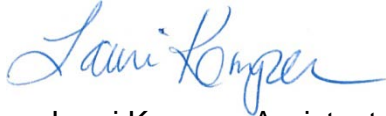

Lahontan Regional Water Quality Control Board

TO: Eric Rapport
Senior Engineering Geologist
California Regional Water Quality Control Board, Central Valley Region



FROM: Lauri Kemper, Assistant Executive Officer
California Regional Water Quality Control Board, Lahontan Region

DATE: December 2, 2016

SUBJECT: Comments on the Nevada County draft Local Agency Management Plan for Onsite Waste Treatment Systems

The California Regional Water Quality Control Board, Lahontan Region (Lahontan Water Board) staff reviewed the Nevada County Local Agency Management Plan (LAMP). We appreciate the opportunity to provide our comments to the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board). The following are our comments on the LAMP.

1. On Page 2, the second and third paragraphs of the introduction discuss the density criteria in the Water Quality Control Plan for the Lahontan Region (Lahontan Basin Plan) and that the County will not issue permits that do not meet the density criteria in the Lahontan Basin Plan. These criteria in the Lahontan Basin Plan are now for OWTS that are not covered by the OWTS policy so should not be referenced by the County. After the LAMP is approved by the Central Valley Water Board the LAMP procedures should supersede the existing Memorandum of Understanding (MOU) between the County and the Lahontan Water Board.

There are prohibitions in the Lahontan Basin Plan that the LAMP may not supersede. Therefore, here are some suggested changes to the third paragraph and an additional fourth paragraph.

“The Water Quality Control Plan for the Lahontan Region (Lahontan Basin Plan) contains criteria for individual waste disposal systems. Some of the Lahontan Basin Plan criteria may be more stringent than those provided in this LAMP. However, after the LAMP is approved the County will allow the Department to authorize onsite waste treatment systems using the criteria in the approved LAMP.”

“The Lahontan Basin Plan also contains discharge prohibitions which include discharges from OWTS in certain areas of the County. One such discharge prohibition is against discharges within the 100-year floodplain of the Truckee and Little Truckee Rivers. The Department will not issue permits for new individual

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onsite waste treatment systems in conflict with a discharge prohibition in the Lahontan Basin Plan, except as authorized by the Lahontan Water Board.”

2. On Page 8 under A-008, General Standards and Requirements, item (20) states, “OWTS dedicated to receiving significant amounts of waste dumped from RV holding tanks shall be prohibited.” If the County wishes to prohibit future or existing OWTS at RV parks that could lead to an increase in illegal discharges from RVs that may need consideration. However, if the intent is only to follow the OWTS policy, under which the County is not to authorize or permit OWTS that receive a significant amount of their waste from RV holding tanks, the County may wish to alter that language. Here is some suggested language for the County to consider.

“OWTS dedicated to receiving significant amounts of waste dumped from RV holding tanks may not be authorized by these regulations. Those who want to construct an RV park or discharge RV wastes using an OWTS must contact the appropriate California Regional Water Quality Control Board and request written authorization from the Water Board for the discharge.”

3. Pages 21 and 22, section on How to Obtain a Variance. This section provides no mention of contacting the appropriate Regional Water Board, such as for getting an exemption from a Water Board prohibition. The following is some suggested language for the County to consider adding between items 2A and 2B, or as part of 2A.

“In some instances an exemption or exception to a prohibition may be issued by the appropriate Regional Water Board. The proponent of the project will be required to obtain the authorization or requirements separately and will also be required to provide these as part of the final package submitted to the Department.”

4. We pose the following general question on water quality data collection: In locations where the OWTS density is greater than would be authorized under tier one, or where density does not meet the County’s current siting criteria, are there any plans to collect data on groundwater quality in those areas? We suggest monitoring be provided for areas such as these.

We look forward to working with the Central Valley Water Board and Nevada County to finalize the LAMP. The Water Board staff is available to discuss our comments. If you have questions, please contact me at (530) 542-5436 (lauri.kemper@waterboards.ca.gov), or Rob Tucker, Water Resources Control Engineer, at (530) 542-5467 (robert.tucker@waterboards.ca.gov).

cc: Robin Merod, Ph.D, Central Valley Water Board
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