



RESOLUTION NO. 036-2017

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION ADOPTING THE EL DORADO COUNTY LOCAL AGENCY MANAGEMENT PROGRAM FOR ONSITE WASTEWATER TREATMENT SYSTEMS (LAMP) AND AUTHORIZING SUBMITTAL TO THE TO THE CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD THE LAMP, OWTS ORDINANCE, AND OWTS MANUAL

WHEREAS, the enactment of the Porter-Cologne Water Quality Control Act in 1971 resulted in the formation of the California State Water Resources Control Board (SWRCB) and nine (9) Regional Water Quality Control Boards (RWQCBs); and

WHEREAS, under the California Water Code, the RWQCBs are vested with the authority to require individuals or entities to obtain Waste Discharge Requirements (WDRs) from the appropriate RWQCB if such individuals or entities intend to dispose of wastewater that has the potential to pollute waters of the state, both surface and groundwater; and

WHEREAS, WDRs are designed to ensure that the beneficial uses of waters of the state are not impaired by wastewater discharges; and

WHEREAS, SWRCB has determined that subsurface discharge of effluent from onsite wastewater treatment systems (OWTS) constitutes a discharge that could affect the quality of water of the state and are therefore subject to compliance with WDRs; and

WHEREAS, on June 19, 2012, the SWRCB adopted Resolution No. 2012-0032, which in part approves the *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (State OWTS Policy); and

WHEREAS, the State OWTS Policy establishes a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements and sets the level of performance and protection expected from OWTS; and

WHEREAS, in order to address local conditions while still protecting the public health and safety and water quality, the State OWTS Policy allows local enforcement agencies to continue to implement a local program, either under conservative, largely prescriptive Tier 1 standards or, alternatively, largely performance-based Tier 2 standards in a Local Agency Management Program (LAMP); and

WHEREAS, a local OWTS program under the Tier 1 standards would severely limit the ability of El Dorado County to issue permits for new and replacement OWTS in many areas of the County due to various site constraints and conditions and therefore alternate methods from Tier 1 standards are required; and

WHEREAS, the State OWTS Policy allows El Dorado County to propose standards to the Central Valley RWQCB for approval for new and replacement OWTS under a Tier 2 LAMP with a water quality assessment program, which will provide an alternate method from Tier 1 standards while achieving the same overall level of protection of water quality and public health; and

WHEREAS, the Community Development Agency, Environmental Management Division (CDAEMD) has updated the local OWTS program to meet the Tier 2 requirements of the State OWTS Policy through the LAMP and amended OWTS Ordinance, which also provide for the Director of the Community Development Agency, Environmental Management Division to create and maintain an Onsite Wastewater Treatment Systems Manual (OWTS Manual); and

WHEREAS, when the LAMP takes effect on May 13, 2018, the prior OWTS program enacted under Resolution 259-99 - Design Standards for the Site Evaluation and Design of Sewage Disposal Systems, adopted by the Board of Supervisors on November 24, 1999, must be rescinded; and

WHEREAS, the LAMP, OWTS Manual, and Chapter 110.32 of Title 110 entitled "Onsite Wastewater Treatment Systems Ordinance," which will become effective May 13, 2018, must be submitted to the Central Valley RWQCB for approval in April 2017 and must be implemented by El Dorado County as of May 13, 2018.

NOW, THEREFORE, BE IT RESOLVED by the El Dorado County Board of Supervisors that, effective May 13, 2018, Resolution 259-99 is hereby repealed;

BE IT FURTHER RESOLVED that the El Dorado County Board of Supervisors finds that the LAMP complies with the State OWTS Policy and thereby adopts the LAMP and shall become effective May 13, 2018;

BE IT FURTHER RESOLVED that the CDAEMD is hereby authorized to submit the LAMP, OWTS Manual, and Ordinance No. 5049 enacting Chapter 110.32 of the El Dorado County Ordinance to the Central Valley RWQCB for review and approval.

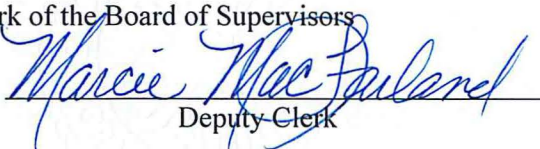
PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 28th day of February, 2017, by the following vote of said Board:

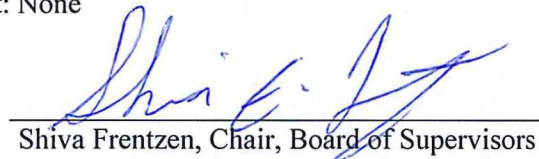
Ayes: Novasel, Veerkamp, Hidahl, Frentzen, Ranalli
Noes: None
Absent: None

Attest:

James S. Mitrisin
Clerk of the Board of Supervisors

By:


Deputy Clerk


Shiva Frentzen, Chair, Board of Supervisors