

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

RESOLUTION R7-2016-0038

**APPROVING THE LOCAL AGENCY MANAGEMENT PROGRAM
FOR
RIVERSIDE COUNTY
DEPARTMENT OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION AND OVERSIGHT DIVISION
LAND USE AND WATER RESOURCES PROGRAM**

- WHEREAS,** on June 19, 2012, the State Water Resources Control Board (State Water Board) 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 (OWTS Policy)* regulating onsite wastewater treatment systems (OWTS) statewide; and
- WHEREAS,** the OWTS Policy, Tier 2, Section 9, Local Agency Management Programs (LAMPs) for New or Replacement OWTS allows Local Agencies, including the County of Riverside Department of Environmental Health, Environmental Protection and Oversight Division (Riverside County DEH), to propose for review and approval a LAMP that appropriately regulates onsite wastewater treatment for the protection of water quality as well as public health; and
- WHEREAS,** Riverside County (County) and the LAMP's area of applicability extends within the boundaries of three California Regional Water Quality Control Boards: (1) the Colorado River Basin Water Board, (2) the Santa Ana Water Board, and (3) the San Diego Water Board; and
- WHEREAS,** Attachment 3 of the OWTS Policy states Regional Water Boards, upon mutual agreement, may designate one Regional Water Board to regulate a person or entity that is under the jurisdiction of both. The Colorado River Basin Water Board is thus designated to review and where appropriate, approve the Riverside County LAMP; and
- WHEREAS,** on February 11, 2016, Riverside County DEH submitted an initial draft LAMP for on-site systems in the County for review by the Regional Water Board; and on June 9, 2016, it submitted draft Ordinance No. 650.6: "*An Ordinance of the County of Riverside Amending Ordinance 650 Regulating the Discharge of Sewage in the Unincorporated Areas of the County of Riverside and Incorporating by Reference the Riverside County Local Agency Management Program (LAMP)*", of the Codified Ordinances of the County; and
- WHEREAS,** Riverside County DEH publicly noticed the meeting date for the adoption of the LAMP and amendment of Ordinance 650 and provided the citizens of the County the opportunity to submit comments and attend the public meeting; and

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WHEREAS, Riverside County DEH currently has both formal and informal agreements with incorporated cities to regulate OWTs located within the incorporated areas of the County. The County will continue to implement onsite programs where it has 1) established a formal agreement and 2) where it manages the entire onsite program within the local jurisdiction,

WHEREAS, Additional approvals from the appropriate Regional Water Quality Control Board may be necessary for incorporated cities within the County where the County only has an informal agreement to regulate OWTS or where the County partially assists the city with its onsite program because an incorporated city or local agency that assumes the responsibility of providing all OWTS permitting must submit its own jurisdictional LAMP to the appropriate Regional Water Board for review and approval; and

WHEREAS, in accordance with the California Environmental Quality Act, Riverside County DEH determined that the approval of the LAMP and amendment of Ordinance 650 were exempt from CEQA by Categorical Exemption 15308, Actions by Regulatory Agencies for Protection of the Environment; and

WHEREAS, on November 1, 2016, the County Board of Supervisors met and adopted the approved LAMP, including special provisions and approved modifications to County Ordinance 650; and

WHEREAS, Riverside County DEH, Colorado River Basin Water Board, Santa Ana Water Board, and San Diego Water Board staff worked collaboratively in the development of the LAMP; and Colorado River Basin Water Board staff has reviewed the LAMP and has determined that the LAMP addresses the required elements of the OWTS Policy; and therefore recommends Colorado River Basin Water Board approval by adoption of Resolution R7-2016-0038; and

WHEREAS, on October 5, 2016, the Colorado River Basin Water Board notified Riverside County DEH and the public of its intent to approve the LAMP, posting on the Board's website for public comment draft Resolution R7-2016-0038, the LAMP and amended Ordinance 650; and

WHEREAS, on November 17, 2016, the Colorado River Basin Water Board, in a public meeting, heard and considered all comments pertaining to this action:

THEREFORE, BE IT RESOLVED:

That the California Regional Water Quality Control Board, Colorado River Basin Region, hereby approves the LAMP submitted by Riverside County DEH; and

that the OWTS Policy's Tier 0 (zero), Existing OWTS, extends regulatory coverage to existing systems, which are properly functioning and do not need corrective action, and can otherwise comply with the criteria in the Waiver of Waste Discharge Requirements (Waiver), prescribed as Section 12 in the

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OWTS Policy, and for the purposes of compliance with the Waiver, Riverside County DEH shares Board authority to designate that an existing system needs corrective action; and

that the Board directs that Riverside County DEH may continue to implement onsite programs for cities or other local agencies wholly within their jurisdictional boundaries where it has 1) established a formal agreement and 2) where it manages the entire onsite program within the local jurisdiction; and

that the Board further directs its Executive Officer to act on its behalf, to process for review, comment and ultimate approval future modifications to the LAMP submitted by Riverside County DEH.

I, Jose L. Angel, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of Resolution R7-2016-0038 adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on November 17, 2016.



JOSE L. ANGEL P.E.
Executive Officer