tier 3, and Tier 4, for which this Policy authorizes them to implement, or whether the local agency will implement a Local Agency Management Program in accordance with Tier 2 that provides protection to water quality and public health using standards differing from Tier 1. Local agencies may continue to implement their existing OWTS permitting programs in compliance with the Basin Plan in place at the effective date of the Policy and Tier 3 until 60 months after the effective date of this Policy or approval of a Local Agency Management Program, which ever comes first, and may make minor adjustments as necessary that are in compliance with the applicable Basin Plan and this Policy. In the absence of a Tier 2 Local Agency Management Program, to the extent that there is a direct conflict between the applicable minimum standards and the local codes or ordinances (such that it is impossible to comply with both the applicable minimum standards and the local ordinances or codes), the more restrictive standards shall govern.
- 3.2 If preferred, the local agency may at any time provide the Regional Water Board and State Water Board written notice of its intent to regulate OWTS using a Local Agency Management Program with alternative minimum standards as authorized in Tier 2 of this Policy. A proposed Local Agency Management Program that conforms to the requirements of that Section shall be included with the notice. A local agency shall not implement a program different than the minimum standards contained in Tier 1 and 3 of this Policy

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after 60 months from the effective date of this Policy until approval of the proposed Local Agency Management Program is granted by either the Regional Water Board or State Water Board. All initial program submittals desiring approval prior to the 60 month limit shall be received no later than 36 months from the effective date of this Policy. Once approved, the local agency shall adhere to the local management program, including all requirements, monitoring, and reporting. If at any time a local agency wishes to modify its local management program, it shall provide the Regional Water Board and State Water Board written notice of its intended modifications and will continue to implement its existing Local Agency Management Program until the modifications are approved.

- 3.3 All local agencies permitting OWTS shall report annually to Regional Water Boards. The annual report shall include the following information and summarize whether any further actions are warranted to protect water quality or public health:
 - 3.3.1 number and location of complaints pertaining to OWTS operation and maintenance, and identification of those which were investigated and how they were resolved;
 - 3.3.2 number and location of OWTS cleanings and pumping reported as part of the local septic tank cleaning registration program pursuant to Section 117400 et seq. of the California Health and Safety Code;
 - 3.3.3 number and location of OWTS repair permits;
 - 3.3.4 number and location of permits issued for new OWTS, and which Tier the permit is issued.
- 3.4 All local agencies permitting OWTS shall retain records for those items detailed in Section 3.3 above for a minimum of twenty (20) years and will make those records available on request for review by the Regional Water Board. The records for each permit shall contain the reasoning and justification for determining which Tier the permit was issued under.
- 3.5 A local agency may implement this Policy, or a portion thereof, using its local authority to enforce the policy, as authorized by an adopted resolution of the State Water Board or by the appropriate Regional Water Board.
- 3.6 Nothing in the Policy shall preclude a local agency from adopting or retaining standards for OWTS in an approved Local Agency Management Program that are more protective of the public health or the environment than are contained in this Policy.
- 3.7 If at any time a local agency wishes to withdraw its previously submitted and approved Tier 2 Local Agency Management Program, it may do so upon 60 days written notice. The notice of withdrawal shall specify the reason for withdrawing its Tier 2 program, the effective date for cessation of the program and resumption of permitting of OWTS only under Tiers 1, 3, and 4.

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4.0 Regional Water Board Functions and Duties

- 4.1 The Regional Water Boards have the principal responsibility for overseeing the implementation of this Policy.
- 4.2 Regional Water Boards shall incorporate the requirements established in this Policy by amending their Basin Plans within 12 months of the effective date of this Policy, pursuant to Water Code Section 13291(e). The Regional Water Boards may also consider whether it is necessary and appropriate to retain or adopt any more protective standards. To the extent that a Regional Water Board determines that it is necessary and appropriate to retain or adopt any more protective standards, it shall reconcile those region-specific standards with this Policy to the extent feasible, and shall provide a detailed basis for its determination that each of the more protective standards is necessary and appropriate.
- 4.3 The Regional Water Board shall review, and if appropriate, approve a Local Agency Management Program submitted by the local agency pursuant to Tier 2 in this Policy. Upon receipt of a proposed Local Agency Management Program, the Regional Water Board shall have 90 days to notify the local agency whether the submittal contains all the elements of a Tier 2 program, but may request additional information based on review of the proposed program. Local Agency Management Programs shall be approved by the respective Regional Water Board. Approval must follow a noticed hearing with opportunity for public comment. If a Local Agency Management Program is disapproved, the Regional Water Board shall provide a written explanation of the reasons for the disapproval. If no action is taken by the respective Regional Water Board within 12 months of the submission date of a complete Local Agency Management Program, the program shall be forwarded to the State Water Board for review and approval pursuant to Section 5 of this Policy.
- 4.4 The Regional Water Board may require modifications or revoke authorization of a local agency to implement a Tier 2 program, after completion of the following:
 - 4.4.1 Written notice shall be provided to the local agency detailing the Regional Water Board's action, the cause for such action, remedies to prevent the action from continuing to completion, and appeal process and rights. The local agency shall have 90 days from the date of the written notice to respond with a corrective action plan to address the areas of non-compliance, or to request the Regional Water Board to reconsider its findings.
 - 4.4.2 The Regional Water Board shall approve, approve conditionally, or deny a corrective action plan within 90 days of receipt. The local management agency will have 90 days to begin implementation of a corrective action

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plan from the date of approval or 60 days to request reconsideration from the date of denial.

- 4.4.3 Requests for reconsideration by the local agency shall be decided by the Regional Water Board within 90 days and the previously approved Local Agency Management Program shall remain in effect while the reconsideration is pending.
- 4.4.4 After resolution of a request for reconsideration, the local agency may appeal to the State Water Board and the previously approved Local Agency Management Program shall remain in effect while the appeal is under consideration. The State Water Board shall decide the appeal within 90 days. All decisions of the State Water Board are final.
- 4.5 The Regional Water Board shall accept and consider any requests for modification or revocation of a Local Agency Management Program submitted by any person. The Regional Water Board will notify the person making the request and the local agency implementing the Local Agency Management Program at issue by letter within 90 days whether it intends to proceed with the revocation process per Section 4.4 above, or is dismissing the request. The Regional Water Board will post the request and its response letter on its website.
- 4.6 The Regional Water Board shall issue or deny waste discharge requirements or waivers of waste discharge requirements for any new or replaced OWTS within a jurisdiction or a local agency without an approved Local Agency Management Program pursuant to Tier 2 of this Policy when that OWTS does not meet the minimum standards contained in Tier 1.
- 4.7 The Regional Water Boards will implement any notifications and enforcement requirements for existing OWTS determined to be in Tier 3 of this Policy.
- 4.8 Regional Water Boards may adopt waste discharge requirements, or conditional waivers of waste discharge requirements, that exempt individual OWTS from requirements contained in this Policy.

5.0 State Water Board Functions and Duties

- 5.1 As the state agency charged with the development and adoption of this Policy, the State Water Board shall periodically review, amend and/or update this Policy as required.
- 5.2 The State Water Board may take any action assigned to the Regional Water Boards in Section 4 of this Policy.
- 5.3 The State Water Board shall resolve disputes between Regional Water Boards and local agencies as needed within 12 months of receiving such a request by either party, and may take action on its own motion in furtherance of this Policy. As part of this function, the State Water Board shall review and, if appropriate, approve local management programs in cases where the respective Regional

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Water Board has failed to consider for approval a local management program. The State Water Board shall approve local management programs at a regularly noticed board hearing and shall provide for public participation, including notice and opportunity for public comment. Once taken up by the State Water Board, local management programs shall be approved or denied within 180 days.

- 5.4 A member of the public may request the State Water Board to resolve any dispute regarding the Regional Water Board's approval of a Local Agency Management Program. Such requests shall be submitted within 30 days after the Regional Water Board's approval of the Local Agency Management Program. The State Water Board shall notify the member of the public, the local agency, and the Regional Water Board within 90 days whether it intends to proceed with dispute resolution.
- 5.5 The State Water Board shall accept and consider any requests for modification or revocation of a Local Agency Management Program submitted by any person, where that person has previously submitted said request to the Regional Water Board and has received notice from the Regional Water Board of their dismissal of the request. The State Water Board will notify the person making the request and the local agency implementing the Local Agency Management Program at issue by letter within 90 days whether it intends to proceed with the revocation process per Section 4.4 above, or is dismissing the request. The State Water Board will post the request and its response letter on its website.
- 5.6 The State Water Board, at the time of approving any Impaired Water Bodies [303 (d)] List, and for the purpose of implementing Section 10.2 of this Policy, shall identify those water bodies where it is likely that OWTS will subsequently be determined to be a contributing source of pathogens or nitrates and therefore it is anticipated that OWTS would receive a loading reduction. This identification shall be based on information available at the time of 303 (d) listing and may be updated based on new information. .

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Tier 0 – Existing OWTS

Existing OWTS that are properly functioning and do not meet the conditions of failing systems or otherwise require corrective action (for example, to prevent groundwater impairment) as specifically described in Tier 4, and are not determined to be contributing to an impairment of surface water as specifically described in Tier 3, are automatically included in Tier 0.

6.0 Coverage for Properly Operating Existing OWTS

- 6.1 Existing OWTS are automatically covered by this Policy and the herein included waiver of waste discharge requirements if they:
 - 6.1.1 have a projected flow of 10,000 gallons-per-day or less;
 - 6.1.2 receive only domestic wastewater from residential or commercial buildings, or high-strength wastewater from commercial food service buildings that does not exceed 900 mg/L BOD and has a properly sized and functioning oil/grease interceptor (a.k.a. grease trap);
 - 6.1.3 are functioning as designed with no surfacing effluent;
 - 6.1.4 utilize a dispersal system that is not in soil saturated with groundwater or is inundated;
 - 6.1.5 do not meet the conditions set forth in Tier 3 for OWTS needing advanced treatment; and
 - 6.1.6 do not meet the conditions set forth in Tier 4 for OWTS needing corrective action.
- 6.2 A Regional Water Board or local agency may deny coverage under this Policy to any OWTS that is:
 - 6.2.1 Not in compliance with Section 6.1;
 - 6.2.2 Causing a nuisance or pollution;
 - 6.2.3 In the opinion of the Regional Water Board not able to adequately protect the water quality of the waters of the State and should therefore submit a report of waste discharge to receive Region specific waste discharge requirements or waiver of waste discharge requirements so as to be protective.
- 6.3 Existing OWTS currently under waste discharge requirements or individual waiver of waste discharge requirements will remain under those orders until notified in writing by the appropriate Regional Water Board that they are covered under this Policy.

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Tier 1 – Low Risk New or Replacement OWTS

New or Replacement OWTS that can meet low risk siting and design requirements as specified, and are not deemed to be included in Tier 2 or Tier 3 by either the local authority or Regional Water Board are eligible for Tier 1.

7.0 Minimum Site Evaluation and Siting Standards

- 7.1 A qualified professional shall perform all necessary soil and site evaluations for all new OWTS and for existing OWTS where the treatment or dispersal system will be replaced or expanded.
- 7.2 A site evaluation shall determine that adequate soil depth is present in the dispersal area. Soil depth is measured vertically to the point where bedrock, hardpan, impermeable soils, or saturated soils are encountered or an adequate depth has been determined. Soil depth shall be determined through the use of soil profile(s) in the primary and reserve areas, as viewed in excavations exposing the soil profiles in representative areas, unless the local agency has determined through historical or regional information that a specific site soil profile evaluation is unwarranted.
- 7.3 A site evaluation shall determine the anticipated highest level of groundwater within the dispersal field and its required minimum dispersal zone by estimation using one or a combination of the following methods:
 - 7.3.1 Direct observation of the highest extent of soil mottling observed in the examination of soil profiles, recognizing that soil mottling is not always an indicator of the uppermost extent of high groundwater; or
 - 7.3.2 Direct observation of groundwater levels during the anticipated period of high groundwater. Methods for groundwater monitoring and determinations shall be decided by the local agency; or
 - 7.3.3 Historical records or other methods acceptable to the local agency.
 - 7.3.4 Where a conflict in the above methods of examination exists, the direct observation method indicating the highest level shall govern.
- 7.4 Percolation test results in the effluent disposal area shall not be faster than one minute per inch (1 MPI) or slower than ninety minutes per inch (90 MPI). Other percolation rates may be used under a Tier 2 Local management program. All percolation rates shall be based on actual or simulated wet weather conditions by performing the test during the wet weather period as determined by the local agency or by presoaking of percolation test holes and shall be a stabilized rate.
- 7.5 Minimum horizontal setbacks shall be as follows:
 - 7.5.1 5 feet from parcel property lines;
 - 7.5.2 100 feet from wells;

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- 7.5.3 100 feet from unstable land mass, earth slides, or as recommended by a geotechnical report;
- 7.5.4 100 feet from flowing surface water bodies where the edge of that water body is the natural or levied bank for creeks and rivers, or may be less where site conditions prevent migration of wastewater to the water body;
- 7.5.5 200 feet from vernal pools, wetlands, lakes, ponds, or other surface water bodies where the edge of that water body is the high water mark for lakes and reservoirs, and the mean high tide line for tidally influenced water bodies;
- 7.5.6 150 feet from a public water well where the depth of the effluent dispersal system does not exceed 10 feet;
- 7.5.7 200 feet from a public water well where the depth of the effluent dispersal system exceeds 10 feet in depth;
- 7.5.8 Where the effluent dispersal system is within 600 feet of a public water well and exceeds 20 feet in depth and the separation from the bottom of the system and ground water is less than five feet the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated. A qualified professional shall conduct this evaluation. However in no case shall the setback be less than 200 feet.
- 7.5.9 Where the effluent dispersal system is within 1,200 feet from a public water systems' surface water intake and within the catchment of the drainage, the dispersal system shall be no less than 400 feet from the high water mark of the reservoir, lake or flowing water body.
- 7.5.10 Where the effluent dispersal system is located more than 1,200 but less than 2,500 feet from a public water systems' surface water intake and within the catchment of the drainage, the dispersal system shall be no less than 200 feet from the high water mark of the reservoir, lake or flowing water body.
- 7.6 Prior to issuing a permit to install an OWTS the permitting agency shall determine if the OWTS is within 1,200 feet of an intake for a surface water treatment plant for drinking water and is in the drainage catchment in which the intake is located. If the OWTS is within 1,200 feet of an intake for a surface water treatment plant for drinking water and is in the drainage catchment in which the intake is located:
 - 7.6.1 The permitting agency shall provide a copy of the permit application to the CDPH Drinking Water Program and the owner of the water system of their proposal to install an OWTS within 1,200 of an intake for a surface water treatment.
 - 7.6.2 The permit application shall include a topographical plot plan for the parcel showing the onsite sewage treatment system components, the property

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boundaries, proposed structures, physical address, and name of property owner.

- 7.6.3 The permitting agency shall provide the estimated wastewater flows, intended use of proposed structure generating the wastewater, soil data, and estimated depth to seasonally saturated soils.
- 7.6.4 The CDPH Drinking Water Program and the public water system owner shall have 5 days from receipt of the permit application to provide recommendations and comments to the permitting agency.
- 7.7 Natural ground slope in all areas used for effluent disposal shall not be greater than 25 percent.
- 7.8 The average density for any new subdivision project implemented under Tier 1 shall not exceed one single family dwelling unit, or its equivalent, per 2.5 acres for those units that rely on OWTS.

8.0 Minimum OWTS Design and Construction Standards

8.1 OWTS Design Requirements

- 8.1.1 A qualified professional shall design all new OWTS and existing OWTS where the treatment or dispersal system will be replaced or expanded and a replacement area was not previously designated. A qualified professional employed by a local agency, while acting in that capacity, may design or review and approve a design for a proposed OWTS.
- 8.1.2 OWTS shall be located, designed, and constructed in a manner to ensure that effluent does not surface at any time, and that percolation of effluent will not adversely affect beneficial uses of waters of the State.
- 8.1.3 The design of new and replaced OWTS shall be based on the expected influent wastewater quality with a project flow not to exceed 3,500 gallons per day, the peak wastewater quantity for purposes of hydraulic sizing, the characteristics of the site, and the required level of treatment for protection of water quality and public health.
- 8.1.4 The minimum native soil depth immediately below the leaching trench shall be five feet. Lesser soil depths may be granted under a Tier 2 Local Agency Management Program. Dispersal systems that must be installed above native soil may be approved under a Tier 2 Local Agency Management Program.
- 8.1.5 All dispersal systems shall have at least twelve (12) inches of soil cover.
- 8.1.6 The minimum depth to the anticipated highest level of groundwater below the bottom of the leaching trench shall not be less than prescribed in Table 1.

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Percolation Rate *	Depth to groundwater
Less than 1 MPI	Only as authorized in a Tier 2 Local Management Program
Between 1 and 5 MPI	Twenty (20) feet
Between 5 and 29 MPI	Eight (8) feet
Between 30 and 90 MPI	Five (5) feet
Greater than 90 MPI	Only as authorized in a Tier 2 Local Management Program

* or soil texture that will yield equivalent percolation rate as determined by the local agency
MPI = minutes per inch

8.1.7 Dispersal systems shall be a leachfield, designed using not more than 4 square-feet of infiltrative area per linear foot of trench as the infiltrative surface, and with trench width no wider than 3 feet. Seepage pits and other dispersal systems may be authorized in a Tier 2 local management program. Application rates shall be determined from stabilized percolation rate as provided in Table 2, or from soil texture and structure determination as provided in Table 3.

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Percolation Rate	Application Rate		Percolation Rate	Application Rate		Percolation Rate	Application Rate
(minutes per Inch)	(gallons per day per square foot)		(minutes per Inch)	(gallons per day per square foot)		(minutes per Inch)	(gallons per day per square foot)
<1	Requires Local Management Program		31	0.522		61	0.197
1	0.8		32	0.511		62	0.194
2	0.8		33	0.5		63	0.19
3	0.8		34	0.489		64	0.187
4	0.8		35	0.478		65	0.184
5	0.8		36	0.467		66	0.18
6	0.8		37	0.456		67	0.177
7	0.8		38	0.445		68	0.174
8	0.8		39	0.434		69	0.17
9	0.8		40	0.422		70	0.167
10	0.8		41	0.411		71	0.164
11	0.786		42	0.4		72	0.16
12	0.771		43	0.389		73	0.157
13	0.757		44	0.378		74	0.154
14	0.743		45	0.367		75	0.15
15	0.729		46	0.356		76	0.147
16	0.714		47	0.345		77	0.144
17	0.7		48	0.334		78	0.14
18	0.686		49	0.323		79	0.137
19	0.671		50	0.311		80	0.133
20	0.657		51	0.3		81	0.13
21	0.643		52	0.289		82	0.127
22	0.629		53	0.278		83	0.123
23	0.614		54	0.267		84	0.12
24	0.6		55	0.256		85	0.117
25	0.589		56	0.245		86	0.113
26	0.578		57	0.234		87	0.11
27	0.567		58	0.223		88	0.107
28	0.556		59	0.212		89	0.103
29	0.545		60	0.2		90	0.1
30	0.533					>90	Requires Local Management Program

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Soil Texture (per the USDA soil classification system)	Soil Structure Shape	Grade	Maximum Soil Application Rate(gallons per day per square foot) ¹
Coarse Sand, Sand, Loamy Coarse Sand, Loamy Sand	Single grain	Structureless	0.8
Fine Sand, Very Fine Sand, Loamy Fine Sand, Loamy Very Fine Sand	Single grain	Structureless	0.4
Coarse Sand Loam, Sandy Loam	Massive	Structureless	0.2
	Platy	Weak	0.2
		Moderate, Strong	Prohibited
	Prismatic, Blocky, Granular	Weak	0.4
Moderate, Strong		0.6	
Fine Sandy Loam, very fine Sandy Loam	Massive	Structureless	0.2
	Platy	Weak, Moderate, Strong	Prohibited
	Prismatic, Blocky, Granular	Weak	0.2
		Moderate, Strong	0.4
Loam	Massive	Structureless	0.2
	Platy	Weak, Moderate, Strong	Prohibited
	Prismatic, Blocky, Granular	Weak	0.4
		Moderate, Strong	0.6
Silt Loam	Massive	Structureless	Prohibited
	Platy	Weak, Moderate, Strong	Prohibited
	Prismatic, Blocky, Granular	Weak	0.4
		Moderate, Strong	0.6
Sandy Clay Loam, Clay Loam, Silty Clay Loam	Massive	Structureless	Prohibited
	Platy	Weak, Moderate, Strong	Prohibited
	Prismatic, Blocky, Granular	Weak	0.2
		Moderate, Strong	0.4
Sandy Clay, Clay, or Silty Clay	Massive	Structureless	Prohibited
	Platy	Weak, Moderate, Strong	Prohibited
	Prismatic, Blocky, Granular	Weak	Prohibited
		Moderate, Strong	0.2

¹ Soils listed as prohibited may be allowed under the authority of the Regional Water Board ,or as allowed under an approved Local Agency Management Program per Tier 2.

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- 8.1.8 Dispersal systems shall not exceed a maximum depth of 10 feet as measured from the ground surface to the bottom of the trench.
- 8.1.9 All new dispersal systems shall have 100 percent replacement area that is equivalent and separate, and available for future use.
- 8.1.10 No dispersal systems or replacement areas shall be covered by an impermeable surface, such as paving, building foundation slabs, plastic sheeting, or any other material that prevents oxygen transfer to the soil.
- 8.1.11 Rock fragment content of soil surrounding the dispersal system shall not exceed 50 percent by volume for rock fragments sized as cobbles or larger and shall be estimated using either the point-count or line-intercept methods.
- 8.1.12 Increased allowance for gravel-less chamber systems is only allowed under a Tier 2 local management program.

8.2 Septic Tank Construction and Installation

- 8.2.1 A Licensed General Engineering Contractor (Class A), General Building Contractor (Class B), Sanitation System Contractor (Specialty Class C-42), or Plumbing Contractor (Specialty Class C-36) shall install all new OWTS and replaced OWTS in accordance with California Business and Professions Code Sections 7056, 7057, and 7058 and Article 3, Division 8, Title 16 of the California Code of Regulations. A property owner may also install his/her own OWTS if the as-built diagram and the installation are inspected and approved by the Regional Water Board or authorized local agency at a time when the OWTS is in an open condition (not covered by soil and exposed for inspection).
- 8.2.2 All new or replaced septic tanks and new or replaced grease interceptor tanks shall comply with the standards contained in Sections K5(b), K5(c), K5(d), K5(e), K5(k), K5(m)(1), and K5(m)(3)(ii) of Appendix K, of Part 5, Title 24 of the 2007 California Code of Regulations.
- 8.2.3 All new septic tanks shall comply with the following requirements:
 - 8.2.3.1 Access openings shall have watertight risers, the tops of which shall be set within 6 inches of finished grade; and
 - 8.2.3.2 Access openings shall be secured to prevent unauthorized access.
- 8.2.4 The installation of new prefabricated septic tanks shall be limited to those approved by the International Association of Plumbing and Mechanical Officials (IAPMO) and their installation shall be installed according to the manufacturer's instructions. If IAPMO certified tanks are not available locally, other prefabricated tanks may be allowed only if they comply with subsection 8.2.5 below.

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- 8.2.5 New non- prefabricated tanks or prefabricated tanks not certified by IAPMO shall be installed only after the design is stamped and certified by a California registered civil engineer as meeting the industry standards.
- 8.2.6 New and replaced OWTS septic tanks shall be designed to prevent solids in excess of three-sixteenths (3/16) of an inch in diameter from passing to the dispersal system. Septic tanks that use a National Sanitation Foundation/American National Standard Institute (NSF/ANSI) Standard 46 certified septic tank filter at the final point of effluent discharge from the OWTS and prior to the dispersal system shall be deemed in compliance with this requirement.

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Tier 2 – Local Agency OWTS Management Program

Local agencies may submit management programs for approval, and upon its approval then manage the installation of new and replacement OWTS under that program. Local Agency Management Programs approved under Tier 2 provide an alternate method from Tier 1 programs to achieve the same policy purpose, which is to protect water quality and public health. Local Agency Management Programs may have differing standards, based on local conditions, than the Tier 1 requirements for new and replacement OWTS contained in Sections 7 and 8. As examples, a Local Agency Management Plan may authorize different soil characteristics, usage of seepage pits, and different densities for new developments. Once the Local Agency Management Plan is approved, new and replacement OWTS that are included within the Local Agency Management Plan may be approved by the Local Agency.

9.0 Local Agency Management Program for Minimum OWTS Standards

The Local Agency Management Program for minimum OWTS Standards is a management program where local agencies can establish minimum standards that are differing requirements from those specified in Tier 1 (Section 7 and Section 8), including the areas that cannot meet those minimum standards and still achieve this Policy's purpose, which is to protect water quality and public health. Local Agency Management Programs may include any one or combination of the following to achieve this purpose:

- Differing system design requirements;
- Differing siting controls such as system density and setback requirements;
- Requirements for owners to enter monitoring and maintenance agreements; and/or
- Creation of an onsite management district.

9.1 Where different and/or additional requirements are needed to protect water quality the local agency may consider any of the following, as well as any other conditions deemed appropriate, when developing Local Agency Management Program requirements:

- 9.1.1 Degree of vulnerability to pollution from OWTS due to hydrogeological conditions.
- 9.1.2 High Quality waters or other environmental conditions requiring enhanced protection from the effects of OWTS.
- 9.1.3 Shallow soils requiring a dispersal system installation that is closer to ground surface than is standard.
- 9.1.4 OWTS is located in area with high domestic well usage.
- 9.1.6 Dispersal system is located in an area with fractured bedrock.

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- 9.1.7 Dispersal system is located in an area with poorly drained soils.
- 9.1.8 Surface water is vulnerable to pollution from OWTS.
- 9.1.9 Surface water within the watershed is listed as impaired for nitrogen or pathogens.
- 9.1.10 OWTS is located within an area of high OWTS density.
- 9.2 The Local Agency Management Program shall detail the scope of its coverage, such as the maximum OWTS sizing it will cover, as well as a clear delineation of those types of OWTS included within and to be permitted by the program, and provide the local site evaluation, siting, design, and construction requirements, and in addition each of the following:
 - 9.2.1 Any local agency requirements for existing onsite wastewater system inspection, monitoring, maintenance, and repairs, including procedures to ensure that replacements or repairs to failing systems are done under permit from the local governing jurisdiction and in substantial conformance, to the greatest extent practicable, with the local management program.
 - 9.2.2 Any educational, training, certification, and/or licensing requirements that will be required of OWTS service providers, site evaluators, installers, pumpers, maintenance contractors, and any other person relating to OWTS activities.
 - 9.2.3 Education and/or outreach program including informational materials to inform property buyers of the existence, location, operation, and maintenance of onsite disposal systems as well as any enforcement action (e.g., Basin Plan prohibitions) regarding OWTS within its jurisdiction. The education and/or outreach program shall also include procedures to ensure that alternative onsite system owners are provided an informational maintenance or replacement document by the system designer or installer. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.
 - 9.2.4 Any consideration given to OWTS septage management.
 - 9.2.5 Any consideration given to onsite maintenance districts.
 - 9.2.6 Any consideration given to the development and implementation of a Regional Salt and Nutrient Management Plans.
- 9.3 The minimum responsibilities of the local agency for management of the Local Agency Management Program include:
 - 9.3.1 Maintain records of the number and location of complaints pertaining to OWTS operation and maintenance.
 - 9.3.2 Maintain records of the number and location of all OWTS cleanings and pumping reported as part of the local septic tank cleaning registration

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program pursuant to Section 117400 et seq. of the California Health and Safety Code.

- 9.3.3 Maintain records of the number and location of permits issued for repair of an OWTS.
- 9.3.4 Maintain records of the number and location of permits issued for repair of an OWTS with additional conditions imposed.
- 9.3.5 Maintain records of the number and location of permits issued for new OWTS.
- 9.3.6 Maintain records of the number and location of permits issued for new OWTS with additional conditions imposed.
- 9.3.7 Maintain a list of all new OWTS installation within 500 feet of a sewer system.
- 9.3.8 Establish terms, conditions, and timing for monitoring and assessment of groundwater and local surface water quality on a regional and localized basis across the entire jurisdictional area of the local agency for the possible effects of OWTS effluent. At a minimum this will include testing for nitrates and pathogens, but may include other constituents deemed appropriate for assessing the impacts of OWTS on water quality. The local agency may use existing data from other monitoring programs or a dedicated program such as but not limited to any of the following:
 - 9.3.8.1 Random well samples from a domestic well sampling program.
 - 9.3.8.2 Routine real estate transfer samples if those are performed and reported.
 - 9.3.8.3 Review of community water system sampling reports done by the local agency or another municipality responsible for the community water system.
 - 9.3.8.4 Water quality testing reports done at the time of new well development if those are reported.
 - 9.3.8.5 Beach water quality testing data performed as part of Health and Safety Code Section 115885.
 - 9.3.8.6 Receiving water sampling performed as a part of a NPDES permit.
 - 9.3.8.7 Data contained in the California Water Quality Assessment Database.
 - 9.3.8.8 Groundwater sampling performed as part of Waste Discharge Requirements.
 - 9.3.8.9 Groundwater data collected as part of the Groundwater Ambient Monitoring and Assessment Program and available in the Geotracker Database.

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- 9.3.9 Submit an annual report to the applicable Regional Water Board summarizing items 9.3.1 through 9.3.8 above, and on every third year, assessing whether water quality is being impacted by OWTS, identifying any changes in the Local Agency Management Program that will be undertaken to address impacts from OWTS. The first report will commence one year after approval of the local agency's Local Agency Management Program. In addition to summarizing monitoring data collected per 9.3.8 above, all groundwater monitoring data generated shall be submitted in EDF format for inclusion into Geotracker, and surface water monitoring shall be submitted to CEDEN in a SWAMP comparable format.
- 9.4 The following are not allowed to be included in a Local Agency Management Program:
- 9.4.1 Cesspools of any kind or size.
 - 9.4.2 OWTS receiving a projected flow over 10,000 gallons per day.
 - 9.4.3 OWTS that utilize any form of effluent disposal on or above the ground surface.
 - 9.4.4 OWTS that utilize a surface impoundment.
 - 9.4.5 Slopes greater than 30 percent without a slope stability report approved by a registered professional.
 - 9.4.6 Decreased leaching area for chamber dispersal systems using a multiplier less than 0.70.
 - 9.4.7 Advanced OWTS without requirements for periodic monitoring.
 - 9.4.8 OWTS dedicated to receiving wastes from recreational vehicle (RV) holding tanks or RV dumps.
 - 9.4.9 Separation of the bottom of dispersal system to groundwater less than two (2) feet except where advanced treatment systems are utilized and the dispersal system is not a seepage pit.
 - 9.4.10 Minimum horizontal setbacks less than any of the following:
 - 9.4.10.1 150 feet from a public water well where the depth of the effluent dispersal system does not exceed 10;
 - 9.4.10.2 200 feet from a public water well where the depth of the effluent dispersal system exceeds 10 feet in depth:
 - 9.4.10.3 Where the effluent dispersal system is within 600 feet of a public water well and exceeds 20 feet in depth and the separation from the bottom of the system and ground water is less than five feet the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated. A qualified

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professional shall conduct this evaluation. However in no case shall the setback be less than 200 feet.

- 9.4.10.4 Where the effluent dispersal system is within 1,200 feet from a public water systems' surface water intake and within the catchment of the drainage, the dispersal system shall be no less than 400 feet from the high water mark of the reservoir, lake or flowing water body.
- 9.4.10.5 Where the effluent dispersal system is located more than 1,200 but less than 2,500 feet from a public water systems' surface water intake and within the catchment of the drainage, the dispersal system shall be no less than 200 feet from the high water mark of the reservoir, lake or flowing water body.
- 9.5 Prior to issuing a permit to install an OWTS the permitting agency shall determine if the OWTS is within 1,200 feet of an intake for a surface water treatment plant for drinking water and is in the drainage catchment in which the intake is located. If the OWTS is within 1,200 feet of an intake for a surface water treatment plant for drinking water and is in the drainage catchment in which the intake is located:
 - 9.5.1 The permitting agency shall provide a copy of the permit application to the CDPH Drinking Water Program and the owner of the water system of their proposal to install an OWTS within 1,200 of an intake for a surface water treatment.
 - 9.5.2 The permit application shall include a topographical plot plan for the parcel showing the onsite sewage treatment system components, the property boundaries, proposed structures, physical address, and name of property owner.
 - 9.5.3 The permitting agency shall provide the estimated wastewater flows, intended use of proposed structure generating the wastewater, soil data, and estimated depth to seasonally saturated soils.
 - 9.5.4 The CDPH Drinking Water Program and the public water system owner shall have 5 days from receipt of the permit application to provide recommendations and comments to the permitting agency.
- 9.6 A local agency must detail with specific criteria the characteristics for which their Local Agency Management Program for OWTS deviates from those requirements in Tier 1, and how all the criteria in their program work together to achieve a comparable level of water quality protection. For example, a justification for allowing a deviation in their program from the five feet separation from groundwater may be based on soil characteristics, advanced treatment, decreased density, or other considerations as appropriately justified.
- 9.7 A Regional Water Board reviewing a Local Agency Management Program should consider, among other things, the past performance of the local program

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to adequately protect water quality, and where this has been achieved with criteria differing from Tier 1 or other prescribed criteria, shall not unnecessarily require modifications to the program for purposes of uniformity.

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Tier 3 – Impaired Areas

OWTS that are near impaired water bodies will be addressed by a TMDL and its implementation program. Existing OWTS that are within the defined boundaries of a specifically identified impaired area for pathogens or nitrogen compounds where there is not an adopted TMDL must meet the timelines and requirements of Tier 3. New or replacement OWTS near impaired water bodies for pathogens or nitrogen must meet the specific performance requirements of Tier 3.

10.0 Advanced Protection Management Program

The Advanced Protection Management Program is the minimum required management program for all local agencies where an OWTS is located near a water body that has been listed as an impaired water body due to nitrogen or pathogen indicators pursuant to Section 303(d) of the Clean Water Act. Local agencies are authorized to implement Advanced Protection Management Programs as specified in this section without approval, and regardless of whether they have an approved Tier 2 Local Management Program. However, local agencies are not required to notice or enforce the requirements of Tier 3 for existing OWTS. Local agencies are encouraged to collaborate with the Regional Water Boards by sharing any information pertaining to the impairment, provide advice on potential remedies, and regulate existing and new OWTS to the extent that their authority allows for the improvement of the impairment.

- 10.1 The requirements of an Advanced Protection Management Program for new and existing OWTS will be in accordance with an adopted TMDL, and its implementation program or wastewater management plan, if one has been adopted to address the impairment. For those impaired water bodies that do not have an adopted TMDL, the requirements specified in Section 10 shall be applied. For those impaired water bodies that do have an adopted TMDL addressing the impairment, but the TMDL does not assign a load allocation to OWTS, no further action is required unless the TMDL is modified at some point in the future to include actions for OWTS.
- 10.2 Existing OWTS near 303(d) listed water bodies specifically identified by the State Water Board in Attachment 2, or water bodies specifically identified by the State Water Board at the time it approves any future 303 (d) List, where a TMDL has not been adopted must comply with enhanced requirements of Section 10 or a future applicable TMDL as follows:
 - 10.2.1 In accordance with a TMDL adopted, or an assessment of the contribution of OWTS to the impairment conducted or accepted by the Regional Water Board, prior to the effective date of this Policy, or within five years from the effective date of this Policy for those impairments included in Attachment 2, or within five years from the water body's

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specific designation by the State Water Board on any future 303 (d) List approved by the State Water Board.

- 10.2.2 If no TMDL or assessment is completed within the time period specified in 10.2.1, an OWTS that has any part of its dispersal system discharging within 100 linear feet [in the horizontal (map) direction] of a specifically designated 303(d) listed water body for pathogens, where the edge of that water body is the natural or levied bank for creeks and rivers, the high water mark for lakes and reservoirs, and the mean high tide line for tidally influenced water bodies, as is appropriate, shall comply with the advanced treatment requirements of Section 10.8, and the other enhanced requirements of Section 10, within 2 years of the date established by 10.2.1.
 - 10.2.3 If no TMDL or assessment is completed within the time period specified in 10.2.1, an OWTS that has any part of its dispersal system discharging within 600 linear feet [in the horizontal (map) direction] of a specifically designated 303(d) listed water body for nitrates, where the edge of that water body is the natural or levied bank for creeks and rivers, the high water mark for lakes and reservoirs, and the mean high tide line for tidally influenced water bodies, as is appropriate, shall comply with the advanced treatment requirements of Section 10.7, and the other enhanced requirements of Section 10, within 2 years of the date established by 10.2.1.
 - 10.2.4 If a TMDL is adopted after the time period specified in 10.2.1, and the TMDL implementation plan assigns responsibilities to OWTS owners regarding reduction of pathogens or nitrates, it shall specifically state whether OWTS meeting advanced treatment requirements in 10.7 and/or 10.8 must implement additional measures to address the pathogen and/or nutrient impairment.
- 10.3 An owner or group of owners of any existing OWTS, prior to completion of a TMDL or assessment pursuant to 10.2.1 above, may obtain a report of inspection by a qualified professional. The report may be submitted to the Regional Water Board for consideration during development of the TMDL or assessment. The report shall include a determination of whether their OWTS is functioning properly and as designed or requires corrective actions per Tier 4, and regardless of its state of function, if it is contributing to impairment of the water body.
- 10.3.1 The report of inspection shall include but not be limited to:
 - 10.3.1.1 A general description of system components, their physical layout, and horizontal setback distances from property lines, buildings, wells, and surface waters.

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- 10.3.1.2 A description of the type of wastewater discharged to the OWTS such as domestic, commercial, or industrial and classification of it as domestic wastewater or high-strength waste.
- 10.3.1.3 A determination of the systems design flow and the volume of wastewater discharged daily derived from water use, either estimated or actual if metered.
- 10.3.1.4 A description of the septic tank, including age, size, material of construction, internal and external condition, water level, scum layer thickness, depth of solids, and the results of a one-hour hydrostatic test.
- 10.3.1.5 A description of the distribution box, dosing siphon, or distribution pump, and if flow is being equally distributed throughout the dispersal system, as well as any evidence of solids carryover, clear water infiltration, or evidence of system backup.
- 10.3.1.6 A description of the dispersal system including signs of hydraulic failure, condition of surface vegetation over the dispersal system, level of ponding above the infiltrative surface within the dispersal system, other possible sources of hydraulic loading to the dispersal area, and depth of the seasonally high groundwater level.
- 10.3.1.7 A determination of whether the OWTS is discharging to the ground's surface.
- 10.3.1.8 For a water body listed as an impaired water body for pathogens, a determination of the OWTS dispersal system's separation from its deepest most infiltrative surface to the highest seasonal groundwater level or fractured bedrock.
- 10.3.1.9 For a water body listed as an impaired water body for nitrogen, a determination of whether the groundwater under the dispersal field is reaching the water body, and a description of the method used to make the determination.
- 10.3.2 The OWTS owner shall submit the report of the inspection to the Regional Water Board within 30 calendar days of the completion of the inspection.
- 10.4 The following are not allowed to be included in an Advanced Protection Management Program:
 - 10.4.1 Cesspools of any kind or size.
 - 10.4.2 OWTS receiving a projected flow over 10,000 gallons per day.
 - 10.4.3 OWTS that utilize any form of effluent disposal on or above the ground surface.
 - 10.4.4 OWTS that utilize a surface impoundment.

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- 10.4.5 Slopes greater than 30 percent without a slope stability report approved by a registered professional.
- 10.4.6 Decreased leaching area for chamber dispersal systems using a multiplier less than 0.70.
- 10.4.7 Advanced OWTS without requirements for periodic monitoring.
- 10.4.8 OWTS dedicated to receiving wastes from recreational vehicle (RV) holding tanks or RV dumps.
- 10.4.9 Separation of the bottom of dispersal system to groundwater less than two (2) feet.
- 10.4.10 Minimum horizontal setbacks less than any of the following:
 - 10.4.10.1 150 feet from a public water well where the depth of the effluent dispersal system does not exceed 10 feet in depth;
 - 10.4.10.2 200 feet from a public water well where the depth of the effluent dispersal system exceeds 10 feet in depth:
 - 10.4.10.3 Where the effluent dispersal system is within 600 feet of a public water well and exceeds 20 feet in depth and the separation from the bottom of the system and ground water is less than five feet the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated. A qualified professional shall conduct this evaluation. However in no case shall the setback be less than 200 feet.
 - 10.4.10.4 Where the effluent dispersal system is within 1,200 feet from a public water systems' surface water intake and within the catchment of the drainage, the dispersal system shall be no less than 400 feet from the high water mark of the reservoir, lake or flowing water body.
 - 10.4.10.5 Where the effluent dispersal system is located more than 1,200 but less than 2,500 feet from a public water systems' surface water intake and within the catchment of the drainage, the dispersal system shall be no less than 200 feet from the high water mark of the reservoir, lake or flowing water body.
- 10.5 The requirements contained in Section 10 shall not apply to owners of existing OWTS who commit by way of a legally binding document to connect to a centralized wastewater collection and treatment system regulated through WDRs as specified within the following timeframes:
 - 10.5.1 The owner must sign the document within forty-eight months of the effective date of this Policy or the effective date established by 10.2.1, whichever is later.

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- 10.5.2 The specified date for the connection to the centralized community wastewater collection and treatment system shall not extend beyond nine years following the effective date established by 10.2.1.
- 10.6. In the absence of an adopted TMDL for new OWTS, all new OWTS installations that have any part of it discharging within 600 linear feet [in the horizontal (map) direction] of a 303(d) listed water body for nitrates or pathogens where the edge of that water body is the natural or levied bank for creeks and rivers, the high water mark for lakes and reservoirs, and the mean high tide line for tidally influenced water bodies, as appropriate, shall meet all of the following requirements, and where conflict exists the stricter requirement shall apply:
- 10.6.1 are required to utilize advanced treatment and must meet performance requirements in 10.7 if impaired for nitrogen and 10.8 if impaired for pathogens,
 - 10.6.2 must comply with the setback requirements of Section 7.5, and
 - 10.6.3 must comply with any applicable Local Agency Management Program requirements.
- 10.7 Advanced treatment requirements for nitrogen
- 10.7.1 Effluent from the supplemental treatment components designed to reduce nitrogen shall be certified by NSF, or other approved third party tester, to meet a 50 percent reduction in total nitrogen when comparing the 30-day average influent to the 30-day average effluent.
- 10.8 Advanced treatment requirements for pathogens
- 10.8.1 Supplemental treatment components designed to perform disinfection shall provide sufficient pretreatment of the wastewater so that effluent does not exceed a 30-day average TSS of 30 mg/L and shall further achieve an effluent fecal coliform bacteria concentration less than or equal to 200 Most Probable Number (MPN) per 100 milliliters.
 - 10.8.2 The minimum native soil depth and the minimum depth to the anticipated highest level of groundwater below the bottom of the dispersal system shall not be less than three (3) feet. All dispersal systems shall have at least twelve (12) inches of soil cover.
- 10.9 OWTS in an Advanced Protection Management Program shall be designed to meet the applicable performance requirements above and shall be stamped or approved by a Qualified Professional.
- 10.10 Prior to the installation of any proprietary treatment OWTS in an Advanced Protection Management Program, all such treatment components shall be tested by an independent third party testing laboratory.
- 10.11 The ongoing monitoring of OWTS in an Advanced Protection Management Program with supplemental treatment components designed to meet the performance requirements in Sections 10.7 and 10.8 shall be monitored in

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accordance with the operation and maintenance manual for the OWTS or more frequently as required by the local agency or Regional Water Board.

- 10.12 OWTS in an Advanced Protection Management Program with supplemental treatment components shall be equipped with a visual or audible alarm as well as a telemetric alarm that alerts the owner and service provider in the event of system malfunction. OWTS using supplemental treatment shall, at a minimum, provide for 24-hour wastewater storage based on design flow as a means to minimize pollution from overflow discharge after a system malfunction or power outage. Where telemetry is not possible, the owner shall inspect the system at least monthly as directed and instructed by a service provider and notify the service provider not less than quarterly of the observed operating parameters of the OWTS.
- 10.13 OWTS in an Advanced Protection Management Program designed to meet the disinfection requirements in Section 10.7 shall be inspected for proper operation quarterly by a service provider unless a telemetric monitoring system is capable of continuously assessing the operation of the disinfection system. Testing of effluent from supplemental treatment components that perform disinfection shall be conducted quarterly based on analysis of total coliform with a minimum detection limit of 2.2 MPN. Effluent samples shall be taken by a service provider and analyzed by a California Department of Public Health certified laboratory.
- 10.14 The minimum responsibilities of the local agency administering an Advanced Protection Management Program include those prescribed for the Local Agency Management Programs in Section 9.3 of this policy, as well as monitoring owner compliance with Sections 10.11, 10.12, and 10.13.

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Tier 4 – OWTS Requiring Corrective Action

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

11.0 Corrective Action for OWTS

- 11.1 Any OWTS that has pooling effluent or discharges wastewater to the surface and/or has wastewater backed up into plumbing fixtures because its dispersal system is no longer percolating the wastewater is deemed to be failing, no longer meeting its primary purpose to protect public health, and requires major repair, and as such the dispersal system must be replaced, repaired, or modified so as to return to proper function and comply with Tier 1, 2, or 3 as appropriate.
- 11.2 Any OWTS septic tank failure, such as a baffle failure or tank structural integrity failure such that either wastewater is exfiltrating or groundwater is infiltrating is deemed to be failing, no longer meeting its primary purpose to protect public health, and requires major repair, and as such shall require the septic tank to be brought into compliance with the requirements of Section 8 in Tier 1 or a Local Agency Management Program per Tier 2 .
- 11.3 Any OWTS that accepts discharged wastewater at greater volumes than the design flow of the OWTS shall be modified or replaced so as to return to proper sizing and comply with Tier 1, 2, or 3 as appropriate.
- 11.4 Any OWTS that has a failure of one of its components other than those covered by 11.1 and 11.2 above, such as a distribution box or broken piping connection, shall have that component repaired so as to return the OWTS to a proper functioning condition.
- 11.5 Any OWTS that has affected, or will affect, groundwater or surface water to a degree that makes it unfit for drinking or other uses, or is causing a human health or other public nuisance condition shall be modified or upgraded so as to abate its impact.
- 11.6 If not able to comply with corrective action requirements of this section, the owner of the OWTS is required to submit a report of waste discharge to the appropriate Regional Water Board.
- 11.7 Owners of OWTS will address any corrective action requirement of Tier 4 as soon as is reasonably possible, and must comply with the time schedule of any corrective action notice received from a local agency or Regional Water Board, to retain coverage under this Policy.
- 11.8 Failure to meet the requirements of Tier 4 constitute a failure to meet the terms and conditions of the waiver of waste discharge requirements contained in this Policy.

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Conditional Waiver of Waste Discharge Requirements

- 12.0 In accordance with Water Code section 13269, the State Water Board shall facilitate the implementation of this Policy by waiving the requirements to submit a report of waste discharge, obtain waste discharge requirements, and pay fees for OWTS operating in conformance with the terms of this Policy.
 - 12.1 The requirements to submit a report of waste discharge, obtain waste discharge requirements, and pay fees is hereby waived by the State Water Board for discharges from an OWTS if the OWTS is in compliance with the terms of the applicable Tier of this Policy.
 - 12.2 This waiver may be revoked by the State Water Board or the applicable Regional Water Board for any discharge from an OWTS, or from a category of OWTS.

Effective Date

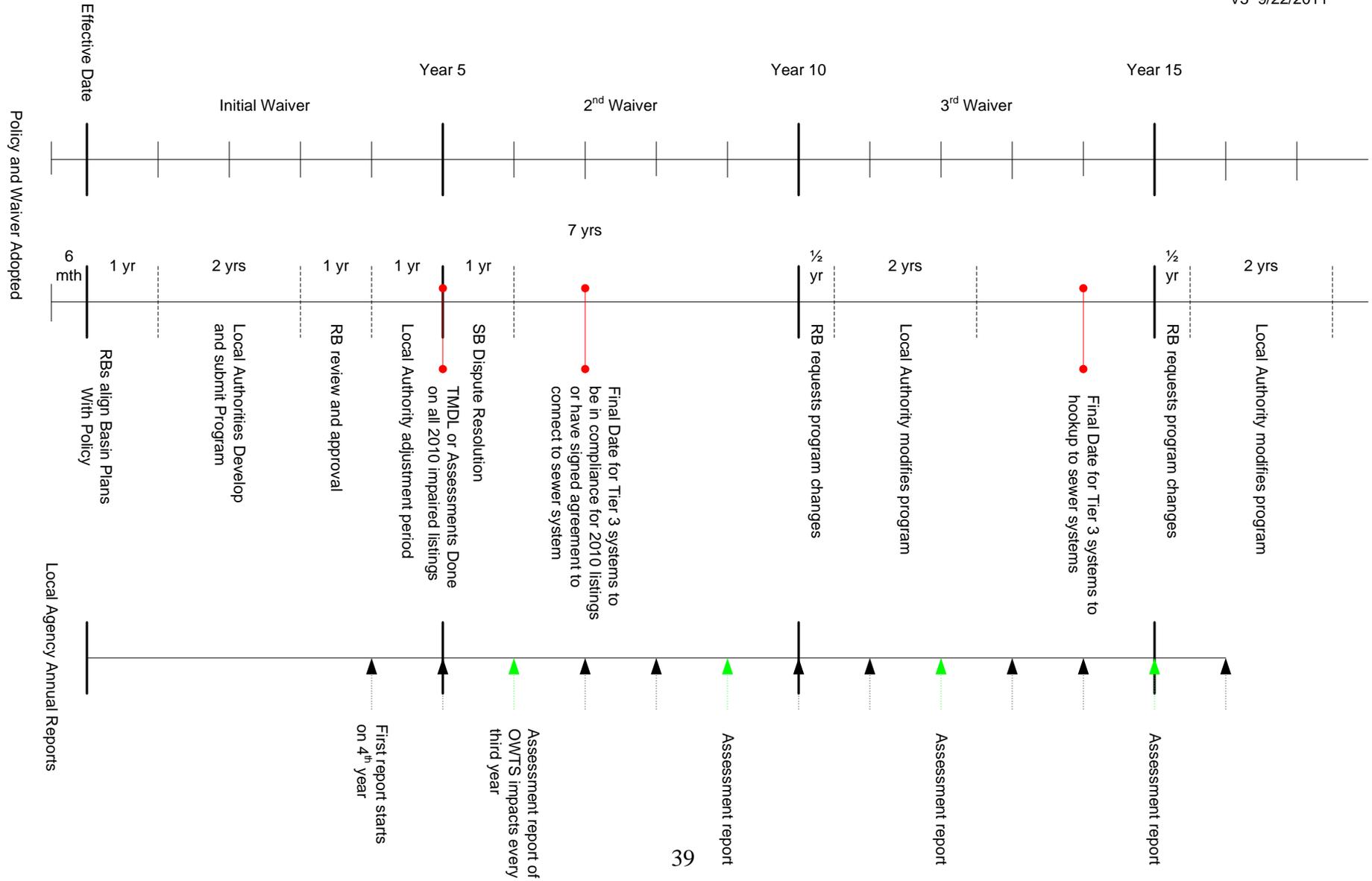
- 13.0 This Policy becomes effective six months after its approval by the Office of Administrative Law, and all deadlines and compliance dates stated herein start at such time.

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AB 885 Regulatory Program Time Lines

V5 9/22/2011



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The tables below specifically identify those impaired water bodies that per this Policy (Tier 3, Section 10) must have a completed TMDL within 5 years from the effective date of this Policy. The State Water Board at the time of approving future 303 (d) Lists will specifically identify those impaired water bodies that have 5 years from the date of approval to comply with this Policy.

Table 4. Water Bodies impaired for pathogens that are subject to Tier 3.

REGION NO.	REGION NAME	WATERBODY NAME	COUNTIES
1	North Coast	Clam Beach	Humboldt
1	North Coast	Hare Creek Beach	Mendocino
1	North Coast	Luffenholtz Beach	Humboldt
1	North Coast	Moonstone County Park	Humboldt
1	North Coast	Pudding Creek Beach	Mendocino
1	North Coast	Russian River HU, Lower Russian River HA, Guerneville HSA	Sonoma
1	North Coast	Russian River HU, Lower Russian River HA, Guerneville HSA, Green Valley Creek watershed	Sonoma
1	North Coast	Russian River HU, Middle Russian River HA, Geyserville HSA	Mendocino, Sonoma
1	North Coast	Russian River HU, Middle Russian River HA, Laguna de Santa Rosa	Sonoma
1	North Coast	Russian River HU, Middle Russian River HA, Santa Rosa Creek	Sonoma
1	North Coast	Trinidad State Beach	Humboldt
2	San Francisco Bay	Chicken Ranch Beach	Marin
2	San Francisco Bay	China Camp Beach	Marin
2	San Francisco Bay	Golden Hinde Beach	Marin
2	San Francisco Bay	Hearts Desire Beach	Marin
2	San Francisco Bay	Lawsons Landing	Marin
2	San Francisco Bay	Millerton Point	Marin
2	San Francisco Bay	Pacific Ocean at Bolinas Beach	Marin
2	San Francisco Bay	Pacific Ocean at Fitzgerald Marine Reserve	San Mateo
2	San Francisco Bay	Pacific Ocean at Muir Beach	Marin
2	San Francisco Bay	Pacific Ocean at Pillar Point Beach	San Mateo
2	San Francisco Bay	Petaluma River	Marin, Sonoma

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REGION NO.	REGION NAME	WATERBODY NAME	COUNTIES
2	San Francisco Bay	Petaluma River (tidal portion)	Marin, Sonoma
2	San Francisco Bay	San Gregorio Creek	San Mateo
2	San Francisco Bay	San Vicente Creek	San Mateo
3	Central Coast	Atascadero Creek (San Luis Obispo County)	San Luis Obispo
3	Central Coast	Pacific Ocean at Olde Port Beach (at restrooms)	San Luis Obispo
3	Central Coast	Pacific Ocean at Pismo State Beach (San Luis Obispo County), south of Pismo Pier	San Luis Obispo
3	Central Coast	Pacific Ocean at Point Rincon (mouth of Rincon Cr, Santa Barbara County)	Santa Barbara
3	Central Coast	Pismo Creek	San Luis Obispo
3	Central Coast	Rincon Creek	Santa Barbara, Ventura
3	Central Coast	San Pedro Creek (Santa Barbara County)	Santa Barbara
4	Los Angeles	Burbank Western Channel	Los Angeles
4	Los Angeles	Canada Larga (Ventura River Watershed)	Ventura
4	Los Angeles	Castlerock Beach	Los Angeles
4	Los Angeles	Coyote Creek	Los Angeles, Orange
4	Los Angeles	Hermosa Beach	Los Angeles
4	Los Angeles	Point Dume Beach	Los Angeles
4	Los Angeles	Rincon Beach	Ventura
4	Los Angeles	San Antonio Creek (Tributary to Ventura River Reach 4)	Ventura
4	Los Angeles	San Gabriel River Reach 1 (Estuary to Firestone)	Los Angeles
4	Los Angeles	San Gabriel River Reach 2 (Firestone to Whittier Narrows Dam)	Los Angeles
4	Los Angeles	San Gabriel River Reach 3 (Whittier Narrows to Ramona)	Los Angeles
4	Los Angeles	San Jose Creek Reach 1 (SG Confluence to Temple St.)	Los Angeles
4	Los Angeles	San Jose Creek Reach 2 (Temple to I-10 at White Ave.)	Los Angeles
4	Los Angeles	Sawpit Creek	Los Angeles
4	Los Angeles	Ventura River Reach 3 (Weldon Canyon to Confl. w/ Coyote Cr)	Ventura
4	Los Angeles	Walnut Creek Wash (Drains from Puddingstone Res)	Los Angeles
4	Los Angeles	Zuma Beach (Westward Beach)	Los Angeles
5	Central Valley	Rattlesnake Creek (at confluence w Mokelumne River, N Fork)	Amador
5	Central Valley	Sullivan Creek (from Phoenix Reservoir to Don Pedro Lake, Tuolumne County)	Tuolumne
5	Central Valley	Wolf Creek (Nevada County)	Nevada, Placer
5	Central Valley	Woods Creek (Tuolumne County)	Tuolumne
6	Lahontan	None	None

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REGION NO.	REGION NAME	WATERBODY NAME	COUNTIES
7	Colorado River	Alamo River	Imperial
7	Colorado River	Coachella Valley Storm Water Channel	Riverside
7	Colorado River	Palo Verde Outfall Drain and Lagoon	Imperial, Riverside
7	Colorado River	Salton Sea	Imperial, Riverside
8	Santa Ana	Bolsa Chica Channel	Orange
8	Santa Ana	Borrego Creek (from State Route 241 to Irvine Blvd	Orange
8	Santa Ana	Canyon Lake (Railroad Canyon Reservoir)	Riverside
8	Santa Ana	Fulmor, Lake	Riverside
8	Santa Ana	Goldenstar Creek	Riverside
8	Santa Ana	Knickerbocker Creek	San Bernardino
8	Santa Ana	Los Trancos Creek (Crystal Cove Creek)	Orange
8	Santa Ana	Lytle Creek	San Bernardino
8	Santa Ana	Mill Creek Reach 1	San Bernardino
8	Santa Ana	Mill Creek Reach 2	San Bernardino
8	Santa Ana	Morning Canyon Creek	Orange
8	Santa Ana	Mountain Home Creek	San Bernardino
8	Santa Ana	Mountain Home Creek, East Fork	San Bernardino
8	Santa Ana	Silverado Creek	Orange
9	San Diego	Agua Hedionda Creek	San Diego
9	San Diego	Escondido Creek	San Diego
9	San Diego	Long Canyon Creek (tributary to Murrieta Creek)	Riverside
9	San Diego	Redhawk Channel	Riverside
9	San Diego	San Dieguito River	San Diego
9	San Diego	San Luis Rey River	San Diego
9	San Diego	Santa Gertrudis Creek	Riverside
9	San Diego	Sweetwater River, Lower (below Sweetwater Reservoir)	San Diego
9	San Diego	Warm Springs Creek (Riverside County)	Riverside

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Table 5. Water Bodies impaired for nitrogen that are subject to Tier 3.

REGION NO.	REGION NAME	WATERBODY NAME	COUNTIES
1	North Coast	Russian River HU, Middle Russian River HA, Laguna de Santa Rosa	Sonoma
2	San Francisco Bay	Lagunitas Creek	Marin
2	San Francisco Bay	Napa River	Napa, Solano
2	San Francisco Bay	Petaluma River	Marin, Sonoma
2	San Francisco Bay	Petaluma River (tidal portion)	Marin, Sonoma
2	San Francisco Bay	Sonoma Creek	Sonoma
2	San Francisco Bay	Tomales Bay	Marin
2	San Francisco Bay	Walker Creek	Marin
3	Central Coast	Santa Rita Creek (Monterey County)	Monterey
4	Los Angeles	Lake Calabazas	Los Angeles
4	Los Angeles	Legg Lake	Los Angeles
4	Los Angeles	McCoy Canyon Creek	Los Angeles
4	Los Angeles	San Antonio Creek (Tributary to Ventura River Reach 4)	Ventura
5	Central Valley	None	None
6	Lahontan	Eagle Lake (Lassen County)	Lassen
7	Colorado River	New River (Imperial County)	Imperial
7	Colorado River	Salton Sea	Imperial, Riverside
8	Santa Ana	Bolsa Chica Channel	Orange
8	Santa Ana	Borrego Creek (from State Route 241 to Irvine Blvd)	Orange
8	Santa Ana	East Garden Grove Wintersburg Channel	Orange
8	Santa Ana	Grout Creek	San Bernardino
8	Santa Ana	Rathbone (Rathbun Creek)	San Bernardino
8	Santa Ana	Summit Creek	San Bernardino
9	San Diego	Agua Hedionda Creek	San Diego
9	San Diego	Aliso Creek	Orange
9	San Diego	Buena Creek	San Diego
9	San Diego	Escondido Creek	San Diego
9	San Diego	Hodges, Lake	San Diego
9	San Diego	Morena Reservoir	San Diego
9	San Diego	Murray Reservoir	San Diego
9	San Diego	Otay Reservoir, Lower	San Diego
9	San Diego	Rainbow Creek	San Diego
9	San Diego	San Diego River (Lower)	San Diego
9	San Diego	San Dieguito River	San Diego
9	San Diego	San Luis Rey River	San Diego

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9	San Diego	San Luis Rey River, Upper (east of Interstate 15)	San Diego
9	San Diego	Santa Margarita River (Lower)	San Diego
9	San Diego	Tecolote Creek	San Diego
9	San Diego	Warm Springs Creek (Riverside County)	Riverside