

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

DRAFT RESOLUTION No. R3-2011-0004

**AMENDING THE WATER QUALITY CONTROL PLAN REGARDING THE ONSITE
WASTEWATER SYSTEM IMPLEMENTATION PROGRAM**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Central Coast Water Board) finds:

1. The Central Coast Water Board adopted the second edition of the Water Quality Control Plan, Central Coast Basin (Basin Plan) on September 8, 1994. The Basin Plan designates beneficial uses and water quality objectives, implementation programs for achieving water quality objectives addressing point source and nonpoint source discharges, adopts prohibitions, and incorporates statewide plans and policies.
2. The Basin Plan contains an implementation program setting forth criteria regarding siting and design of onsite wastewater systems. The Central Coast Water Board updated its policy regarding siting and design of onsite wastewater systems on September 16, 1983, by adopting Resolution No. 83-12. The text and requirements specified in Resolution No. 83-12 are included in the Basin Plan as provisions of Chapters 4 and 5.
3. On May 9, 2008, the Central Coast Water Board adopted Resolution No. R3-2008-0005, revising the Basin Plan onsite wastewater system criteria. On March 20, 2009, the Central Coast Water Board adopted Resolution No. R3-2009-0012, revising the Basin Plan onsite implementation program and adopting minor revisions to the onsite wastewater criteria set forth in Resolution No. R3-2008-0005. This Resolution, No. R3-2011-0004, revises the Basin Plan amendments (Resolution No. R3-2008-0005 and Resolution No. R3-2009-0012) with clarifying language and reorganized and renumbered sections. The text and requirements specified in Resolution No. R3-2011-0004, as amended with these revisions, will be incorporated into the Basin Plan after review and approval by the State Water Resources Control Board and the Office of Administrative Law.
4. Section VIII.D.1. of the Basin Plan, as amended by this Resolution, specifies the criteria, conditions, recommendations, and prohibitions of discharges that onsite wastewater systems must meet to be eligible for waivers described in the implementation program. These discharges will not have a significant effect on the quality of waters of the State provided the conditions of the Basin Plan criteria and implementation program are met.
5. Area of Applicability - The effect of this amendment will be throughout the Central Coast Region, where onsite systems are used to treat and dispose of wastewater.

6. Onsite wastewater systems have been used as a form of wastewater treatment and disposal for many decades. Currently, the number of individual residential and small community onsite wastewater systems in the Central Coast Region exceeds 100,000. In most instances, the discharge from onsite wastewater systems does not adversely affect the beneficial uses of groundwater or surface water quality due to favorable site conditions, adequate system design, and ongoing management practices.
7. When improperly sited, improperly designed, or improperly managed, discharges from onsite wastewater systems may cause or contribute to degradation of water quality. The Basin Plan Implementation Program includes criteria to ensure long-term water quality protection in areas where onsite wastewater systems are used. Onsite wastewater systems located, designed, installed and managed in accordance with the Basin Plan criteria are not expected to cause or contribute to water quality impacts.
8. California Water Code (Water Code) Section 13260(a) requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the State, other than into a community sewer system, shall file with the appropriate Regional Board a report of waste discharge containing such information and data as may be required by the Central Coast Water Board, unless the Central Coast Water Board waives such requirement.
9. California Water Code §13263 requires the Central Coast Water Board to prescribe waste discharge requirements, or waive waste discharge requirements, for the discharge. The waste discharge requirements must implement relevant water quality control plans and the Water Code.
10. California Water Code §13269 authorizes the Central Coast Water Board to waive the submittal of reports of waste discharge and waste discharge requirements for specific types of discharges where such a waiver is consistent with applicable state and regional water quality control plans and is in the public interest.
11. California Water Code §13269 requires that waivers shall be conditional and may be terminated at any time by the Central Coast Water Board. Waivers may be granted for discharges of waste to land, but may not be granted for discharges of waste subject to the NPDES requirements of the federal Clean Water Act. The waiver must also include monitoring unless the Regional Board determines that the discharges do not pose a significant threat to water quality.
12. The Basin Plan amendment waives the requirement that certain individual onsite wastewater system dischargers submit a report of waste discharge and obtain waste discharge requirements from the Central Coast Water Board, if the discharge is regulated by a local agency that has an MOU with the Water Board, that develops an onsite management plan, and regulates onsite systems consistent with the conditions of the Basin Plan and complies with the criteria set forth in the Implementation Program for Onsite Wastewater Systems in the Basin Plan. The Basin Plan amendment does not require local agencies to enter into an MOU or develop onsite management plans. Where there is no MOU and onsite management plan, individuals seeking approval for new onsite systems will be required to submit

reports of waste discharge and seek waste discharge requirements or a waiver from the Water Board.

13. The Central Coast Water Board hereby amends the Basin Plan by inserting amendments into Chapter 4 of the Basin Plan. To implement the onsite wastewater system criteria set forth in the Basin Plan, Resolution No. R3-2009-0012 amended the Basin Plan Implementation Program that provides for a conditional waiver of waste discharge requirements. This proposed amendment, Resolution No. R3-2011-0004, is a revision of the Implementation Program for onsite wastewater systems implemented by the Central Coast Water Board throughout the Region. The Implementation Program provides that onsite wastewater systems will be regulated under the California Water Code in one of three ways – (1) through issuance of waste discharge requirements by the Central Coast Water Board, (2) by a conditional waiver of waste discharge requirements for those systems that comply with the Basin Plan criteria and are regulated directly by the Central Coast Water Board, or (3) by a conditional waiver of waste discharge requirements and reports of waste discharge for those systems regulated by local governing agencies where the system complies with the Basin Plan criteria and the agency has entered into a memorandum of understanding (MOU) with the Central Coast Water Board and developed an onsite wastewater management plan.
14. The waiver of waste discharge requirements set forth in the Basin Plan amendment is consistent with the Basin Plan and is in the public interest, if conditioned upon a local agency entering into an individual MOU, developing an onsite management plan, and complying with the Basin Plan criteria. By entering into an MOU, a local agency commits to ensuring that its onsite wastewater system permitting program is substantially equivalent to the Basin Plan and any statewide standards adopted pursuant to California Water Code §13291. The adoption of this Basin Plan amendment and conditional waiver is also in the public interest because: (1) it was adopted in compliance with Water Code Sections 13260, 13263, and 13269 and other applicable law; (2) it requires compliance with the Basin Plan criteria that are developed to be protective of waters of the state; (3) it includes conditions that are intended to reduce and prevent pollution and nuisance and protect the beneficial uses of the waters of the State; (4) it contains more specific and more stringent conditions for protection of water quality compared to the existing Basin Plan criteria; and (5) given the magnitude of the number of persons who operate onsite systems, it provides for an efficient and effective use of limited Central Coast Water Board resources.
15. This Basin Plan amendment and conditional waiver do not impose monitoring and reporting requirements for each discharge. The types of discharges subject to this conditional waiver are not expected to pose a significant threat to water quality if the Basin Plan criteria are properly implemented. The Water Board's Executive Officer may impose monitoring and reporting requirements as authorized pursuant to Water Code section 13267 on any discharger subject to this conditional waiver.
16. At this time, it is appropriate to adopt a Basin Plan amendment conditionally waiving waste discharge requirements for onsite wastewater systems that fit within the Basin Plan criteria because: 1) the discharges have the same or similar waste from the same or similar operations and use the same or similar treatment methods and management practices; and 2) the discharges will be regulated by local agencies in

compliance with the Basin Plan criteria.

17. In addition, it is appropriate to regulate onsite wastewater systems with a conditional waiver rather than individual or general waste discharge requirements in order to simplify and streamline the regulatory process. There are more than 100,000 individual onsite wastewater systems in the Central Coast Region and it would not be practicable for the Water Board to issue individual waste discharge requirements. The issuance of general waste discharge requirements for the individual systems would result in duplicate regulation for most and duplicate fees. These systems have historically been and continue to be regulated by local permitting agencies applying Basin Plan criteria.
18. Anti-Degradation – State Water Board Resolution No. 68-16 *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (Resolution No. 68-16) requires Regional Water Boards, in regulating the discharge of waste, to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in a Regional Water Board's policies (e.g., quality that exceeds applicable water quality standards). Resolution No. 68-16 also states, in part:

Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in best practicable treatment and control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

The Basin Plan implementation program revised by this Resolution is consistent with the provisions of the State Water Board Resolution No. 68-16. Dischargers that could be subject to the conditional waiver established in the implementation program will be required to comply with the Basin Plan criteria that are expected to prevent degradation of waters of the state, prevent pollution or nuisance, and implement best practicable treatment or control. The Basin Plan implementation program will prevent systems that do not meet the criteria.
19. Issuance of a waiver does not override other more stringent local, state, or federal regulations prescribed by other agencies.
20. Although a discharge may qualify for waiver enrollment, the Central Coast Water Board retains the right to regulate that discharge through other programs or Central Coast Water Board actions (such as enforcement orders, individual waste discharge requirements, general orders, etc.). The Central Coast Water Board may terminate a waiver at any time and require the discharger to obtain waste discharge requirements or terminate the discharge. Pursuant to Water Code section 13263(g) no discharge of waste into the waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the state are privileges, not rights.

21. CEQA – The Central Coast Water Board is the lead agency with respect to the California Environmental Quality Act (CEQA). The Secretary of Resources has certified the basin planning process as exempt from the CEQA requirement to prepare an environmental impact report or negative declaration. [PRC 21080.5; Cal. Code Regs., tit. 14, §15251(g)]. The State Water Resources Control Board (State Water Board) has adopted regulations to implement certified regulatory programs that require the regional boards to prepare substitute environmental documents, including a written report and an accompanying CEQA Environmental Checklist. (Cal. Code Regs., tit. 23, §3775 et seq.) The staff of the Central Coast Water Board prepared substitute environmental documents for Resolution No. R3-2008-0005 and Resolution No. R3-2009-0012. Consistent with CEQA Guidelines section 15162, the Central Coast Water Board is not required to prepare a subsequent or supplemental CEQA document because the revisions proposed in this action do not constitute substantial changes from the previously approved projects, do not involve new information, and would not result in any new or more significant environmental effects than those reviewed in the previous CEQA substitute environmental documents. [Cal. Code Regs. tit. 14, § 15162, subd. (a).] This action today revises previously adopted Basin Plan amendments by reorganizing and clarifying, without making significant substantive changes. A detailed explanation of the revisions is contained in the Staff Report for this matter dated May 5, 2011. The substitute environmental documents for this Basin Plan amendment have been made available to the public. The Central Coast Water Board finds that the proposed amendments to the Basin Plan will not have a significant effect on the environment.
22. Public Notice - Interested persons and the public have been informed of the Central Coast Water Board's intent to revise the Basin Plan Implementation Program for onsite wastewater systems. Efforts to inform the public and solicit public comment include a public notice of the amendments providing the public with a comment period in excess of 45 days in advance of the Central Coast Water Board hearing. Notice of public hearing was given by posting on the Water Board website, by mailing a copy of the notice to all persons requesting such notice and applicable government agencies. The Central Coast Water Board has provided responses to timely written comments received from interested persons. The public had the opportunity to comment on proposed amendments in 2008 and 2009, as set forth in Finding 3, above. The administrative record, including comments and responses to comments on those items are included in the record for this action today.
23. On May 5, 2011, the Central Coast Water Board held a public hearing and considered all the evidence and comments concerning this matter. Notice of this hearing was given to all interested persons in accordance with CCR, Title 14, §15072.
24. The Basin Plan amendment must be submitted for review and approval by the State Water Resources Control Board (State Board) and the State Office of Administrative Law (OAL). The Basin Plan amendment will become effective upon approval by OAL. The subject Resolution will become effective immediately.
25. This amendment to the Basin Plan will result in no potential for adverse effect, either individually or cumulatively, on wildlife and is therefore exempt from fee payments to the Department of Fish and Game under the California Fish and Game Code.

THEREFORE, BE IT RESOLVED that:

1. Pursuant to California Water Code §13240, the Water Board, after considering the record, including oral testimony at the hearing, hereby adopts the Basin Plan amendment set forth in Attachment A to this Resolution adopting an implementation program that conditionally waives waste discharge requirements and submittal of reports of waste discharge for onsite wastewater systems.
2. The Central Coast Water Board's Executive Officer is directed to forward copies of the Basin Plan amendment to the State Water Board in accordance with the requirements of California Water Code §13245.
3. The Central Coast Water Board requests the State Water Board approve the Basin Plan amendments in accordance with requirements of California Water Code §13245 and §13246, and forward it to OAL for approval. The State Water Board, on behalf of the Central Coast Water Board, shall file a Notice of Decision with the Secretary of Resources and the Governor's Office of Planning and Research (State Clearinghouse) after approval by OAL.
4. If, during its approval process, the State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Central Coast Water Board Executive Officer may make such changes, and shall inform the Central Coast Water Board of any such changes.

I, Roger W. Briggs, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, 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, Central Coast Region, on May 5, 2011.

Executive Officer

Attachment: A. Revised Basin Plan Chapter 4 (onsite sections only)

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CHAPTER 4. IMPLEMENTATION PLAN

VIII.D. INDIVIDUAL, ALTERNATIVE AND COMMUNITY ONSITE WASTEWATER SYSTEMS

Onsite wastewater systems may be used to treat and dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and (5) small communities. All individual and multi-unit residential, commercial, institutional and industrial developments with a discharge flow rate less than 2,500 gallons per day and community systems not regulated by waste discharge requirements must comply with these criteria. Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems serving more than 5 units or more than 5 parcels; or (2) commercial, institutional or industrial systems treating sanitary wastewater equal to or greater than 2,500 gallons per day (average daily flow).

Conventional onsite wastewater systems consist of septic tanks and leachfield or seepage pits and are typically designed to treat and dispose of domestic wastewater. Alternatives to conventional onsite system designs are used when site constraints prevent the use of conventional systems. Examples of alternative systems include (but are not limited to) enhanced treatment systems, mound or evapotranspiration disposal systems, or at-grade disposal systems.

Conventional, alternative and community systems can pose serious water quality problems if improperly designed, installed, and/or managed. Failures have occurred in the past and are usually attributed to the following:

- Systems are inadequately or improperly sited, designed, or constructed.
- Long term use is not considered.
- Inadequate operation and maintenance.

The following definitions are used throughout this section of the Water Quality Control Plan.

Alternative onsite system consists of additional (beyond conventional) treatment and/or disposal features engineered to overcome site constraints. A conventional onsite system that requires a pump to reach the leach area is not considered "alternative".

Application area shall be calculated no greater than the trench bottom and side walls below the bottom of the leach pipe, minus the first foot on each side. In seepage pits the application area refers to the total gravel depth in a seepage pit, minus any impervious, bedrock or clay lenses encountered in the sidewalls.

At-grade disposal systems consist of distribution pipe and bed at the native ground surface level and cover provided by filled material. At-grade disposal systems are similar to mound systems without the sand layer.

Certified professional is a person who demonstrates special qualifications (through education, experience, exam, etc.) needed to successfully perform the task at hand.

Conventional onsite system consists of a septic tank and leachfield or seepage pit.

Detrimental Water Quality Impact is any significant increase in waste concentrations or impairment of beneficial uses of a water body.

Discharger is the owner and/or operator of an onsite wastewater system.

Drainfield is used interchangeably with leachfield, leach area or disposal area.

Effective trench depth means depth below the bottom of the leach trench distribution piping minus the first foot.

Engineered systems are treatment and disposal systems that require special design features to overcome site limitations (topography, soil conditions, shallow groundwater or setback variances).

Existing onsite system is any onsite system approved and/or installed prior to adoption of these criteria on March 20, 2009 (OAL approval date).

Failed or failing onsite system is any system that displays symptoms of inadequate dispersion, treatment or assimilation of wastewater. These may include, but are not limited to, surfacing effluent, lush growth above the leach area, sluggish house drains, impacts to surface or groundwater from the onsite discharge, odors, frequent pumping, or backflow into tank when pumped. Standard pumping frequency is recommended every five years unless system-specific characteristics support an alternative frequency.

Fill is material deposited to raise the existing or excavated ground level.

Inflow and infiltration refers to non-wastewater (stormwater, groundwater, streams, seawater) entering the wastewater system through cracks, roof drains or other openings.

Low permeability material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content (% passing 200 sieve) of 60 percent or greater.

Local governing jurisdiction shall refer to the local governing jurisdiction, typically city or county, vested with legislative authority for onsite wastewater system permitting.

Monitoring shall refer to any sort of quality or performance assessment, including visual inspections.

New onsite system is an onsite wastewater system placed on property that has not previously been developed, or expansion of an existing onsite system to accommodate an increase in wastewater generation, after adoption of these criteria (March 20, 2009 OAL approval date). Repair or replacement of an existing onsite system does not constitute a new onsite system.

Onsite disposal area shall include the direct application area (trench, pit, bed) and surrounding 100' radius from any point in the application area that may be influenced by discharge from the disposal system.

Reservoir - A pond, lake, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of drinking supply water.

Septage is material removed from a septic tank; usually the accumulated scum, sludge and liquid within the tank.

Sidewall is the side portion of the leach area below the bottom of the distribution piping, or total gravel depth beneath the first hole in the central pipe of a seepage pit.

Threatened condition is one that if left uncorrected may cause or contribute to water quality or public health impacts.

Watercourse - A natural or man-made channel for passage of water. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) usually discharging into some stream or body of water.

VIII.D.31. ONSITE SYSTEM IMPLEMENTATION PROGRAM

California Water Code §13260(a) requires that any person discharging waste or proposing to discharge waste that could affect the quality of the waters of the State, shall file with the appropriate Regional Board a report of waste discharge, unless the Regional Board waives such requirement.

California Water Code §13263 requires the Regional Board to prescribe waste discharge requirements, or waive waste discharge requirements, for the discharge. The waste discharge requirements must implement relevant water quality control plans and the Water Code.

California Water Code §13269 authorizes the Central Coast Water Board to waive the submittal of reports of waste discharge and waste discharge requirements for specific types of discharges where such a waiver is consistent with applicable state

**Water Quality Control Plan, Central Coast Basin
Revisions to Chapter 4
(onsite wastewater sections only)**

**Res. No. R3-2008-0005 & No. R3-2009-0012
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and regional water quality control plans and is in the public interest.

California Water Code §13269 requires that waivers shall be conditional and may be terminated at any time by the Central Coast Water Board. Waivers may be granted for discharges of waste to land, but may not be granted for discharges of waste subject to the NPDES requirements of the federal Clean Water Act. The waiver must also include monitoring unless the Regional Board determines that the discharges do not pose a significant threat to water quality.

On April 15, 1983, the Central Coast Water Board adopted a waiver of waste discharge requirements for onsite systems that was incorporated into the Basin Plan. (1983 Waiver). That 1983 Waiver waived the requirements to submit a report of waste discharge and obtain waste discharge requirements for individual sewage disposal systems and for sanitary waste disposal from certain small community, institutional, commercial, and industrial facilities if the systems met certain specified conditions. In summary, the systems were required to meet standard criteria of the governing local jurisdiction that is implementing the Basin Plan requirements pursuant to a memorandum of understanding with the Water Board or was an individual project that complies with the Basin Plan. On January 1, 2003, the 1983 Waivers terminated by operation of law due to an amendment to Water Code §13269. Since termination of the 1983 Waiver, the Central Coast Water Board has been developing revised Basin Plan criteria and a renewed conditional waiver of waste discharge requirements. Onsite wastewater systems have continued to be permitted by local governing jurisdictions consistent with the 1983 Waiver and the Basin Plan criteria and some have been subject to individual waste discharge requirements or waivers issued by the Central Coast Water Board.

This section of the Basin Plan Amendment sets forth an revised Implementation Program for onsite wastewater systems to ensure protection of waters of the state, including criteria and as a conditional waivers of waste discharge requirements and reports of waste discharge requirements for existing and new onsite wastewater systems. Onsite

wastewater systems covered by these renewed conditional waivers are: individual residences, multi-unit residences, institutions or places of commerce, industrial sanitary sources, and small community systems not regulated by waste discharge requirements.

The Central Coast Water Board finds that the this Conditional Waivers set forth in this Implementation Program comply with Water Code §13269, are in the public interest, and are This Conditional Waiver contains conditions and is consistent with the Basin Plan because:

1. Waivers granted for discharges that do not pose a significant threat to water quality enable staff resources to be used effectively and avoid unnecessary expenditures of limited resources.
2. It was adopted in compliance with Water Code Sections §13242 and §13269 and other applicable law.
3. It requires compliance with the Basin Plan.
4. It includes conditions that are intended to reduce and prevent pollution and nuisance and protect the beneficial uses of the waters of the State.
5. Dischargers may not discharge any waste not specifically regulated by this Conditional Waiver except in compliance with the Water Code.
6. Dischargers who violate the conditions of this Conditional Waiver are subject to enforcement pursuant to Water Code section §13350 and other applicable law.
7. The discharges from onsite wastewater systems all discharge the same type of waste.
8. It provides a method for coordinating regulation with local governing jurisdictions that routinely permit and oversee onsite wastewater systems, thereby reducing overlapping regulation.

It is appropriate to regulate onsite wastewater systems by way of a Conditional Waiver rather than with individual waste discharge requirements

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because there are over 100,000 discharges of the listed categories. Issuing individual waste discharge requirements to each of those would use significant staff resources and is not necessary in most circumstances because such systems are regulated by local governing jurisdictions. The conditions imposed in this Conditional Waiver will be protective of waters of the state. This Conditional Waiver will simplify and streamline the regulatory process without compromising the protection of water quality.

Although a discharge may qualify for waiver enrollment, the Central Coast Water Board retains the right to regulate that discharge through other programs or Central Coast Water Board actions (such as enforcement orders, individual waste discharge requirements, general orders). The Central Coast Water Board may terminate a discharger's enrollment in a waiver at any time and require the discharge to obtain waste discharge requirements or terminate the discharge. Dischargers not eligible for the Conditional Waiver must apply for waste discharge requirements or waiver of waste discharge requirements in accordance with Water Code §13260.

Local governing jurisdictions also regulate onsite systems. The Central Coast Water Board and local governing jurisdictions typically coordinate the regulation of onsite systems. Appropriately developed and implemented memoranda of understanding between the Central Coast Water Board and local governing jurisdiction (e.g., counties and cities) provide practical and enforceable tools to compel compliance with the Basin Plan criteria for onsite systems and ensure water quality protection.

The Central Coast Water Board's ~~Executive Officer~~ is ~~authorized to~~ may approve and execute, on behalf of the Central Coast Water Board, individual memoranda of understanding with local governing jurisdiction in the Region based substantially on the requirements specified in Chapter 4, Section VIII.D of the Basin Plan (sections pertaining to onsite wastewater systems). Individual memoranda of understanding shall commit the local governing jurisdiction to amending its municipal code and onsite wastewater system program, if necessary, in

order to be substantially equivalent to the Basin Plan. If and when statewide criteria are adopted pursuant to California Water Code §13291, this Basin Plan section and the memoranda of understanding will be reviewed to determine if they need to be modified. Individual memoranda of understanding shall incorporate additional measures to be taken by the local governing jurisdiction to identify and address areas of degraded groundwater or surface water quality, where onsite wastewater systems are a potential source of pollution.

This Implementation Program sets forth ~~two types of conditional waivers for the regulation of onsite wastewater systems.~~ (1) a conditional waiver of the requirement to submit reports of waste discharge and to obtain waste discharge requirements for existing onsite systems regulated under the 1983 Waivers, (2) a conditional waiver of the requirement to obtain waste discharge requirements, but not the requirement to submit reports of waste discharges, for those systems regulated directly by the Central Coast Water Board, and (3) a conditional waiver of the requirements to submit reports of waste discharge and obtain waste discharge requirements for those systems that are regulated by local governing jurisdictions that comply with the conditions of this section. ~~Section VIII.D.3.a. conditionally waives waste discharge requirements, but not reports of waste discharges, for those systems regulated directly by the Central Coast Water Board. Section VIII.D.3.b. conditionally waives waste discharge requirements and reports of waste discharge for those systems that are regulated by local governing jurisdictions that comply with the conditions of this section.~~

In compliance with Water Code §13269, the conditional waivers set forth in this Basin Plan shall expire five years after (OAL approval date) and may be renewed.

**VIII.D.1.a. CONDITIONAL WAIVER FOR
EXISTING ONSITE WASTEWATER
SYSTEMS**

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The Central Coast Water Board waives the requirement to submit reports of waste discharge associated fee and obtain waste discharge requirements to the Central Coast Water Board and to receive enrollment notification for those onsite wastewater systems that existed as of (OAL approval date) that meet all the eligibility criteria and comply with the conditions set forth below regulated by a local governing jurisdiction, provided the following conditions are met.

As set forth in this Implementation Program, the Water Board expects that local governing jurisdictions will continue to directly regulate most existing onsite wastewater systems. The Water Board will continue to take direct action as appropriate to protect water quality, including enforcement actions and requiring submittal of reports of waste discharge requirements, and/or issuance of individual waste discharge requirements or conditional waivers.

ELIGIBILITY CRITERIA

1. The onsite wastewater system existed as of [OAL approval date].
2. The onsite wastewater system is installed at an individual residence, multi-unit residence, institution or place of commerce, industrial sanitary source, or small community not regulated by waste discharge requirements.
3. The onsite wastewater system was required to meet the standard criteria of the local governing jurisdiction that was implementing the Basin Plan criteria or the onsite wastewater system complied with the Basin Plan consistent with the 1983 Waiver. The onsite wastewater system is managed and maintained in a manner consistent with the Water Board or Water Board Executive Officer approved onsite management plan implemented by the local governing jurisdiction.
4. The local governing jurisdiction takes the following actions:
 - a. Ensures site suitability tests are performed prior to repairs and replacements, and that

tests are performed in accordance with standard procedures.

- b. Ensures proper system siting (VIII.D.3.a.), design (VIII.D.3.b.), construction (VIII.D.3.d.), and installation for repairs and replacements; and
- c. Adequately informs property owners regarding proper installation (of repairs and replacement), operation and ongoing maintenance of their onsite wastewater systems.

CONDITIONS

Dischargers to existing systems shall comply with the following conditions.

1. Properly operate and maintain the onsite system to prevent failure.
2. Notify the local governing jurisdiction of system failures.
3. Seek appropriate permits regarding repairs and replacements of failing systems.
4. Ensure that repairs and replacements comply with the Criteria for New Systems (Section VIII.D.>>) to the greatest extent practicable.
5. Manage and maintain the onsite wastewater system in a manner consistent with the Water Board or Water Board Executive Officer approved onsite management plan implemented by the local governing jurisdiction.

RECOMMENDATIONS

The Water Board expects that:

1. Local governing jurisdictions may can use staff inspectors or individuals under contract with the local government. A standard detailed checklist should shall be completed by the inspector to verify the onsite wastewater system was constructed in conformance with the Basin Plan and local governing jurisdiction requirements.

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2. Property owners should be made aware of the nature and requirements of their onsite wastewater system.
3. Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. Local governing jurisdictions should ensure the terms of the enforcement action are entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the enforcement action would appear in the preliminary title report.
4. All onsite wastewater system owners ~~should need to~~ be aware of proper operation and maintenance procedures. Local governing jurisdictions ~~should shall~~ mount a continuing public education program to provide home owners with onsite wastewater system operation and maintenance guidelines. Basin Plan information should be available at local governing jurisdiction health and building departments.

**VIII.D.1.b3.a. ~~CONDITIONS~~ FOR
WAIVER OF WASTE DISCHARGE
REQUIREMENTS FOR NEW ONSITE
WASTEWATER SYSTEMS REGULATED
DIRECTLY BY THE CENTRAL COAST
WATER BOARD**

The Central Coast Water Board waives the requirement to obtain waste discharge requirements, but not the requirement to submit reports of waste discharge, for new onsite wastewater systems (installed after [OAL approval date]) directly regulated by the Water Board that meet the eligibility criteria and comply with the conditions set forth below. Waste discharge requirements [California Water Code §13263(a)] are conditionally waived as follows:

The Central Coast Water Board's Executive Officer is authorized to enroll applicants in the onsite wastewater system conditional waiver that meet the eligibility criteria and comply with the following

~~conditions provided the following conditions are met.~~

ELIGIBILITY CRITERIA

For an onsite wastewater system to be eligible for a conditional waiver of waste discharge requirements:

1. The onsite wastewater system is installed at an individual residence, multi-unit residence, institution or place of commerce, industrial sanitary source, or small community not regulated by waste discharge requirements.
2. The discharger receives enrollment notification from the Executive Officer.

CONDITIONS

1. The onsite wastewater system is sited (VIII.D.3.a.), designed (VIII.D.3.b.), constructed (VIII.D.3.d.) managed and maintained (VIII.D.3.e.) in a manner consistent with criteria specified in the Basin Plan, Chapter 4, Section VIII.D.
2. The applicant submits a report of waste discharge to the Central Coast Water Board that provides documentation of consistency with each Basin Plan criterion.
3. The applicant submits with the report of waste discharge a fee corresponding to the lowest applicable fee for waste discharge requirements (threat and complexity rating of III-C) identified in the State Water Board's fee schedule set forth in Title 23 California Code of Regulations.
4. The applicant enrolled in the Conditional Waiver complies with conditions specified in an approved onsite management plan implemented by the local governing jurisdiction, if available,

The Central Coast Water Board or its Executive Officer may terminate the discharger's enrollment in the Conditional Waiver at any time. Dischargers not eligible for the Conditional Waiver must apply for waste discharge requirements or waiver of

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waste discharge requirements in accordance with Water Code requirements.

Coast Water Board regarding onsite wastewater system management.

VIII.D.1.c3.b. CONDITIONS FOR WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR NEW ONSITE WASTEWATER SYSTEMS REGULATED BY LOCAL GOVERNING JURISDICTIONS

CONDITIONS

The Central Coast Water Board waives the requirements to submit a report of waste discharge and associated Water Board fee, and to obtain waste discharge requirements or receive enrollment notification for new systems (installed after [OAL approval date]) that meet the eligibility criteria and comply with the conditions set forth below are waived for onsite wastewater systems regulated by a local governing jurisdiction, provided the following conditions are met.

1. The onsite wastewater system is permitted by a local governing jurisdiction that implements the criteria for new systems (Section VIII.D.3.)
2. The onsite wastewater system is permitted by a local governing jurisdiction that implements an onsite wastewater management plan approved by the Central Coast Water Board or its Executive Officer.
3. The local governing jurisdiction has entered into a memorandum of understanding with the Central Coast Water Board regarding onsite wastewater system management.
4. The onsite wastewater system meets the criteria in Basin Plan Chapter 4, Section VIII.D. for site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.), construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.)
5. The onsite wastewater system is sited, designed, managed and maintained in a manner consistent with the Water Board or Water Board Executive Officer-approved onsite management plan implemented by the local governing jurisdiction.
6. The applicant submits any required application and fee to the local governing jurisdiction.

ELIGIBILITY CRITERIA

For an onsite wastewater system to be eligible for a conditional waiver of the requirements to submit a report of waste discharge and obtain waste discharge requirements: For New Discharges (systems installed after March 20, 2009):

PROHIBITIONS

1. The onsite wastewater system is installed at an individual residence, multi-unit residence, institution or place of commerce, industrial sanitary source, or small community not regulated by waste discharge requirements.
2. The local governing jurisdiction has adopted or updated local ordinances that incorporate the Criteria for New Systems set forth in Section VIII.D.3. of the Basin Plan. Local ordinances shall be updated to reflect Basin Plan criteria.
3. The local governing jurisdiction implements an onsite wastewater management plan approved by the Water Board or its Executive Officer (VIII.D.2.b.) to ensure conformance with the Basin Plan criteria set forth in Section VIII.D.3. and local regulations, and has entered into a memorandum of understanding with the Central

1. Local governing jurisdiction approval and discharger installation of new alternative systems are prohibited subsequent to final approval of these criteria on (OAL approval date) unless consistent with either a locally implemented onsite wastewater management plan approved by the Central Coast Water Board, or the Water Board has adopted waste discharge requirements or issued a conditional waiver of waste discharge requirements for the system.

VIII.D.24. LOCAL GOVERNING JURISDICTION ACTIONS

VIII.D.24.a. DISCLOSURE AND COMPLIANCE OF EXISTING ONSITE WASTEWATER SYSTEMS

The Water Board, on March 20, 2009, adopted a Basin Plan Implementation Program establishing a conditional waiver for onsite wastewater systems that meet specified eligibility criteria and the conditions (Basin Plan Section VIII.D.13.a, b and c). For an onsite wastewater system to be eligible for a conditional waiver of Report of Waste Discharge, local governing jurisdictions must develop and implement programs to ensure conformance with this Basin Plan (as found in the following sections) and local regulations and enter into memorandum of understanding with the Central Coast Water Board. Such programs shall include (but are not limited to) procedures to:

- Ensure site suitability tests are performed as necessary, and that tests are performed in accordance with standard procedures;
- Ensure proper system siting, design, construction and installation; and
- Adequately inform property owners regarding proper installation, operation and ongoing maintenance of their onsite wastewater systems.

Local governing jurisdictions may ~~can~~ use staff inspectors or individuals under contract with the local government. A standard detailed checklist should ~~shall~~ be completed by the inspector to verify the onsite wastewater system was constructed in conformance with the Basin Plan and local governing jurisdiction requirements.

Property owners should be aware of the nature and requirements of their onsite wastewater system. Plans should be available in city or county offices showing placement of soil absorption systems.

Local governing jurisdictions should require onsite wastewater system as-built plans as a condition of new construction final inspection.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. Local governing jurisdictions should ensure the terms of the enforcement action are entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition enforcement action would appear in the preliminary title report.

All onsite wastewater system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions ~~shall~~ should mount a continuing public education program to provide homeowners with onsite wastewater system operation and maintenance guidelines. Basin Plan information should be available at local governing jurisdiction health and building departments.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. Dedicated system expansion areas are also appropriate. To protect this set-aside area from encroachment, the local governing jurisdiction shall require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions and Restrictions (CC&R's) or additional map sheets recorded with the Parcel or Tract Final Map might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading the CC&R's or Final Map.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems shall be done under permit from the local governing jurisdiction. The local governing jurisdiction shall require failing systems to be brought into compliance with the Basin Plan or repair criteria consistent with locally implemented onsite management plan (approved by the Central Coast

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**Res. No. R3-2011-0004 amendment, additions
& deletions shown (Res. No. R3-2008-0005 &
No. R3-2009-0012 incorporated in text)**

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Water Board or its ~~Executive Officer~~).

Land use changes should not be approved by the local governing jurisdiction until the existing onsite system meets criteria of this Basin Plan and local ordinances.

Within the following sections, criteria are specified for RECOMMENDATIONS, REQUIREMENTS and PROHIBITIONS.

RECOMMENDATIONS

1. Inform property buyers of the existence, location, operation, and maintenance of onsite disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g., Basin Plan prohibitions) through the County Record.
2. Conduct public education programs to provide property owners with operation and maintenance guidelines.
3. It may be appropriate for onsite systems to be maintained by local onsite maintenance districts.
4. Standard soil testing procedures should be adopted.

REQUIREMENTS

5. Onsite Wastewater Management Plans shall be prepared and implemented for urbanizing and high density areas served by onsite wastewater systems.
6. Local governing jurisdictions shall require replacements or repairs to failing systems to be in substantial conformance (to the greatest extent practicable) with the Basin Plan criteria for site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.), construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.) ~~recommendations, requirements and prohibitions~~ or the local onsite wastewater management plan.

7. Local governing jurisdictions shall ensure that alternative onsite system owners are provided an informational maintenance or replacement document by the system designer or installer. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.

8. Local ordinances shall be updated to reflect Basin Plan criteria for management plans (VIII.D.2.b.), site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.), construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.)

PROHIBITIONS

9. New alternative systems are prohibited unless consistent with a locally implemented onsite wastewater management plan approved by the Central Coast Water Board or its ~~Executive Officer~~ or waste discharge requirements issued or waived by the Water Board.

**VIII.D.24.b. ONSITE WASTEWATER
MANAGEMENT PLANS**

As set forth in Section VIII.D.1, the Water Board, on March 20, 2009, adopted a Basin Plan Implementation Program that sets forth a conditional waiver of the requirements to submit a report of waste discharge and obtain waste discharge requirements for certain onsite wastewater systems (Basin Plan Section VIII.D.3). For an onsite wastewater system to be eligible for a conditional waiver, where the local governing jurisdiction must adopt develops and implements an onsite wastewater management plan that complies with this section is approved by the Water Board. This section sets forth the purpose and content of the onsite wastewater management plan that must be included prior to Water Board approval. Approval of onsite system wastewater management plans shall be based upon (but not limited to) the inclusion of the elements set forth below guidance provided in the. A guidance document, titled "Central Coast Water Board Checklist for Developing & Reviewing Onsite Wastewater Management Plans" is provided

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incorporated, Res. No. R3-2011-0004
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to assist local governing jurisdictions in developing the plan (included as Attachment 2 of March 20, 2009 Staff Report).

1. For a conditional waiver to apply to onsite wastewater systems, onsite wastewater management plans shall be implemented in urbanizing areas to investigate and mitigate reduce or prevent long-term cumulative impacts resulting from continued use of individual, alternative, and community onsite wastewater systems. Onsite wastewater management plans should be a comprehensive planning tool to specify onsite disposal system limitations to prevent ground or surface water degradation.
2. Onsite wastewater management plans shall be prepared and implemented for urbanizing and high density areas served by onsite wastewater systems.
3. Onsite wastewater management plans shall include (but not be limited to) the following elements:
 - Survey and evaluation of existing onsite systems.
 - Water quality (groundwater and surface water) monitoring program.
 - Projections of onsite disposal system demand and determination of methods to best meet demand.
 - Recommendations and requirements for existing onsite wastewater system inspection, monitoring, maintenance and repairs including procedures to ensure that replacements or repairs to failing systems are done under permit from the local governing jurisdiction and in substantial conformance (to the greatest extent practicable) with Basin Plan criteria for site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.), construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.) or the local onsite wastewater management plan.

- Recommendations and requirements for new onsite wastewater systems reflecting Basin Plan conditions and criteria (VIII.D.3).
- Alternative means of disposing of sewage in the event of disposal system failure and/or irreversible degradation from onsite disposal.
- Procedures to assure that land use changes are not approved by the local governing jurisdiction until existing onsite wastewater systems meet criteria of this Basin Plan and local ordinances.
- Education and outreach program including procedures to inform property buyers of the existence, location, operation, and maintenance of onsite disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g., Basin Plan prohibitions) through the County Record. The education and outreach program shall also include procedures to ensure that alternative onsite system owners are provided an informational maintenance or replacement document by the system designer or installer. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.
- Enforcement options.
- Septage management.
- Program administration, staffing, records keeping, installation and repairs tracking, and financing.
- Consideration of the appropriateness of onsite maintenance districts.
- Adoption of standard soil testing procedures.
- Adoption or update of local ordinances to reflect Basin Plan criteria for management plans (VIII.D.2.b.), site suitability (VIII.D.3.a.), design (VIII.D.3.b.), alternatives (VIII.D.3.c.),

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construction (VIII.D.3.d.), maintenance (VIII.D.3.e.), and use considerations (VIII.D.3.f.)

- Procedures to assure that onsite wastewater system as-built plans are required as a condition of new construction final inspection, and procedures to assure that plans are available in city or county offices showing placement of soil absorption systems.

Consideration of use of onsite wastewater disposal zones, as discussed in Section §6950-6981 of the Health and Safety Code, may be an appropriate means of implementing onsite wastewater management plans.

VIII.D.21.c. ONSITE WASTEWATER SYSTEM MAINTENANCE DISTRICTS

It may be appropriate for community onsite systems to be maintained by local onsite wastewater system maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, Community Services Districts, or County Service Areas

Onsite wastewater system maintenance districts are responsible for onsite system operation and maintenance in conformance with this Water Quality Control Plan. Such districts should ensure proper construction, installation, operation, and maintenance of onsite wastewater systems. Maintenance districts should establish onsite system surveillance, maintenance and pumping programs, provide repairs to plumbing or leachfields, and encourage water conservation measures.

VIII.D.32. CRITERIA FOR NEW SYSTEMS

Onsite wastewater system problems can be minimized with proper site location, design, installation, operation and maintenance. The following section includes criteria for all new onsite wastewater disposal systems. Unless local governing jurisdictions should incorporate these

criteria and guidelines into their local ordinances, systems will not be eligible for waivers set forth in VIII.D.1.c. These criteria will be used by the Central Coast Water Board for Water Board regulated systems and exemptions.

Local governing jurisdictions may authorize alternative onsite systems if the agency acts consistent with locally implemented onsite wastewater management plans approved by the Central Coast Water Board or its Executive Officer and with the Basin Plan criteria specified in VIII.D.3.c.

For any onsite system, limited disposal options are available for septage (solids periodically removed from septic tanks). As a component of a wastewater management plan, long-term septage disposal plans shall be considered and developed by local governing jurisdictions.

Onsite wastewater system criteria are arranged in sequence under the following categories: site suitability, onsite system design, design for alternative and engineered systems, construction, onsite system maintenance, use considerations, onsite wastewater system prohibition areas, and subsurface disposal exemptions ~~community system design, and local governing jurisdictions.~~ Within each category, criteria are specified for RECOMMENDATIONS, REQUIREMENTS and PROHIBITIONS.

VIII.D.32.a. SITE SUITABILITY

RECOMMENDATIONS

1. For new land divisions, onsite disposal systems and expansion areas should be protected from encroachment by provisions in covenants, conditions, and restrictions (CC&Rs), recorded in Final Maps or similar mechanisms.
2. Percolation test holes (at least three per system) should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.

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3. Natural ground slope of the disposal area should not exceed 20 percent.
4. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drain field bottom.

REQUIREMENTS

5. At least one soil boring or excavation per onsite system shall be performed to determine soil suitability, depth to groundwater, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. The soil boring or excavation should extend at least 10 feet below the drain field bottom at each proposed location and be performed during or shortly after the wet season to characterize the most limiting conditions.
6. For leachfields, at least three percolation test locations shall be used to determine system acceptability.
7. Percolation tests shall be continued until a stabilized rate is obtained.
8. Percolation tests shall be performed at a depth corresponding to the bottom of the subsurface disposal area.
9. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields shall be set back far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, from the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback shall be at least 100 feet measured from the top of the cut.
10. Prior to permit approval, site investigation shall determine onsite system suitability (consistency

with recommendations, requirements and prohibitions specified in this section). Seepage pits should be utilized only after careful consideration of site suitability.

11. Distances between trench bottom and highest seasonal usable groundwater, including perched groundwater, shall not be less than the separation specified by appropriate percolation rate:

<u>Percolation Rate (minutes/inch)*</u>	<u>Distance (feet)</u>
1-4	20
5-29	8
>30	5

*Onsite disposal in soils with percolation rates faster than one minute per inch are prohibited without additional (alternative) treatment.

12. Onsite disposal systems on slopes greater than 20 percent shall be designed by a certified professional.

PROHIBITIONS

13. For new land divisions (including lot splits) served by onsite systems, lot sizes less than one acre are prohibited unless authorized under an onsite management plan approved by the Central Coast Water Board or its Executive Officer. For the purpose of this prohibition, secondary units are considered "de-facto" lot splits and shall not be constructed on lots less than two acres in size unless consistent with onsite management plans.
14. Onsite wastewater disposal shall not be located in areas subject to inundation from a 25-year flood.
15. Onsite disposal systems shall not be installed where natural ground slope of the disposal area exceeds 30 percent.
16. Leachfields are prohibited in soils where percolation rates are slower than 120 min/in unless parcel size is at least two acres. Disposal systems designed to accommodate slow percolation rates (such as

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evapotranspiration systems) shall be evaluated as alternative systems.

17. Onsite discharge is prohibited on any site unable to maintain subsurface disposal.
18. Onsite discharge is prohibited where lot sizes, dwelling densities or site conditions cause detrimental impacts to water quality.
19. Onsite discharge is prohibited within a water supply reservoir watershed where parcel size is less than one acre, unless consistent with an onsite wastewater management plan approved by the Central Coast Water Board or its Executive Officer.
20. Onsite discharge is prohibited in any area where continued use of onsite systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.
21. Onsite discharge is prohibited where soils or formations with channels, cracks, fractures, or percolation rates allow inadequately treated waste to surface or degrade water quality.*

* Unless a setback distance of at least 250 feet to any domestic water supply well or surface water is ensured.

22. Seepage pits are prohibited in soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.
23. For seepage pits, distances between pit bottom and usable groundwater, including perched groundwater, shall not be less than separation specified by appropriate soil type:

<u>Soil Type</u>	<u>Distance (feet)</u>
Gravels	additional (alternative) treatment required
Gravels with few fines*	20
Other	10

* Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

24. Onsite discharge in soils with percolation rates faster than one minute per inch is prohibited without additional treatment consistent with an onsite management plan implemented by the local governing jurisdiction and approved by the Central Coast Water Board or its Executive Officer.
25. Onsite discharge is prohibited in fill unless specifically engineered as a disposal area.

VIII.D.32.b. ONSITE SYSTEM DESIGN

RECOMMENDATIONS

1. Dual disposal fields (200 percent of original calculated disposal area) should be installed.
2. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.
3. Distance between drainfield trenches should be at least two times the effective trench depth. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.
4. Application area used in design calculations should be no greater than defined in section VIII.D. the area calculated using trench bottom and sidewalls minus the first foot below the distribution pipe.^{UPC}
5. Seepage pit application rate should not exceed 0.3 gallons per day (gpd) per square foot.

REQUIREMENTS

6. Onsite wastewater treatment tanks shall be water-tight, and designed to remove settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.
7. The minimum design flow rate shall be 375 gallons per day for a 3-bedroom house, and 75 gpd should be added for each additional

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bedroom.

8. Drainfield design shall be based only upon usable permeable soil layers.
9. Leachfield loading application rate shall not exceed the following:

<u>Percolation Rate (minutes/inch)</u>	<u>Loading Rate (gpd/sq.ft.)</u>
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

10. If curtain drains divert groundwater to subsurface soils, the upslope separation from a leachfield or pit shall be at least 20 feet and the down slope separation shall be at least 50 feet.
11. Onsite system design shall allow access for inspection and cleaning. Septic tanks must be accessible for pumping.
12. For commercial, institutional, industrial and community systems, design shall be based on daily peak flow.
13. Dual disposal systems shall be installed (200 percent of original calculated disposal area) for community systems.
14. All onsite disposal systems shall reserve an expansion area (additional 100% disposal capacity) to be set aside and protected from all uses except future drainfield repair and replacement.^{UPC} Community systems shall install dual drainfields (200% disposal capacity) and reserve replacement area (3rd 100% disposal capacity).
15. Community systems shall provide duplicate individual equipment components for components subject to failure (such as pumps).
16. Distances between trench/pit bottom and bedrock or other low permeability material shall be at least ten feet.

17. Where site conditions permit migration of wastewater to water, setback distances from disposal trench/pit shall be at least:

	<u>Minimum Setback Distance (feet)</u>
Domestic water supply wells	100
Watercourse	100
Drinking water supply reservoir spillway elevation	200
Springs, natural or any part of a man-made spring	100

18. Community systems shall be designed with adequate capacity to accommodate the build-out population.
19. Community wastewater treatment and disposal facilities shall be operated by a public agency. If a demonstration is made to the Central Coast Water Board that an existing public agency is unavailable and formation of a new public agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable.

PROHIBITIONS

20. Onsite discharge to leachfields is prohibited where soil percolation rates are slower than 60 minutes per inch unless the system is designed for an effluent application rate of 0.1 gpd per square foot of application area, or less.
21. Discharge shall not exceed 40 grams per day of total nitrogen, on the average, per acre served by onsite system overlying groundwater recharge areas, except where a local governing jurisdiction has adopted a Wastewater Management Plan approved by the Central Coast Water Board or its Executive Officer.
22. Community system seepage pits are prohibited unless additional (alternative) treatment is provided consistent with an onsite management

plan implemented by the local governing jurisdiction and approved by the Central Coast Water Board ~~Executive Officer~~. Such seepage pits shall have at least 15 vertical feet between pit bottom and highest usable groundwater, including perched groundwater.

23. Inflow and infiltration shall be precluded from the system unless design specifically accommodates such excess flows.
24. Onsite wastewater systems are prohibited in any subdivision unless the subdivider clearly demonstrates the installation, operation and maintenance of the onsite system will be properly functional and in compliance with all Basin Plan criteria for new onsite systems (VIII.D.3.)
25. Curtain drains that discharge to ground surface or surface water are prohibited within 50 feet down slope of onsite system disposal areas.

VIII.D.32.c. DESIGN FOR ALTERNATIVE AND ENGINEERED SYSTEMS

RECOMMENDATIONS

1. Mound systems, evapotranspiration systems, and other alternative onsite systems should be designed and installed in accordance with guidelines available from the State Water Resources Control Board.

REQUIREMENTS

2. Alternative onsite wastewater systems shall be designed by a certified professional competent in alternative onsite wastewater system design.
3. Alternative and engineered onsite wastewater systems shall be located, designed, installed, operated, maintained, and monitored in accordance with a locally implemented onsite management plan approved by the Central Coast Water Board ~~or its Executive Officer~~.

PROHIBITIONS

4. Alternative and engineered onsite wastewater systems are prohibited, except where consistent with a locally implemented onsite management plan approved by the Central Coast Water Board ~~or its Executive Officer~~.

VIII.D.32.d. CONSTRUCTION

RECOMMENDATIONS

1. Construction activities should follow recommendations and precautions described in the Environmental Protection Agency's Design Manual: Onsite Wastewater Treatment and Disposal Systems.
2. Onsite wastewater systems should have a slightly sloped finished grade to promote surface runoff.
3. Surface runoff should be diverted around open trenches/pits to limit siltation of trench bottom area.
4. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.
5. In clayey soils, work should be done only when soil moisture content is low enough to avoid smearing of infiltrative surfaces.
6. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.
7. Bottom of trench or bed distribution piping should be level throughout to prevent localized overloading.
8. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to ensure settling does not occur.
9. Risers to the ground surface and manholes should be installed over the septic tank

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inspection ports, access ports and distribution boxes.

10. Drainfields should include inspection pipes to check water level.
11. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

REQUIREMENTS

13. Prior to backfilling, the distribution system shall be tested to check the hydraulic loading pattern.
14. Disposal systems shall be inspected by the permitting agency prior to covering to ensure proper construction. Designers and/or installers of engineered onsite wastewater systems shall provide a letter to the permitting authority stating that the onsite system was installed in conformance with the approved plans.

**VIII.D.32.e. ONSITE SYSTEM
MAINTENANCE**

RECOMMENDATIONS

1. Septic tanks should be inspected every two to five years to determine the need for pumping.
2. Septic tanks should be pumped whenever: (1) the scum layer is within three inches of the outlet device, (2) the sludge level is within eight inches of the bottom of the outlet device, or (3) every five years; whichever is sooner.
3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level or every six months, whichever is sooner.

REQUIREMENTS

4. Onsite wastewater systems shall be maintained in accordance with approved onsite management plans. Where onsite management plans have not been approved by the Central Coast Water Board or its Executive Officer, onsite systems shall be maintained as described in bullets 5 and 6 below in the following specifications.
5. Disposal of septage (solid residue pumped from septic tanks) shall be accomplished in a manner acceptable to the Central Coast Water Board Executive Officer.
6. Records of maintenance, pumping, septage disposal, etc. shall be maintained by the onsite system owner and available upon request.

VIII.D.32.f. USE CONSIDERATIONS

RECOMMENDATIONS

1. Water conservation and solids reduction practices should be implemented by all onsite system users. Garbage grinders should not be used in homes with septic tanks. Where grinders are used, septic tank capacity and inspection/pumping frequency should be increased.
2. Metering and water use costs should be used to encourage water conservation in areas served by onsite systems.
3. Bleach, solvents, fungicides and any other toxic material, grease and oil should not be discharged into onsite wastewater systems.
4. Self-regenerating water softeners should not be used where discharge is to onsite systems. If water softening is necessary, use of canister-type softeners will protect the treatment and disposal systems and underlying groundwater from unnecessary accumulation of salts.

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5. Self-regenerating water softener brine discharge to onsite wastewater systems is prohibited unless consistent with an onsite wastewater management salts minimization plan approved by the Central Coast Water Board Executive Officer and implemented by the local governing jurisdiction.

Prohibition Boundary Map included as Attachment A of Resolution No. 83-13, which can be found in Basin Plan Appendix A-30.

**VIII.D.32.g. ONSITE WASTEWATER
SYSTEM PROHIBITION AREAS**

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges are prohibited in the following areas:

PROHIBITIONS

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Basin Plan Appendix A-27.
2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows: Discharges shall be allowed providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service, February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Central Coast Water Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.
3. Discharges from individual and community sewage disposal systems are prohibited, effective November 1, 1988, in the Los Osos/Baywood Park area depicted in the

**VIII.D.32.h. SUBSURFACE DISPOSAL
EXEMPTIONS**

The Central Coast Water Board or ~~Executive Officer~~ may grant exemption to prohibitions for: (1) engineered new onsite wastewater systems for sites unsuitable for standard systems; and (2) new or existing onsite systems within the specific prohibition areas cited ~~above~~ in section VIII.D.3.g. To obtain an exemptions, the discharger must submit a report of waste discharge to the Water Board and the local governing jurisdiction that provides ~~Such exemptions may be granted only after presentation of sufficient justification, including geologic and hydrologic evidence that the continued operation of such system(s) in a particular area will not individually or collectively, directly or indirectly, result in pollution or nuisance, or affect water quality adversely.~~

Individual, alternative, and community systems shall not be approved for any area where it appears that the total discharge of leachate to the geological system, under fully developed conditions, will cause: (1) damage to public or private property; (2) ground or surface water degradation; (3) nuisance condition; or, (4) a public health hazard. Interim use of septic tank systems may be permitted where alternate parcels are held in reserve until sewer systems are available.

Requests for exemptions will not be considered until the local ~~entity~~ governing jurisdiction has reviewed the system and submitted the proposal for Central Coast Water Board review. Dischargers requesting exemptions must submit a Report of Waste Discharge, supplementing the local governing jurisdiction's submittal. Exemptions will be subject to filing fees as established by the State Water Code.

Discharges from onsite wastewater systems regulated by waste discharge requirements or a conditional waiver of such requirements may be exempt from the requirements of this chapter. The

ATTACHMENT A

**Water Quality Control Plan, Central Coast Basin
Revisions to Chapter 4
(onsite wastewater sections only)**

**Res. No. R3-2008-0005 & No. R3-2009-0012
incorporated, Res. No. R3-2011-0004
amendment (additions/deletions) shown**

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waste discharge requirements or conditional waiver will act in lieu of exemption, and separate exemption is not required.

Further information concerning individual, alternative, or community onsite wastewater ~~sewage disposal~~ systems can be found in Chapter 5 in the Management Principles and Control Actions sections. State Water Resources Control Board Plans and Policies, Discharge Prohibitions, and Central Coast Water Board Policies may also apply depending on individual circumstances.

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