



## Legislation Details (With Text)

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**File created:** 11/17/2016      **In control:** Board of Supervisors

**On agenda:** 2/28/2017      **Final action:** 2/28/2017

**Title:** Community Development Agency, Environmental Management Division, recommending the Board adopt and authorize the Chair to sign Resolution 036-2017 authorizing the submittal of the Local Agency Management Program and supporting documents to the Central Valley Regional Water Quality Control Board for review and approval.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved CRS 2-28-17, 2. B - LAMP Resolution 2-28-17, 3. C - LAMP 2-28-17, 4. D - OWTS Manual 2-28-17, 5. Executed Resolution 036-2017

Date	Ver.	Action By	Action	Result
2/28/2017	1	Board of Supervisors	Approved	Pass

Community Development Agency, Environmental Management Division, recommending the Board adopt and authorize the Chair to sign Resolution **036-2017** authorizing the submittal of the Local Agency Management Program and supporting documents to the Central Valley Regional Water Quality Control Board for review and approval.

**FUNDING:** N/A

**DEPARTMENT RECOMMENDATION**

Community Development Agency, Environmental Management Division (EMD), is recommending the Board adopt Resolution **036-2017** authorizing submittal of the Local Agency Management Program (LAMP), the revised Onsite Wastewater Treatment System Manual (OWTS Manual), and the revised Onsite Wastewater Treatment Systems Ordinance (OWTS Ordinance), to the Central Valley Regional Water Quality Control Board (RWQCB) for review and approval in compliance with the State Water Resources Control Board's (SWRCB) Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems, pursuant to SWRCB Resolution 2012-0032 and California Water Code, Section 13140.

**DISCUSSION / BACKGROUND**

Assembly Bill 885, approved September 27, 2000, directed the SWRCB to develop regulations or standards for onsite wastewater treatment systems (OWTS) to be implemented state-wide by qualified local agencies. On June 19, 2012, the SWRCB adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (State OWTS Policy), which became effective May 13, 2013. The State OWTS Policy allows El Dorado County the option to continue to implement a local OWTS program, either under the conservative, largely prescriptive State OWTS Policy requirements or, alternatively, under more flexible, largely performance-based standards by submitting a LAMP for the siting, design, and installation of OWTS

(also known as septic systems) to the Central Valley RWQCB for approval. The State OWTS Policy also requires jurisdictions wishing to maintain local control of OWTS to amend their respective local ordinance code and OWTS design requirements as necessary to comply with the new State OWTS Policy and submit the revised Ordinance and design requirements along with a LAMP to their respective RWQCB for approval. The County's first draft of the LAMP, proposed Ordinance revisions, and design requirements were due to the Central Valley RWQCB by May 13, 2016.

On May 3, 2016 (Item 16), the Board authorized EMD to submit the required draft LAMP and associated supporting documents to the Central Valley RWQCB for review. The Central Valley RWQCB provided comments and recommended changes to the submitted documents, including the OWTS Ordinance and OWTS Manual, to align the County's LAMP with the State OWTS Policy. The final LAMP, OWTS Ordinance, and OWTS Manual must be submitted to the Central Valley RWQCB by May 13, 2017, with full implementation by May 13, 2018.

On February 14, 2017 (Item 25), the Board considered the First Reading of amendments to Chapter 110.32, Ordinance 4542, of the El Dorado County Ordinance Code pertaining to private sewage disposal systems (otherwise known as OWTS), and continued the item to February 28, 2017, for the Second Reading and Final Passage. The proposed amendments to Chapter 110.32 incorporated the changes recommended by the Central Valley RWQCB.

In order to protect public health and safety and prevent the risk of pollution to ground and surface waters, the State OWTS Policy specifies design standards for OWTS that are more stringent than the County's current requirements. The following represent the more significant proposed changes to the County's OWTS design criteria that are incorporated into the proposed OWTS Ordinance, either directly or by incorporation of the LAMP and OWTS Manual:

- 1) A decrease in allowable percolation rates for siting OWTS from two hundred and forty (240) minutes per inch to no more than one hundred and twenty (120) minutes per inch;
- 2) The establishment of a minimum parcel size, based upon historical rainfall data, ranging from 0.5 to 2.5 acres for those parcels served by OWTS; and
- 3) The establishment of an annual operating permit that includes maintenance and monitoring requirements for certain special design OWTS.

EMD has worked with other County departments and divisions, as well as external stakeholders as appropriate, such as OWTS consultants, installers, and SAGE (Surveyors, Architects, Geologists and Engineers), on the development of the LAMP and amendments to the OWTS Ordinance and OWTS Manual.

## **ALTERNATIVES**

The Board may choose not to adopt Resolution **036-2017** and not authorize EMD to submit the LAMP and supporting documents to the Central Valley RWQCB, in which case, the County would only be able to issue construction permits for new and replacement OWTS that meet the more prescriptive requirements of the State OWTS Policy, thereby significantly limiting the County's ability to approve development of parcels served by OWTS.

## **OTHER AGENCY / DEPARTMENT INVOLVEMENT**

Community Development Agency, Long Range Planning Division  
Community Development Agency, Development Services Division

## **CAO RECOMMENDATION**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT**

There is no change to Net County Cost at this time. In the event the proposed LAMP is approved by the Central Valley RWQCB, anticipated costs of implementation include staff time to prepare annual reporting on the OWTS regulatory efforts described in the LAMP. Some of these costs will be recovered through OWTS permitting fees.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board will obtain the Chair's signature on the adopted Resolution; and
- 2) Clerk of the Board will forward a copy of the executed Resolution to the Community Development Agency, Environmental Management Division, attention Donna Cademartori.

**STRATEGIC PLAN COMPONENT**

Good Governance and Healthy Communities.

**CONTACT**

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