

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 91-75

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY  
CONTROL PLAN FOR THE SOUTH LAHONTAN BASIN RESCINDING A  
PROHIBITION OF DISCHARGE OF WASTES FROM SEPTIC TANK  
LEACHING OR PERCOLATION SYSTEMS FOR THE  
ALTA VISTA/MESA VISTA/MUSTANG MESA AREA OF INYO COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Lahontan Region (Lahontan Regional Board) and the State Water Resources Control Board (State Board) approved the Water Quality Control Plan (Basin Plan) for the South Lahontan Basin in 1975.
2. The Lahontan Regional Board on May 8, 1975 adopted Resolution No. 75-5 amending the Basin Plan to prohibit discharge of wastewater from new individual subsurface disposal systems immediately and from existing systems by January 1, 1985. By Lahontan Regional Board Resolution No. 6-86-10, and approved under State Board Resolution No. 87-23, the prohibition was amended to extend the compliance date to January 1, 1989.
3. Routine ground water sampling and an independent study by the Lahontan Regional Board in 1987 to evaluate ground water quality indicated only sporadic bacterial contamination of some domestic wells; however, the Lahontan Regional Board recognized that an increase in the number of conventional type leaching or percolation systems may result in contamination of the ground water and pose a risk to public health.
4. Inyo County agreed to serve as the lead agency in monitoring and regulating existing disposal systems, entered into a Septic Tank Memorandum of Understanding (MOU) with the Lahontan Regional Board, and committed to work with the local community services district to develop a wastewater management plan.
5. The MOU specifies that Inyo County will be the enforcement agency for the Lahontan Regional Board "Criteria for Individual Waste Disposal Systems" and the "Regional Board Guidelines for Implementation of Criteria for Individual Waste Disposal Systems" as adopted under Lahontan Regional Board Resolutions No. 6-88-15 and No. 6-88-16, respectively, and approved under State Board Resolution No. 88-76.
6. The Lahontan Regional Board adopted Resolution No. 6-91-42 (Attachment 1) on May 9, 1991, rescinding the Basin Plan prohibition of discharge of waste from septic tank leaching or percolation systems for the Alta Vista/Mesa Vista/Mustang Mesa area of Inyo County.
7. Lahontan Regional Board Resolution No. 6-91-42 states that the environmental documentation identified potential environmental impacts, and the amendment incorporated measures to reduce potential impacts to less than significant levels.

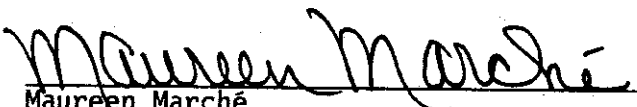
8. The Basin Plan amendment is consistent with the requirements of Public Resources Code Section 21000 et seq. (California Environmental Quality Act).
9. The Lahontan Regional Board Resolution No. 6-91-42 was adopted in accordance with State laws and regulations.
10. Basin Plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

That the State Board approves the Basin Plan amendment adopted by the Lahontan Regional Board under Resolution No. 6-91-42.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a policy duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 22, 1991.

  
Maureen Marché  
Administrative Assistant to the Board

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION

RESOLUTION NO. 6-91-42

Rescission of the Basin Plan Discharge Prohibition for  
Alta Vista/Mesa Vista/Mustang Mesa Area  
Inyo County

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WHEREAS, the California Regional Water Quality Control Board, Lahontan Region, finds:

1. It is the responsibility of the Regional Board to regulate discharges of wastewater in order to prevent the degradation of water quality and to protect designated beneficial uses; and
2. The Water Quality Control Plan for the South Lahontan Basin (Basin Plan) contains two prohibitions on the discharge of waste in the area which includes the Alta Vista, Mesa Vista and Mustang Mesa subdivisions located approximately eight miles northwest of Bishop in Inyo County; and
3. The first prohibition states, in part, that the discharge of waste from leaching or percolation systems installed after May 15, 1975, is prohibited. An exemption from this prohibition may be granted by the Executive Officer after presentation by the proposed discharger of geologic and hydrologic evidence and an acceptable engineering design which sufficiently demonstrates that the use of the proposed leaching disposal system will not, by itself or in conjunction with the use of other systems in the area, result in a pollution or nuisance; and
4. Exemptions to this prohibition have been granted by the Regional Board's Executive Officer on a case-by-case basis. Special design and location criteria for the installations of the septic tank systems have been required. The exemptions have incorporated a condition prohibiting the discharge of waste after January 1, 1985. As a result, the discharge of wastewater from leaching or percolation systems installed after May 15, 1975 is currently in violation of one of the conditions of the exemptions; and
5. The second prohibition originally contained in the Basin Plan stated that the discharge of waste by individual leaching disposal systems is prohibited after January 1, 1985. However, the deadline was extended to January 1, 1989, by the Regional Board in Resolution No. 86-10, which was adopted on October 10, 1986, and approved by the State Board in March 1987; and

6. Routine sampling of water wells in the prohibition area after the adoption of Board Order No. 6-77-111 showed evidence of sporadic bacterial contamination in some wells. Bacterial contamination alters the quality of the waters of the state to a degree which unreasonably affects the water for beneficial uses; and
7. An increase in the number of conventional leaching or percolation systems in the area may result in pollution of the underlying groundwater and pose a risk to public health; and
8. An independent study to evaluate ground water quality within and adjacent to the Alta Vista/Mesa Vista/Mustang Mesa area was conducted under the direction of the State Water Resources Control Board and managed by Regional Board staff. The study showed sporadic bacterial contamination of some domestic wells; and
9. Following review of the independent study, the Regional Board directed staff to prepare a Basin Plan amendment rescinding the discharge prohibition, provided that newly installed disposal systems incorporate the treatment necessary to achieve compliance with water quality objectives and that Inyo County agree to accept the responsibility to monitor and regulate existing systems for ground water pollution problems; and
10. Inyo County has agreed, in a letter from the Environmental Health Director to the Regional Board's Executive Officer dated March 13, 1991, work with Mesa Community Services District in developing a Mustang Mesa Wastewater Management Plan; and
11. Inyo County has also agreed to serve as the lead agency in monitoring and regulating existing disposal systems for the possible pollution of groundwater beneath Alta Vista/Mesa Vista/Mustang Mesa; and
12. Inyo County has entered into the Septic Tank Memorandum of Understanding with the Regional Board authorizing them to issue construction permits for projects which utilize individual subsurface disposal systems without Regional Board approval provided specific conditions are met, including that such projects are not located within an existing waste discharge prohibition area; and
13. The Regional Board staff has prepared Environmental Documentation addressing possible environmental impacts of the proposed amendment. The Regional Board's Basin Planning program has been determined to be functionally equivalent to the California Environmental Quality Act (CEQA) process in accordance with Section 21080.5 of the Public Resources Code and Title 14 of the California Code of Regulations Section 15251(g); and

14. A Public Hearing was held on May 9, 1991 to inform the public about the proposed Basin Plan amendment, and to receive comments. The Regional Board has considered all written comments, and all testimony presented at the hearing; and
15. The California Department of Fish and Game has indicated that the proposed amendment complies with the California Endangered Species Act.

THEREFORE BE IT RESOLVED THAT:

1. The environmental document for the proposed amendment has been completed in compliance with the California Environmental Quality Act (CEQA) and the Regional Board has reviewed and considered the information in the Functional Equivalent Document (FED) prior to approving the basin plan amendment; and
2. The Environmental Documentation has identified potential environmental impacts and the Basin Plan amendment has incorporated measures to reduce potential impacts to less than significant levels; and
3. For the South Lahontan Basin Plan the following paragraphs, which were adopted pursuant to Regional Board Resolution 6-86-10, shall be deleted:
  - "4. The discharge of waste within the following described area from leaching disposal systems is prohibited if the system is installed:

After May 15, 1975:

- (a) The area east of Highway 395 and west of the Owens River included within the S/2, SE/4, Sec. 10; Sec. 14; E/2, Sec. 15; Sec. 22; Sec. 23; W/2, Sec. 24; Sec. 26; T6S, R31E, MDB&M. This is generally the area north-easterly of Highway 395 in the Round Valley area commonly referred to as Alta Vista, Mesa Vista, or Mustang Mesa.

An exemption to this prohibition may be granted by the Executive Officer after presentation by the proposed discharger of geologic and hydrologic evidence and an acceptable engineering design which sufficiently demonstrates that the use of the proposed leaching system will not, of itself or in conjunction with the use of other systems in the area, result in a pollution or nuisance."

- "5. The discharge of waste by individual leaching disposal systems within the following described area is prohibited:

After January 1, 1989:

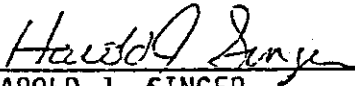
- (a) The area east of Highway 395 and west of the Owens River included within the S/2, SE/4, Sec. 10; Sec. 14; E/2, Sec. 15; Sec. 22; Sec. 23; W/2, Sec. 24; Sec. 26; T6S, R31E, MDB&M. This is generally the area north-easterly of Highway 395 in the Round Valley area commonly referred to as Alta Vista, Mesa Vista, or Mustang Mesa."

An exemption to this prohibition may be granted after presentation by the discharger of geologic and hydrologic evidence that the continued use of a leaching system will not, individually or collectively, result in a pollution or nuisance."

4. For consistency, item number 6 on page I-5-132 of the South Lahontan Basin Plan shall be renumbered 4; and
5. A copy of this resolution with other appropriate materials shall be submitted to the State Water Resources Control Board for approval; and
6. That upon approval of the amendment by the State Water Resources Control Board, the Regional Board shall file a Notice of Decision on the amendment with the State Clearinghouse, in accordance with Section 21080.5 of the California Environmental Quality Act (CEQA).

Certification

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Lahontan Region, on May 9, 1991.

  
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HAROLD J. SINGER  
EXECUTIVE OFFICER

MUSTANG MESA GROUND WATER BACTERIAL RESULTS  
WELLS TESTING POSITIVE

WELL NO.	RE- SAMPLE 4/13/88	RE- SAMPLE 4/15/88	RE- SAMPLE 6/3/88	RE- SAMPLE 6/5/88	RE- SAMPLE 10/7/88	RE- SAMPLE 10/10/88	RE- SAMPLE 12/9/88	RE- SAMPLE 12/12/88	RE- SAMPLE 3/3/89	RE- SAMPLE 3/7/89
390-01*	X	X	X	a	-	-	X	X	-	-
420-04	-	X	X	X	X	X	-	X	-	-
420-06	X	-	-	-	-	-	-	-	-	-
200-23	-	-	X	X	-	-	X	-	-	-
380-08	-	-	-	X	-	-	X	-	X	-
321-08	-	-	X	X	-	-	-	-	-	-
360-13	-	-	X	X	-	-	-	-	-	-
360-14	-	-	X	X	-	-	-	-	-	-
370-08	-	-	X	X	-	-	-	-	-	-
380-09	-	-	X	X	-	-	-	-	-	-
BRUCE	-	-	-	-	X	X	-	-	-	-
JARVIS**	-	-	-	-	-	-	X	X	-	-
200-24	-	-	X	-	-	-	-	-	-	-
350-05	-	-	X	-	-	-	-	-	-	-
350-06	-	-	X	-	-	-	-	-	-	-
370-05	-	-	X	-	-	-	-	-	-	-
SPECIFIC HS	-	-	X	-	-	-	-	-	-	-
VOGET **	-	-	X	-	-	-	-	-	-	-
400-05	-	-	-	-	X	-	-	-	-	-
TOTAL NO. OF WELLS SAMPLED	65	6	65	15	63	13	61	9	47	2

Where X = Confirmed presence of coliform, fecal coliform or fecal strep bacteria.  
Where - = Well sample analyzed, bacteria not detectable.

- \* Undeveloped lot
- \*\* Background well
- a Access denied