

# ENVIRONMENTAL HEALTH DEPARTMENT COMMUNITY DEVELOPMENT AGENCY



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October 22, 2012

Betty Yee  
Senior Water Resource Control Engineer  
CA Regional Water Quality Control Board  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670-6114

Re: Central Valley Basin Plan Triennial Review

Dear Ms. Yee:

The current basin plan, page IV-24.00, prohibits discharge of wastes from new and existing leaching and percolation system in two sites within Amador County - Amador City and the broadly defined Martell area. Both stem from Regional Board order 73-129. The Amador City prohibition affects all parcels within the city limits and is now somewhat superfluous. The Martell area prohibition is more problematic.

Though portions of the six square mile area affected by the Martell area prohibition (sections 17, 18, 19, 20, 29 and 30, T6N, R11E, MDM) are within the city limits of Jackson or Sutter Creek or are within the Amador Water Agency's sewer Improvement District #12, portions of the area are not served and it is not feasible to serve the parcels at present. Factors such as terrain, parcel size and WWTP capacity limit the ability to provide service. Unless significant projects, such as major subdivisions, are proposed on the unserved parcels it is also not likely they will be served in the foreseeable future. The existing general plan land use designation of A-G limits land divisions to 40 acre density but with the prohibition in place there is no feasible way for such projects to proceed or to enable construction of a home on an existing parcel. This severely limits the rights of owners of these properties.

Though I was not with Amador County when 73-129 was adopted I have been told by those who were involved that the prohibitions were implemented to facilitate funding for sewer projects long since built and now serving these two prohibition areas. The Martell area prohibition appears to have been arbitrarily broad. The boundaries do not coincide with city spheres of influence, planned development, impaired waters or any other driving factor.

In the early 1970's there were fewer options for on-site wastewater management. Today this department processes permits and oversees the successful installation and operation of on-site systems in areas with conditions more challenging than the Martell area affected by the

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prohibition. We have extensive experience with supplemental treatment systems, evaporative systems, site modification, and other means to help assure success of on-site systems in challenging areas while protecting public health and waters of the state. We believe that the Amador City and Martell area prohibitions have long since served their purpose and that at present the hardship they place on property owners far outweighs the potential benefit. We recommend the prohibitions be lifted.

On another front, private water supply wells near regional board regulated discharges have been impacted in the past by nitrate in excess of safe drinking water standards. This office recently received a report from a local citizen of nitrate contamination of groundwater connected to another local discharger. This office was able to obtain some monitoring information from regional board staff but this can be burdensome. It appears that although individual monitoring events exceeded drinking water standards the system was not yet in violation though it may only be a matter of time until it is. I don't believe any communication with this office would have been forthcoming unless/until enforcement action is initiated.

Accessing monitoring information can be difficult; in one instance a formal PRA request was required and staff had to travel to Sacramento to review files. I believe that requiring dischargers to provide copies of monitoring reports to local Environmental Health Departments will make things easier for your agency and ours and may help forestall impacts to public health. We request that the Board consider requiring that dischargers copy all monitoring reports to the local Environmental Health jurisdiction. It is not known whether this could be a requirement of the basin plan or if there may be a better avenue to share this information.

If you have any questions regarding this matter, please feel free to contact this office.

Sincerely,



Michael W. Israel, REHS  
Environmental Health Director

MWI

cc: Aaron Brusatori, Community Development Director