



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Los Angeles Regional Water Quality Control Board

May 12, 2016

Mr. Jose Gutierrez  
P.O. Box 1240  
Somis, CA 93066

**STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2012-0032, APPROVING WAIVER OF WATER QUALITY CONTROL POLICY FOR SITING, DESIGN, OPERATION, AND MAINTENANCE OF ONSITE WASTEWATER TREATMENT SYSTEMS, GUTIERREZ FARM, 6000 DONLON ROAD, SOMIS, CALIFORNIA (FILE NO. 16-035, GLOBAL ID WDR100039423)**

Dear Mr. Gutierrez:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses of water within major portions of Los Angeles and Ventura Counties, including facility mentioned above.

On June 19, 2012, State Water Resources Control Board (State Board) adopted Resolution No. 2012-0032, "*Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy)*." The OWTS Policy became effective on May 13, 2013 and subsequently was incorporated into the Regional Board Water Quality Control Plan (Basin Plan) for Los Angeles Region on May 8, 2014.

We have completed our review of your application of Waste Discharge Requirements (WDRs) for wastewater to be generated from the agricultural barn with sales office and a single unisex restroom located at 6000 Donlon Road, Somis, California.

Gutierrez Farm (Discharger) is proposing to redevelop an approximately 20.58 acre lot, which the Discharger owns. The proposed development consists of demolishing an existing agricultural barn; and constructing a new agricultural barn with a sales office and a single unisex restroom along with other agricultural and equestrian structures.

Wastewater generated from one (1) single unisex restroom will be discharge to an onsite wastewater treatment system (OWTS), which will be installed during the development of the Site.

The new OWTS will consist of a 1,000-gallon septic tank and two (2) 92 feet long leachlines. The estimated maximum daily volume of wastewater being discharged into the OWTS is 800 gallons per day (gpd).

Regional Board staff has reviewed the information provided and have determined that the subject facility meets the conditions specified in Tier 1 (sections 7.0 and 8.0) of the OWTS Policy and therefore, is eligible to be covered by the waiver included in the OWTS Policy.

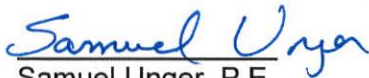
Enclosed are the requirements for Tier 1 and the *Policy Conditional Waiver of General Waste Discharge Requirements*. Should changes to the septic disposal system be needed, revised engineering drawings showing the change must be filed with the Regional Board a minimum of thirty days prior to the change. The discharger must receive approval of such change. The complete OWTS Policy is available at:

[http://www.waterboards.ca.gov/water\\_issues/programs/owts/docs/owts\\_policy.pdf](http://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf)

Failure to abide by the conditions of the General Waiver and this letter authorizing applicability could result in enforcement actions, and the discharge maybe required to obtain waste discharge requirements (WDRs) issued by the Regional Board, as authorized by provisions of the California Water Code.

If you have any questions, please contact the Project Manager, Ms. Mercedes Merino at (213) 620-6156 ([Mercedes.Merino@waterboards.ca.gov](mailto:Mercedes.Merino@waterboards.ca.gov)), or the Chief of Groundwater Permitting Unit, Dr. Eric Wu at (213) 576-6683 ([Eric.Wu@waterboards.ca.gov](mailto:Eric.Wu@waterboards.ca.gov)).

Sincerely,



Samuel Unger, P.E.  
Executive Officer

Enclosures: Conditional Waiver of Waste Discharge Requirements

cc (via email): Mr. Charles Genkel, Environmental Health Division, County of Ventura  
Ms. Anna Hall, Planning Division, County of Ventura

## **Tier 1 – Low Risk New or Replacement OWTS**

### **Tier 1 – Low Risk New or Replacement OWTS**

New or replacement OWTS meet low risk siting and design requirements as specified in Tier 1, where there is not an approved Local Agency Management Program per Tier 2.

#### **7.0 Minimum Site Evaluation and Siting Standards**

- 7.1 A qualified professional shall perform all necessary soil and site evaluations for all new OWTS and for existing OWTS where the treatment or dispersal system will be replaced or expanded.
- 7.2 A site evaluation shall determine that adequate soil depth is present in the dispersal area. Soil depth is measured vertically to the point where bedrock, hardpan, impermeable soils, or saturated soils are encountered or an adequate depth has been determined. Soil depth shall be determined through the use of soil profile(s) in the dispersal area and the designated dispersal system replacement area, as viewed in excavations exposing the soil profiles in representative areas, unless the local agency has determined through historical or regional information that a specific site soil profile evaluation is unwarranted.
- 7.3 A site evaluation shall determine whether the anticipated highest level of groundwater within the dispersal field and its required minimum dispersal zone is not less than prescribed in Table 2 by estimation using one or a combination of the following methods:
  - 7.3.1 Direct observation of the highest extent of soil mottling observed in the examination of soil profiles, recognizing that soil mottling is not always an indicator of the uppermost extent of high groundwater; or
  - 7.3.2 Direct observation of groundwater levels during the anticipated period of high groundwater. Methods for groundwater monitoring and determinations shall be decided by the local agency; or
  - 7.3.3 Other methods, such as historical records, acceptable to the local agency.
  - 7.3.4 Where a conflict in the above methods of examination exists, the direct observation method indicating the highest level shall govern.
- 7.4 Percolation test results in the effluent disposal area shall not be faster than one minute per inch (1 MPI) or slower than one hundred twenty minutes per inch (120 MPI). All percolation test rates shall be performed by presoaking of percolation test holes and continuing the test until a stabilized rate is achieved.
- 7.5 Minimum horizontal setbacks from any OWTS treatment component and dispersal systems shall be as follows:
  - 7.5.1 5 feet from parcel property lines and structures;
  - 7.5.2 100 feet from water wells and monitoring wells, unless regulatory or legitimate data requirements necessitate that monitoring wells be located closer;

## Tier 1 – Low Risk New or Replacement OWTS

- 7.5.3 100 feet from any unstable land mass or any areas subject to earth slides identified by a registered engineer or registered geologist; other setback distance are allowed, if recommended by a geotechnical report prepared by a qualified professional.
  - 7.5.4 100 feet from springs and flowing surface water bodies where the edge of that water body is the natural or levied bank for creeks and rivers, or may be less where site conditions prevent migration of wastewater to the water body;
  - 7.5.5 200 feet from vernal pools, wetlands, lakes, ponds, or other surface water bodies where the edge of that water body is the high water mark for lakes and reservoirs, and the mean high tide line for tidally influenced water bodies;
  - 7.5.6 150 feet from a public water well where the depth of the effluent dispersal system does not exceed 10 feet;
  - 7.5.7 Where the effluent dispersal system is within 1,200 feet from a public water systems' surface water intake point, within the catchment of the drainage, and located such that it may impact water quality at the intake point such as upstream of the intake point for flowing water bodies, the dispersal system shall be no less than 400 feet from the high water mark of the reservoir, lake or flowing water body.
  - 7.5.8 Where the effluent dispersal system is located more than 1,200 feet but less than 2,500 feet from a public water systems' surface water intake point, within the catchment of the drainage, and located such that it may impact water quality at the intake point such as upstream of the intake point for flowing water bodies, the dispersal system shall be no less than 200 feet from the high water mark of the reservoir, lake or flowing water body.
- 7.6 Prior to issuing a permit to install an OWTS the permitting agency shall determine if the OWTS is within 1,200 feet of an intake point for a surface water treatment plant for drinking water, is in the drainage catchment in which the intake point is located, and located such that it may impact water quality at the intake point such as being upstream of the intake point for a flowing water body. If the OWTS is within 1,200 feet of an intake point for a surface water treatment plant for drinking water, is in the drainage catchment in which the intake point is located, and is located such that it may impact water quality at the intake point:
- 7.6.1 The permitting agency shall provide a copy of the permit application to the owner of the water system of their proposal to install an OWTS within 1,200 feet of an intake point for a surface water treatment. If the owner of the water system cannot be identified, then the permitting agency will notify California Department of Public Health Drinking Water Program.
  - 7.6.2 The permit application shall include a topographical plot plan for the parcel showing the OWTS components, the property boundaries, proposed structures, physical address, and name of property owner.

## Tier 1 – Low Risk New or Replacement OWTS

- 7.6.3 The permit application shall provide the estimated wastewater flows, intended use of proposed structure generating the wastewater, soil data, and estimated depth to seasonally saturated soils.
- 7.6.4 The public water system owner shall have 15 days from receipt of the permit application to provide recommendations and comments to the permitting agency.
- 7.7 Natural ground slope in all areas used for effluent disposal shall not be greater than 25 percent.
- 7.8 The average density for any subdivision of property made by Tentative Approval pursuant to the Subdivision Map Act occurring after the effective date of this Policy and implemented under Tier 1 shall not exceed the allowable density values in Table 1 for a single-family dwelling unit, or its equivalent, for those units that rely on OWTS.

| <b>Average Annual Rainfall<br/>(in/yr)</b> | <b>Allowable Density<br/>(acres/single family dwelling unit)</b> |
|--|--|
| 0 - 15                                     | 2.5  |
| >15 - 20                                   | 2  |
| >20 - 25                                   | 1.5  |
| >25 - 35                                   | 1  |
| >35 - 40                                   | 0.75   |
| >40  | 0.5  |

### 8.0 Minimum OWTS Design and Construction Standards

#### 8.1 OWTS Design Requirements

- 8.1.1 A qualified professional shall design all new OWTS and modifications to existing OWTS where the treatment or dispersal system will be replaced or expanded. A qualified professional employed by a local agency, while acting in that capacity, may design, review, and approve a design for a proposed OWTS, if authorized by the local agency.
- 8.1.2 OWTS shall be located, designed, and constructed in a manner to ensure that effluent does not surface at any time, and that percolation of effluent will not adversely affect beneficial uses of waters of the State.
- 8.1.3 The design of new and replacement OWTS shall be based on the expected influent wastewater quality with a projected flow not to exceed 3,500 gallons per day, the peak wastewater flow rates for purposes of sizing hydraulic components, the projected average daily flow for purposes of sizing the dispersal system, the characteristics of the site, and the required level of treatment for protection of water quality and public health.

## Tier 1 – Low Risk New or Replacement OWTS

- 8.1.4 All dispersal systems shall have at least twelve (12) inches of soil cover, except for pressure distribution systems, which must have at least six (6) inches of soil cover.
- 8.1.5 The minimum depth to the anticipated highest level of groundwater below the bottom of the leaching trench, and the native soil depth immediately below the leaching trench, shall not be less than prescribed in Table 2.

| <b>Percolation Rate</b>                  | <b>Minimum Depth</b>   |
|--|--|
| Percolation Rate $\leq$ 1 MPI            | Only as authorized in a Tier 2 Local Agency Management Program |
| 1 MPI < Percolation Rate $\leq$ 5 MPI    | Twenty (20) feet   |
| 5 MPI < Percolation Rate $\leq$ 30 MPI   | Eight (8) feet   |
| 30 MPI < Percolation Rate $\leq$ 120 MPI | Five (5) feet  |
| Percolation Rate > 120 MPI               | Only as authorized in a Tier 2 Local Agency Management Program |
| MPI = minutes per inch                   |  |

- 8.1.6 Dispersal systems shall be a leachfield, designed using not more than 4 square-feet of infiltrative area per linear foot of trench as the infiltrative surface, and with trench width no wider than 3 feet. Seepage pits and other dispersal systems may only be authorized for repairs where siting limitations require a variance. Maximum application rates shall be determined from stabilized percolation rate as provided in Table 3, or from soil texture and structure determination as provided in Table 4.
- 8.1.7 Dispersal systems shall not exceed a maximum depth of 10 feet as measured from the ground surface to the bottom of the trench.

## Tier 1 – Low Risk New or Replacement OWTS

| Percolation Rate<br>(minutes per Inch) | Application Rate<br>(gallons per day per square foot) |  | Percolation Rate<br>(minutes per Inch) | Application Rate<br>(gallons per day per square foot) |  | Percolation Rate<br>(minutes per Inch) | Application Rate<br>(gallons per day per square foot) |
|--|---|--|--|---|--|--|---|
| <1                                     | Requires Local Management Program                     |  | 31                                     | 0.522   |  | 61                                     | 0.197   |
| 1                                      | 1.2   |  | 32                                     | 0.511   |  | 62                                     | 0.194   |
| 2                                      | 1.2   |  | 33                                     | 0.5   |  | 63                                     | 0.19  |
| 3                                      | 1.2   |  | 34                                     | 0.489   |  | 64                                     | 0.187   |
| 4                                      | 1.2   |  | 35                                     | 0.478   |  | 65                                     | 0.184   |
| 5                                      | 1.2   |  | 36                                     | 0.467   |  | 66                                     | 0.18  |
| 6                                      | 0.8   |  | 37                                     | 0.456   |  | 67                                     | 0.177   |
| 7                                      | 0.8   |  | 38                                     | 0.445   |  | 68                                     | 0.174   |
| 8                                      | 0.8   |  | 39                                     | 0.434   |  | 69                                     | 0.17  |
| 9                                      | 0.8   |  | 40                                     | 0.422   |  | 70                                     | 0.167   |
| 10                                     | 0.8   |  | 41                                     | 0.411   |  | 71                                     | 0.164   |
| 11                                     | 0.786   |  | 42                                     | 0.4   |  | 72                                     | 0.16  |
| 12                                     | 0.771   |  | 43                                     | 0.389   |  | 73                                     | 0.157   |
| 13                                     | 0.757   |  | 44                                     | 0.378   |  | 74                                     | 0.154   |
| 14                                     | 0.743   |  | 45                                     | 0.367   |  | 75                                     | 0.15  |
| 15                                     | 0.729   |  | 46                                     | 0.356   |  | 76                                     | 0.147   |
| 16                                     | 0.714   |  | 47                                     | 0.345   |  | 77                                     | 0.144   |
| 17                                     | 0.7   |  | 48                                     | 0.334   |  | 78                                     | 0.14  |
| 18                                     | 0.686   |  | 49                                     | 0.323   |  | 79                                     | 0.137   |
| 19                                     | 0.671   |  | 50                                     | 0.311   |  | 80                                     | 0.133   |
| 20                                     | 0.657   |  | 51                                     | 0.3   |  | 81                                     | 0.13  |
| 21                                     | 0.643   |  | 52                                     | 0.289   |  | 82                                     | 0.127   |
| 22                                     | 0.629   |  | 53                                     | 0.278   |  | 83                                     | 0.123   |
| 23                                     | 0.614   |  | 54                                     | 0.267   |  | 84                                     | 0.12  |
| 24                                     | 0.6   |  | 55                                     | 0.256   |  | 85                                     | 0.117   |
| 25                                     | 0.589   |  | 56                                     | 0.245   |  | 86                                     | 0.113   |
| 26                                     | 0.578   |  | 57                                     | 0.234   |  | 87                                     | 0.11  |
| 27                                     | 0.567   |  | 58                                     | 0.223   |  | 88                                     | 0.107   |
| 28                                     | 0.556   |  | 59                                     | 0.212   |  | 89                                     | 0.103   |
| 29                                     | 0.545   |  | 60                                     | 0.2   |  | 90                                     | 0.1   |
| 30                                     | 0.533   |  |  |   |  | >90 - 120                              | 0.1   |

## Tier 1 – Low Risk New or Replacement OWTS

| <b>Table 4: Design Soil Application Rates</b>                                    |                                       |                             |  |
|--|---------------------------------------|-----------------------------|--|
| <b>(Source: USEPA Onsite Wastewater Treatment Systems Manual, February 2002)</b> |                                       |                             |  |
| <b>Soil Texture<br/>(per the USDA soil classification system)</b>                | <b>Soil Structure Shape</b>           | <b>Grade</b>                | <b>Maximum Soil Application Rate(gallons per day per square foot) <sup>1</sup></b> |
| Coarse Sand, Sand, Loamy Coarse Sand, Loamy Sand                                 | Single grain                          | Structureless               | 0.8  |
| Fine Sand, Very Fine Sand, Loamy Fine Sand, Loamy Very Fine Sand                 | Single grain                          | Structureless               | 0.4  |
| Coarse Sandy Loam, Sandy Loam  | Massive                               | Structureless               | 0.2  |
|  |                                       | Platy                       | Weak   |
|  | Platy                                 | Moderate, Strong            | Prohibited   |
|  |                                       | Prismatic, Blocky, Granular | Weak   |
| Prismatic, Blocky, Granular  | Moderate, Strong                      | 0.6                         |  |
|  | Fine Sandy Loam, very fine Sandy Loam | Massive                     | Structureless  |
| Platy  |                                       |                             | Weak, Moderate, Strong   |
| Prismatic, Blocky, Granular  |                                       | Weak                        | 0.2  |
|  |                                       | Moderate, Strong            | 0.4  |
| Loam   | Massive                               | Structureless               | 0.2  |
|  |                                       | Platy                       | Weak, Moderate, Strong   |
|  | Prismatic, Blocky, Granular           | Weak                        | 0.4  |
|  |                                       | Moderate, Strong            | 0.6  |
| Silt Loam  | Massive                               | Structureless               | Prohibited   |
|  |                                       | Platy                       | Weak, Moderate, Strong   |
|  | Prismatic, Blocky, Granular           | Weak                        | 0.4  |
|  |                                       | Moderate, Strong            | 0.6  |
| Sandy Clay Loam, Clay Loam, Silty Clay Loam                                      | Massive                               | Structureless               | Prohibited   |
|  |                                       | Platy                       | Weak, Moderate, Strong   |
|  | Prismatic, Blocky, Granular           | Weak                        | 0.2  |
|  |                                       | Moderate, Strong            | 0.4  |
| Sandy Clay, Clay, or Silty Clay  | Massive                               | Structureless               | Prohibited   |
|  |                                       | Platy                       | Weak, Moderate, Strong   |
|  | Prismatic, Blocky, Granular           | Weak                        | Prohibited   |
|  |                                       | Moderate, Strong            | 0.2  |

<sup>1</sup> Soils listed as prohibited may be allowed under the authority of the Regional Water Board, or as allowed under an approved Local Agency Management Program per Tier 2.



## Tier 1 – Low Risk New or Replacement OWTS

- 8.1.8 All new dispersal systems shall have 100 percent replacement area that is equivalent and separate, and available for future use.
- 8.1.9 No dispersal systems or replacement areas shall be covered by an impermeable surface, such as paving, building foundation slabs, plastic sheeting, or any other material that prevents oxygen transfer to the soil.
- 8.1.10 Rock fragment content of native soil surrounding the dispersal system shall not exceed 50 percent by volume for rock fragments sized as cobbles or larger and shall be estimated using either the point-count or line-intercept methods.
- 8.1.11 Increased allowance for IAPMO certified dispersal systems is not allowed under Tier 1.

### 8.2 OWTS Construction and Installation

- 8.2.1 All new or replacement septic tanks and new or replacement oil/grease interceptor tanks shall comply with the standards contained in Sections K5(b), K5(c), K5(d), K5(e), K5(k), K5(m)(1), and K5(m)(3)(ii) of Appendix K, of Part 5, Title 24 of the 2007 California Code of Regulations.
- 8.2.2 All new septic tanks shall comply with the following requirements:
  - 8.2.2.1 Access openings shall have watertight risers, the tops of which shall be set at most 6 inches below finished grade; and
  - 8.2.2.2 Access openings at grade or above shall be locked or secured to prevent unauthorized access.
- 8.2.3 New and replacement OWTS septic tanks shall be limited to those approved by the International Association of Plumbing and Mechanical Officials (IAPMO) or stamped and certified by a California registered civil engineer as meeting the industry standards, and their installation shall be according to the manufacturer's instructions.
- 8.2.4 New and replacement OWTS septic tanks shall be designed to prevent solids in excess of three-sixteenths (3/16) of an inch in diameter from passing to the dispersal system. Septic tanks that use a National Sanitation Foundation/American National Standard Institute (NSF/ANSI) Standard 46 certified septic tank filter at the final point of effluent discharge from the OWTS and prior to the dispersal system shall be deemed in compliance with this requirement.

## **Tier 1 – Low Risk New or Replacement OWTS**

- 8.2.5 A Licensed General Engineering Contractor (Class A), General Building Contractor (Class B), Sanitation System Contractor (Specialty Class C-42), or Plumbing Contractor (Specialty Class C-36) shall install all new OWTS and replacement OWTS in accordance with California Business and Professions Code Sections 7056, 7057, and 7058 and Article 3, Division 8, Title 16 of the California Code of Regulations. A property owner may also install his/her own OWTS if the as-built diagram and the installation are inspected and approved by the Regional Water Board or local agency at a time when the OWTS is in an open condition (not covered by soil and exposed for inspection).