PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE **AGENDA DATE: December 14, 2023**

FROM: PLANNING & DEVELOPMENT SERVICES **AGENDA TIME: 1:30 PM / No.1**

Title 8 Onsite Wastewater Treatment System Ordinance, Chapter 8.80

PROJECT TYPE: & Local Agency Management Program Revisions & Updates SUPER. DIST: All Districts

LOCATION: Countywide (Unincorporated Areas of the County) APN: All

PARCEL SIZE: N/A

GENERAL PLAN (existing) N/A GENERAL PLAN (proposed) N/A

ZONE (existing) N/A ZONE (proposed) N/A

GENERAL PLAN FINDINGS ☒ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 12/14/2023

INITIAL STUDY: 23-0032

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	☒ NONE	☐ ATTACHED
AG	☒ NONE	☐ ATTACHED
APCD	☒ NONE	☐ ATTACHED
E.H.S.	☒ NONE	☐ ATTACHED
FIRE / OES	☒ NONE	☐ ATTACHED
SHERIFF	☒ NONE	☐ ATTACHED
OTHER		

REQUESTED ACTION:

(See Attached)

☐ NEGATIVE DECLARATION
☐ MITIGATED NEGATIVE DECLARATION

Initial Study & Environmental Analysis
For:

Initial Study #23-0032
Onsite Waste Treatment System (OWST) Ordinance Revisions and Updates, Chapter 8.80
Local Agency Management Program (LAMP) Revisions and Updates

Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
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November 2023

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SECTION 1
INTRODUCTION

A. PURPOSE

This document is a ☒ policy-level, ☐ project level Initial Study for evaluation of potential environmental impacts resulting from the proposed Onsite Waste Treatment System (OWST) Ordinance, Chapter 8.80 and the Local Agency Management Program (LAMP) revisions and updates. For purposes of this document, the proposed revisions (update) will be called "the proposed application".

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND THE IMPERIAL COUNTY'S GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's "CEQA Regulations Guidelines for the Implementation of CEQA, as amended", an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

☐ According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

☐ According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

☐ According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study has determined that the proposed applications will not result in any potentially significant environmental impacts and therefore, a Negative Declaration is deemed as the appropriate document to provide necessary environmental evaluations and clearance as identified hereinafter.

This Initial Study and Negative Declaration are prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State & County of Imperial's Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

Pursuant to the County of Imperial Guidelines for Implementing CEQA, depending on the project scope, the County

of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

This Initial Study and Negative Declaration are informational documents which are intended to inform County of Imperial decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study and Negative Declaration, prepared for the project will be circulated for a period of 20 days (*30-days if submitted to the State Clearinghouse for a project of area-wide significance*) for public and agency review and comments. At the conclusion, if comments are received, the County Planning & Development Services Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND EVIRONMENTAL SETTINGS describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this Initial Study and Negative Declaration.

V. REFERENCES lists bibliographical materials used in preparation of this document.

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.

2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.

3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".

4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study and Negative Declaration will be conducted under a ☒ policy-level, ☐ project level analysis. Regarding mitigation measures, it is not the intent of this document to "overlap" or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County's jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

(1) Were not examined as significant effects on the environment in the prior EIR; or

(2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation By Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the "Final Environmental Impact Report and Environmental Assessment for the "County of Imperial General Plan EIR" prepared by Brian F. Mooney Associates in 1993 and updates.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.

- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

II. Environmental Checklist

1. **Project Title**: Initial Study #23-0032 Onsite Wastewater Treatment System (OWST) Ordinance (Chapter 8.80) & Local Agency Management Program (LAMP).
2. **Lead Agency**: Imperial County Planning & Development Services Department
3. **Contact person and phone number**: Gerardo A. Quero, Planner II, (442)265-1736, ext. 1748
4. **Address**: 801 Main Street, El Centro CA, 92243
5. **E-mail**: gerardoquero@co.imperial.ca.us
6. **Project location**: Countywide (Unincorporated Areas of Imperial County)
7. **Project sponsor's name and address**: Imperial County Public Health Department
   Division of Environmental Health
   797 Main Street, Suite B, El Centro, CA 92243
8. **General Plan designation**: Countywide
9. **Zoning**: Countywide
10. **Description of project**: Applicant is proposing revisions and updates to both the Onsite Wastewater Treatment System (OWST) Ordinance and Local Agency Management Program (LAMP). LAMP updates include minor revisions to figures using 2020 U.S. Census data, updates to the design flows for accessory dwelling units (ADUs), and minor edits. OWST Ordinance revisions include updates to definitions to be consistent with the OWST State Policy, language modifications to standards for land developments, clarifying sections related to areas of special concern, inclusion of design flows for accessory dwelling units (ADUs), update to drainfield depths, addition of new language and permitting requirements for the temporary transfer and storage of septage waste, and other minor edits.
11. **Surrounding land uses and setting**: Countywide
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.):
    a) Planning Commission, and
    b) Board of Supervisors

13. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentially, etc.?

The Campo Band of Mission Indians, Quechan Indian Tribe, and Torres-Martinez Desert Cahuilla Indian Tribe were sent an Assembly Bill (AB) 52 consultation request letter on November 9, 2023, for a 30-day review ending on December 11, 2023 to request a consultation meeting, but no comments nor letters have been received.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code, Section 21080.3.2). Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code, Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code, Section 21082.3 (c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology /Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology / Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

After Review of the Initial Study, the Environmental Evaluation Committee has:

☐ Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DE MINIMIS IMPACT FINDING: ☐ Yes ☐ No

EEC VOTES	YES	NO	ABSENT
PUBLIC WORKS	☐	☐	☐
ENVIRONMENTAL HEALTH SVCS	☐	☐	☐
OFFICE EMERGENCY SERVICES	☐	☐	☐
APCD	☐	☐	☐
AG	☐	☐	☐
SHERIFF DEPARTMENT	☐	☐	☐
ICPDS	☐	☐	☐

Jim Minnick, Director of Planning/EEC Chairman Date:

EEC ORIGINAL PKG

PROJECT SUMMARY

A. Project Location: Countywide (Unincorporated Areas of Imperial County)

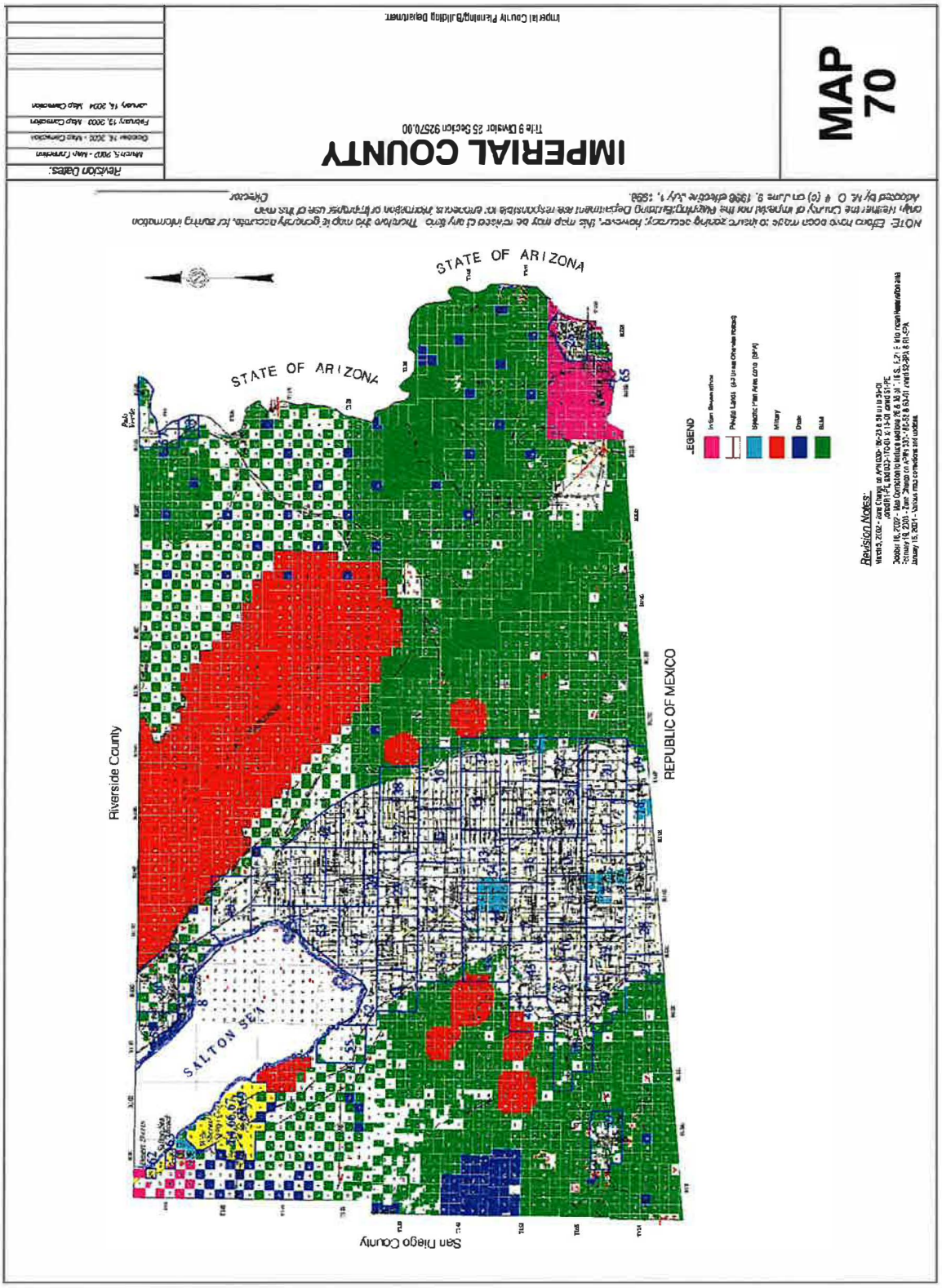
B. Project Summary: The Public Health, Division of Environmental Health, is proposing revisions and updates to both the Onsite Wastewater Treatment System (OWST) Ordinance and the Local Agency Management Program (LAMP). LAMP updates include minor revisions to figures using 2020 U.S. Census data, updates to the design flows for accessory dwelling units (ADUs), and minor edits. OWST Ordinance revisions include updates to definitions to be consistent with the OWST State Policy, language modifications to standards for land developments, clarifying sections related to areas of special concern, inclusion of design flows for accessory dwelling units (ADUs), update to drainfield depths, addition of new language and permitting requirements for the temporary transfer and storage of septage waste, and other minor edits.

C. Environmental Setting: Countywide (Unincorporated Areas of Imperial County)

D. Analysis: These revisions are being made with the intention to bring the Onsite Wastewater Treatment System (OWST) Ordinance, Chapter 8.80, and the Local Agency Management Program (LAMP) up to date with State Policy.

E. General Plan Consistency: All of the proposed changes are consistent with the Imperial County's General Plan.

Exhibit "A"
Vicinity Map



EEC ORIGINAL PKG

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

I. *AESTHETICS*

Except as provided in Public Resources Code Section 21099, would the project:

a) Have a substantial adverse effect on a scenic vista or scenic highway? ☐ ☐ ☐ ☒
a) This policy level action is Countywide and would not affect any scenic vista or highway within the County; therefore, no impacts are expected.

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ☐ ☒
b) No substantial damage to scenic resources is anticipated; therefore, no impacts are expected.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? ☐ ☐ ☐ ☒
c) No substantial degradation to existing visual character or quality of the site or surrounding are anticipated; therefore, no impacts are expected.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ☐ ☐ ☐ ☒
d) This is a policy level action and lighting and glare will be assessed at a project level; therefore, no impacts are expected.

II. *AGRICULTURE AND FOREST RESOURCES*

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. --Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ☐ ☐ ☐ ☒
a) This policy level action is Countywide and would not convert any lands of prime, unique, farmland of statewide importance into non-agricultural use; therefore, no impacts are expected.

b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? ☐ ☐ ☐ ☒
b) There are no Williamson Acts in the Imperial County, therefore, no impacts are expected for this policy level project.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? ☐ ☐ ☐ ☒
c) There are no forest lands in the County; therefore, no impacts regarding forest land nor timberland are expected.

d) Result in the loss of forest land or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒
d) As previously mentioned, there are no forest lands in the County; therefore, no impacts are expected.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of ☐ ☐ ☐ ☒

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

Farmland, to non-agricultural use or conversion of forest land to non-forest use?

e) This policy level action is Countywide and no conversion of lands of prime, unique, farmland of statewide importance into non-agricultural use are anticipated; therefore, no impacts are expected.

III. *AIR QUALITY*

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to the following determinations. Would the Project:

a) Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☐ ☐ ☒

a) This policy level action is Countywide and would not conflict with or obstruct implementation of any applicable air quality plan; therefore, no impacts are expected.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? ☐ ☐ ☐ ☒

b) This policy level action is Countywide and would not result in a cumulatively considerable net increase of any criteria pollutant for which the project is non-attainment; therefore, no impacts are expected.

c) Expose sensitive receptors to substantial pollutants concentrations? ☐ ☐ ☐ ☒

c) This policy level action is Countywide and would not expose sensitive receptors to substantial pollutants; therefore, no impacts are expected.

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people? ☐ ☐ ☐ ☒

d) This policy level action is Countywide and would not result in other emissions affecting a substantial number of people; therefore, no impacts are expected.

IV. *BIOLOGICAL RESOURCES Would the project:*

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ☐ ☐ ☐ ☒

a) This policy level action is Countywide and would not have a substantial effect on any species identified as a sensitive or special species status in local or regional plans, policies or regulations by the CDF&W or USF&WS; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ☐ ☐ ☐ ☒

b) This policy level action is Countywide and would not have a substantial effect of any riparian habitat or other sensitive natural community found in local or regional plans, policies, and regulations by the CDF&W or USF&WS; therefore, no impacts are expected.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ☐ ☐ ☐ ☒

c) This policy level action is Countywide and would not have a substantial effect on federally protected wetlands; therefore, no impacts are expected.

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ☐ ☐ ☐ ☒

d) This policy level action is Countywide and would not interfere with the movement of any resident or migratory fish or wildlife species or with native resident or migratory wildlife corridors, or impact wildlife nursery sites; therefore, no impacts are expected.

e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance? ☐ ☐ ☐ ☒

e) This policy level action is Countywide and would not conflict with any local policies or ordinances protection biological resources, or tree preservation policy or ordinance; therefore, no impacts are expected.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☐ ☒

f) This policy level action is Countywide and would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other regional or state habitat conservation plan; therefore, no impacts are expected.

V. *CULTURAL RESOURCES Would the project:*

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? ☐ ☐ ☐ ☒

a) This policy level action is Countywide and is not anticipated to cause a change in the significance of a historical resource; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ☐ ☐ ☐ ☒

b) The policy level action will not cause a change in the significance of an archaeological resource; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).

c) Disturb any human remains, including those interred outside of dedicated cemeteries? ☐ ☐ ☐ ☒

c) The policy level action is not anticipated to disturb any human remains; therefore, no impacts are expected.

VI. *ENERGY Would the project:*

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? ☐ ☐ ☐ ☒

a) The policy level action is not anticipated to result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources; therefore, no impacts are expected.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ☐ ☐ ☐ ☒

b) The policy level action is not anticipated to conflict with or obstruct a state or local plan for renewable energy or energy efficiency; therefore, no impacts are expected.

VII. *GEOLOGY AND SOILS Would the project:*

a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving: ☐ ☐ ☐ ☒

a) This policy level action is Countywide and is not anticipated to cause for direct or indirect effects including risk of loss,

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

injury or death regarding geology and soils; therefore, no impacts are expected.

1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? ☐ ☐ ☐ ☒

1) The policy level action is not anticipated to expose people or structures to potential adverse effects relating to the rupture of a known earthquake fault; therefore, no impacts are expected.

2) Strong Seismic ground shaking? ☐ ☐ ☐ ☒

2) The policy level action is not anticipated to generate any strong seismic ground shaking; therefore, no impacts are expected.

3) Seismic-related ground failure, including liquefaction and seiche/tsunami? ☐ ☐ ☐ ☒

3) The policy level action is not anticipated to generate seismic-related ground failure, including liquefaction and seiche/tsunami; therefore, no impacts are expected.

4) Landslides? ☐ ☐ ☐ ☒

4) The policy level action is not anticipated to generate any landslides; therefore, no impacts are expected.

b) Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☐ ☒

b) The policy level action will not result in substantial soil erosion or loss of topsoil; therefore, no impacts are expected.

c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? ☐ ☐ ☐ ☒

c) The policy level action will not be located on a geologic unit or soil that is unstable, or that could become unstable, or result in on or off-site landslides, lateral spreading, subsidence, liquefaction or collapse; therefore, no impacts are expected.

d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property? ☐ ☐ ☐ ☒

d) The policy level action is not anticipated to be located on expansive soils; therefore, no impacts are expected.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? ☐ ☐ ☐ ☒

e) The policy level action is not anticipated to be proposed on soils incapable of adequately supporting the use of septic tanks or alterative waste water disposal systems; therefore, no impacts are expected.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ☐ ☐ ☐ ☒

f) The policy level action is not anticipated to directly nor indirectly destroy a unique paleontological resource or site or unique geologic feature; therefore, no impacts are expected.

VIII. *GREENHOUSE GAS EMISSION Would the project:*

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☐ ☒

a) This policy level action is Countywide and is not anticipated to generate any greenhouse gas emission impacting the environment; therefore, no impacts are expected.

b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☐ ☒

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

b) The policy level action is not anticipated to conflict with a plan or policy or regulation for reducing emissions of greenhouse gases; therefore, no impacts are expected.

IX. *HAZARDS AND HAZARDOUS MATERIALS Would the project:*

		PSI	LTSWMI	LTSI	NI
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒

a) This policy level action is not anticipated to create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials; therefore, no impacts are expected.

		PSI	LTSWMI	LTSI	NI
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒

b) The policy level action will not create a hazard to the public or environment relating to the release of hazardous materials into the environment; therefore, no impacts are expected.

		PSI	LTSWMI	LTSI	NI
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

c) The policy level action will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school; therefore, no impacts are expected.

		PSI	LTSWMI	LTSI	NI
d)	Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

d) The policy level action is not anticipated to be located on a hazardous material site, nor create a significant hazard to the public or environment; therefore, no impacts are expected.

		PSI	LTSWMI	LTSI	NI
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒

e) The policy level action will not result in a safety hazard for people within an airport land use plan or within two miles of a public or public use airport; therefore, no impacts are expected.

		PSI	LTSWMI	LTSI	NI
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

f) The policy level action will not impact implementation or physically interfere with an emergency response plan or evacuation plan; therefore, no impacts are expected.

		PSI	LTSWMI	LTSI	NI
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

g) The policy level action will not expose people or structures to wildland fires; therefore, no impacts are expected.

X. *HYDROLOGY AND WATER QUALITY Would the project:*

		PSI	LTSWMI	LTSI	NI
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒

a) This policy level action is Countywide and is not anticipated to violate any water quality standards or waste discharge requirements; therefore, no impacts are expected.

		PSI	LTSWMI	LTSI	NI
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project	☐	☐	☐	☒

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

may impede sustainable groundwater management of the basin?

b) The policy level action will not deplete groundwater supplies or recharge; therefore, no impacts are expected.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: ☐ ☐ ☐ ☒

c) The policy level action will not alter the existing drainage pattern or alter the course of a stream or river; therefore, no impacts are expected.

(i) result in substantial erosion or siltation on- or off-site; ☐ ☐ ☐ ☒

(i) The policy level action will not result in substantial erosion or siltation on- or off-site; therefore, no impacts are expected.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; ☐ ☐ ☐ ☒

(iii) The policy level action is not anticipated to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; therefore, no impacts are expected.

(iv) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or; ☐ ☐ ☐ ☒

(iii) The policy level action is not anticipated to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; therefore, no impacts are expected.

(v) impede or redirect flood flows? ☐ ☐ ☐ ☒

(v) The policy level action is not anticipated to impede or redirect flood flows; therefore, no impacts are expected.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? ☐ ☐ ☐ ☒

d) The policy level action will not release pollutants due to project inundation in flood hazard; therefore, no impacts are expected.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? ☐ ☐ ☐ ☒

e) This policy level action is Countywide and is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan; therefore, no impacts are expected.

XI. *LAND USE AND PLANNING Would the project:*

a) Physically divide an established community? ☐ ☐ ☐ ☒

a) This policy level action is Countywide and is not anticipated to physically divide an established community; therefore, no impacts are expected.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☐ ☒

b) The policy level action will not conflict with any land use plan, policy or regulation; therefore, no impacts are expected.

XII. *MINERAL RESOURCES Would the project:*

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the ☐ ☐ ☐ ☒

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

state?

a) This policy level action is Countywide and would not result in the loss of a known mineral resource; therefore, no impacts are expected.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ☐ ☐ ☐ ☒

b) The policy level action would not result in the loss of a locally-important mineral resource recovery site; therefore, no impacts are expected.

XIII. ***NOISE*** ***Would the project result in:***

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ☐ ☐ ☐ ☒

a) This policy level action is Countywide and would not expose persons to or generate excessive noise levels; therefore, no impacts are expected.

b) Generation of excessive groundborne vibration or groundborne noise levels? ☐ ☐ ☐ ☒

b) The policy level action would not expose people to groundborne vibration or noise levels; therefore, no impacts are expected.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ☐ ☐ ☐ ☒

c) The policy level action would not impact any private airstrip or airport land use plan within two miles of a public or public use airport; therefore, no impacts are expected.

XIV. ***POPULATION AND HOUSING*** ***Would the project:***

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☐ ☒

a) The project is Countywide and would not induce substantial unplanned population growth; therefore, no impacts are expected.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

b) The project is Countywide and would not displace existing housing; therefore, no impacts are expected.

XV. ***PUBLIC SERVICES***

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: ☐ ☐ ☐ ☒

a) This policy level action is Countywide and would not cause for the need of any provisions or cause for alterations involving governmental facilities; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
1) Fire Protection?	☐	☐	☐	☒
1) The policy level action will not require additional fire protection; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).				
2) Police Protection?	☐	☐	☐	☒
2) The policy level action will not require additional police protection; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).				
3) Schools?	☐	☐	☐	☒
3) The policy level action will not require additional schools; therefore, no impacts are expected.				
4) Parks?	☐	☐	☐	☒
4) The policy level action will not require additional parks; therefore, no impacts are expected.				
5) Other Public Facilities?	☐	☐	☐	☒
5) The policy level action will not require other public facilities; therefore, no impacts are expected.				

XVI. *RECREATION*

a)	Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
	a) The policy level action would not increase the use of parks or other recreational facilities; therefore, no impacts are expected.				
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	☐	☐	☐	☒
	b) The policy level action would not impact any recreational facilities or require construction or expansion thereof; therefore, no impacts are expected.				

XVII. *TRANSPORTATION* *Would the project:*

a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
	a) This policy level action is Countywide and will not conflict with plans, ordinances, or policy on the circulation system; therefore, no impacts are expected.				
b)	Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
	b) The policy level action will not conflict with CEQA Guidelines Section 15064.3, subdivision (b); therefore, no impacts are expected.				
c)	Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
	c) The policy level action will not substantially increase hazards due to a geometric design feature or incompatible uses; therefore, no impacts are expected.				
d)	Result in inadequate emergency access?	☐	☐	☐	☒
	d) The policy level action is not anticipated to result in inadequate emergency access; therefore, no impacts are expected.				

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

XVIII. ***TRIBAL CULTURAL RESOURCES***

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is: ☐ ☐ ☐ ☒

a) This policy level action is Countywide and would not cause for a substantial adverse change in the significance of a tribal cultural resource; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).

(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or ☐ ☐ ☐ ☒

(i) The policy level action would not cause for impacts to occur affecting historical resources; therefore, no impacts are expected.

(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe. ☐ ☐ ☐ ☒

(ii) The policy level action would not cause for impacts to occur to resources that have been determined to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1; therefore, no impacts are expected.

XIX. ***UTILITIES AND SERVICE SYSTEMS*** ***Would the project:***

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☐ ☒

a) This policy level action is Countywide and is not expected to result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects; therefore, no impacts are expected. Projects requiring environmental review will have to be assessed on a case by case basis as per the project location (at a project level).

b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years? ☐ ☐ ☐ ☒

b) The policy level action is not anticipated to cause issues with water supply availability regarding future development during normal, dry and multiple dry years; therefore, not impacts are expected. However, projects requiring environmental review will have to be assessed on a case by case basis to assess water availability.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ☐ ☐ ☐ ☒

c) This is a policy level action and impacts regarding the wastewater treatment's capacity to serve the project demand are not expected to occur.

d) Generate solid waste in excess of State or local standards, or ☐ ☐ ☐ ☒

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

d) This is a policy level action and no excess of solid waste nor impairment of attainment of solid waste reductions goals are anticipated; therefore, no impacts are expected.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? ☐ ☐ ☐ ☒

e) This policy level action is Countywide, but each for each project level study prepared, the applicant shall will comply with federal, state, and local management and reduction statues and regulations related to solid waste. No impacts are expected to occur at the policy level.

XX. *WILDFIRE*

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☐ ☒

a) This policy level action is Countywide and is not expected to substantially impair an adopted emergency response plan or emergency evacuation plan related to wildlife; therefore, no impacts are expected.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? ☐ ☐ ☐ ☒

b) The policy level action is not anticipated to expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire; therefore, no impacts are expected.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? ☐ ☐ ☐ ☒

c) The policy level action is not anticipated to require infrastructure that may exacerbate fire risk that may result in temporary or ongoing impacts to the environment; therefore, no impacts are expected.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? ☐ ☐ ☐ ☒

d) The policy level action is not anticipated to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes; therefore, no impacts are expected.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Revised 2009- CEQA
Revised 2011- ICPDS
Revised 2016 – ICPDS
Revised 2017 – ICPDS
Revised 2019 – ICPDS

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

a)	**Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory?**	☐	☐	☐	☐
b)	**Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**	☐	☐	☐	☐
c)	**Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**	☐	☐	☐	☐

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planning Division Manager
- Gerardo A. Quero, Planner II
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

- Native American Heritage Commission (NAHC)
- Quechan Indian Tribe
- Campo Band of Mission Indians
- Torres-Martinez Desert Cahuilla Indian Tribe
- Imperial Irrigation District
- Imperial Local Area Formation Commission (LAFCO)

(Written or oral comments received on the checklist prior to circulation)

V. REFERENCES

1. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.
2. Title 8 Onsite Wastewater Treatment Systems Chapter 8.80
3. Imperial County Local Agency Management Program (LAMP)

VI. NEGATIVE DECLARATION – County of Imperial

The following Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.

Project Name: Initial Study #23-0032 Title 8 Onsite Wastewater Treatment System (OWST) Ordinance Chapter 8.80 and Local Agency Management Program (LAMP)

Project Applicant: Imperial County Public Health Department, Division of Environmental Health

Project Location: Countywide (Unincorporated Areas of Imperial County)

Description of Project: The Imperial County Public Health Department, Division of Environmental Health is proposing revisions and updates to both the Onsite Wastewater Treatment System (OWST) Ordinance and Local Agency Management Program (LAMP). LAMP updates include minor revisions to figures using 2020 U.S. Census data, updates to the design flows for accessory dwelling units (ADUs), and minor edits. OWST Ordinance revisions include updates to definitions to be consistent with the OWST State Policy, language modifications to standards for land developments, clarifying sections related to areas of special concern, inclusion of design flows for accessory dwelling units (ADUs), update to drainfield depths, addition of new language and permitting requirements for the temporary transfer and storage of septage waste, and other minor edits.

VII. FINDINGS

This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environmental and is proposing this Negative Declaration based upon the following findings:

☐ The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☐ The Initial Study identifies potentially significant effects but:

(1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

(2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

(3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 (442) 265-1736.

NOTICE

The public is invited to comment on the proposed Negative Declaration during the review period.

Date of Determination Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

Applicant Signature Date

EEC ORIGINAL PKG

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

Attachment "A"

Title 8 Onsite Wastewater Treatment System (OWST) Ordinance

Chapter 8.80

ORDINANCE NO. 1516

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE COUNTY OF IMPERIAL BY ADDING CHAPTER 8.80 TO TITLE 8 RELATING TO ONSITE WASTEWATER TREATMENT SYSTEMS FOR LAND DEVELOPMENTS

THE BOARD OF SUPERVISORS OF THE COUNTY OF IMPERIAL ORDAINS AS FOLLOWS:

SECTION 1: The Codified Ordinances of the County of Imperial are hereby amended by repealing sections 91012.00 through 91012.05 and section 91012.09 of Chapter 12 of Division 10 of Title 9.

SECTION 2: The Codified Ordinances of the County of Imperial are hereby amended by repealing Chapters 11, 13, and 14 of Division 10 of Title 9.

SECTION 3: The Codified Ordinances of the County of Imperial are hereby amended by enacting Chapter 8.80 of Title 8 to read in its entirety as follows:

Chapter 8.80
ONSITE WASTEWATER TREATMENT SYSTEMS (OWTS)

SECTIONS:

8.80.010 – AUTHORITY, PURPOSE, AND POLICY.

A. This Chapter is established pursuant to Section 101000, et seq. of the California Health and Safety Code, the Porter-Cologne Water Quality Control Act, Water Code Section 13000 et seq., State Water Resources Control Board Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems, and the Colorado River Region Basin Plan. This Chapter shall apply to all territory embraced within the unincorporated limits of the County of Imperial, State of California.

B. The purpose of this Chapter is to protect public health by minimizing:

(1) The potential for public exposure to sewage from onsite wastewater treatment systems; and

(2) Adverse effects to public health that discharges from onsite wastewater treatment systems may have on ground and surface waters.

C. This Chapter regulates the location, design, installation, operation, maintenance, repair, and monitoring of onsite wastewater treatment systems. This Chapter seeks to:

(1) Achieve long-term sewage treatment and effluent disposal; and

(2) Limit the discharge of contaminants to waters of the State.

D. This Chapter implements local alternative minimum standards for new and replacement OWTS consistent with the Local Agency Management Program authorized by the Water Quality Control Policy adopted by the State Water Resources Control Board on June 19, 2012, and in compliance with the Colorado River Region Basin Plan.

E. This Chapter incorporates by reference the California Plumbing Code, 2013 Edition, and as amended, including the appendices, as adopted into State law in Title 24 of the California Code of Regulations.

8.80.020 – ADMINISTRATION.

A. The Administrative Officer shall be the administrator of this Chapter and shall be responsible for administrating the provisions and requirements of this Chapter.

B. The Health Officer shall act under the direction of the Board of Supervisors. The Health Officer shall have the powers and duties enumerated in the California Health & Safety Code, and as may be delegated by the Regional Water Quality Control Board.

C. The Health Officer is hereby authorized and directed to adopt administrative rules or technical standards that are consistent with and effectuate the purpose of this Chapter. Any activity pertaining to onsite wastewater treatment and disposal shall conform to any such administrative rules or technical standards adopted pursuant to the following procedures:

(1) Notice of intent to adopt, amend, suspend, or repeal an administrative rule or technical standard shall be given to the Board of Supervisors, and any trade, industry, professional interest group or regional publication that the Department deems effective in reaching affected persons at least thirty (30) days before the deadline for comments;

(2) Adoption of a proposed administrative rule or technical standard shall be by official action of the Health Officer, who shall duly consider all relevant matter presented during the comment period; and

(3) Nothing shall prohibit the Health Officer from adopting emergency administrative rules to the minimum extent necessary without notice to avoid an immediate threat to public health.

D. The Administrative Officer is hereby authorized to develop a fee schedule to cover all of the activities delineated in this Chapter. Any proposed fees shall become effective upon approval by resolution of the Board of Supervisors. The Health Officer shall not accept for review any application, nor issue any permit, nor in any manner take any official action until the appropriate fees are paid.

E. Where the provisions of any local, State, or Federal regulation conflicts with this Chapter, the stricter regulation shall apply.

F. Where waste discharge requirements are also required by the Regional Water Quality Control Board, Colorado River Region, any OWTS construction permit or annual health permit issued by the local Health Officer shall be consistent with the waste discharge requirements issued by the Regional Water Board.

G. Nothing in this Chapter shall be construed as imposing upon the county of Imperial any liability or responsibility for damage resulting from the defective construction, alteration, or relocation of any sewage disposal system, nor shall the county of Imperial, or any official or employee thereof, be held as assuming any such liability or responsibility by reason of any inspection authorized or permit issued hereunder.

8.80.030 – DEFINITIONS.

Abandoned Excavation - "Abandoned Excavation" means any abandoned mining shaft, pit, well, septic tank, cesspool or other excavation dangerous to persons legally on the premises where the abandoned excavation is located or to minors under the age of twelve (12) years.

Administrative Officer - "Administrative Officer" means the Director of the Public Health Department.

Administrative Rule - "Administrative Rule" means a standard, statement of policy, or other statement of general applicability, that is intended to be judicially enforceable and implements, interprets or makes specific the requirements of this Chapter, or describes the procedures or practices of the Department.

Alteration - "Alteration" means any change in an OWTS component without a change in the design capacity.

Alternative System - "Alternative System" means any onsite wastewater treatment system designed to include supplemental treatment prior to dispersal or that includes a dispersal field design consisting of components other than conventional gravity or pressure distribution within standard rock and pipe trench disposal configurations.

Approved - "Approved" means a written statement of acceptability, in terms of the requirements in this Chapter, issued by the Health Officer or the Regional Water Quality Control Board.

Approved List - "Approved List" means the document titled *List of Approved Systems and Products* which is adopted by administrative rule and updated as necessary by the Department. This document contains:

(1) A list of proprietary devices approved by the State Water Board and/or Department; and

(2) A list of specific systems meeting Treatment Standard 1 and Treatment Standard 2.

Area of Special Concern - "Area of Special Concern" means an area of definite boundaries delineated by the Health Officer, after consultation with the Regional Water Quality Control Board, where additional requirements for onsite wastewater treatment systems may be necessary to reduce potential failures, to minimize negative impacts of onsite wastewater treatment systems upon public health, or to protect an impaired water body due to nitrogen or pathogens pursuant to Section 303(d) of the Clean Water Act.

Basin Plan - "Basin Plan" means the same as "water quality control plan" as defined in Division 7 (commencing with Section 13000) of the Water Code. The Basin Plan applicable to Imperial County is adopted by the Regional Water Quality Control Board for the Colorado River Region of the State of California.

Bedroom - "Bedroom" means any room in a dwelling unit with a floor area equal to or greater than seventy (70) square feet that could reasonably be used as a bedroom. Kitchens, bathrooms, laundry rooms, and other rooms such as family rooms and living rooms with large (≥48") arched doorways or half walls opening onto living areas shall not be considered as bedrooms.

Board of Supervisors - "Board of Supervisors" means the Imperial County Board of Supervisors.

Building Sewer - "Building Sewer" means that part of the system of drainage piping which conveys sewage into the septic tank or other treatment facility outside the building or structure within which the sewage originates.

Cesspool - "Cesspool" means a pit that receives untreated sewage and allows liquid to seep into the surrounding soil or rock.

Commercial Installer - "Commercial Installer" means a person licensed by the California Contractor State License Board in accordance with the California Business and Professions Code and meeting the requirements of this Chapter to install and/or repair onsite wastewater treatment systems.

Conforming System - "Conforming System" means any onsite wastewater treatment system that meets any of the following criteria:

(1) A system in full compliance with the new construction requirements of this Chapter or the State Water Quality Control Policy;

(2) A system approved, installed, and operating in accordance with previous regulations pertaining to onsite wastewater treatment systems, unless considered a failing system under Section 8.80.180 of this Chapter or the State Water Quality Control Policy; or

(3) A system (including a repaired system) that has been granted a waiver by the Health Officer or the RWQCB.

Cover - "Cover" means soil material that is used to overlay the treatment and disposal area.

Cuts and/or banks - "Cuts and/or banks" means any naturally occurring or man-formed slope which is greater than one hundred percent (100%) (or forty-five degrees (45°)) and extends vertically at least five (5) feet from the toe of the slope to the top of the slope.

Department - "Department" means the Imperial County Public Health Department.

Design Flow - "Design Flow" means the daily sewage flow in gallons per day that a single family dwelling, multiple dwelling unit, or non-residential facility is expected to produce during peak operating flows and from which the drainfield is sized.

Designer - "Designer" means the same as a "Qualified Professional."

Development - "Development" means the creation of a residence, structure, facility, mobile home park, subdivision, planned unit development, site, area, or activity resulting in the production of sewage.

Discharge - "Discharge" means the discharge or deposition of sewage or other liquid wastes associated with human habitation or from animal origin, or the effluent of treated sewage or other liquid wastes, onto land, into groundwater, or in or on any waters of the state.

Dispersal System - "Dispersal System" means a leachfield, seepage pit, mound, at-grade, subsurface dripfield, evapotranspiration and infiltration bed, or other type of system for final wastewater treatment and subsurface discharge.

Domestic Sewage - "Domestic Sewage" means the same as domestic wastewater or residential sewage, which is wastewater with a measured strength less than high-strength wastewater and is the type of wastewater normally discharged from, or similar to, that discharged from plumbing fixtures, appliances and other household devices. Domestic sewage does not include wastewater from industrial processes or RV holding tank wastewater.

Drainage Ditch - "Drainage Ditch" means a natural or man-made open depression created and maintained to collect and transport surface water runoff and subsurface drainage from agricultural fields, tile lines, surrounding property, structures and/or encumbrances.

Drainage System - "Drainage System" means and includes all the piping within public or private premises which conveys sewage or other liquid waste to a point of disposal, but does not include the mains or laterals of a public sewer system.

Drainfield - "Drainfield" or "Dispersal System" means the treatment and disposal component of an OWTS receiving effluent from a septic tank or other pretreatment device and transmitting it into native soil.

Dripfield - "Dripfield" means a type of drainfield where effluent is applied directly into the soil through driplines.

Dripline - "Dripline" means the distribution piping used with a subsurface drip system to discharge effluent into the soil. A dripline consists of small diameter, flexible polyethylene tubing with small in-line emitters.

Dump Station - "Dump Station" means a facility intended to receive the discharge of wastewater from a holding tank installed on a recreational vehicle. A dump station does not include a full sewer hook-up sewer connection similar to those used at a recreational vehicle park.

Effective Soil Depth - "Effective Soil Depth" means the depth of suitable native soil above a restrictive layer.

Effluent - "Effluent" means liquid discharged from a septic tank or other onsite wastewater treatment system component.

Effluent Sewer - "Effluent Sewer" means that part of the system drainage piping that conveys partially treated effluent from the septic tank or other treatment facility into a distribution unit or drainfield.

Emergency Repair - "Emergency Repair" means the repair of a failing septic system where immediate action is necessary to prevent sewage from backing up into a dwelling or building or to fix a broken pressurized sewer pipe.

Equivalent Dwelling Unit - "Equivalent Dwelling Unit" means:

(1) A single-family residence usually occupied by just one household or family; or

(2) Two hundred fifty (250) gallons of sewage per day where the proposed development is a non-residential facility.

Existing OWTS - "Existing OWTS" means an OWTS that was constructed and operating prior to the effective date of the adopted State Water Quality Control Policy or this Chapter, and for which a permit has been issued by the Department authorizing its construction and operation.

Expansion - "Expansion" means a change in a residence, facility, site, or use that:

(1) Causes the waste strength or flows to exceed the existing treatment or disposal capability of an onsite wastewater treatment system; or

(2) Reduces the treatment or disposal capability of the existing onsite wastewater treatment system or the replacement area. For example, a shop, building addition, pool, or impervious area that encroaches into the primary or replacement area, or any other activity reducing the capability of the soil to maintain design acceptance rates.

Failing System - "Failing System" means the presence of any of the conditions delineated in Section 8.80.180(C), or a system or system component listed under Section 8.80.180(D) of this Chapter.

Fixture Unit - "Fixture Unit" means a quantity design factor in the California Plumbing Code expressed in terms of the load-producing effects on the plumbing system of different kinds of plumbing fixtures. Fixture units may be used for the design of sewage flows.

Gravity System - "Gravity System" means a conventional onsite wastewater treatment system consisting of a septic tank and a drainfield with gravity dispersal of the effluent.

Gray Water - "Gray Water" means untreated household wastewater that has not come into contact with toilet waste. Gray water includes used water from bathtubs, showers, bathroom wash basins, and water from clothes-washers or laundry tubes. It shall not include wastewater from kitchen sinks, dishwashers, or laundry water from soiled diapers.

Gray Water System - "Gray Water System" means a system designed to collect gray water and transport it out of the structure for distribution in an irrigation or disposal field. A gray water system may include tanks, valves, filters, pumps or other appurtenances along with piping and receiving landscape.

Grease Interceptor - "Grease Interceptor" means a passive interceptor that has a rate of flow exceeding 50 gallons/minute (gpm) and that is located outside of a building. Grease interceptors are used for separating and collecting fats, oils, and greases (FOG) from wastewater.

Groundwater - "Groundwater" means subsurface water occupying the zone of saturation, either permanently, or seasonally. Indication may be demonstrated by one or both of the following methods:

(1) Water seeping into or standing in an open excavation, boring, or monitoring well from the surrounding soil; and/or

(2) The presence of redoximorphic soil features (or soil mottles) caused by intermittent periods of saturation and drying that may be indicative of poor aeration and impeded drainage.

Health Hazard - "Health Hazard" means a condition or situation where disease potential exists, and if left unabated, the disease potential may increase leading to a public health emergency.

Health Officer - "Health Officer" means the Health Officer appointed by the Board of Supervisors, or a representative authorized by and under the direct supervision of the appointed Health Officer or the Administrative Officer.

Hearing Officer - "Hearing Officer" means an administrative hearing officer designated by the Health Officer or Administrative Officer to conduct any hearing required by this Chapter.

High-Strength Wastewater - "High-Strength Wastewater" means wastewater having a thirty (30)-day average concentration of biochemical oxygen demand (BOD) greater than three hundred (300) milligrams per liter (mg/L) or of total suspended solids (TSS) greater than three hundred thirty (330) milligrams per liter (mg/L) or a fats, oils, and grease (FOG) concentration greater than one hundred (100) milligrams per liter (mg/L) prior to the septic tank or other OWTS treatment component.

Holding Tank Sewage System - "Holding Tank Sewage System" means an onsite wastewater treatment system which incorporates a holding tank and tank capacity alarm, is designed and constructed to receive and retain sewage, and requires the services of a registered septage pumper hauler for off-site treatment and disposal of the sewage generated.

Impaired Water Bodies - "Impaired Water Bodies" means those surface water bodies or segments thereof that are identified by the State Water Board pursuant to Section 303(d) of the federal Clean Water Act as being impaired or threatened by either pathogens or nitrogen that may be associated with OWTS installations.

Large Onsite Sewage System (LOSS) - "Large Onsite Sewage System" means an OWTS that has design flows, at any common point, greater than five thousand (5,000) gallons per day up to ten thousand (10,000) gallons per day, and that is operated in accordance with waste discharge requirements by the Regional Water Board and a local health operational permit. LOSS may include effluent disposal of treated and/or recycled wastewater that discharges on or above the post installation ground surface such as sprinklers, exposed drip lines, evaporative ponds, or lagoons as may be authorized by the State waste discharge permit.

Listed (third-party certified) - "Listed" means equipment or materials included in a list of approved products published by the Department that have been accredited by an approved third-party certifying body.

Local Agency - "Local Agency" means the Imperial County Department of Public Health.

Lot - "Lot" or "parcel" means a unit or portion of land separate from other units or portions by description as on a final map, parcel map, or certificate of compliance, or by such other map approved by the county under the provisions of the Subdivision Map Act and county ordinance.

Major Repair - "Major Repair" means the restoration or replacement of a failed onsite wastewater treatment system, or septic tank replacement due to a failure of its structural integrity or compartmental baffle.

Minor Repair - "Minor Repair" means any alteration, repair, or replacement of solid or perforated piping, tank baffles, distribution box, pumps, or electrical and mechanical components that may affect the performance and integrity of the OWTS.

Native Soil - "Native Soil" means undisturbed soil that exhibits the same structure, texture, and permeability as the area in question.

Net Land Area - "Net Land Area" means the total parcel area excluding surface water, road easements, rights-of-way, and drainage and utility easements.

New OWTS - "New OWTS" means the installation of any permitted system not defined as a repair, expansion, or alteration that occurs after the effective date of the adopted State Water Quality Control Policy or this Chapter.

Non-Conforming Repair - "Non-Conforming Repair" means a repair or replacement of an existing onsite wastewater treatment system that cannot meet the new installation requirements of this Chapter due to soil or site limitations.

Non-Residential Facilities - "Non-Residential Facilities" means any facility that is constructed or used for commercial, industrial, institutional, agricultural, public use, or recreational purposes.

Nuisance - "Nuisance" shall mean any nuisance as defined in the Health and Safety Code Section 17920(k), including an inadequate or unsafe onsite wastewater treatment system.

Onsite Wastewater Treatment System (OWTS) - "Onsite Wastewater Treatment System" means an integrated arrangement of components for a residence, non-residential facility, or other place not connected to a public sewer system consistent with section 13290 of the California Water Code which:

(1) Conveys, stores, treats, and/or provides subsurface soil treatment and disposal of sewage on the property where it originates, or upon adjacent or nearby property; and

(2) Includes piping, treatment devices, other accessories, and soil underlying the drainfield and replacement area.

Ordinary High-Water Mark (OHWM) - "Ordinary High-Water Mark" means the mark on all lakes, reservoirs, rivers, streams, drains, and ponds where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil and vegetation a character distinct from that of the abutting upland. The OHWM adjoining canals or rivers shall be the natural or levied edge of the bank.

Operational Permit - "Operational Permit" means a permit issued by the Department for a specified period of time for the operation and/or use of a Large Onsite Sewage System or other alternative wastewater treatment system utilizing supplemental treatment with special operational or maintenance needs.

Owner of Record - "Owner of Record" means the owner of real property as shown in the records of the Imperial County Assessor's Office.

Percolation Test - "Percolation Test" means an approved method of testing water absorption of the soil, which can be used to establish the dispersal system design.

Permit - "Permit" means a written certificate issued by the Department allowing an activity under the provisions of this Chapter and the State Water Quality Control Policy.

Person - "Person" means an individual, firm, association, company, organization, partnership, corporation, governmental entity, or any other entity of any kind. "Person" also includes an applicant, a permit holder, an authorized agent of any entity, or any third party acting on behalf of any entity.

Pressure Distribution System - "Pressure Distribution System" means a system designed to uniformly distribute septic tank or other treatment unit effluent under pressure and described in Department standards for pressure distribution systems.

Prior Approval - "Prior Approval" means any valid written approval or permit pertaining to a specific septic system application that was issued before the effective date of this Chapter.

Privy - "Privy" means a structure used as a toilet under a part or all of which is a vault or pit intended or used for the reception of sewage.

Proprietary Device - "Proprietary Device" means any device classified as an alternative system or a component thereof that is held under a patent, trademark, or copyright and is listed in the Department's *List of Approved Systems and Products.*

Public Sewer System - "Public Sewer System" means a community sewage system under permit from the Regional Water Board, which is owned or operated by a city, town, municipal corporation, county, political subdivision of the state, or other approved ownership consisting of a collection system and necessary trunks, pumping facilities, and a means of final treatment and disposal.

Public Water System - "Public Water System" means a water system regulated by the California Department of Public Health or the Local Primacy Agency pursuant to Chapter 12, Part 4, California Safe Drinking Water Act, and as defined by Section 116275(h) of the California Health and Safety Code.

Qualified Professional - "Qualified Professional" means an individual licensed or certified by the State of California to design an OWTS. This may include an individual who possesses a registered environmental health specialist certificate or is currently licensed as a professional engineer consistent with the requirements of Chapter 7, Division 3, Business and Professions Code of the State of California. A professional geologist may perform soil and site evaluations as required by Sections 8.80 and 8.80.120 of this Chapter.

Recycled Water - "Recycled Water" means non-potable water derived in any part from wastewater with a domestic sewage component that has been adequately and reliably treated and disinfected, so that it can be used for beneficial purposes. Recycled water is not considered a wastewater.

Redoximorphic Soil Features - "Redoximorphic Soil Features" means the presence of soil mottles, or low-chroma colors, manganese and/or iron nodules, concretions, masses; depletions of iron and/or clay; and/or reduced matrices which may indicate the presence of groundwater.

Regional Water Board - "Regional Water Board" is the Regional Water Quality Control Board (RWQCB), Colorado River Basin Region, or its Executive Officer.

Regulation - "Regulation" means a statute, administrative rule, or adjudicatory decision that is adopted under the authority of the Imperial County Board of Supervisors, the State of California, or the Federal Government.

Replacement Area - "Replacement Area" means an area of land equivalent to not less than one-hundred percent (100%) of the required drainfield area that is approved for the installation of an onsite wastewater treatment system and dedicated for replacement of the OWTS in the event of its failure

Replacement OWTS - "Replacement OWTS" means an OWTS that has its treatment capacity expanded, or any portion of its dispersal system replaced or added onto, after the effective date of the adopted State Water Quality Control Policy or this Chapter.

Restrictive Layer - "Restrictive Layer" means a layer that impedes the movement of water, air,

and growth of plant roots; including, but not limited to, groundwater tables, hardpans, claypans, fragipans, compacted soils, bedrock, unstructured clay soils or unsuitable soils.

RWQCB - "RWQCB" means the Regional Water Quality Control Board, Colorado River Basin Region.

Seepage Pit - "Seepage Pit" means a drilled or dug excavation or pit, either lined or gravel filled, designed to dispose the effluent discharge from a septic tank or other OWTS treatment unit to underlying soils that are more permeable without receiving treatment in the upper soil horizons.

Septage - "Septage" means the mixture of solid wastes, scum, sludge, and liquids pumped from septic tanks, pump tanks, holding tanks, chemical toilets, cesspools or seepage pits, or any other OWTS component.

Septage Pumper Hauler - "Septage Pumper Hauler" means a person registered by the Department who cleans and pumps septic tanks, pump tanks, holding tanks, chemical toilets, or other sewage and transports the cleanings thereof to a public sewer system consistent with the California Health & Safety Code Section 117405 et seq.

Septic Tank - "Septic Tank" means a watertight receptacle which receives the discharge of sewage from a building sewer; and is designed and constructed to permit the separation of settleable and floating solids from the liquid, and detention and digestion of the organic matter, prior to discharge of the liquid portion.

Service Provider - "Service Provider" means a person licensed to operate, monitor, and maintain an OWTS in accordance with this Chapter. A wastewater treatment plant operator certified pursuant to the California Water Code, Section 3670 et seq. is required for Large Onsite Sewage Systems, as established by the Regional Water Board.

Sewage - "Sewage" means urine, feces, and the water carrying human wastes, or any waste substance that contains or may be contaminated with human or animal excreta or excrement, offal, or any feculent matter, including kitchen, bath, and laundry wastes from residences, buildings, or other facilities. Sewage does not include wastewater from industrial processes.

Single-Family Dwelling - "Single-Family Dwelling" means any structure occupied, intended or designed for occupancy by one family for living or sleeping purposes as its principal use. The minimum design flow for OWTS sizing shall be two hundred fifty (250) gallons per day of wastewater, with each additional bedroom at one hundred twenty-five (125) gallons per day.

Site Evaluation - "Site Evaluation" means an evaluation of the soil profile and landscape features of a specific parcel or location for the purpose of determining whether the site complies with the requirements of this Chapter for the installation of an onsite wastewater treatment system.

Soil Log - "Soil Log" means a detailed description of the soil profile or mantle, and other soil characteristics such as color, texture, structure, and density to provide information on the soil's capacity to act as an acceptable treatment and disposal medium for sewage.

Soil Type - "Soil Type" means a textural classification of fine earth particles (i.e. various percents of sand, clay, and silt) and coarse fragments in their various combinations as identified in the soil textural triangle developed by the United States Department of Agriculture, Soil Conservation Service, and as described in Table II of Section 8.80.110(B) of this Chapter.

Special Wastes - "Special Wastes" means liquid wastes or brines that require some special method of handling, such as the use of indirect waste piping and receptors, corrosion-resistant piping, sand, oil or grease interceptors, condensers, or other pretreatment facilities.

Sump - "Sump" means an approved tank or pit that receives sewage or liquid waste and which is located below the normal grade of the gravity system and which must be emptied by mechanical means.

State Water Board - "State Water Board" is the State Water Resources Control Board.

Statute - "Statute" means any ordinance of the Imperial County Board of Supervisors, or any State or Federal law.

Subdivision - "Subdivision" means any division of land, as defined in Section 90801.04 of the Imperial County Codified Ordinances, as now or as hereafter amended.

Supplemental Treatment - "Supplemental Treatment" means any OWTS or component of an OWTS, except a septic tank or dosing tank, which performs additional sewage treatment so that the effluent meets specified treatment performance standards (Treatment Standard 1 or 2) prior to discharge of the effluent to the dispersal field.

Surface Water - "Surface Water" means any body of water that either flows or is contained in natural or artificial depressions for continuous periods of thirty (30) days or more. Such bodies include, but are not limited to, natural and artificial lakes, ponds, rivers, streams, marshes, and water supply canals; but shall exclude surface water contained by drainage ditches, irrigation supply laterals, flood-irrigated crops, or detention basins.

Swimming Pool - "Swimming Pool" means any constructed or prefabricated structure intended for swimming or recreational bathing that contains water over eighteen (18) inches deep. Swimming pools may be in-ground or above-ground structures, and shall include doughboys, spa pools, and any other special purpose pools.

Treatment Standard 1 - "Treatment Standard 1" (Pathogen or Nitrogen Reduction) means a thirty-day average of less than thirty (30) milligrams per liter (mg/L) of biochemical oxygen demand (five (5) day BOD_5), and thirty (30) milligrams per liter (mg/L) of total suspended solids (TSS), with:

(1) Pathogen reduction to a thirty (30) day geometric mean of less than two hundred (200) Most Probable Number (MPN) of fecal coliform bacteria per one hundred (100) milliliters; and/or

(2) Nitrogen reduction by fifty percent (50%) in total nitrogen (TN) when comparing

the thirty (30)-day average influent to the thirty (30)-day average effluent, or a TN concentration of ten (10) milligrams per liter (mg/L) as nitrogen, whichever it most stringent.

Treatment Standard 2 - "Treatment Standard 2" means a thirty-day average of less than thirty (30) milligrams per liter (mg/L) of biochemical oxygen demand (five (5) day BOD_5), thirty (30) milligrams per liter (mg/L) of total suspended solids (TSS), and a thirty (30) day geometric mean of less than one thousand (1000) MPN per one hundred (100) milliliters.

Undocumented Onsite Sewage Disposal System - "Undocumented Onsite Sewage Disposal System" means an installed onsite wastewater treatment system for which no permit is on file with the Department.

Unsuitable Soils - "Unsuitable Soils" means soils that are not capable of adequate treatment and/or disposal of sewage effluent and include:

(1) Weak or structureless sandy clays, clays, or silty clays, silt, and strongly cemented, compacted, or massive soils;

(2) Very gravelly sands having greater than or equal to thirty-five percent (≥35%) and less than sixty percent (<60%) gravel and coarse fragments by volume;

(3) All extremely gravelly soils having greater than or equal to sixty percent (≥60%) gravel and coarse fragments by volume;

(4) Soils that have a clay content of fifty (50%) or more as determined by particle size analysis; and

(5) Soils having a percolation rate of less than one (<1) minutes per inch (mpi) or greater than two hundred forty (>240) mpi.

Vertical Separation - "Vertical Separation" means the depth of unsaturated native soil between the bottom of a leaching trench and the highest seasonal water table, restrictive layer, or unsuitable soils.

Waste Discharge Requirement (WDR) - "Waste Discharge Requirement" means an operation and discharge permit issued for the discharge of waste pursuant to Section 13260 of the California Water Code.

Water Quality Control Policy - "Water Quality Control Policy" means the OWTS Policy adopted by the State Water Resources Control Board for the Siting, Design, Operation and Management of Onsite Wastewater Treatment Systems, effective May 13, 2013.

8.80.040 – APPLICABILITY.

A. Every residence, place of business, or other building or place where persons congregate, reside, or are employed in which sewage is generated that is not connected to a public sewer system shall be connected to an onsite wastewater treatment system (OWTS) meeting the requirements of this Chapter.

B. An approved OWTS permit issued prior to the effective date of this Chapter shall be valid for the period of time that is stated on the permit.

C. The Regional Water Quality Control Board (RWQCB) has authority and approval over:

(1) Public sewer systems;

(2) Industrial wastewater treatment facilities;

(3) Wastewater treatment facilities utilizing sewage lagoons or surface discharge for disposal; and

(4) Onsite wastewater treatment systems with design flows through any common point above five thousand (5,000) gallons per day.

D. The Department has authority and approval over:

(1) Onsite wastewater treatment systems with design flows through any common point up to five thousand (5,000) gallons per day;

(2) Any large onsite sewage system with a design flow greater than five thousand (5,000) gallons per day up to ten thousand (10,000) gallons per day for which waste discharge requirements have been issued by the RWQCB, but that ongoing primary administrative authority has been granted by written agreement from the RWQCB to the Department.

E. Sewage that is not treated through a public sewer system shall not be discharged to surface water, to the surface of the ground, or underground unless the discharge conforms to the requirements of this Chapter.

F. When a public sewer system is available within two hundred (200) feet of the nearest property line as measured along the usual or most feasible route of access, the owner of record must connect the residence or facility to the public sewer system if:

(1) The residence or facility is served by an OWTS which has failed or that requires a major repair; or

(2) The proposed residence or facility does not have an existing OWTS.

G. The Health Officer may issue a permit to construct and/or repair any OWTS within the incorporated limits of a City-provided public sewer system is not available within two hundred (200) feet of the nearest property line as measured along the usual or most feasible route of access, and the City has requested such action of the Health Officer in writing.

8.80.050 – ALTERNATIVE SYSTEMS.

A. Alternative systems and proprietary devices shall comply with the requirements of this Chapter and technical standards adopted by the Department under Section 8.80.020(C).

B. The Health Officer shall only permit the installation of alternative systems for which there are technical standards adopted by the Department, or a proprietary treatment device if it appears on the list of approved systems or devices maintained by the Department. Alternative OWTS shall be designed by a qualified professional.

C. The Health Officer:

(1) May require performance monitoring or sampling of any alternative system; and

(2) Shall submit copies of evaluation reports to the RWQCB, if required, when alternative system performance is evaluated.

D. No person shall operate or discharge to an alternative system with supplemental treatment without a valid operational permit issued by the Department.

E. An owner of record who receives an alternative OWTS permit from the Health Officer shall:

(1) Record a notice with the Imperial County Clerk Recorder of the presence of an alternative OWTS on the property. The notice shall specify operation and maintenance requirements and any limitations on the use of the property that are related to the presence of an alternative system; and

(2) Monitor the performance of the OWTS according to any requirements stipulated on the annual operational permit.

8.80.060 – GRAY WATER SYSTEMS.

A. Gray water systems shall comply with the requirements of the California Plumbing Code, Chapter 16, or as may be amended, and technical standards adopted by the Department.

B. It shall be unlawful for a person to construct, install, alter, or cause to be constructed, installed, or altered, an alternate water source system in a building or on a premise without first obtaining a permit to do such work.

C. A qualified professional shall design gray water systems and shall certify that the proposed gray water system and OWTS together meet the requirements of this Chapter and will adequately serve the total amount of estimated gray water and sewage from a proposed facility or residence on a daily basis.

D. The following provisions and limitations apply to the design, construction, alteration, repair, or use of gray water systems:

(1) Gray water shall only be used for subsurface and/or subsoil irrigation, or to be dispersed within a disposal field. Discharges to a mulch basin or to above the ground surface are prohibited;

(2) Unless the OWTS is otherwise designed to accommodate the total combined design flow of gray water and sewage, the diversion of gray water to the OWTS shall be prevented;

(3) Gray water systems shall have no unprotected connections to a potable water supply, private water cistern, fire protection tank, or non-potable irrigation service lines; and

(4) The indoor use of onsite treated gray water is prohibited until such time that standards have been adopted by the Health Officer pursuant to Section 8.80.020(C).

E. An operation and maintenance manual for gray water systems shall be supplied to the building owner by the qualified professional, and include the minimum items of Section 1601.6 of the California Plumbing Code.

F. The discharge of gray water from a clothes washer to the surface of the ground is considered a nuisance and is prohibited.

8.80.070 – NON-RESIDENTIAL OWTS.

A. A qualified professional shall design onsite wastewater treatment systems for non-residential facilities and shall certify that the proposed onsite wastewater treatment system meets the requirements of this Chapter and will adequately serve a proposed facility.

B. For non-residential facilities, the design flow rate shall be based on estimated wastewater flow rates specified in the California Plumbing Code or EPA *OWTS Manual*, or based on the number of plumbing fixture units, whichever is greater for the type of building occupancy.

(1) Any deviations shall be supported by appropriate water usage information and/or the use of low water use fixtures or gray water system.

(2) The minimum design flow for a non-residential OWTS shall be two hundred fifty (250) gallons per day.

C. When an OWTS is proposed to treat and dispose of special wastes that are not classified as domestic sewage, the applicant shall have an authorized professional submit to the Health Officer, and the RWQCB as necessary:

(1) Information which shows that the waste is not industrial or high-strength wastewater;

(2) Information that establishes the waste strength and identifies chemicals present that are not found in residential sewage;

(3) A design that provides treatment equal to that required for residential sewage; and

(4) An approved operation and maintenance contract between the system owner and qualified service provider (certified by the proprietor of the treatment unit), if applicable.

8.80.080 – LARGE ONSITE SEWAGE SYSTEMS.

---Reserved---

8.80.090 – ACTIVITIES REQUIRING A PERMIT.

A. No person shall construct, repair, replace, alter, expand, relocate, or destroy an OWTS or gray water system without a valid permit.

B. Persons applying for a building permit for the construction of a building that will necessitate an onsite wastewater treatment system shall obtain a permit from the Department prior to commencement of construction of such new building.

C. Any persons desiring to modify or construct a building or structure, or modify the existing use on any lot or site that is served by an onsite wastewater treatment system, shall file a building plan review with the Department and obtain approval for any such proposed addition or alteration prior to the issuance of the building permit.

(1) The application shall contain a detailed site plan and description of the proposed modifications.

(2) No building or land use permit shall be issued by the County where there is insufficient lot area or improper site conditions for adequate sewage disposal and replacement area consistent with this Chapter.

D. Every cesspool, septic tank, and seepage pit that has been abandoned or has been discontinued otherwise from further use shall be filled in accordance with Section 722.0 of the California Plumbing Code. A permit shall be obtained prior to the completion of such work.

E. If a person fails to comply with the terms of a permit issued under this Chapter, or engages in activities regulated under this Chapter without the appropriate permit(s) or approval, the Health Officer may issue a written order to immediately stop or suspend all work, except that which is necessary to bring the project into compliance with this Chapter.

8.80.100 – LOCATION OF OWTS.

A. Every new onsite wastewater treatment system shall meet the minimum horizontal separations shown in Table I, Minimum Horizontal Separations:

Table I. Minimum Horizontal Separations (Setbacks)

Items Requiring Setback	**Disposal Field** and replacement area	**Septic Tank** and holding or pump tank, and distribution boxes	**Seepage Pit** and undocumented OWTS	**Building Sewer** and non-perforated transport line
Water Supplies				
Private water supply well	100 ft.	50 ft.	150 ft.	50 ft.
Public water supply well	150 ft.	150 ft.	200 ft.	150 ft.
Private water cisterns	50 ft.	50 ft.	50 ft.	50 ft.
Water supply canals	50 ft.	50 ft.	50 ft.	50 ft.
Public water system supply canals (i.e. All-American, Westside Main, Central Main, East Highline)	100 ft.	100 ft.	150 ft.	100 ft.
Properly destroyed well[1]	10 ft.	10 ft.	N/A	N/A
Pressurized public water main	10 ft.	10 ft.	10 ft.	10 ft.
Gravity water supply line	50 ft.	50 ft.	50 ft.	50 ft.
Onsite domestic water service line	5 ft.	5 ft.	5 ft.	1 ft.[2]
Surface Water				
Irrigation canals Lined Supply Laterals Unlined Delivery Channel	 25 ft. 50 ft.	 25 ft. 50 ft.	 25 ft. 50 ft.	 10 ft. 50 ft.
Surface water[3]	100 ft.	50 ft.	100 ft.	50 ft.
Colorado River	200 ft.	200 ft.	200 ft.	100 ft.
Structures				
Building or structures[4]	8 ft.	5 ft.	8 ft.	2 ft.
Property line or easement[5]	5 ft.	5 ft.	10 ft.	Clear

Table I. Minimum Horizontal Separations (Setbacks)				
Swimming Pool	8 ft.	8 ft.	8 ft.	5 ft.
Drainage ditches and detention basins	50 ft.	50 ft.	50 ft.	10 ft.
Agricultural Tile Lines[6]	10 ft.	10 ft.	10 ft.	N/A
Trees	10 ft.	10 ft.	10 ft.	N/A
Disposal field	--	5 ft.	10 ft.	5 ft.
Distribution box	5 ft.	5 ft.	5 ft.	--
Down-gradient cuts or banks with at least 5 ft. of undisturbed soil above a restrictive layer due to a structural or textural change[7]	4x height 50 ft. max	10 ft.	4x height 50 ft. max	N/A

Notes:

[1] Prior to any disposal field being placed within one hundred (100) feet of a well the owner of record shall obtain a well destruction permit from the County and have the well destroyed by a licensed well driller.

[2] See Section 720.0 of the California Plumbing Code.

[3] Measured from the ordinary high water mark. If surface water is used as a public drinking water supply, the designer shall locate the OWTS outside of the required sanitary control area.

[4] Including porches and steps, whether covered or uncovered, breezeways, roofed porte cocheres, roofed patios, carports, covered walks, covered driveways, hay storage sheds, and similar structures or appurtenances. The minimum setback from building structures to a drip field may be reduced to two (2) feet.

[5] See also Section 307.0 of the California Plumbing Code. The Health Officer may require a fifty (50) foot setback to property lines from the OWTS when individual wells are to be installed and the minimum distance between the drainfield and wells cannot be assured.

[6] Tile lines within ten (10) feet of the disposal field shall be cut and capped.

[7] The item is down-gradient when liquid will flow toward it upon encountering a water table or a restrictive layer. The item is up-gradient when liquid will flow away from it upon encountering a water table or restrictive layer. The Health Officer may increase the setback to down-gradient cuts or banks with less than five (5) feet of undisturbed soil above a restrictive layer due to a structural or textural change.

B. OWTS design and/or installation shall only occur where:

(1) The slope is less than thirty percent (30%);

(2) The area of the proposed OWTS and the replacement area is not subject to:

(a) Encroachment by buildings or construction such as placement of swimming pools, patios, stormwater drainage systems or facilities, interceptor drains, drainage courses, and/or underground utilities;

(b) Cover by impervious material;

(c) Vehicular or animal traffic; or

(d) Other activities adversely affecting the soil or OWTS performance; and

(3) Sufficient replacement area exists to treat and dispose one hundred percent (100%) of the design flow.

C. Except as otherwise provided in this Chapter, no private sewage disposal system, or parts thereof shall be located in any lot other than the lot that is the site of the building, structure, or premises served by such facilities.

D. Any new or replacement OWTS discharge shall be located a minimum of two hundred (200) feet from a water body listed as impaired unless the discharge meets the performance standard of Treatment Standard 1 for the applicable impairment of pathogens or nitrogen.

8.80.110 – SOIL AND SITE EVALUATION.

A. 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.

B. In performing soil and site evaluations, the qualified professional shall:

(1) Record a minimum of three (3) soil percolation tests in locations representative of the primary and replacement drainfield areas at a depth that sufficiently characterizes the receiving soils present below the proposed disposal field. Percolation testing shall be performed in a manner consistent with the Department's *Policy for Soils Evaluation, Testing, and Reporting*;

(2) Record the static groundwater elevation, the date of the observation, and the probable maximum height;

(3) Record the topography and drainage characteristics of the site;

(4) Record a minimum of one (1) representative soil boring log in close proximity to the proposed dispersal area. The description shall include:

(a) the location and depth of restrictive layers, and effective soil depth; and

(b) classification of soils according to Table II, Soil Textural Classification.

Table II Soil Textural Classification	
Soil Type	**Soil Textural Classification**

Table II Soil Textural Classification	
1	Coarse sands, Medium sands
2	Fine sands, Loamy sands
3	Sandy loams, Loams
4	Silt loams, that are porous and have well-developed structure
5	Other Silt loams (weak), Sandy clay loams
6	Clay loams, Silty clay loams
Marginal	Sandy clays, Clays & Silty clays of low clay content (typically less than forty-five percent (<45%)) with moderate or strong structure
Unsuitable for Treatment or Disposal	Weak or structureless sandy clays, clays, or silty clays, silt, and strongly cemented, compacted, or massive soils (percolation rate of greater than two hundred forty minutes per inch (>240 mpi)) Very gravelly sands and all extremely gravelly soils (percolation rate of less than one minute per inch (<1 mpi))

C. Site Approval.

(1) The Health Officer:

(a) May require additional soil testing as outlined in Section 8.80.120, Extended Site Evaluation;

(b) May waive the required number of soil percolation tests if adequate soil information has previously been developed for the site.

(2) The results of a soil evaluation report prepared by a qualified professional shall be valid for a period of five (5) years from the date of the report, provided that no grading or disturbance of the soil has significantly modified site conditions.

(3) Site approval and a permit for the installation of a new or replacement OWTS may be granted by the Department provided that the soil application rates proposed do not exceed the maximum hydraulic loading rates for the soil type listed in Section 8.80.170, Table III.

D. The Health Officer shall render a decision or notify the applicant of the reason for delay on all permit applications within twenty (20) working days of submittal of a complete application by an authorized professional and/or property owner.

8.80.120 – EXTENDED SITE EVALUATION.

A. The Health Officer shall require additional soil testing prior to OWTS permit issuance if soil percolation data indicate the presence of soils with a percolation rate slower than sixty minutes per inch (>60 mpi) or exceeding five minutes per inch (<5 mpi), or in very gravelly soils, or as otherwise necessary to determine if the site meets the minimum requirements of this Chapter. Additional soil testing may include:

(1) Particle size analysis (hydrometer testing) and plasticity index (PI) testing; and

(2) Preparation of a minimum of one (1) representative soil profile excavation within the primary drainfield area and a minimum of one (1) representative soil profile excavation within the replacement area (additional soil excavations may be required) to a depth of five (5) feet:

(a) To allow examination of the soil profile in its original position by:

i. Excavating pits of sufficient dimensions to enable observation of soil characteristics by visual and tactile means to a depth of five (5) feet deeper than the anticipated bottom of the drainfield; or

ii. Stopping at a shallower depth if a water table or restrictive layer is encountered; and

(b) To allow determination of the soil texture, structure, color, compaction, water absorption capabilities or permeability, and elevation of the maximum groundwater level.

B. All testing shall be done by a qualified professional and in accordance with testing standards adopted by administrative rules under Section 8.80.020(C). All soils analysis shall be completed at a commercial engineering testing laboratory.

8.80.130 – OWTS PERMITS.

A. When an application for an onsite wastewater treatment system conforms to the provisions of this Chapter and requirements of other pertinent regulations, the Health Officer shall issue a permit to the applicant. No permit shall be issued without a signed application accompanied by a site evaluation report prepared by a qualified professional, a detailed system design, and the payment of permit fees as established by ordinance.

B. The applicant shall submit a detailed system design for any new or replacement OWTS that is approved by the Health Officer and satisfies the requirements of Section 8.80.170. The detailed system design must include:

(a) A scaled, dimensional drawing showing the proposed location of all OWTS components and replacement area;

(b) Vertical cross-section drawing showing the depth of the drainfield, the vertical separation to groundwater, the depth of soil cover, and any other OWTS components to be constructed or installed at the site;

(c) Calculations and assumptions supporting the proposed design, including:

i. The soil type;

ii. The hydraulic loading rate in the drainfield;

iii. The design flow of the OWTS; and

(d) Such additional information as required by adopted technical standards.

C. The OWTS design shall be prepared by a qualified professional for all sites where soils have a percolation rate slower than sixty minutes per inch (>60 mpi) or faster than five minutes per inch (<5 mpi), or where gravity dispersal cannot be utilized due to insufficient depth to groundwater.

D. When the Health Officer issues a permit, he/she shall:

(1) Identify the permit as a new installation, replacement, repair, alteration, abandonment, or operational permit;

(2) Specify the expiration date on the permit; and

(3) State the period of validity for operational permits, the date by which an operational permit must be renewed, and the conditions of renewal.

E. The Health Officer may amend, suspend, revoke, or deny a permit for reasonable cause. Reasonable cause may include, but is not limited to:

(1) Installation of an OWTS that creates a health hazard;

(2) Misrepresentation or concealment of material fact in information submitted to the Health Officer; or

(3) Failure to meet conditions of the permit or the requirements of this Chapter.

F. The Health Officer may stipulate additional requirements for a particular permit if a health hazard would otherwise occur.

G. New installation, alteration, or replacement permits shall be valid for a period of two (2) years from the date of issuance. Such permits are not transferable or renewable.

H. Minor repair, abandonment, and tank replacement permits shall be valid for a period of

one (1) year from the date of issuance and shall not be transferable.

I. Operational permits for alternative OWTS utilizing supplemental treatment shall be valid for the calendar year for which they are issued. All operational permits are transferable and shall be renewed each year subject to conditions specified by the Health Officer.

8.80.140 – STANDARDS FOR RV DUMP STATIONS.

A. All recreational vehicle dump stations shall discharge into a public sewer system or private OWTS operating under an individual waste discharge requirement issued by the Regional Water Board, or a wastewater holding tank system approved by the Health Officer.

B. Recreational vehicle dump stations shall be provided in an accessible location for all special occupancy parks or RV storage facilities without permitted sewer utility connections. Recreational vehicle dump stations are not required in tent camps or incidental camping areas, but if provided, they shall comply with the requirements of this Chapter.

C. Each recreational vehicle dump station shall be constructed and maintained to meet the specifications of Sections 2270 and 2271 of Title 25 of the California Code of Regulations, or as amended, including cross-connection protection to the potable water supply and the provision of a warning sign immediately adjacent to the hose connection warning users to use the hose only to flush holding tanks and the drain receptor.

8.80.150 – STANDARDS FOR SUBDIVISIONS AND LAND DEVELOPMENTS.

A. All proposed major subdivisions shall provide for the extension or development of public sewer systems permitted by the Regional Water Board. Any proposed subdivision within a designated Urban Area of the unincorporated county shall also connect to a public sewer system.

B. The use of OWTS on newly created individual lots is restricted to minor subdivisions where access to a public sewer system is otherwise unavailable.

C. Where an OWTS is proposed, the minimum net land area per dwelling unit shall be:

(1) One (1) acre for areas designated as Limited Agriculture within Urban boundaries (A-1) or other Community Areas;

(2) Two and one half (2.5) acres for areas designated as General Agriculture (A-2) or Heavy Agriculture (A-3) with a lot reduction exception;

(3) Two and one half (2.5) acres within a designated Area of Special Concern; or

(4) Twenty (20) acres within Open Space, Recreation, or Preservation Areas.

D. The Health Officer may waive the minimum net land area requirements of this Chapter for lot reduction exceptions, or for lot line adjustments on nonconforming lots created prior to the adoption of this Chapter.

E. A maximum allowable density of OWTS for new land developments on existing parcels shall be one (1) dwelling unit per acre.

F. Prior to the submittal of a tentative map for a minor subdivision, a site evaluation by a qualified professional shall be made and site approval received for each parcel within a proposed subdivision, unless parcels in the proposed subdivision will be connected to a public sewer system or a parcel is not designated for land development.

G. Site evaluations for subdivisions and lot line adjustments utilizing OWTS shall include a minimum of two (2) representative soil percolation tests for each proposed or adjusted parcel designated for land development. The test holes shall be prepared in accordance with Section 8.80.110. The Health Officer may waive this requirement for lot line adjustments if the existing OWTS and replacement area will not be impacted by the adjustment.

H. If alternative systems are proposed for a subdivision, sufficient design information that includes the specific site location for both primary and replacement systems shall be provided to the Health Officer for review to determine if the minimum requirements of this Chapter can be met. A minimum of five (5) feet to groundwater must be maintained for any new parcels within an Area of Special Concern.

I. The Health Officer may require specific language to be recorded on or with the parcel map or final map addressing OWTS design or operational permit requirements.

8.80.160 – AREAS OF SPECIAL CONCERN.

A. The Health Officer, after consultation with the RWQCB, may designate the following areas as areas of special concern. This designation shall not be made unless a minimum of one public hearing is held by the Health Officer.

(1) Sole source aquifers designated by the U.S. Environmental Protection Agency;

(2) Areas with a critical recharging effect on aquifers used for potable water;

(3) Designated public water supply wellhead protection areas;

(4) Areas designated as special protection areas for impaired surface and ground waters of the State of California;

(5) Drainage and flooding problem areas; and

(6) Areas identified and delineated by the Department in consultation with the RWQCB which constitute a health hazard due to the presence of failing onsite wastewater treatment systems.

B. The Health Officer may impose more stringent requirements on new developments and take corrective measures to protect public health upon existing developments in areas of special concern, including:

(1) Additional design and/or performance standards for OWTS;

(2) Larger land areas for new development;

(3) Mitigation for the impacts of development;

(4) Additional operation procedures and maintenance/monitoring protocols for OWTS;

(5) Upgrades to existing OWTS;

(6) Abandonment of undocumented and failing OWTS; and

(7) Monitoring of ground water or surface water quality.

C. The Health Officer has designated the Townsite of Palo Verde (Zoning Map 57A), Bard Area (Zoning Maps 25-26), and the Ocotillo/Nomirage Community Area as defined by Title 9, Division 25 of Imperial County Ordinance as Areas of Special Concern for purposes of implementing this Chapter.

D. Any new or replacement OWTS within the Bard Area or Ocotillo/Nomirage Community Area shall maintain the minimum vertical separation depth of five (5) feet to groundwater, unless supplemental treatment meeting Treatment Standard 2 is provided prior to discharge.

E. Any new or replacement OWTS discharge within six hundred (600) feet of the Palo Verde Lagoon shall meet the performance standard of Treatment Standard 1 for the impairment of pathogens, unless:

(1) The owner has committed by way of a legally recorded document with the County Recorder's Office prior to May 13, 2017 to connect any existing or proposed building structure with plumbing to a wastewater collection and treatment system operated under waste discharge requirements from the Regional Water Board by May 13, 2021; or

(2) The OWTS discharge is otherwise permitted under an individual waste discharge by the Regional Water Board.

F. In order to reduce risk of system failures within an area of special concern, a service provider shall:

(1) Inspect every OWTS at least once every five (5) years.

(2) Submit the following written information to both the Health Officer and the property owner within thirty (30) days following the inspection:

(a) Location of all OWTS components;

(b) Structural condition of the tank(s);

(c) Depth of accumulated scum and solids in the septic tank;

(d) Problems detected with any part of the system;

(e) Recommended and/or required maintenance;

(f) Maintenance provided at the time of inspection; and

(g) Other information as required by the Health Officer.

(3) Immediately report failures to the Health Officer.

G. Any person operating an OWTS requiring supplemental treatment to meet a treatment standard within an Area of Concern shall maintain a contract with a licensed service provider to perform scheduled maintenance and testing in accordance with the terms of the annual operational permit. No person shall operate an alternative OWTS without a valid operational permit issued by the Health Officer.

H. When the Health Officer intends to designate an area of special concern, the Health Officer shall notify the Board of Supervisors of the definite boundaries of such designation, and the additional requirements for OWTS to be applied within the delineated area of special concern.

8.80.170 – OWTS DESIGN AND INSTALLATION CRITERIA.

A. The detailed design and construction of all OWTS shall conform to this Chapter and technical standards adopted by the Department. All pressure distribution, alternative OWTS, non-residential systems, and OWTS discharging to clayey soils with percolation rates slower than sixty minutes per inch (>60 mpi) shall be designed by an authorized professional.

B. The OWTS shall be designed to receive all sewage from the residence or facility served unless otherwise approved by the Health Officer. The design flow shall be established as follows:

(1) For individual residences, flows of one hundred twenty-five (125) gallons/day/bedroom shall be used for design purposes;

(2) For non-residential facilities, the design flow rate shall be based on typical values noted in the California Plumbing Code, EPA *OWTS Manual*, or the number of plumbing fixture units, whichever is greater for the type of building occupancy. Any deviations shall be supported by appropriate water usage information and/or the use of low water use fixtures or gray water system; and

(3) The minimum design flow for an OWTS shall be two hundred fifty (250) gallons per day.

C. Gravity systems and pressure distribution systems shall have the calculation of drainfield area based upon the design flows in Section 8.80.170(B) and loading rates equal to or less than those in Table III, Maximum Hydraulic Loading Rate for Residential Sewage, and applied only to the bottom of the excavated trench.

Table III
Maximum Hydraulic Loading Rate
For Residential Sewage[1,2]

Soil Type	Soil Textural Classification	Percolation Rate (mpi)	Loading Rate (gal./ft.^{2}/day)
1	Coarse sands, Medium sands	1-4	0.8
2	Fine sands, Loamy sands	5-10	0.8
3	Sandy loams	11-20	0.7
	Loams	21-30	0.6
4	Silt loams, that are porous and have well-developed structure	31-60	0.45
5	Other Silt loams (weak) and Sandy clay loams	61-90	0.3
6	Clay loams, Silty clay loams	91-120	0.2
Marginal	Sandy clays, Clays & Silty clays of low clay content (typically less than forty-five percent (<45%)) with moderate or strong structure	121-240	0.1

[1]Compacted soils, cemented soils, and/or poor soil structure may require a reduction of the loading rate or make the soil unsuitable for the installation of an onsite wastewater treatment system.
[2]The maximum hydraulic loading rate for the soil type listed is to be used for calculating the drainfield

area required.

(1) If more than one suitable soil horizon is encountered in the soil profile, drainfield trench sizing shall be based on the most restrictive soil within twenty-four (24) inches beneath the bottom of the trench.

(2) The minimum total length of drainfield lines for all residential OWTS within the irrigated farm areas of Imperial Valley shall be one hundred and ninety-five (195) feet. No reductions may be applied such that the minimum total length is not met.

(3) The Health Officer may allow the drainfield area calculated from Table III to be reduced by a maximum of twenty percent (20%) to account for trench sidewall infiltration if at least eighteen (18) inches of drain rock is used under the distribution pipe.

(4) The Health Officer may allow a maximum reduction of thirty percent (30%) for IAPMO certified gravel-less chamber products if designed in accordance with the Department's *Chambered Leach Fields* policy.

D. Effluent Treatment and Distribution.

(1) The standard of effluent treatment prior to discharge and/or method of distribution in all cases shall meet or exceed the requirements contained in Table IV, Effluent Treatment and Distribution for Soil Types and Vertical Separation.

Table IV
Effluent Treatment and Distribution
for Soil Types and Vertical Separation

Soil Type	Percolation Rate (MPI)	Vertical Separation	
		≥2 feet to <5 feet	≥5 feet
1	1-4	Treatment Standard 2	Pressure Distribution[1]
2-5	5-90	Pressure Distribution	Gravity Distribution
6	91-120	Pressure Distribution	Pressure Distribution
Marginal	121-240	Treatment Standard 2	Pressure Distribution

[1]Depth to groundwater must be greater than or equal to twenty (≥20) feet for gravity distribution.

(2) A minimum effective soil depth of twenty-four (24) inches is required to utilize an onsite wastewater treatment system for wastewater treatment and disposal.

(3) Onsite wastewater treatment systems requiring more than five hundred (500)

lineal feet of drainfield trench shall utilize pressure distribution.

E. Holding Tanks.

(1) Persons shall not install or use holding tank sewage systems for residential or non-residential development whether seasonal or year-round. This prohibition may be waived by the Health Officer:

(a) For temporary office construction trailers;

(b) For recreational vehicle dump stations; and

(c) For limited, seasonal use where it is not practicable to install an OWTS system as permitted under this Chapter.

(2) A person proposing to use a holding tank sewage system shall submit a design by a qualified professional, which includes:

(a) A description of the intended use and duration of use;

(b) A site plan indicating the proposed location of the holding tank sewage system;

(c) A pumping contract with a licensed septage hauler to pump and remove the contents of the tank at a minimum frequency of once per week;

(d) Details for a tank capacity alarm to notify the owner that the sewage has reached three-quarters (3/4) of the tank capacity; and

(e) The specifications of the proposed holding tank to be utilized and any installation details necessary to meet the requirements of this Chapter.

F. Septic Tanks.

(1) Must be watertight and constructed in accordance with the California Plumbing Code;

(2) Must be certified as compliant with the Uniform Plumbing Code by the International Association of Plumbing and Mechanical Officials (IAPMO) if the tank is prefabricated or manufactured;

(3) Shall have the following minimum liquid capacities for a single family residence:

Number of Bedrooms	**Required minimum liquid tank volume (gallons)**

≤ 3	1,000
4	1,200
5-6	1,500
Each additional bedroom	250 per bedroom
Additional fixture units	Minimum capacity as specified in Table H 2.1 of the California Plumbing Code

(4) Shall have at least two and one half (2.5) times the daily design flow with a minimum of one thousand (1,000) gallons for non-residential facilities where waste/sewage flow rates are available;

(5) Shall have a minimum capacity based on the maximum fixture units served per Table 702.1 of the California Plumbing Code for non-residential facilities if estimated waste/sewage flow rates are not available;

(6) Shall have clean-out and inspection accesses at or above grade;

(7) Shall have access risers and covers that are watertight, constructed of a durable material, and secured with a lockable lid or otherwise secured to prevent unauthorized entry;

(8) Must be designed with protection against flotation and groundwater intrusion in high groundwater areas;

(9) Must be equipped with an NSF/ANSI Standard 46 certified or Department approved effluent filter designed to prevent solids in excess of three-sixteenths (3/16) of an inch in diameter from passing to the drainfield; and

(10) In multi-compartment tanks or when two (2) or more tanks are used in series, the primary compartment or tank shall not have a liquid capacity of less than five hundred (500) gallons or less than two-thirds (2/3) of the total liquid capacity, whichever is greater.

G. Pump Tanks.

(1) Must be watertight and constructed in accordance with the California Plumbing Code;

(2) Must be certified as compliant with the Uniform Plumbing Code by the International Association of Plumbing and Mechanical Officials (IAPMO) if the tank is prefabricated or manufactured;

(3) Shall have a liquid capacity of at least two (2) times the daily design flow with a minimum capacity of five hundred (500) gallons;

(4) Shall have cleanout and inspection accesses at or above finished grade;

(5) Shall have access risers and covers which are watertight, constructed of a durable material, and secured with a lockable lid or otherwise secured to prevent unauthorized entry; and

(6) Must be designed with protection against flotation, ground water intrusion, and surface water inflow.

H. Location of Septic Tanks and Pump Tanks.

(1) Septic tanks and pump tanks shall be located in an accessible location for pumping and maintenance.

(2) Septic tanks and pump tanks located under paving or in areas subject to vehicular traffic must be reinforced to withstand the additional loading caused by potential vehicular traffic. A California registered civil engineer shall determine the appropriate specifications for the reinforced tank.

I. Building Sewer and Gravity Effluent Pipe.

(1) Pipe used for the construction of a building sewer and gravity effluent line, beginning two (2) feet from any building or structure shall be a minimum of three (3) inches inside diameter and of plastic that shall be PVC ASTM D3034/SDR 35, or ABS Schedule 40, or an equivalent material as specified by the California Plumbing Code. Effluent gravity sewer pipe shall be of the same material and size as the building sewer pipe.

(2) Construction of the building sewer line shall be run in practical alignment and at a uniform slope of not less than one-quarter (1/4) inch per foot.

(3) Construction of the effluent sewer line to the distribution box shall be in such manner as to maintain watertight joints and shall be on a grade of not less than one eighth (1/8) inch per foot on natural ground or compacted fill. All laterals from the distribution box to the disposal field shall be approved pipe with watertight joints.

(4) No tees or ells exceeding forty-five degrees (45°) shall be permitted in the building sewer line except for plastic long bend ninety degree (90°) elbows or sanitary tees.

(5) Building sewers shall have accessible cleanouts installed at intervals of not more than one hundred (100) feet and for each aggregate horizontal change in direction exceeding one hundred thirty-five degrees (135°).

J. Distribution Boxes.

(1) Shall be required on all conventional gravity trench systems;

(2) Shall be constructed and installed to provide equal flow of effluent to all outlets;

(3) Shall be set on a level concrete slab, unless a concrete distribution box of the minimum dimension of twenty (20) inches in both length and width is utilized;

(4) Shall be installed in natural or compacted soil to prevent misalignment;

(5) Shall be durable, watertight, and equipped with an adequate removable cover;

(6) Shall not be constructed or installed where the invert of the inlet pipe is less than one (1) inch above the level of the invert of the outlet pipes, nor shall the invert of the outlet pipes be less than two (2) inches above the floor of the distribution box; and

(7) Shall not be installed within five (5) feet of the drainfield trenches to prevent settling.

K. Drainfield.

(1) All drainfields shall be installed or located to comply with the following design criteria:

Trench Design Criteria	
Maximum length of each trench[1]	100 feet
Maximum width of trench	36 inches
Minimum width of trench	18 inches
Minimum depth[2]	12 inches
Maximum depth of trench[3]	36 inches
Minimum spacing between disposal trenches	4 feet

[1]Without pressure distribution.
[2]The minimum trench depth for alternative OWTS may be less than twelve (12) inches provided sewage effluent is dispersed at or below grade.
[3]The bottom of the drainfield shall not be deeper than thirty-six (36) inches below the finished grade, unless written approval is given by the Health Officer. Gravel-filled excavated pits shall not be designed or constructed in drainfield trenches.

(a) The length of all drainfield trenches in conventional gravity systems shall be the same length with a maximum variance of fifteen percent (15%);

(b) The grade of the bottom of drainfield trenches and drainfield lines shall be level with a maximum grade of two (2) inches per one hundred (100) feet;

(c) The minimum depth of drain rock under gravity drainfield lines shall not be less than twelve (12) inches;

(d) The amount of drain rock over drainfield lines shall not be less than two (2) inches; and

(e) The drain rock in the drainfield shall terminate at the intersection of the drainfield trench sidewall and the effluent sewer line, and such intersection shall be at least five (5) feet from the distribution box and the septic tank or pump tank.

(2) Drainfield trenches shall not be excavated during wet soil conditions to prevent smearing and/or compaction of the soil interface. All smeared or compacted soil surfaces in the trench shall be scarified and the loose material removed.

(3) All distribution piping for gravity drainfields shall be a minimum three (3) inch diameter Polyethylene (PE), ABS, or PVC perforated sewer pipe. Diameter of pressure laterals shall be as specified in the engineering design and must meet those specifications listed in the Department's *Standards and Guidance for Pressure Distribution.*

(4) Drain Rock.

(a) Shall be one-half (1/2) to 2 inches in diameter, with no less than one hundred percent (100%) passing a two (2)-inch sieve by weight and no more than five percent (5%) passing a one-half (1/2) inch sieve by weight; and

(b) Must be durable, clean, washed, non-deteriorating gravel, free of organic materials and fines, and having a cleanliness value of eighty-five (85) or higher.

(5) Drainfield trenches shall have an approved barrier material consisting of untreated building paper (forty pounds (40 lbs.) to sixty pounds (60 lbs.)) or a geotextile filter fabric placed between the gravel or gravel substitute and soil cover. This requirement may be waived by the Health Officer when gravelless chambers are used.

(6) Gravelless chambers or gravel substitutes may be used if shown on the Department's *List of Approved Systems and Products*, and installed in accordance with the manufacturers' specifications and standards established by the Department.

L. Cover of the Drainfield.

(1) The minimum depth of soil cover over the drainfield shall not be less than twelve (12) inches unless otherwise authorized by the Health Officer;

(2) The maximum depth of soil cover over the drainfield shall not exceed twenty-four (24) inches except by special permission of the Health Officer;

(3) The soil cover shall extend at least five (5) feet beyond the limits of the drainfield trenches and graded at a maximum slope of three-to-one (3:1). On sloping sites, a downslope correction factor shall be used to maintain the required maximum slope of three-to-one (3:1);

(4) The required grade of the drainfield trenches must be maintained while backfilling;

(5) The soil cover shall be graded to prevent ponding and covered with an approved erosion control material if necessary;

(6) Disposal fields shall not be paved over or covered by concrete, base, asphalt, or other material that can reduce or inhibit any possible evaporation of sewer effluent; and

(7) Barriers, fencing, or other means as approved by the Health Officer shall be constructed as to restrict vehicles access on or over the drainfield or replacement area.

8.80.180 – FAILING SYSTEMS.

A. No person shall knowingly cause, permit, or allow an OWTS failure to occur.

B. All sewer wells, failing OWTS and cesspools are declared a public nuisance. It is unlawful to drill, construct, maintain, or to operate a cesspool, failing OWTS, or a sewer well, and such an offence shall constitute as a misdemeanor and/or infraction pursuant to Section 8.80.270.

C. An onsite wastewater treatment system failure occurs when:

(1) Sewage and/or sewage effluent or untreated gray water is present upon the surface of the ground;

(2) Sewage and/or sewage effluent or untreated gray water is discharging to surface water directly or by means of a ditch or depression;

(3) Sewage and/or sewage effluent that has affected, or will affect, groundwater or

surface water to a degree that makes it unfit for drinking or other uses, or is causing a human health or public nuisance condition;

(4) Sewage is backing up into a residence, business, or facility;

(5) Sewage is leaking from a septic tank, pump tank, holding tank, or collection system; or

(6) Non-domestic sewage is being discharged from an OWTS to waters of the State that is not authorized by ordinance or waste discharge requirements issued pursuant to the California Water Code.

D. The following systems or system components shall also be considered a failing system and shall be repaired or replaced:

(1) Pit privies;

(2) Cesspools or seepage pits;

(3) Deep trenches or gravel pits that discharge effluent directly to groundwater within a designated area of special concern under Section 8.80.160 of this Chapter;

(4) Metal or wood septic tanks;

(5) Concrete septic tanks that may be considered a potential safety hazard (i.e. wood lid or otherwise structurally unsound);

(6) Any dispersal system that is located within fifty (50) feet of surface water or a water supply well; and

(7) Any dispersal systems within one hundred fifty (150) feet of a public water supply well.

8.80.190 – REPAIR OF OWTS.

A. A permit shall be required for all OWTS repairs or replacements, including major or minor repairs, unless such repair is to stop leaks in drain or sewer pipes, remove clogs in existing drain or sewer pipes, or to install maintenance and monitoring components to the septic tank or drainfield that do not otherwise affect the performance or integrity of the system.

B. When an OWTS failure occurs that cannot be readily repaired without the replacement of the drainfield or an owner of record submits an application to use an undocumented system which does not comply with this Chapter, the OWTS owner shall, in order of priority:

(1) Connect the residence or facility to a public sewer system;

(2) Repair or replace the OWTS with a conforming system, either on the property served, or on nearby or adjacent property if the necessary easement(s) is/are obtained.

(3) Perform one of the following when the requirements in subdivision (1) or (2) are not feasible:

(a) Repair or replace the OWTS with a non-conforming repair;

(b) Obtain a National Pollution Discharge Elimination System or an individual waste discharge permit from the Regional Water Quality Control Board issued to a public entity or to the system owner; or

(c) Abandon uses of the property which generate sewage.

C. Prior to replacing or repairing the drainfield, the OWTS owner shall develop and submit information required under Section 8.80.110 and obtain a permit.

D. The Health Officer shall permit a non-conforming repair only when:

(1) Installation of a conforming system is not possible; and

(2) Connection to a public sewer system is not feasible.

E. An owner of record who receives a non-conforming repair permit from the Health Officer shall:

(3) Record a notice with the Imperial County Clerk Recorder of the presence of a non-conforming repair on the property. The notice shall specify operation and maintenance requirements and any limitations on the use of the property that are related to the presence of a non-conforming repair;

(4) Monitor the performance of the OWTS according to any requirements stipulated on the permit; and

(5) Immediately report any failure to the Health Officer.

8.80.200 – EXPANSION.

A. An expansion of a residence or other facility not served by a public sewer system shall not occur unless the onsite wastewater treatment system and replacement area comply with the new system construction standards specified in this Chapter.

B. The owner of record may replace an existing residence or structure ("like for like")

served by a conforming OWTS with record of approval provided that:

(1) The replacement residence or structure does not cause the waste strength or flows to exceed the design flow of the existing system;

(2) The replacement area fully complies with this Chapter; and

(3) The existing OWTS is not considered a failing system under Section 8.80.180 of this Chapter.

8.80.210 – ABANDONMENT.

A. No person shall permanently abandon any septic tank or other tank, seepage pit, or cesspool without first obtaining a permit from the Health Officer.

B. Any septic tank or other tank, seepage pit, or cesspool, which is no longer in use or has been discontinued otherwise from further use, shall be abandoned by:

(1) Having the septage removed by a registered pumper;

(2) Removing or destroying the lid; and

(3) Filling the void with soil, concrete, or other approved material after the Health Officer has inspected the tank, seepage pit, or cesspool.

C. Pre-fabricated tanks to be abandoned, such as fiberglass or polyethylene septic tanks, shall be removed from the site for disposal after the septage has been removed by a registered pumper.

8.80.220 – INSPECTIONS.

A. All construction and materials used in an OWTS shall be subject to inspection by the Health Officer at any reasonable time. Using an OWTS prior to final inspection and approval is unlawful. At the time of final inspection, the OWTS shall meet the following conditions:

(1) The septic tank and pump tank (if applicable) installation shall be completed and the access covers shall be removable so that the inside of the tank(s) may be inspected;

(2) An open trench inspection or any other required inspections shall have been conducted by the Health Officer;

(3) The drainfield trenches shall be completed except for backfilling with cover material. A pressure test of the laterals is required prior to covering the laterals on

pressure distribution systems;

(4) There shall be an unobstructed view of all outlets within the distribution box;

(5) All electrical work including the installation of system control panels and float switches shall be installed and operating; and

(6) All required OWTS components shall be installed.

B. The owner of record or commercial installer making such installation or modification shall be responsible for notifying the Health Officer that the installation is ready for inspection. Notification shall be made at least one (1) working day prior to the anticipated date that the system will be ready for inspection.

C. If, upon inspection, the Health Officer finds that the work, material, design, or location of the OWTS does not comply with the requirements of this Chapter, he/she shall notify the owner of record and/or commercial installer by written notice. If non-conformance with the provisions of this Chapter is not corrected, the OWTS shall not be approved and its use shall be prohibited.

D. OWTS shall not be approved by the Health Officer until the designer and/or commercial installer has submitted a scaled "as-built" drawing of the installed system.

E. "As-Built" Drawings.

(1) All "as-built" drawings shall include measurements to existing site features enabling all OWTS components to be easily located.

(2) All "as-built" drawings for new OWTS shall delineate the dimensions of the replacement area.

(3) All "as-built" drawings for repaired or altered OWTS shall include the new, repaired, or altered components with their relationship to the existing system.

(4) All "as-built" drawings for designed systems must include the minimum information specified in the adopted technical standards.

8.80.230 – SEPTAGE PUMPER HAULERS.

A. It shall be unlawful for any person to engage in the cleaning or pumping of any septic tank, pump tank, holding tank, or chemical toilet, or to dispose of the cleanings therefrom without first obtaining registration from the Health Officer.

B. Only disposal sites with a valid discharge permit from the RWQCB shall be used for dumping of septage. The transfer of septage from one container to another or from one vehicle to another for transport is prohibited, unless conducted at a publicly owned

treatment works pursuant to waste discharge requirements issued by the Regional Water Board.

C. An applicant for registration as a septage pumper hauler must furnish his/her equipment for inspection by the Health Officer prior to the issuance or renewal of registration. The equipment must meet the following minimum requirements:

(1) All equipment, pumps, valves, and hoses must be in good repair, leak proof, and easily cleanable. Vehicles shall be kept clean of splashing and waste accumulation;

(2) Truck equipment must be designed to adequately control effluent disposal from the truck into receiving stations without spilling or splashing;

(3) The tank discharge valve must be equipped with a leak proof cap fitted over the outlet pipe at all times, and the cap chained to the truck;

(4) A sighting gauge or other reliable tank content level indicator must be installed on the exterior of the tank adjacent to a manual vacuum shut-off device and must be calibrated to measure capacity to the quarter tank;

(5) A properly functioning automatic vacuum shut-off system shall be provided;

(6) Each vehicle shall carry a hose of at least twenty-five (25) feet in length, a minimum of one (1) gallon of disinfectant material, and at least five (5) gallons of potable water for sanitary cleanup; and

(7) The name of the operating firm, address, phone number, and tank capacity shall be conspicuously displayed on both sides of the truck or on the rear of the tank in bold letters not less than three (3) inches high.

D. Septic tank pumper registration expires on December 31 of each year. This registration is renewable if the registrant continues to meet the requirements of this Chapter.

E. Septic tank pumpers shall submit the following minimum information in writing on forms provided by the Health Officer no later than the tenth (10th) of each calendar month for the previous month:

(1) Gallons pumped according to location and site address;

(2) Date of pumping, type of waste, and reason for pumping, if applicable; and

(3) Gallons disposed of at each authorized dumping site.

F. Any septage pumper hauler registration issued pursuant to this Chapter may be revoked by the Health Officer for incompetence, negligence, misrepresentation, or failure to comply with the requirements of this Chapter on the part of the septage pumper hauler.

8.80.240 – OPERATION AND MAINTENANCE.

A. The owner of record is responsible for properly operating and maintaining the OWTS, and shall:

(1) Employ a registered septic tank pumper to remove septage from the tank when the level of solids and scum indicates that removal is necessary;

(2) Protect the OWTS and the replacement area from:

(a) Cover by impervious material or additional overburden;

(b) Surface or stormwater drainage;

(c) Soil compaction by vehicular traffic; and

(d) Damage by soil removal and grade alteration;

(3) Keep the quantity and waste strength of sewage entering the OWTS at or below the approved design; and

(4) Operate and maintain alternative systems as directed by the Health Officer.

B. All OWTS designs prepared by a qualified professional shall include operation and maintenance information for the owner of record prior to approval of any new installation, repair, or alteration of the OWTS.

C. The Administrative Officer, in consultation with the Health Officer, shall develop and implement plans to:

(1) Monitor all OWTS performance within areas of special concern;

(2) Ensure that each owner of record of an alternative OWTS and/or OWTS with supplemental treatment properly maintain and operates the OWTS in accordance with this Chapter and with periodic monitoring requirements as specified in the annual operational permit; and

(3) Disseminate relevant operation and maintenance information to the OWTS owner of record.

D. Persons shall not:

(1) Use or introduce strong bases, acids, or chlorinated organic solvents into an OWTS for the purpose of system cleaning; or

(2) Use an OWTS to dispose of waste components atypical of residential sewage.

E. Operating Permits. When required by this Chapter, an owner of record is responsible for maintaining a valid annual operational permit issued by the Health Officer. Renewal shall be completed prior to the expiration date of the operating permit (December 31 of each year) on a form or manner as required by the Department, and shall include:

(1) An annual inspection and evaluation report prepared by a qualified service provider. Quarterly maintenance inspections are required where supplemental treatment components are not equipped with a telemetric alarm and monitoring system;

(2) Quarterly treated effluent sampling results demonstrating continued compliance with Treatment Standard 1, if applicable;

(3) Proof of repairs, pumping, or maintenance conducted on the alternative OWTS when such repairs have been required by the Department or otherwise recommended by the qualified service provider; and

(4) An approved ongoing operation and maintenance contract between the system owner and qualified service provider (certified by the proprietor of the treatment unit).

F. Bacteriological sampling results for disinfection treatment shall be submitted to the Department by the tenth (10th) day of the following month of the sampling event. All effluent samples shall be taken by a qualified service provider and analyzed by a California certified laboratory for the most probable number of total coliform bacteria.

G. No person shall operate or discharge to an alternative system with supplemental treatment without a valid operational permit issued by the Department.

H. Within sixty (60) days of a change of ownership, the new owner or owners must transfer the operational permit into his, her or their names, using forms provided by the Department.

8.80.250 – TECHNICAL ADVISORY COMMITTEE.

A. A Technical Advisory Committee shall be established to review and recommend revisions to adopted technical standards in response to changes in regulation and/or technology.

B. The Technical Advisory Committee shall review the technical standards documents at a minimum frequency of once every five (5) years and submit any recommended changes to the Department.

C. The Technical Advisory Committee shall be appointed by the Administrative Officer

based on experience, training, and knowledge of onsite wastewater treatment system technology; and

D. The Technical Advisory Committee shall be comprised of the Health Officer, and authorized professionals and commercial installers as appointed by the Administrative Officer.

8.80.260 – ADMINISTRATIVE HEARINGS.

A. This Section only applies to:

(1) The processing of applications for permits;

(2) The issuance of permits;

(3) The suspension of permits;

(4) The revocation of permits; and

(5) The issuance of stop work orders.

B. Notwithstanding Section 8.80.260(A), any action which is taken that requires a valid permit when no such permit has been issued, or when the permit has expired, or when the permit is suspended or revoked, is subject to the sanctions listed in Section 8.80.270. In addition, any violation of a stop work order is subject to the sanctions listed in Section 8.80.270.

C. A person aggrieved by any action taken by the Health Officer pertaining to the activities listed in Section 8.80.260(A) may request an administrative hearing before a hearing officer.

(1) A request for an administrative hearing shall be filed in writing with the Department within twenty (20) working days of the date of the action being challenged.

(2) Upon receipt of a request for administrative hearing, the Department shall notify the person aggrieved of the time and place of such hearing, which shall be set not less than ten (10) working days nor more than twenty (20) working days from the date the request was received, unless a later date is agreed to in writing by the person aggrieved.

(3) The Department shall, if possible, set the hearing at a mutually convenient time.

D. The administrative hearing delineated in Section 8.80.260(C) shall be conducted in an informal manner. All relevant evidence is admissible and the strict rules of evidence shall not apply. The person aggrieved may be represented by a lawyer.

E. The Hearing Officer shall determine whether the explanation of the events by the person aggrieved justifies modifying or reversing the initial decision.

(1) The decision of the hearing officer to affirm, reverse, or modify the initial decision shall be in writing and shall be issued within twenty (20) working days after the close of the hearing.

(2) The decision shall be accompanied by written findings of fact and shall be promptly sent to the person aggrieved.

8.80.270 – VIOLATIONS.

A. Any person who violates any of the provisions of this Chapter or fails to comply with any of its requirements is guilty of an infraction or a misdemeanor, and each day or portion thereof during which a violation is committed, continued, or not permitted shall constitute a separate offense. The penalty for each violation determined to be a misdemeanor is punishable by a fine of not more than one thousand dollars ($1,000) and/or by imprisonment for not more than six (6) months, unless otherwise prescribed.

B. The Health Officer or designee(s) have authority pursuant to Section 1.12.020 of the Codified Ordinances of the County by Imperial to issue citations against any person, firm or corporation that is in violation of any provision of this division and/or any section, article, or regulation of the adopted codes.

C. Any disposition of a violation pursuant to this Chapter shall not absolve a person from correcting or abating a violation and shall not prevent the prosecuting authority from pursuing criminal prosecution, other civil action including, but not limited to, injunctive relief, registration revocation, and abatement, or all of the above. If the County prevails in a separate civil action, the Court may award the County reasonable costs including, but not limited to, the costs of the responsible officials' time, witness fees, attorney fees, court costs, and the costs to the County of abatement or of enforcement of an injunction, or both.

D. Nothing contained in this Chapter shall prevent the Administrative Officer, by and through the prosecuting authority, from taking such other lawful action as is necessary to prevent or remedy any violation of this Chapter.

8.80.280 – WAIVER OF REGULATIONS.

A. For individual, site-by-site waiver requests, the Health Officer may grant a waiver from specific requirements in this Chapter for OWTS if:

(1) The applicant submits a waiver application to the Health Officer which justifies how the requested waiver is consistent with the purpose of this Chapter; and

(2) The Health Officer determines that the waiver is consistent with the purpose and intent of this Chapter and would not result in a violation of mandatory state laws and regulations.

B. A person aggrieved by a decision of the Health Officer pertaining to a waiver request may appeal the decision to the administrative hearing officer. The hearing officer shall process waiver appeals according to the procedural rules delineated in Section 8.80.260.

C. If an applicant desires to modify and resubmit a previously denied waiver request, the process described in Section 8.80.280(A) shall be followed again.

D. The Health Officer may grant special permits allowing for variances from the provisions of this Chapter in the case of natural disasters (i.e. fires, floods) and/or unnecessary hardships provided that:

(1) An expansion of the original structure does not occur; and

(2) The special permit does not create a potential health hazard and is consistent with the purpose of this Chapter.

8.80.290 – SEVERABILITY.

If any Section, Subsection, Sentence, Clause, Phrase, or Portion of this Chapter is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4: This ordinance shall take effect sixty (60) days after the date of its adoption, and before the expiration of fifteen (15) days from the date of passage thereof shall be published at least once in the Holtville Tribune, a newspaper of general circulation, together with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED this 26th day of April 2016, by the Board of Supervisors of the County of Imperial, State of California, by the following vote:

AYES: Renison, Terrazas, M. Kelley, R. Kelley, Castillo

NOES: None

ABSENT: None

ABSTAIN: None

Jesus J. Terrazas, Chairman
Board of Supervisors

I hereby certify that the foregoing instrument is a correct copy of the original on file with this office.
Date: 4.27.16
Clerk of the Board of Supervisors
County of Imperial
BY: Deputy

Approved by the Board of Supervisors
4-26-16 Date
20b Minute Order #

Attachment "B"

Imperial County Public Health Department

Division of Environmental Health

Local Agency Management Program (LAMP)

Imperial County Public Health Department
Division of Environmental Health

Onsite Wastewater Treatment Systems

Local Agency Management Program/ Advanced Protection Management Program

TABLE OF CONTENTS

Acronym List

ANSI	American National Standards Institute
BOD	Biochemical Oxygen Demand
BOS	Board of Supervisors
DARs	Daily Activity Reports
EDT	Electronic Data Transfer
FOG	Fats Oils and Greases
IAPMO	International Association of Plumbing and Mechanical Officials
IID	Imperial Irrigation District
LAMP	Local Agency Management Program
LOSS	Large On-Site Sewage Systems
MPI	Minutes Per Inch
MPN	Most Probable Number
NSF	NSF International
OWTS	On-Site Wastewater Treatment System
RV	Recreational Vehicle
RWQCB	Regional Water Quality Control Board
SWRCB	State Water Resources Control Board
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
USEPA	U.S. Environmental Protection Agency
WDR	Waste Discharge Requirements

Executive Summary

Scope and Applicability

Water Quality

Existing/ New OWTS

Advanced Protection Program

Land Use Planning

Education/ Training

Enforcement

Program Management

This Local Agency Management Program (LAMP) has been designed as a customized management program for On-Site Wastewater Treatment Systems (OWTS) in the County of Imperial. With the chaptering of Assembly Bill 885 (Jackson) in 1999 and the subsequent adoption of a water quality control policy by the State Water Resources Control Board in June of 2012, the County is authorized to develop local standards for OWTS that address conditions specific to its geographic area that are as equally protective of water quality as the State minimum standards.

The County has evaluated its existing regulatory oversight of OWTS discharges and has determined that potential impacts to water quality or to the health and safety of its residents are minimal given current policies. However, the County recognizes the long-term need for a comprehensive OWTS management program, and has sought to codify the new statewide standards into a Local Agency Management Program that can be effectively implemented within Imperial County given its diversity of geology, population, community areas, and future land use planning considerations.

At the direction of the Imperial County Board of Supervisors, the following actions have been taken to adopt a Local Agency Management Program, with an effective date to be thirty (30) days from the grant of approval by the Colorado River Basin Regional Water Quality Control Board:

- *Adoption of Resolution No. 2016-048 authorizing the submittal of this Local Agency Management Program to the State for approval within 36 months of May 13, 2013, and to authorize the Director of Public Health, or his/her designee to implement the approved LAMP program activities; and*

- *Adoption of Imperial County Ordinance No. 1516 to codify the standards and policies described in this Local Agency Management Program, including an Advanced Protection Management Program for impaired water bodies.*

Section I Introduction

The Imperial County Public Health Department, Division of Environmental Health (Division), is the local administering agency for permitting, inspections, and enforcement of on-site wastewater treatment systems within the County of Imperial. As established by Imperial County Ordinance, Title 9, Division 10, Chapter 14, (Section 91014.00 et seq.), the County Health Officer has been granted authority to enforce all provisions of this division and to adopt, promulgate, repeal, and amend uniform and reasonable rules, regulations, and requirements consistent with the laws of the State of California. The Division of Environmental Health is the authorized agent of the Health Officer to implement the regulations of County Ordinance to ensure all discharges from private sewage disposal systems adequately protect water quality and public health.

While the State's regulatory authority extends to individual Onsite Wastewater Treatment Systems under Section 13260 of the California Water Code, the State Water Resources Control Board (SWRCB) and the regional boards have recognized the advantages and efficiencies of regulation of small dischargers by authorized and qualified local agencies. Historically, the Colorado River Basin Regional Water Quality Control Board (RWQCB) authorized the County of Imperial Public Health Department to issue septic system permits provided the regulation of these discharges was consistent with the "basin plan," which was developed to outline water quality objectives within the Colorado River Basin as well as policies and programs to achieve those objectives. A conditional waiver was extended to private sewage discharges provided that an "authorized public agency" assured that these were appropriately designed, constructed, and maintained consistent with the *Guidelines for Sewage Disposal from Land Developments*, published in 1979.

In June 2012, the SWRCB adopted the *Water Quality Control Policy for Siting, Design, Operations, and Maintenance for Onsite Wastewater Treatment Systems* (herein referred to as the State Policy or Policy), which became effective on May 13, 2013 (see Appendix A). This was the first statewide policy in California for the regulation and management of OWTS. In response to the adoption of this State Policy, Section II of the LAMP provides a description of the scope and applicability of local authority and responsibility granted to the Division for regulatory oversight of OWTS discharges within Imperial County.

While the Policy seeks to adopt uniform, minimum statewide standards for low risk OWTS, it also incorporates a risk-based tiered approach for the implementation of the Policy to allow local agencies to develop customized management programs that address the hydrogeologic conditions specific to the particular jurisdiction. Section III of this LAMP identifies where different and/or additional requirements are required to protect water quality consistent with Section 9.1 of the State Policy, giving particular consideration to the degree of vulnerability to pollution from OWTS discharges based on underlying soils and geology, as well as surface and groundwater hydrology within the region.

The County of Imperial acknowledges that Tier 1 prescriptive standards afford an essential level of public health and water quality protection. Accordingly, Imperial County Ordinance No. 1516 for On-Site Wastewater Treatment Systems (see Appendix B) maintains a number of existing provisions consistent with Tier 1 standards of the State Policy. These are outlined in more detail within Section IV of the LAMP. However, in recognition of the purpose and scope of the State Policy to protect water quality objectives consistent with local needs, the County of Imperial is also proposing alternative OWTS standards as authorized under the Tier 2 risk-based provisions of the Policy. These have been described in further depth in Section V of this LAMP, and as codified into County Ordinance.

Furthermore, the County of Imperial recognizes the need to implement an Advanced Protection Management Program for those discharges located near an impaired water body, until such time as the RWQCB adopts a Total Maximum Daily Load (TMDL) implementation plan to address the impairment based on watershed-specific circumstances, and assigns load allocations to OWTS. The provisions for OWTS discharges adjacent to the Alamo River and the Palo Verde Lagoon and Outfall Drain have been described in Section VI beginning on page 31.

The utilization of OWTS must also be consistent and take into full consideration local land use development plans within the unincorporated county to ensure that government services and public sewerage infrastructure are afforded to residents of the county in the most efficient service arrangements available. Therefore, development standards incorporated into the LAMP to address environmental protection and sewer infrastructure planning are included in Sections VII (Sewer District Formation), Section VIII (Land Use Planning), and Section IX (Septage Management).

These sections taken together provide the foundational basis for an Onsite Wastewater Management Plan that serves to inform long-term County land use planning to the benefit of area residents.

Finally, the key components for effective LAMP implementation by the Division of Environmental Health are described in Section X (Education and Training), Section XI (Enforcement), and Section XII (Program Administration).

The Imperial County Division of Environmental Health is hereby providing notification of its Local Agency Management Program prepared pursuant to the State Policy, and respectfully requests that the Colorado River RWQCB consent to the following elements of its local program as established herein. Please note that in the interest of public health and safety, and pursuant to Section 4.3 of the Policy, the County will continue to regulate the discharge of domestic wastes from existing or new individual OWTSs (not to exceed 5,000 gallons per day) under its current local authority until such time as the Local Agency Management Program is formally recognized by the RWQCB.

Section II Scope and Applicability

Septic System Survey

According to the most recently available census data (2010), the County of Imperial contains an estimated 56,067 housing units with a population of 174,528; however, nearly 85 percent of these units are currently connected to city sewer services. Public sewer services are available within the 7 incorporated cities of Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial and Westmorland, as well as within the community service district areas of Salton City, Winterhaven, Desert Shores, Bombay Beach, Heber, Seeley, and Niland. Private septic system utilization, then, is predominately concentrated in the outlying community areas of Ocotillo/No Mirage, Palo Verde, Salton Sea Beach, Vista del Mar, Bard, Walter's Camp/Riverfront, and the rural agricultural areas surrounding the incorporated cities within the central Imperial Valley. It is estimated that 6,608 occupied housing units are serviced by OWTS in Imperial County. And based on most recent permitting data from 2012 to 2014, approximately 50 new or replacement OWTS are constructed each year. However, it may be anticipated that the historical average of 75-100 new systems per year since the early 1990s may be more indicative for future growth trends.

In 2000, Imperial County initiated an electronic database using Microsoft Access to track OWTS permitting and installation records. This tracking process was further expanded in 2009, when the Department undertook a project to locate, characterize, and electronically document septic system records back to the late 1960s. The database was then used as a basis for a Geographic Information System (GIS) project to map the properties in the unincorporated area of the County as an overlay on real property records for Imperial County. All detailed OWTS site and permit design information is maintained in hard files organized by city and site address for ease of identification and location at the request of property owners. Prior to 1970, permit files are incomplete and limited information beyond the owner's name is available to identify the location of the septic system. Approximately 5,175 OWTS permit records (including system repairs and abandonments) are on file since 1970, with an additional estimate of 2,030 records from 1960-69 that have not been incorporated into the County GIS system records. GIS mapping information indicates that septic system concentrations are consistent with general demographic data and population patterns for the county. Geographical areas with the heaviest concentrations of septic systems have been identified within this LAMP, with management standards adopted to specifically address any local areas from a

public health and water quality perspective that may potentially be impacted due to OWTS discharges.

Local Administering Agency

The California Water Code, Section 13282, allows an authorized public agency (this Division), to permit discharges from individual disposal systems that are adequately designed, located, sized, spaced, constructed, and maintained to protect water quality and prevent pollution. Pursuant to Section 3.1 of the Policy, the Division intends to continue its existing OWTS permitting program, and will make necessary adjustments as described herein to substantially comply with this Policy. The Division will implement the Policy using its local authority to enforce the statewide minimum standards, as authorized by Section 3.6 of the Policy.

If affirmed by the RWQCB, the Imperial County Division of Environmental Health, as the local administering agency, will continue to regulate the discharge of domestic wastes from existing or new individual OWTSs consistent with the alternative Tier 2 standards adopted pursuant to the this Local Agency Management Program, and as authorized by the State Policy.

Section III Water Quality

The County of Imperial is identified within the Imperial Valley, Salton Sea, and East Colorado River Basin planning areas of the Colorado River Basin Region. It is the driest climatic region in California, characterized by mild winters and extremely hot summers with an average annual temperature of 73 degrees and a mean daily high of 108 degrees in July. The typical mean seasonal precipitation within the desert valleys is less than three inches per year, but its distribution and intensity are often sporadic. Localized thunderstorms may contribute to all of the average seasonal precipitation in one storm event, or conversely only a trace of precipitation may be recorded at any locale for the entire season. Little of the rainwater percolates into the groundwater, and almost all is lost to evaporation and evapotranspiration. The major hydrologic feature of the region is the Colorado River, which is the predominant water supply to the region via the All American Canal. It is utilized for irrigation, industrial and domestic water supply purposes. With the exception of the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifer, which are utilized as sources for drinking water, the existing groundwater within the agricultural portions of the Imperial Valley have been identified as having limited beneficial uses based on high total dissolved solids and impacted groundwater quality from agricultural irrigation and its associated seepage. However, due to increasing demand for scarce water resources in southern California, continued interest in shallow groundwater reclamation in these areas has also been identified.

These unique climatic, groundwater, and surface water hydrology features contribute heavily to the regions unique infrastructure planning and development. Therefore, the Local Agency Management Program must appropriately consider different and/or additional requirements that may be necessary to protect water quality within vulnerable areas.

Surface Water Hydrology

Regional agricultural drainage waters from irrigation, surface runoff, and lesser amounts of treated municipal and industrial waste waters within the Colorado West Basin drain through approximately 1,456 miles of drainage ditches toward the Salton Sea, located at the northerly boundary of the Imperial Valley via the Alamo and New Rivers. (The flow in the New River also contains agricultural drainage, treated and untreated sewage, and industrial waste discharges from

Mexicali, Mexico.) As the Alamo River is listed as an impaired water body for bacterial pathogens (in addition to other pesticides and sedimentation/siltation from agricultural return flow) further discussion on the potential OWTS contribution to this impairment is provided on page 16 of this LAMP.

Surface water utilized to supply irrigation, industrial, and domestic water supply purposes within the Imperial Valley Planning Area is delivered through an extensive canal system operated by the Imperial Irrigation District. Colorado River water is distributed to the East Highline, West Main and Central Main canals via the All-American Canal. These and other main canals bound the Salton trough area and serve as the primary drinking water supply source for all seven incorporated Cities, three unincorporated town sites, two State prisons, and a federal naval facility (NAF-El Centro) located within the Imperial Valley. The Imperial Irrigation District canals also provide the water supply to an additional thirty-one (31) small public water systems, which include four (4) elementary schools and a community college (Imperial Valley College).

For delivery to agricultural crops, the IID serves irrigation water through approximately 5,600 delivery gates over 1,438 miles of lateral canals and lined/unlined delivery channels. Although water cisterns at rural homes and businesses also receive canal water for domestic purposes from irrigation supply laterals, the IID requires an alternate source of water for drinking and cooking purposes. A point of entry (or private) water treatment system is required by the County to meet potable water standards to all plumbing fixtures within these homes consistent with the California Plumbing Code. It should also be noted that a similar (but over a much smaller acreage) distribution of irrigation water from the Colorado River through supply canals is also managed by the Palo Verde Irrigation District in the northeast corner of the county, and by the Bard Water District in the southeast corner of the county along the lower stretch of the Colorado River.

The source raw water from the Colorado River that serves the primary water supply canal system in the Imperial Valley is tested annually by the Imperial Irrigation District for compliance with the Safe Drinking Water Act. These and other tests conducted by local public water systems indicate that the canal water does contain high fecal coliform bacteria levels, making it unsuitable for drinking without filtration and disinfection. Further localized impacts from OWTS near public or private water system intakes does remain a concern as this surface water is also vulnerable to sewage

contamination. Therefore, specific setbacks to water supply and irrigation canals have been established in Table I of Imperial County Ordinance No. 1516 included in Appendix B.

Ground Water Hydrology

Within Imperial County, the regional groundwater hydrology that characterizes the largest portion of the populated area is described by the Imperial Valley Groundwater Basin. This basin is generally bounded on the east side by the Sand Hills and on the west by the impermeable rocks of the Fish Creek and Coyote Mountains. The northern basin is bounded by the Salton Sea, which is the discharge point for groundwater flowing northward within the basin. The Imperial Valley Groundwater Basin lies within shallow fine-grained lake sediments and is generally recharged by irrigation return, underflow into the basin, and seepage from unlined canals. Due to tile-drain systems located throughout the Imperial Valley to dewater sediments to a depth below the root zone of crops and to prevent the accumulation of salts near the ground surface, the groundwater is consistently maintained at a depth of approximately 8 to 12 feet below the ground surface, with some localized mounding within clayey soils at shallower depths near the border of Baja California, the Mesquite Lake Area, and at along the northern portion of the Imperial Valley near the Salton Sea, west and north of Niland. Groundwater depths over this larger basin may fluctuate slightly from year to year, but this not typically associated with seasonal precipitation due to its minimal contribution to groundwater recharge. County standards for siting new and replacement OWTS require consideration of localized fluctuations or mounding that may occur due to nearby flood irrigation activities.

As the groundwater within the Imperial Valley Groundwater Basin is of a higher salinity, with total dissolved solids typically ranging between 500 to 3,000 milligram/liter, it is considered unusable for domestic or irrigation purposes without further treatment. However, groundwater storage capacity within the upper unconfined basin is estimated to be considerable; and potential future beneficial uses have been identified. To prevent further degradation of the groundwater quality within the Imperial Valley Groundwater Basin, a minimum separation to saturated soils of five (5) feet will be maintained below the bottom of leaching trenches, and deep gravel pits that have historically been utilized at the distal end of leaching trenches are no longer permissible. This LAMP does recognize that equivalent treatment may be provided in shallower soils with the use of pressure distribution, and alternatives to the minimum separation of five (5) feet are discussed further in Section V.

There are two additional groundwater basin areas within Imperial County that are designated as having beneficial consumptive uses, and have been designated by the county in this Local Agency Management Program as groundwater areas of special concern, the Coyote Wells and Lower Colorado River Basin Aquifers. The minimum OWTS standards for the county, therefore, give consideration to the potential impacts that OWTS may have on groundwater quality in these designated areas, consistent with the policy goals of the Water Element in the Imperial County General Plan and the RWQCB's Colorado River Basin Plan.

The Ocotillo-Clark Valley Groundwater Basin located along the northwestern boundary of the county, south of Highway 78 and west of San Felipe and Fish Creek springs, is not discussed here in detail as limited development has occurred or is expected to occur in this area over the next five year planning period. Local groundwater use in this area is limited to the existing Blu-In Café and RV Park and the proposed Seville Solar Project area sited on the Allegretti farms property.

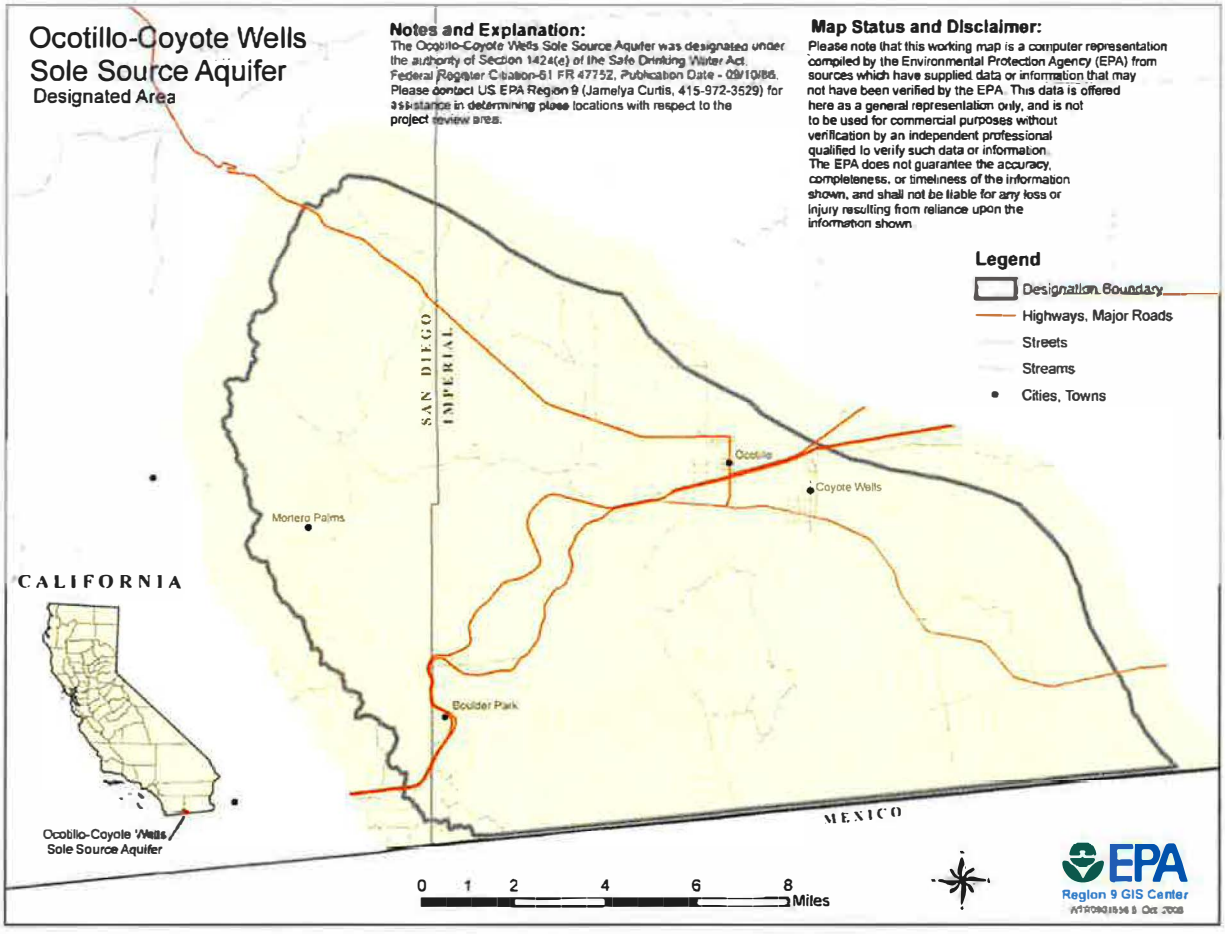
Coyote Wells Groundwater Basin

The Coyote Wells Hydrologic Subunit is located within the federally designated Ocotillo-Coyote Wells Sole Source Aquifer at the southwest corner of Imperial County near the unincorporated townsite of Ocotillo (see Figure 1). As designated in the federal register, this aquifer is the sole or principal source of drinking water for Ocotillo, Nomirage, Yuha Estates, Painted Gorge, and Coyote Wells. The unconsolidated sediments reach up to 650 feet thick, with water-bearing zones most productive between 100 and 300 feet below ground surface. Primary recharge to the basin occurs through percolation of precipitation and ephemeral runoff from the surrounding mountains. However, the aquifer has been described to be in a state of overdraft, characterized by declining groundwater levels since the 1970s. Static groundwater levels are generally found at approximately 90 to 150 below the ground surface in the town site area of Ocotillo, but can be as shallow as 15-25 feet in some localized areas. Groundwater quality varies over the basin associated with the hydraulic gradients and thickness of the alluvium deposits through the area. Higher water quality with lower total dissolved solids is typically found near or around Ocotillo, with higher TDS and mineral constituents (particularly elevated fluoride) to the south and east of this community. As the soils in this alluvial area consist of highly permeable sands and gravelly sands, the potential degradation from OWTS discharges are of concern in this area. Pressure distribution in the dispersal bed will be

required unless twenty (20) feet of separation to groundwater can be maintained consistent with the Policy for these soil types.

It should be noted that nitrate levels in the town site of Ocotillo have been historically low due to the low density of residences in this community (ranging from 7 to 13 mg/L Nitrate as NO_3). Therefore, supplemental treatment for nitrates has not been proposed for new or replacement OWTS; but continued monitoring of water quality data from the community water wells of Coyote Mutual and Ocotillo Mutual will be included as part of the local Groundwater Ambient Monitoring and Assessment Program as described in Section VI to evaluate the effectiveness of the water quality protection afforded by this alternative management program.

Figure 1.



Source: USEPA, Region 9, Sole Source Aquifer Program. http://epa.gov/region9/water/groundwater/ssa.html.

Lower Colorado Aquifer Basin

The Lower Colorado Aquifer Basin extends outward along the Colorado River flood plain along the lower reaches of the river bounding Imperial County in California and Yuma and La Paz Counties in Arizona. The groundwater within the lower Colorado basin is apportioned for consumptive use as part of the Colorado River Compact of 1992. However, the groundwater quality does vary considerably with distance from the flood plain basin recharge areas and between the upstream and downstream portions of the river within Imperial County. The groundwater within the Palo Verde and Cibola Valleys is generally high in total dissolved solids and inorganic constituents (i.e. Iron, Manganese, and Fluoride). Limited groundwater wells are used for direct consumptive use in this agricultural valley as residential development is predominately within the community of Palo Verde, which is serviced by community water wells adjacent to the Colorado River located approximately 1.5 miles south of the town site. Groundwater quality is likely also impacted in this area due to agricultural returns in drains, as well as seepage from the Palo Verde Lagoon and Outfall Drain, which is listed as an impaired surface water body.

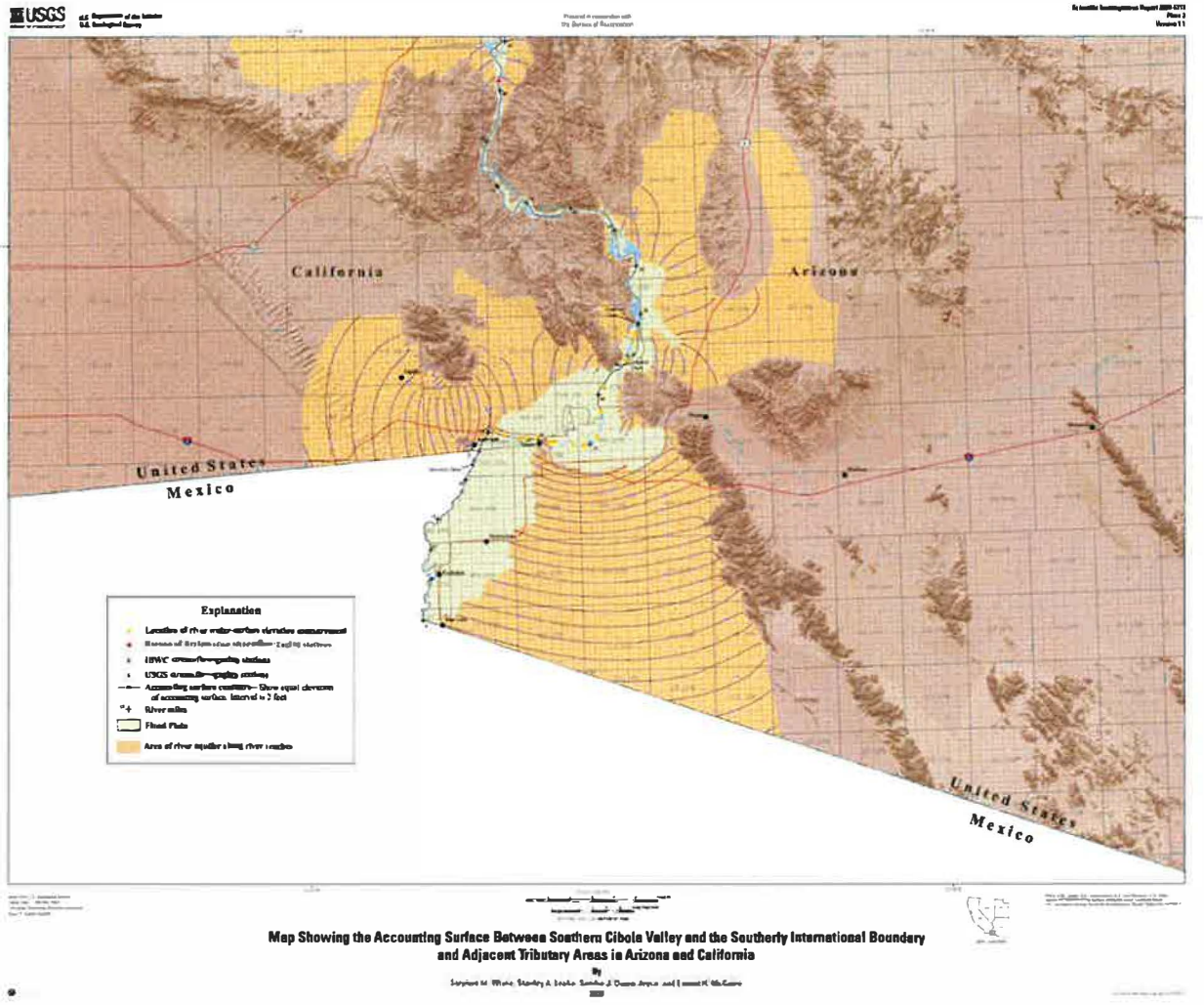
Further south along the Palo Verde Outfall Drain near its return discharge to the Colorado River in the Walter's Camp area are several seasonal mobile home and RV parks (i.e. Walter's Camp and Mitchell's Camp), private seasonal homes along Old River Road, and the recent Riverfront subdivision that rely on public groundwater wells adjacent to the river. It is likely that the minimal density of OWTS on existing parcels will not impact groundwater resources in this area provided minimum vertical and horizontal setbacks are maintained. Direct groundwater recharge from the nearby river is anticipated. A two hundred (200) foot setback for any new or replacement OWTS has been established to the Colorado River in county ordinance.

The Lower Colorado Aquifer Basin downstream of the Imperial Dam, and stretching westward across the Bard Valley, Winterhaven, Felicity, and to the Gordon's Wells area (see Figure 2) has direct consumptive importance for the region's development. As such, this aquifer area has been designated as an area of special groundwater concern since it is primary source of drinking water, and it will be included within the local Groundwater Ambient Monitoring and Assessment Program. Groundwater, particularly within the Bard and Winterhaven area, is shallow within unconsolidated sandy loam or sandy soils, and may be impacted by OWTS discharges from private residential developments. Due to the small parcel size of many pre-existing lots developed with 50 foot setbacks between OWTS and

shallow domestic water wells (including sand point wells), many of these lots would be unable to install a conforming OWTS upon failure of their existing systems. Pressure distribution will be required if a waiver is necessary for a reduced setback on an existing lot. Furthermore, disinfection and periodic sampling of the on-site well for nitrates and bacteria will be established as an ongoing mitigation measure to ensure private groundwater wells are not being impacted by OWTS installations.

In other areas of this basin to the west, the parcel sizes are substantially larger based on the underlying zoning of open space (S-2) and no additional requirements will be required for new or replacement OWTS in these sandy soils provided a minimum twenty (20) foot setback to groundwater is maintained below the dispersal system, and adequate horizontal setbacks to domestic or public water wells can be maintained.

Figure 2.



Source: USGS, Scientific Investigation Report. 2008. http://pubs.usgs.gov/sir/2008/5113/

Geology and Soils

The predominant geology that characterizes the region is the Salton Trough, a large structural depression in the Colorado Desert resulting from tectonic boundary adjustments between the Pacific and North American plates. The Salton Trough is presently occupied by the Salton Sea and the Imperial Valley, bounded by the San Andreas Fault system and the peninsular mountain ranges in the west. The Imperial Valley was originally created as a northward land extension of the Gulf of California that was isolated by the Colorado River delta approximately 4.4 million years ago.

Subsequently, under desert conditions, the inland sea dried up and the trough was filled later with lacustrine deposits by intermittent filling of the fresh-water Lake Cahuilla.

The soils along the basin floor of the Imperial Valley are typically described as nearly level, deep, and moderately well drained to well drained silty clay loam and clay loam soils. However, the typical profile may vary considerable depending on sediment formations, with variable thicknesses of silty clays with high shrink-swell potential and slow permeability within the central portion of the valley (particularly near Calexico, Imperial, and Calipatria within the Imperial silty clay soil unit), and well drained sandy loam and loams along the eastern and northwestern portions of the valley. The Imperial-Holtville-Glenbar soil group encompasses the largest percentage of the valley area and consists of nearly level, moderately well drained silty clay, silty clay loam, and clay loam soils. These soils are typically deeper (to greater than 60 inches) and suitable for OWTS installation, but dispersal fields may require special design considerations to account for the slow permeability of underlying clayey soils. Due to the variability of clayey soils within the irrigated areas of the valley, a minimum leach field design of one hundred ninety-five (195) lineal feet will be required for any residential OWTS.

Along the edges of the lacustrine basin area and the low alluvial fan deposits of the Imperial Valley, the soils are well drained with fine sandy loam, loam and silt loams overlying silty clays at variable depths. The Meloland-Vint-Indio soil complex is generally suitable for OWTS installation, but consideration must be given to stratified layers that may include limiting clay lenses at shallow soil depths ranging between 24 and 40 inches below the ground surface. The Holtville loam unit is also found in the well drained areas along the Alamo River near the City of Holtville, and it is characterized by a deep, well drained loam/silt loam with a depth of more than 80 inches to the water table. This area is suitable for conventional gravity OWTS, and requires no special design considerations for septic systems. The geology and soils are also similar in the Bard valley near Winterhaven, an area characterized by alluvial deposits along the flood plain of the Colorado River which bounds the Indio-Lagunita-Ripley complex on the east and the drainageways extending south from the Chocolate Mountains and Picacho Peak to the north. The typical soil profile of the area is a silt loam overlying very fine sandy loams or excessively well drained Lagunita loamy sands to a depth of greater than 60 inches. Shallow groundwater is typically the limiting design consideration for OWTS in this area.

Near the northern boundary of the county, the saline soils along the edges of the Salton Sea are poorly drained silty clays and are unsuitable for OWTS installation; however, the soils found higher in elevation along the mesas adjacent to the old Lake Cahuilla basin are well drained and somewhat excessively drained sand, fine sand, and silt loams of the Rositas and Superstition units. These soils are also characteristically found along the West Mesa out to the Imperial Sand Dunes and are suitable for OWTS installation provided that the percolation rate is not excessively rapid (below 1 MPI).

Rapid infiltration through excessively gravelly sands is also often a limiting factor in the southwestern portion of the county south of the Coyote Mountains near the town of Ocotillo, where the geology is characterized by deep alluvial deposits of highly permeable fine to medium sands from weathered rock that may be classified as gravelly to extremely gravelly. This region is bounded by fault activity and subject to flash flooding along washes and drainageways. As the soils are excessively permeable, design considerations for OWTS to prevent the potential degradation of groundwater are necessary in this area.

Impaired Water Bodies

The State Policy (in Attachment 2) identifies impaired water bodies within California where: (1) it is likely that operating OWTS will subsequently be determined to be a contributing source of pathogens or nitrogen and therefore it is anticipated that OWTS would receive a loading reduction, and (2) it is likely that new OWTS installations discharging within six hundred (600) feet of the water body would contribute to the impairment. Specifically, Table 5 within the State Policy identifies the Alamo River and the Palo Verde Outfall Drain and Lagoon as two water bodies within Imperial County that are subject to Tier 3 requirements due to impairment from pathogens. The Policy does not further differentiate the source of pathogens since a Total Maximum Daily Load (TMDL) attributing reductions on specific contributing sources to these water bodies are not scheduled for completion until 2017. However, the State Water Board has specifically identified these impaired water bodies based on the current 303(d) listing status under the federal Clean Water Act. The *State Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List* (adopted September 30, 2004) provides the listing/delisting data procedures to identify streams whose water quality is impaired (affected by the presence of pollutants or contaminants).

Alamo River

The Alamo River has been designated as an impaired water body based on exceedances of the water contact and noncontact water recreation bacterial objectives. Fecal coliform (*Enterococcus*) and E. coli (*Escherichia coli*) bacteria are used as indicator organisms to evaluate the presence of pathogenic microorganisms. Thirteen (13) water samples were collected between a period of May 2002 and April of 2003, with a minimum of five (5) water samples exceeding the Basin water quality objectives for surface water bodies. Although the water body-pollutant levels of these bacteria exceed the applicable water quality standards, the various sources will not be attributed until the TMDL is completed.

Residential development along the Alamo and New Rivers is minimal; however, it is estimated that the impairment designation may impact up to approximately fifty-five (55) existing residences that currently discharge from OWTS within six hundred (600) feet of the Alamo River, with a potential to restrict development on up to five hundred and seventy (570) land parcels that border the Alamo River as it traverses northward through the Imperial Valley (County BOS Presentation, May 13, 2013). Although the large majority of this land is designated and used solely for agricultural crop production, rural residences on these properties will be subject to the Advanced Protection Management Program developed under this LAMP (see Section VI).

Palo Verde Outfall Drain and Lagoon

The Palo Verde Outfall Drain and Lagoon are located in the Palo Verde Valley that lies in the northeastern portion of the county along the Colorado River. Agricultural runoff from irrigation provided by the Palo Verde Irrigation District is drained by a system of open drains that discharge into the Palo Verde Outfall Drain, which extends southward through the valley and into an old channel of the Colorado River for approximately 17 miles in total distance within Imperial County. The Outfall Drain enters the present river channel at the Cibola National Wildlife Refuge in the Walter's Camp area. Along the northern border of Imperial County, in the center of the agricultural valley, is the community of Palo Verde, which was built around a lagoon fed by water off of the Outfall Drain. The designated beneficial uses of the Palo Verde Outfall Drain and Lagoon are water contact and water non-contact recreation, warm freshwater habitat, and wildlife habitat that support rare, threatened or endangered species. The water quality standards established for these beneficial uses have not been met for bacterial pathogens based on water sampling events conducted between May

2002 and October of 2004. Bacterial exceedances were documented for both fecal coliform (*Enterococcus*) and E. coli (*Escherichia coli*) bacteria; however, no point or non-point sources have been identified, nor have load reductions been attributed to any potential sources to date.

The impairment designation of this water body has substantial impacts on the town site of Palo Verde, which is comprised of 124 residences, a service station, a mobile home park, and several small businesses located directly adjacent or nearby the Palo Verde Lagoon that discharge to existing OWTS within six hundred (600) feet of the lagoon. Replacement or new OWTS on individual parcels with supplemental treatment for pathogen reductions to meet the Advanced Protection (Tier 3) standards of the Policy would likely be overly cost prohibitive to residents of the seriously economically disadvantaged community. Moreover, many of the parcels are insufficiently sized (less than 1,500 square feet) to accommodate the installation of an OWTS meeting the minimum setbacks to the lagoon and minimum dispersal field sizing requirements. Given these factors, a community sewer system for the existing and undeveloped land parcels within the town site of Palo Verde may be necessary to ensure ongoing water quality objectives are met in this area (see Section VII). Other scattered residences and special occupancy parks (Coco Palms and Two Palms Mobilehome Parks) near the Palo Verde Mesa off Stallard Road would also be subject to the Advanced Protection (Tier 3) standards for any replacement OWTS.

Other potential impacts by existing OWTS to the Palo Verde Outfall Drain include seasonal residences along Old River Road, and special occupancy parks along the lower segment of the drain near its discharge into the Colorado River. Mitchell's Camp is operated under Waste Discharge Requirements (Order No. 94-067) and Walter's Camp is located on federal Bureau of Land Management property and its discharge is authorized under Waste Discharge Requirements (Order No. 84-55). These facilities will be subject to RWQCB requirements adopted pursuant to the State Policy. Due to the seasonal nature of residences along Old River Road and the close proximity to outfall of the Palo Verde Drain to the Colorado River (3,500 feet), the Advanced Protection Management Program in Section VII specifies alternative provisions for OWTS in this area. Within the Walter's Camp area, new or replacement OWTS will not require supplemental treatment for pathogen reductions provided that the minimum two hundred (200) foot setback to the drain and/or Colorado River can be maintained as an equivalently protective measure against surface water quality impairments.

Section IV Existing System Requirements

Local Ordinance

The Imperial County Division of Environmental Health currently regulates the construction, alteration, or replacement of OWTS, and the permitting of such, pursuant to Imperial County Ordinance, Title 9, Division 10, Chapters 4, and 11-14. In addition to the codified ordinance of Imperial County, the California Plumbing Code (2010) is adopted by reference in Imperial County Ordinance Section 91004.00, including its construction and siting standards found in Appendix K (Private Sewage Disposal Systems). The County has also administratively implemented policies and procedures with respect to *Pressure Distribution Standards (Feb 2012)*; *Uniform Policy and Method for Soils Evaluation, Testing, and Reporting; Distribution Boxes;* and *Chambered Leach Fields*.

As provided for in Section 6.0 of the State Policy, owners of existing OWTS that have been sited, designed, constructed, and maintained in accordance with local ordinance may continue to operate these OWTS as permitted. Unless otherwise subject to corrective action or deemed failing, there are minimal proposed local regulatory changes for these Tier 0 systems. County ordinance will be amended as described herein to clearly identify those OWTS that are failing or require corrective action to prevent impacts to groundwater quality or to pose a potential health threat to humans (see Appendix B).

Existing Functioning Onsite Wastewater Treatment Systems (Tier 0)

Existing OWTS that are being utilized as designed and permitted are of limited risk to impair local groundwater or nearby surface water bodies. The discharge of conforming OWTS are, therefore, covered under a waiver of discharge requirements provided by the State Policy if they continue to meet the following requirements:

- The existing OWTS is defined as a "conforming system" under Imperial County Ordinance Section 8.80.030, which specifies that the system has been approved, installed, and continues to operate in accordance with the regulations pertaining to onsite wastewater treatment systems under which the system was permitted;

- The existing OWTS is being used to discharge only domestic wastewater (or sewage), which specifically excludes wastewater from industrial processes, high strength wastes, or wastes from RV dump stations or other non-residential sources;

- The cumulative design flow to existing OWTS(s) on a lot or parcel is maintained at less than 5,000 gallons per day;

- The existing OWTS is not otherwise considered a "failing system" under Imperial County Ordinance Sections 8.80.180(C)-(D); and

- The existing OWTS is not located within a geographic Area of Special Concern that is subject to supplemental treatment and monitoring requirements under the Advanced Protection Management Program described in Section VI due to identified impacts to an impaired water body or protected groundwater aquifer.

Minor Repairs

The life expectancy of an existing OWTS will often depend on a number of factors, including septic tank pumping frequency, use, soil conditions, cover and construction materials, climate, and proximity to nearby trees or irrigation systems. For an existing OWTS that is older than 20 years, it highly recommended that the owner consider budgetary planning for its eventual replacement and/or consider preventative maintenance or minor corrective actions that may be permitted by the Division to further prolong the life expectancy of the septic system. Minor repairs may include the replacement of a distribution box, septic tank baffles, or broken transport pipes to prevent a complete system failure.

The installation of monitoring equipment, such as observation ports in the leach lines or access risers on the septic tank, is also recommended for all owners of existing OWTS, and would not require a permit by this agency. Other remedial actions, such as regular pumping of the septic tank, reducing daily wastewater flows, minimizing the use of a garbage disposal, spreading out loads of laundry throughout the week, or installing low flow plumbing fixtures may prolong the service life of an existing OWTS to avoid the need for major repairs. Please note that the use of chemical additives or

enzymes have not been shown to be beneficial, and in some cases may be detrimental to the function of the septic system.

Failed Onsite Wastewater Treatment Systems (Tier 4)

Imperial County currently maintains a voluntary service and maintenance program for owners of existing OWTS. Any OWTS owner of record is legally responsible for properly operating and maintaining their existing OWTS in a manner consistent with the State Policy to ensure continued coverage under the waiver of discharge requirements, including the employment of a registered septic tank pumper to periodically remove septage from the tank when the level of solids and scum indicates that removal is necessary. Consistent with the State Policy, Imperial County finds that it is essential for owners of existing OWTS to periodically inspect the septic system in order to identify conditions that may indicate an early warning that the OWTS is failing so corrective actions may be taken.

Any OWTS that has pooling of sewage and/or sewage effluent on the surface of the ground, has sewage leaking from a failed tank, backing up into plumbing fixtures, or causing a human health or public nuisance condition, or is otherwise discharging to surface water directly or by means of a drainage ditch, or impacting groundwater to a degree that makes it unfit for drinking or other uses, is considered to be failing pursuant to Imperial County Ordinance Section 8.80.180(C). Additionally, Imperial County recognizes that certain conditions are prima facie evidence of pollution that may impact human health or the environment, including the use of a cesspool, sewer wells, seepage pits, pit privies, metal or wood septic tanks, dispersal systems that are located within fifty (50) feet of surface water or a water supply well, or that are located within one hundred and fifty (150) feet of a public water supply well.

Major Repairs

If an existing OWTS is deemed a failing system, an owner must immediately abate the condition. Corrective actions for an OWTS failure may include 1) connection of the residence or facility to a public sewer, if available within two hundred (200) feet of the property; or 2) obtain a permit from this Division to repair or replace the failing OWTS or the failed septic tank or treatment component to conform to standards adopted as part of the Local Agency Management Program. As

with the installation of a new system, all major repairs or replacement of an existing OWTS must be designed and installed by qualified professionals.

If an owner of the failing OWTS is not able to repair or replace the system to comply with current regulations due to insufficient lot size or unsuitable soils, the Division may permit a non-conforming repair meeting Imperial County Ordinance to the maximum extent permitted by the site. Supplemental treatment may be required if necessary to provide treatment equivalent to the adopted standard. Moreover, any owner who receives a non-conforming repair permit shall record a notice with the Imperial County Clerk Recorder of the presence of a non-conforming repair on the property. The notice shall specify operation and maintenance requirements and any limitations on the use of the property that are related to the presence of a non-conforming repair.

Abandonment Standards

An existing OWTS that is no longer used or that is no longer functioning represents a health and safety hazard to the public. In particular, the top and lids of a septic tank deteriorate over time and may collapse unexpectedly leading to serious injury or death. Moreover, an abandoned excavation, such as a septic tank or cesspool, may otherwise pose as a direct safety hazard to minors legally on the premise. Therefore, the Division makes it a priority to ensure that these structures are properly abandoned by the owner of the property. An abandonment permit and inspection from this Division is required to ensure that the health and safety hazard has been abated.

An existing OWTS or a portion thereof shall be properly abandoned when a residence or structure is demolished and no replacement structure is proposed, when the structure is connected to public sewer, or upon the discovery of a cesspool, sewer well, pit privy, or seepage pit. The abandonment standards for Imperial County are derived from the California Plumbing Code, and include pumping the tank or pit to remove all contents, removing the tank entirely (required for plastic or fiberglass tanks) or removing the top of the concrete tank in its entirety and filling it with an inert material such as clean soil, sand or cement. Leach lines composed of gravel and pipe may be abandoned in place.

Building Permit Reviews

Existing functioning OWTS that would otherwise be expected to continue to function properly may become overloaded when homes or businesses are remodeled or expanded in a manner that increases the sewage flow or changes the characteristics of the sewage generated. When an expansion or change of use is proposed, the existing OWTS must be evaluated to determine whether the proposed use (or anticipated wastewater flows) can be received and treated reliably by the septic system. Examples of changes that would indicate an increased flow to the system and result in the need to alter or modify the existing OWTS include the addition of a bedroom, an increase in the number of employees, or the installation of additional plumbing fixtures. A change in the characteristics of the sewage generated may also require the existing OWTS to be altered or modified to include supplemental treatment.

Additionally, it is recognized by Imperial County that improvements on the property without proper review or oversight may encroach upon the location of the existing OWTS or its required 100% replacement area, impacting the function of the system or precluding the ability to replace the system with a conforming OWTS in the future. Moreover, owners of existing OWTS that have no record of approval are often unable to accurately identify the installed location of the septic tank and dispersal field, which may lead to the unanticipated failing of an existing OWTS due to these unforeseen encroachment impacts.

To minimize OWTS failures for public health protection, and to protect current and subsequent owners from the unanticipated expense of abating a condition of pollution, the County of Imperial implements a coordinated review process for building permit applications to protect the OWTS and replacement area from: 1) cover by an impermeable surface; 2) encroachment by a building structure or swimming pool; 3) soil compaction by vehicular traffic; or 4) impacts from surface or stormwater drainage. Also importantly, the building permit review by this Division ensures that the quantity and waste strength of sewage entering the OWTS will remain at or below the approved design. For those existing OWTS with no record of approval, an evaluation and certification of the system by a qualified professional is required to determine whether any system modifications will be needed to support the proposed building project.

Section V Requirements for New or Replacement OWTS

For any new or replacement OWTS, minimum siting and construction standards consistent with Tier 1 of the Policy, or that provide equivalent or greater protection of water quality within existing local ordinance or the California Plumbing Code, will be utilized by the Division for a period not to exceed 60 months from the effective date of the State Policy on May 13, 2013, or until the effective approval date of the Local Agency Management Program. Upon approval of the Local Agency Management Program, the Tier 2 alternative standards as codified in County Ordinance and described herein will become effective upon local Board adoption.

State Minimum Standards (Tier 1)

The State Policy specifies that any new or replacement OWTS meet the low risk siting and design requirements of Sections 7 and 8 (Tier 1) where alternative standards have not been approved as part of a Local Agency Management Program. If there is a direct conflict between the applicable minimum standards and local codes or ordinances, the more restrictive standards will govern. However, once a Local Agency Management Program is approved, it shall supersede Tier 1 and all future OWTS decisions will be governed by the Tier 2 Program described below until it is modified, withdrawn, or revoked.

Alternative Standards (Tier 2)

In order to protect water quality and public health in Imperial County, as well as address unique local hydrogeologic conditions and areas of special concern, alternative standards have been incorporated in Imperial County Ordinance No. 1516 located in Appendix B. Justification for the locally adopted alternative standards has been provided in Section III of this LAMP document. It should be noted that the Local Agency Management Program for Imperial County does not authorize any of the conditions described in Section 9.4 of the State Policy. A summary of the alternative minimum standards that the Division intends to implement consistent with its local authority under the State Policy are as follows.

Minimum Site Evaluation and Siting Standards

- Site evaluations in the County will remain consistent with the Imperial County *Uniform Policy and Method for Soils Evaluation, Testing and Reporting* without additional soil profile excavations; but will include a mandated measure of groundwater depth through a soil boring at the site, along with a general description of soil type and any limiting conditions encountered at the site during the test boring. A site specific evaluation of the soil conditions to determine that adequate suitable soil depth is present will be required for all new and replacement OWTS. *(See Sections 7.1-7.3 of the State Policy)*

- The minimum percolation test result in the effluent disposal area for new or replacement OWTS shall not be slower than two hundred forty minutes per inch (240 MPI). An extended site evaluation by a qualified professional to evaluate the suitability of the soils will be required for all soils slower than sixty minutes per inch (60 MPI). *(See Section 7.4 of the State Policy)*

- The minimum horizontal setback from any irrigation supply canal located upstream of a surface water intake for a public water system shall be no less than one hundred (100) feet. Additionally, the minimum setback to the effluent dispersal system of one hundred (100) feet shall be maintained to the All-American, Westside Main, Central Main and East Highline canals. Setbacks to lined supply laterals or unlined delivery channels used only for agricultural irrigation will be twenty-five (25) and fifty (50) feet, respectively. The permitting agency will provide notice to public water systems for comment prior to issuance of a permit to install an OWTS within 1,200 feet of an intake point for a surface water treatment system as required. *(See Sections 7.5-7.6 of the State Policy)*

Minimum OWTS Design and Construction Standards

- A qualified professional will be required to design all new OWTS and modifications to existing OWTS where the treatment or dispersal system will be replaced or expanded if the minimum soil depth cannot be maintained, gravity dispersal cannot be utilized, or if the soil percolation rate is slower than sixty minutes per inch (60 MPI), or if the OWTS is to service a non-residential structure. A qualified professional may be an individual that is currently

licensed in the State of California as a professional engineer or professional geologist, or an individual that possesses a registered environmental health specialist certificate. *(See Section 8.1.1 of the State Policy)*

- The design of a new or replacement OWTS shall be based on the expected influent wastewater quality with a projected flow not to exceed 5,000 gallons per day, the characteristics of the site and the required level of treatment for protection of water quality and public health. If the proposed OWTS use is such that the cumulative waste discharge to existing and/or new OWTS exceeds 5,000 gallons per day, a Report of Waste Discharge must be submitted to the RWQCB to obtain an individual waste discharge permit. *(See Section 8.1.3 of the State Policy)*

- The design of a new or replacement OWTS shall ensure that the minimum depths to groundwater for the site specific soil characteristics will be maintained to provide sufficient protection of groundwater quality, as described below: *(See Section 8.1.5 of the State Policy)*

    - The minimum depth to groundwater from the bottom of the dispersal system will remain at five (5) feet for conventional gravity dispersal (i.e. soil percolation rate > 5 MPI and ≤ 90 MPI).

    - As pressure distribution of septic tank effluent distributed uniformly through the entire dispersal field within the upper aerated soil horizons has been broadly demonstrated to provide improved wastewater treatment, a minimum soil depth of two (2) feet will allowed between the highest anticipated groundwater and the bottom of the dispersal field, unless otherwise specified for proposed discharges within groundwater areas of special concern. All pressure distribution systems will be designed by an engineer consistent with this Division's *Pressure Distribution Standards (Feb 2012)*, or any subsequent document revision.

    - Soils with percolation test results slower than ninety minutes per inch (90 MPI), but faster than two hundred forty minutes per inch (240 MPI), will be mitigated by the use of pressure distribution to uniformly distribute the wastewater throughout the dispersal system.

- Soils with percolation test results faster than five minutes per inch (5 MPI) will be mitigated by the use of pressure distribution in the dispersal bed unless twenty (20) feet of separation to groundwater can be maintained consistent with the Policy.[1] In areas of special groundwater concern, supplemental treatment may be required prior to dispersal.

- The leach field shall be designed based on the bottom area only. However, a maximum twenty (20) percent reduction in leach field sizing based on sidewall infiltration may be requested if a minimum of 18 inches of rock is utilized under the gravel pipe. Size reductions of up to thirty (30) percent for IAPMO certified gravel-less chamber products will be authorized in accordance with the County's *Chambered Leach Fields* policy, although no reductions will be provided below the minimum leach field area of one hundred ninety-five (195) lineal feet for residential OWTS within the irrigated farm areas of Imperial Valley. A one hundred (100) percent replacement area will be required based on the non-reduced leach field sizing requirements. *(See Sections 8.1.6 and 8.1.11 of the State Policy)*

- No dispersal system shall exceed a depth greater than four (4) feet as measured from the ground surface to the bottom of the trench. For any new or replacement OWTS, the dispersal system shall not exceed a maximum depth of three (3) feet from finished grade, unless written authorization is provided by the Division. A lift station designed by a qualified professional may be necessary on some replacement OWTS to ensure that the dispersal of septic tank effluent is within the aerated upper zones of the soil horizon to maximize treatment and evapotranspiration. *(See Section 8.1.7 of the State Policy)*

- Design flows – The minimum design flow for purposes of sizing hydraulic components of a new or replacement OWTS will be 250 gallons per day of wastewater. For single-family dwellings, the minimum design flow for each additional bedroom will be 125 gallons per day. Design flows for accessory residential structures will be based on the number of plumbing fixture units as determined from Table 7-3 of the California Plumbing Code, expressed in terms of the load-producing effects on the plumbing system by different kind of plumbing fixtures. Drainage fixture units and/or the estimated waste/sewage design flow rate may be

[1] It should be noted that while the Vista del Mar and Ocotillo/No Mirage areas have historically exhibited soil percolation rates between 1 and 5 MPI, the minimum depth to groundwater typically exceeds 20 feet consistent with minimum groundwater protection standards of the State Policy.

used for all other non-residential building occupancies, whichever provides the most reasonable calculation of anticipated flows as determined by a qualified professional. *(See Section 8.1.3 of the State Policy)*

- Maximum loading rates – The maximum design loading rates for purposes of sizing the dispersal area of a new or replacement OWTS shall be based on the underlying or receiving soil characteristics at the proposed construction location as determined by both the stabilized percolation rate and the soil texture or structure determination as provided in Table 1 below, whichever provides the most conservative long term soil application rate. *(See Section 8.1.6 and Tables 3-4 of the State Policy)*

Table 1. Soil Loading Rates for OWTS.

Maximum Hydraulic Loading Rate For Residential Sewage[1,2,3]			
Soil Type	**Soil Textural Classification**	**Percolation Rate (mpi)**	**Loading Rate (gal./ft.²/day)**
1	Coarse sands, Medium sands	1-4	0.8
2	Fine sands, Loamy sands	5-10	0.8
3	Sandy loams	11-20	0.7
	Loams	21-30	0.6
4	Silt loams, that are porous and have well-developed structure	31-60	0.45
5	Other Silt loams (weak) and sandy clay loams	61-90	0.3
6	Clay loams, Silty clay loams	91-120	0.2
Marginal	Sandy clays, Clays & Silty Clays of low clay content (<45%) with moderate or strong structure	121-240	0.1

[1]Compacted soils, cemented soils, and/or poor soil structure may require a reduction of the loading rate or make the soil unsuitable for the installation of an on-site wastewater treatment system. Supplemental pre-treatment may be required prior to dispersal in marginal soils.

[2]The maximum hydraulic loading rate for the soil type listed is to be used for calculating the drainfield area required.

[3]Due to variable clayey soils of marginal quality and irrigation impacts within the Imperial Valley, a minimum leach field area of one hundred ninety-five (195) lineal feet will be required for any residential OWTS.

Alternative Wastewater Treatment Systems

Alternative wastewater treatment systems are OWTS utilizing dispersal field designs consisting of components other than conventional gravity or pressure distribution within standard rock and pipe trench disposal configurations, such as "mound", "at grade", "evapo-transpiration bed," or "sand-lined trenches". "Subsurface drip systems" are also a special category of pressure distribution that have specific design considerations and require pre-treatment prior to wastewater discharge to drip lines. Alternative systems may be utilized to mitigate limiting soil conditions such that the minimum standards for separation to groundwater, or so that horizontal setbacks may be maintained equivalent to a conventional dispersal system. The use of alternative wastewater systems is limited to those components or dispersal technologies for which there have been technical standards adopted by the Division and/or the RWQCB. A proprietary treatment device must be certified by an independent third party laboratory and be included on the list of approved systems or devices maintained by the Department prior to its consideration for use. Due to the technical design information necessary to evaluate alternative wastewater treatment systems, any OWTS incorporating alternative treatment or dispersal field components must be designed by a qualified professional in conformance with the Local Agency Management Program, and include a site specific operation and maintenance manual for the owner of the alternative OWTS.

Prior to final construction approval, the property owner will be required to record a notice stating that an alternative system has been installed on the property. This "Notice to Property Owner" shall run with the land and will act as constructive notice to any future property owner that the property is served by an alternative wastewater treatment system with regular maintenance, monitoring and reporting requirements. A copy of the recorded document shall be provided to the Department prior to final system approval. The Division will document the location and types of alternative OWTS installed, and submit record of such installation in its annual report to the RWQCB.

To ensure that the system continues to function properly, it is should be inspected at least annually by a qualified professional. Inspection reports should be submitted to the Division of

Environmental Health detailing the findings of the inspection within thirty days of its completion so that routine inspections are tracked and required maintenance can be assured.

Large On-Site Sewage Systems

Although not currently proposed, the Division may revise the Local Agency Management Program in the future to establish local regulatory oversight of large on-site sewage systems (LOSS) that discharge to on-site subsurface drip systems or leach fields, or to evaporation ponds following wastewater treatment. For purposes of this program, a LOSS would be defined as any large on-site sewage system with a design flow greater than five thousand (5,000) gallons per day up to ten thousand (10,000) gallons per day for which waste discharge requirements have been issued by the Regional Water Quality Control Board, but that ongoing primary administrative authority has been granted by written agreement from the RWQCB to Imperial County. The minimum operation, design, and treatment requirements would be dictated by the State issued permit; however, routine inspections and annual operational permits would be issued by the local health agency.

The potential benefits of a LOSS program for the RWQCB may include more frequent inspections of small dischargers, higher assurance of certified operator oversight, improved coordination with owners, and accessibility to local technical assistance. Currently, the Division also regulates drinking water systems through its Local Primacy Agency, and conducts annual inspections at facilities that discharge to LOSS systems (e.g. RV and Mobilehome Parks, energy production plants, fuel stations, irrigation district facilities, or county parks). State or federal facilities would be specifically excluded from local permitting under this delegation program.

Section VI Advanced Protection Management Program

The State Policy identifies impaired water bodies (the Alamo River and Palo Verde Outfall Drain and Lagoon) within Imperial County that may be further impacted from discharges by existing, new or replacement OWTS (see Section III). In the absence of Total Maximum Daily Load (TMDL) reductions established by the RWQCB for OWTS discharges, or special provisions contained within a Local Agency Management Program to protect impacts to these impaired water bodies, the minimum requirements of the Advanced Protection Management Program (Tier 3) of Section 10.0 of the State Policy would apply, initially to any new or replacement OWTS within six hundred (600) feet of the impaired water body. However, until such time that the RWQCB attributes specific reductions on contributing sources of pathogens to OWTS discharges for new or existing OWTS, the Advanced Protection Management Program to be implemented in Imperial County will include ***special provisions*** within its Local Agency Management Program to address potential water quality impacts of OWTS on the impaired water bodies. These special provisions have been described below, and consider the nature and extent of potential pathogen impacts that OWTS may contribute based on the characteristics of development adjacent to the specific impaired water body.

Furthermore, the Division also recognizes that there are Areas of Special Concern within Imperial County where groundwater quality may be detrimentally impacted by OWTS if special provisions under an Advanced Protection Management Program are not established for new and replacement OWTS. These special provisions, along with the associated Groundwater Ambient Monitoring and Assessment Program to monitor ongoing groundwater quality are also described in this Section.

Advanced Protection Program for Impaired Areas (Tier 3)

The Advanced Protection Program for Impaired Areas (Tier 3) has been incorporated into this Local Agency Management Program and specific standards for implementation will be codified into County Ordinance. For new, replacement, and existing OWTS in the Advanced Protection Management Program, no special provisions are established that are not otherwise covered by the State Policy's waiver as authorized in Section 10.6. It is recognized that these minimum standards are essential to minimize the potential impacts of OWTS near impaired water bodies.

Moreover, the Division recognizes that all new or replacement OWTS utilizing supplemental treatment and other mitigation measures to protect impaired water bodies will require periodic monitoring and inspections to ensure that these mitigation measures continue to be effective, consistent with Sections 10.11 – 10.15 of the State Policy (see p. 39 of Appendix A for specific details). The ongoing operation and monitoring standards are necessary to ensure that OWTS utilizing supplemental treatment continue to meet the established performance requirements for these systems. In part, each OWTS system will be designed by a qualified professional to meet applicable treatment standards, including the use of specific pretreatment and/or disinfection components that have been tested by an independent third party testing laboratory (i.e. NSF[2] or IAPMO listing). A service contract with a qualified provider will be necessary to monitor the system in accordance with the operation and maintenance manual for the OWTS, and no less frequently than quarterly. Testing of wastewater effluent samples for those OWTS designed to meet the pathogen disinfection requirement of Treatment Standard 1 (see below) must also be taken by the service provider and analyzed by a State certified laboratory on a quarterly basis. Each owner of an OWTS with supplemental treatment will be responsible to maintain an annual health permit to cover the cost of services to review the operation and maintenance of these systems.

As proposed, Imperial County Ordinance establishes a performance standard for treatment consistent with the State Policy. Any OWTS discharging within the geographical area of the Advanced Protection Management Area for pathogen impaired water bodies must be designed to provide sufficient pre-treatment of the wastewater so that effluent being discharged to the dispersal system does not exceed a thirty-day average of less than thirty (30) milligrams per liter of biochemical oxygen demand (five (5) day BOD_5), and thirty (30) milligrams per liter of total suspended solids (TSS), with pathogen reduction to a thirty (30) day geometric mean of less than two hundred (200) Most Probable Number (MPN) of fecal coliform bacteria per one hundred (100) milliliters. In order to meet the pathogen reduction standards as established by State Policy, a disinfection system will be necessary prior to disposal, in addition to secondary or advanced treatment of the residential sewage.

[2] Listing standards include, but are not limited to: NSF Standard 40 (Residential: Onsite Systems), NSF Standard 41 (Non-Liquid Systems), NSF Standard 245 (Nitrogen Reduction), NSF Standard 350 & 350-1 (Onsite Water Reuse), and NSF Standard 46 (Components and Devices).

As this treatment performance standard is a costly alternative to a conventional OWTS, and specific load allocations have not been attributed to OWTS by the RWQCB, special provisions have been proposed for each of the areas discharging near the water bodies listed as being pathogen impaired.

Special Provisions for Impaired Water Bodies

Water quality impacts from pathogens may be negligible for OWTS discharges beyond a reasonable transport distance to a surface water body provided that sufficient unsaturated soils are present below the dispersal field. Waste-borne bacterial pathogens are effectively filtered within the soil profile immediately below the dispersal trenches. While it should be noted that human enteric viruses may persist in the soil for much longer periods of time, the removal of virus pathogens still relies on adsorption and inactivation in the soil environment, with the fastest inactivation occurring in soils with decreased water content. Some virus filtration may also be provided in soils with very fine pore sizes (i.e. clays or silty clays).

These are the ideal pathogen removal conditions that may be expected for properly sited OWTS along the Alamo River, which transverses through the Imperial Valley largely confined to a river basin that is approximately 200 to 300 feet from bank to bank. Aerial overlays of parcel data using the county's geographic information system (GIS) suggest that the establishment of a prescriptive two hundred (200) foot setback from the ordinary high water mark of the Alamo River would generally maintain all new or replacement OWTS discharges above and beyond the river basin, providing sufficient separation for effective treatment of pathogens from OWTS discharges in the native soils underlying the dispersal fields. The following ***special provisions*** are therefore established for the Alamo River until such time as the RWQCB adopts a TMDL for pathogens reductions in this listed water body:

- No new or replacement OWTS discharge may be sited within two hundred (200) feet of the ordinary high water mark of the Alamo River unless the discharge meets the performance standard of Treatment Standard 1 established for the Advanced Protection Management Program of this LAMP. A minimum setback of one (100) feet is required to any surface water body.

- Existing OWTS within six hundred (600) feet of the Alamo River will not be subject to the Advanced Protection Program until such time as a TMDL and its implementation program have been established by the RWQCB for the Alamo River. However, any failing OWTS subject to corrective action will be subject to the special setback and/or treatment provisions established for this water body.

As described in Section III of this LAMP, the Palo Verde Lagoon and Outfall Drain are geographically located such that potential impacts to the bacteriological load of this water body from OWTS must be distinctly addressed within the Advanced Protection Management Program. Therefore, special provisions have been established to be protective of both stretches of this impacted water body with consideration to the density of OWTS discharges and the hydrogeology of the surrounding areas. In particular, the lower stretch of the Palo Verde Outfall Drain has different policy options for water quality protection than does the Palo Verde Lagoon located in the community of Palo Verde, given existing parcel sizes and the historic development patterns of the area.

The following ***special provision*** has been identified for new and replacement OWTS within the geographic areas of the Palo Verde Outfall Drain:

- Within the geographic area extending no more than one (1) mile upstream from the discharge point of the Palo Verde Outfall Drain into the Colorado River, no new or replacement OWTS discharge may be sited within two hundred (200) feet of the ordinary high water mark of the Outfall Drain unless the discharge meets the performance standard of Treatment Standard 1 established for the Advanced Protection Management Program of this LAMP. This is consistent with the minimum setback of two (200) feet that is currently required for any OWTS discharges along the Colorado River south of the drain in the Riverfront subdivision area.

The impairment designation of the Palo Verde Lagoon has substantially greater economic impacts on the town of Palo Verde, a severely disadvantaged community located directly adjacent or nearby the lagoon. Moreover, due to the presence of rapidly draining sandy soils and small parcel sizes, the water quality protection options for pathogen loading from OWTS discharges are severely limited. Both new and replacement OWTS within six hundred (600) feet of the lagoon will be subject

to the Advanced Protection Management Program, provided other centralized sewerage options remain unavailable. As discussed in Section VII of this LAMP, the formation of a sewer district for this community may provide an additional option for owners of OWTS subject to the ***special provisions*** as described below:

- Owners of OWTS that are constructed and operating, or permitted, on or prior to the effective date of the State Policy will not be subject to the Advanced Protection treatment standards for OWTS discharges, provided that:

  - The owner has committed by way of a legally recorded document with the County Recorder's Office prior to **May 13, 2017** to connect any existing building structures with plumbing to a centralized wastewater collection and treatment system regulated through Waste Discharge Requirements issued by the RWQCB; and

  - The specified date of connection to a centralized community wastewater collection and treatment system is no later than **May 13, 2021**.

- Owners of existing OWTS will also not be subject to the Advanced Protection treatment standards for OWTS discharges until such time as the RWQCB adopts a TMDL implementation plan specific to the Palo Verde Lagoon and any necessary revisions to the LAMP have been incorporated. However, no expansions to the occupancy or building structures will be approved by the County such that the OWTS discharge is increased or available area for a replacement OWTS system meeting the minimum setbacks to the Palo Verde Lagoon is diminished.

It should be noted that these special provisions may be implemented by the County following the formation of a sewer district for the service area through the Imperial County Local Agency Formation Commission (LAFCO). The permitting and construction timelines for a centralized wastewater collection system would be coordinated with the RWQCB to ensure adequate water quality protections are implemented prior to May 13, 2021 or to the adoption of specific TMDL implementation policies requiring pathogen load reductions from OWTS discharges, whichever is sooner. In the absence of a sewer district, those existing and new OWTS that are subject to the Advanced Protection Management Programs of this LAMP may need additional financial assistance to

comply with the supplemental treatment requirements of the State Policy. Financing options vis-á-vis a low interest loan program administered by the County utilizing Clean Water State Revolving Funds consistent with Section 14.0 of the Policy are discussed further in Section VIII of this LAMP.

Areas of Special Concern

As discussed in Section III (Water Quality), the Division has identified two groundwater basin areas – the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifer – which are utilized as primary sources of drinking water that may be detrimentally impacted by OWTS discharges if special provisions under an Advanced Protection Management Program are not established for new and replacement OWTS. The special provisions, along with the associated Groundwater Ambient Monitoring and Assessment Program to monitor ongoing groundwater quality, are described here, and have been codified in Imperial County Ordinance Sections 8.80.150 and 8.80.160. These provisions may be revised and/or expanded within the LAMP to protect groundwater quality as necessary based on ongoing groundwater quality monitoring data compiled by the Division.

As it is likely that the improper siting and operating of an OWTS may subsequently be determined to be a contributing source of pathogens or nitrogen, such that beneficial consumptive uses of these groundwater aquifers are impacted, the Division recognizes the importance of water quality protections and ongoing monitoring in these areas. In particular, without careful planning, nitrate loading from higher density residential OWTS discharges may impact groundwater supplies over time. Nitrates, an acute drinking water contaminant, are readily soluble and not reduced or removed with standard OWTS siting or design. Therefore, the cumulative impacts of nitrate loading from OWTS are typically mitigated by either minimizing discharges through sewering or by the establishment of maximum allowable densities (or minimum lot sizes). Supplemental treatment devices may also be incorporated to reduce nitrate loading to the dispersal field and into groundwater at pre-existing parcels if minimum setbacks to water wells or vertical separation to groundwater cannot be established for replacement OWTS.

Given this, the following ***special provisions*** have been identified as necessary for these designated areas of special concern for groundwater protection:

- The minimum parcel size for any new minor subdivision or residential lot division within the Ocotillo/Nomirage Community Area Plan shall be one dwelling unit per two and one half (2.5) acres consistent with the low density residential land use character of the community, unless public water and sewer services are available for connection. An exemption for a second dwelling may be allowed for an existing residential parcel upon approval of a conditional use permit if the lot maintains a minimum population density of one (1) dwelling unit per acre and the site is suitable for placement of an additional septic system.

- Consistent with the Ocotillo/Nomirage Community Area Plan adopted by Imperial County, no new OWTS will be permitted for RV or mobilehome parks, or for other commercial uses that may contribute to groundwater contamination through the discharge of high strength wastewater, non-residential wastewater, or large quantities (>3,500 gallons per day) of domestic sewage effluent being discharged to an OWTS dispersal system.

- The minimum parcel size for any new minor subdivision or residential lot division within the Bard Area as defined by Title 9 of Imperial County Ordinance (Section 92526.00), shall be one dwelling unit per two and one half (2.5) acres unless public water and sewer services are available for connection.

- Any new or replacement OWTS that cannot meet a minimum of one hundred (100) feet to domestic water wells, or that cannot maintain the minimum vertical separation of five (5) feet to groundwater must incorporate supplemental treatment meeting Treatment Standard 2[3] prior to discharge.

While not currently required by this LAMP, if detrimental impacts to groundwater are identified from OWTS in these Areas of Special Concern, the Health Officer may require any new or replacement OWTS to meet Treatment Standard 1 for Nitrate Reductions[4] prior to dispersal of the effluent within the designated areas.

[3] Treatment Standard 2 means a thirty-day average of less than thirty (30) milligrams per liter of biochemical oxygen demand (five (5) day BOD_5), thirty (30) milligrams per liter of total suspended solids (TSS), and a thirty (30) day geometric mean of less than one thousand (1000) MPN per one hundred (100) milliliters.

[4] Treatment standard 1 (for Nitrogen Reduction) means a thirty-day average of less than thirty (30) milligrams per liter of biochemical oxygen demand (five (5) day BOD_5), and thirty (30) milligrams per liter of total suspended solids (TSS), with a 50 percent in total nitrogen (TN) when comparing the 30-day average influent to the 30-day average effluent, or a TN concentration of 10 mg/L as nitrogen, whichever it most stringent.

Groundwater Ambient Monitoring and Assessment Program

To evaluate the effectiveness of the Advanced Protection Management Program, specifically for the Areas of Special Concern for groundwater resources, it is important to maintain an ongoing monitoring and assessment program to evaluate OWTS impacts to groundwater. Although increasing nitrate levels in groundwater may also be attributable to fertilizer application within agricultural areas, nitrate levels remain the best and most readily available chemical constituent for tracking potential long term groundwater impairment trends from OWTS discharges. As annual recharge rates are particularly low in the region due to extremely low precipitation rates, it is much less likely that variations in infiltration rates will mask any year over year increasing trends in groundwater nitrate levels. Moreover, with minimal rainfall, routine bacterial testing to evaluate potential contamination from pooling or untreated effluent washing into surface waters or contaminating nearby wells is a less effective planning tool for groundwater protection. Therefore, a Groundwater Ambient Monitoring and Assessment Program will be established for the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifers that is based predominately on monitoring nitrate levels in the groundwater to assess the ongoing need for further OWTS controls in these areas. The water quality data will be compiled from the following sources:

- Well samples taken to establish a private domestic well as a "potable source" (i.e. private water potability reviews);
- Routine annual nitrate water samples collected by small public water systems; and
- US Geological Survey well sample data that may be available.

Water quality testing results from private and public water systems compiled as part of the local Groundwater Ambient Monitoring and Assessment Program will be made available to the RWQCB as part of the annual reporting described in Section XII of this LAMP on p. 57.

Supplemental Treatment

If required by the Advanced Protection Management Program, alternative wastewater treatment systems must incorporate supplemental treatment devices or technologies designed to meet

the minimum specified Treatment Standard. The use of alternative wastewater treatment systems is limited to those components or dispersal technologies that have been demonstrated to meet the applicable performance standard, and that the Division and/or the RWQCB have adopted technical standards for proper design and construction of the treatment component. Alternative OWTS incorporating supplemental treatment to meet a specified Treatment Standard must also be designed such that the discharge can be tested and/or verified prior to dispersal so that it can be demonstrated that the treatment performance objectives are continually being met. If a proprietary treatment device is to be utilized, it must be certified by an independent third party laboratory (such as NSF/ANSI or IAPMO) and be included on the list of approved systems or devices maintained by the Division as meeting Treatment Standard 1 or 2.

As supplemental treatment is provided as a mitigation factor, it is essential that the alternative wastewater treatment system be regularly monitored and maintained by a qualified service provider to ensure that they are operating as designed. Therefore, a maintenance contract with a qualified service provider must be signed and established prior to OWTS installation. This agreement is to remain in effect for the life of the system. Supplemental treatment components shall also be equipped with a visual or audible alarm and a telemetric system to alert the owner and service provider in the event of a system malfunction. In lieu of telemetry, enhanced frequency inspections on a monthly basis by the service provider would be necessary to ensure that the system is functioning in accordance with designed operating parameters. Similar to the procedures for alternative wastewater treatment systems, the property owner will be required to record a notice that an OWTS with supplemental treatment has been installed on the property along with its specific discharge standard requirements.

Any OWTS discharging within the geographical area of the Advanced Protection Management Program for pathogen impaired water bodies must be designed to also provide a supplemental disinfection treatment system to meet Treatment Standard 1[5] such that pathogens are continually reduced to a thirty (30) day geometric mean of less than two hundred (200) Most Probable Number (MPN) of fecal coliform bacteria per one hundred (100) milliliters. Sampling of the wastewater flowing from the supplemental treatment components that perform disinfection must be conducted

[5] Treatment standard 1 (for Pathogen Reduction) means a thirty-day average of less than thirty (30) milligrams per liter of biochemical oxygen demand (five (5) day BOD_5), and thirty (30) milligrams per liter of total suspended solids (TSS), with a thirty (30) day geometric mean of less than two hundred (200) Most Probable Number (MPN) of fecal coliform bacteria per one hundred (100) milliliters.

quarterly by a service provider and analyzed at a California certified laboratory. The Imperial County Public Health Department is one such certified laboratory that could be used by an owner and/or service provider to analyze wastewater samples to ensure that the supplemental disinfection device is operating correctly.

Operational Permits

Alternative systems incorporating supplemental treatment devices to meet a specified Treatment Standard as may be required by the Advanced Protection Management Program will require an ongoing operational permit to ensure that the discharge is continually meeting standards. While supplemental treatment technologies are very effective at treating residential wastewater, they are more dependent on periodic inspections, maintenance, and servicing than conventional gravity flow septic systems. Furthermore, the use of alternative systems and/or supplemental treatment would typically be limited to constrained sites where standard setbacks from groundwater or a water supply, for example, could not be met. Therefore, any treatment failures using these methods of treatment and dispersal would pose a much higher potential to negatively impact public health or the environment.

Consequently, operating permits will be required for OWTS that utilize an alternative dispersal system or supplemental treatment to ensure that they are functioning as designed. Permit conditions would require regular inspections of the system by a qualified service provider and a report detailing the findings of any service inspection to be submitted to the Division for review. Each owner of an OWTS with supplemental treatment will be responsible to maintain an annual health permit to cover the cost of services to review the operation and maintenance of these systems.

Section VII Sewer District Formation

While individual OWTS serve as an effective decentralized wastewater discharge option within rural areas of Imperial County, the LAMP may also serve to inform long term Onsite Wastewater Management Plans that may be developed by the County. In particular, it is recommended that local government agencies actively coordinate with the Local Agency Formation Commission (LAFCO) to ensure public sewerage services are provided throughout the county in the most efficient service arrangements for the benefit of area residents.

Public Sewerage

Medium to high density communities and unincorporated town sites that are subdivided into small residential parcels, and that are located near or adjacent to existing sewer service districts serve as a principal example of inefficient urban service arrangements, adding additional costs to local government for the regulatory management of wastewater discharges, while at the same time limiting future development options for area residents. Replacement costs for OWTS in these areas also tend to be higher based on space constraints and accessibility, further depressing comparative property values below urban areas serviced by public sewerage systems.

Sewer improvement projects and consolidation feasibility studies to explore the potential conversion from OWTS to public sewers are initially recommended for the communities of Salton Sea Beach and Vista del Mar within the Salton City area of the county. Coordination between the Salton City Community Services District and the Coachella Valley Water District should be encouraged to identify feasible service area boundaries and sewer options for these town sites to reduce long term costs to residents and minimize health and environmental impacts from high density OWTS discharges. Other areas of potential public sewerage may be identified during periodic plan updates of this Local Agency Management Program based on 1) current public sewer availability, 2) the number of repair and/or replacement OWTS permits issued, 3) grant funding opportunities for sewer consolidation projects, and 4) building permit reviews conducted identifying limitations for development due to the continued use of OWTS.

Community Wastewater Facility

In other instances of low to medium density development, existing public sewerage services may not be available for consolidation or conversion of OWTS to a more centralized method of treatment arrangement. However, the limitations placed on the use of individual OWTS for wastewater discharge may still detrimentally impact the economic vitality of a rural town site or specific plan area for recreational or seasonal residential use due to unsuitable soils, shallow groundwater, or other inadequate setbacks to surface water or individual drinking water wells. In these instances, the cost of OWTS replacement or servicing may become higher than the construction and operational costs of a community wastewater facility that may be managed more cost-effectively by a sewer service district. In particular, it is highly recommended that feasibility and environmental studies be undertaken to develop and implement a community wastewater facility for the unincorporated town site of Palo Verde, which is located wholly within an Advanced Protection Management Area due to its proximity to the impaired Palo Verde Lagoon. As described in Section VI, and based on the special provisions of the State Policy, owners of existing OWTS would not be subject to supplemental treatment standards provided they have committed to connect to a centralized community wastewater collection and treatment system.

While not currently indicated as a project priority, long term feasibility planning for centralized community collection and wastewater treatment may be necessary for communities within areas of special groundwater concern should the special provisions of this Local Agency Management Program, or as may be revised, become ineffective for groundwater protection. Any consideration for OWTS conversion should be based on identified impacts attributable to these discharges through the ongoing Groundwater Ambient Monitoring and Assessment Program established in Section VI.

Colonias

The term colonia has its origins in the Spanish work for "neighborhood," but recently it has come to define a residential development characterized by substandard living conditions located within 150 miles of the United States and Mexico Border. At least nine colonias have been designated by the U.S. Department of Housing and Urban Development as being located within the rural,

unincorporated areas of Imperial County.[6] Often, these areas lack basic sanitary services, such as centralized water and wastewater systems or routine solid waste collection, and the presence of failing septic systems or deficient or poorly managed community wastewater facilities that may contribute to continuing groundwater and health impacts to the economically disadvantaged communities. A number of outreach and funding projects have targeted the larger of these colonias (such as the Poe Subdivision); however, small colonias within rural subdivisions utilizing septic systems also have the potential to negatively impact groundwater resources due marginal soils and deficient septic systems. Financial assistance through Community Development Block Grants (CDBG) or low interest loan programs using Clean Water State Revolving Funds may be necessary to repair and/or replace failing OWTS in these severely economically disadvantaged communities to improve basic living conditions. Coordinated efforts with the Imperial County Community and Economic Development Department to identify public wastewater treatment projects within neighborhood clusters with failing OWTS may be necessary for effective implementation of the required corrective actions identified in the LAMP to protect groundwater or remediate public nuisance conditions in these areas.

Initially, several colonia areas have been identified within this LAMP document as potential projects for OWTS replacement and/or sewerage service projects due to substandard OWTS, high OWTS failure rates, or the utilization of individual OWTS with higher potential for deleterious health impacts due to marginal soils and/or insufficient setback protections to drinking water wells. Specifically, these areas may be described as:

- The northern portion of the City of Imperial within the unincorporated county south of Neckel Road, west of State Highway 86, and north of Worthington Road;
- The unincorporated residential subdivision along the extent of Flood Road in Bard;
- The unincorporated town site of Salton Sea Beach and the Vista del Mar Subdivision of Salton City; and
- The unincorporated town site of Palo Verde.

[6] Colonias identified within the unincorporated areas of the County include: Palo Verde, Niland, Heber, Ocotillo, Bombay Beach, Salton Sea, Poe, Seeley, and Winterhaven.

For each of these identified colonia areas, preferred sewerage alternatives will be assessed prior to project implementation. Various project alternatives may include individual financing for OWTS replacement and/or repairs, construction of a community wastewater facility within a new or modified sewer management district area, or the consolidation of colonia areas into an existing sewer district through the expansion of the service area. Each project alternative will be reviewed for potential long-term benefits to groundwater and surface water protection within the Colorado River region from the potentially identified wastewater infrastructure improvements.

Section VIII Land Use Planning

With the implementation of the State Policy and in consideration of this LAMP, the County recognizes that the general location and extent of OWTS use for residential and commercial development must be considerate of groundwater resource protection and be coordinated with the expansion of public facilities within the unincorporated community areas of the County. The land use standards of this LAMP have also been prepared such that they are consistent with the basic concepts of environmental protection, planned public infrastructure development, and safety for people and property, as identified within the Land Use Element of the County's General Plan. The following outline of an Onsite Wastewater Management Plan, with a specific emphasis on Community Areas has been developed here such that the objectives, policies, and standards may be incorporated into the Land Use Element with future revisions. All terms, designations, and land use descriptions are used herein as described within the General Plan and County Zoning Ordinance.

Onsite Wastewater Management Plan

The implementation of the Onsite Wastewater Management Plan is intended to be a continual process involving amendments to the Imperial County Codified Ordinances to assure that proposed developments have identified adequate sewage disposal mechanisms that are protective of water quality objectives. However, the County's approval of proposed subdivisions and grant of conditional use permits will be restricted to the standards of this LAMP, unless otherwise granted discretionary authority in ordinance for OWTS siting, construction, or use for proposed developments. It should be noted that Urban Area designations have not been discussed at length as development in these areas shall provide for the extension and development of full urban services such as public sewer and water.

Land Use Development Standards

- All proposed subdivision development and new multiple-family, commercial, and industrial development within an Urban Area adjacent to incorporated cities shall connect to public sewer. Furthermore, no OWTS permit will be issued for the installation, alteration or repair on any lot for which a connection with a public sewer is available.

- All proposed major subdivisions shall provide for the extension or development of full public sewerage services to be permitted by the Regional Water Quality Control Board. The use of OWTS on newly created individual lots is restricted to minor subdivisions where access to public sewer services is otherwise not accessible. Minimum lot sizes per dwelling unit for residential or commercial development will otherwise be consistent with the County Land Use Ordinance in Title 9 where public water and sewer service is available.

- New minor subdivisions for residential improvement in Limited Agriculture Areas (A-1) within Urban boundaries or other Community Areas will be subject to a minimum size limit of one dwelling unit per acre provided that a soils report prepared by a qualified engineer demonstrates that sufficient soils and/or setbacks can be maintained consistent with minimum OWTS standards. A minimum of five feet to groundwater must be maintained for new residential parcels located within an Area of Special Concern, as well as a larger minimum parcel size of two and one half (2.5) acres. Due to potential groundwater impacts, more intensive commercial or industrial land uses may only be allowed pursuant to an approved Master Plan for the overall Community Area when adequate public infrastructure exists.

- The purpose of the General Agriculture (A-2) or Heavy Agriculture (A-3) zoning designations is to maintain areas that are suitable and intended primarily for agricultural uses. An exception to the minimum lot/parcel size of forty (40) acres is provided in the County Land Use Ordinance for the subdivision of property by parcel map within existing enclaves or to authorize conveyance of an existing single-family dwelling. As these agricultural properties are often used for farming related activities and located within the Imperial Valley Subunit that contains marginal soils suitable for OWTS installation, a minimum parcel size of two and one half (2.5) acres shall be maintained for new parcels unless a site specific waiver is granted based on the unique characteristics of the site that would equally prevent water quality degradation given a smaller parcel configuration. An additional dwelling unit may be permitted on existing lots provided that the minimum requirements of Chapter 8.80 of the Imperial County Codified Ordinances can be met. Agricultural employee housing may be permitted with a Conditional Use Permit following an appropriate environmental review to determine whether suitable sewer and potable water infrastructure can be supported.

- The Land Use Element of the County General Plan recognizes the unique recreational character of Imperial County and includes Open Space/Recreation/Preservation Areas of the County characterized by a low intensity of human utilization and associated impacts. The maximum allowable density for residential use is one dwelling unit per acre, with a minimum parcel size for new subdivisions of one single family dwelling per twenty (20) acres.

- The development of recreation-oriented residential or special occupancy uses in Open Space/Recreation Areas, such as mobile home and recreational vehicle (RV) parks, and resort and recreation facilities, provide unique challenges for wastewater treatment and dispersal due to the quantity of wastewater flows generated as well as the non-domestic waste characteristics of the sewage. These parks shall not be developed unless an operation and discharge permit has been issued by the Regional Water Quality Control Board for the proposed discharge, regardless of projected flow quantities.

Development Prohibitions

- Dry recreational vehicle parks are generally prohibited; however, an RV dump station with holding tanks may be permitted by the Division in remote desert areas to service a proposed RV park or RV storage facilities without sewer utility connections.

- Holding tank systems shall not be allowed as a permanent means of wastewater management for either seasonal or a year-round operations. The Division may permit holding tanks for RV dump stations, interim use for temporary construction offices or for limited seasonal use where it is not practicable to otherwise install an OWTS system.

- No pit privies shall be permitted in the unincorporated County of Imperial. The adequate and reliable provision of running water and proper means of sewage disposal is required for all buildings constructed for human occupation. Additionally, it is unlawful to drill, construct, maintain, or to operate a cesspool or sewer well. Due to the potential to detrimentally impact groundwater, seepage pits are not authorized by the Division, unless otherwise permitted for non-conforming repairs where siting limitations would require a variance to these standards.

- The discharge to an OWTS that exceeds peak design flows or the maximum permitted capacity of the system is prohibited for existing developments. Persons that do not comply

with the permitting conditions of an existing OWTS are not covered by a waiver of waste discharge requirements, and may be subject to enforcement action pursuant to Section XI of this LAMP and will be directed by the Division or RWQCB to take corrective actions to remedy the condition of violation.

- To ensure the safe and reliable provision of potable water to county residents through private or public water systems, no lot shall be developed such that a connection to a public water system or an identified on-site supply of potable water is detrimentally impacted or potentially threatened by an OWTS installation. An onsite source supply of water that is safe and reliable must be identified prior to the grant of occupancy by the county building official.

Any appeal process or waiver request to the Health Officer from these development standards and prohibitions contained herein will be processed as described in Sections 8.80.260 and 8.80.280 of Imperial County Ordinance, respectively, and as noted in Section XI of this LAMP. The County will review proposed developments for consistency with these standards, and update the LAMP as necessary to afford ongoing protection of public groundwater resources.

Section IX Septage Management

This section describes the existing disposal locations for septage, the volume of septage anticipated, and general septage management in Imperial County as required by Section 9.2.6 of the State Policy. Although it is difficult to accurately assess the total quantity of septage that may be generated from OWTS on an annual basis, a general discussion of septage management has been provided in this LAMP.

Septage is a partially treated mixture of solid waste, scum, sludge, and liquids that are pumped from septic tanks, pump tanks, holding tanks, chemical toilets, or any other OWTS component containing sewage. It is estimated that the majority of septage pumped and hauled to authorized disposal facilities within Imperial County is generated from the routine pumping of residential septic tanks. As generally discussed in Section X, an owner of record is responsible for properly operating and maintaining an OWTS, including employment of a registered sewage pumper/hauler to remove septage from the tank when the level of solids and scum indicate that removal is necessary. A service visit by an authorized provider is recommended at least every five (5) years. Failure to routinely pump a septic tank allows accumulated solids to pass out of the tank and clog the dispersal field, potentially requiring a complete replacement of the OWTS.

In Imperial County, septage is also generated in large quantities from recreational vehicles (RVs) associated with off-roading activities, private RV dump stations, and from chemical toilets provided for agricultural farm laborers. Septage pumpers/haulers providing cleaning services for septic tanks, recreational vehicles, or chemical toilets must be registered with the Division and maintain an annual health permit in accordance with the California Health & Safety Code, Section 117405 et seq. A sanitary inspection of septage pumper/hauler vehicles and equipment is conducted prior to the issuance of an annual permit. The inspection also includes a review of required pumping records that specify the locations serviced and where the cleanings were disposed.

Upon removal or cleaning by a registered pumper hauler, liquid septage must be transported to a disposal facility that operates under the authority of a permit issued by the Colorado River Basin Regional Water Quality Control Board. Currently, there are three (3) facilities in Imperial County that accept septage for further treatment and disposal: the Holtville Wastewater Treatment Plant, the Calexico Wastewater Treatment Plant, and the Seeley County Wastewater Treatment Plant. Initial

volume estimates obtained for septage received at these facilities for the calendar years of 2012 to 2014 was approximately 3.48 million gallons per year, which accounted for an estimated 0.27% of the total wastewater volume treated by these facilities during this same period. Sufficient local capacity to manage the treatment of septage volumes generated from OWTS currently exists in Imperial County.

The subsequent treatment of sewage and management of biosolids generated at these permitted wastewater treatment facilities is also described in the attached Biosolids Generation and Management in Imperial County (August 2006) report included in Appendix F. As septage is transported as a liquid waste, there are currently no solid waste landfill facilities that are permitted to accept this waste for disposal in Imperial County.[7] However, dewatered sewage sludge from wastewater treatment plants may be disposed of at either the Imperial Landfill or the Salton City Solid Waste Site.

[7] The South Yuma County Landfill in Arizona may be authorized to receive non-hazardous liquid wastes (including septic or sewage wastes) for disposal at its liquid solidification process facility.

Section X Education & Training

Proper operation and maintenance of an on-site wastewater treatment system is critical for environmental and public health protection by ensuring that deleterious impacts associated with failing or poorly designed and installed OWTS are minimized. While an on-site wastewater treatment system is a significant long term investment for a private property owner or commercial business, insufficient education is often available for system owners. Education and outreach is necessary to ensure that residents are equipped with a service manual informing them how to properly maintain and operate their OWTS for years to come. Additionally, ongoing training will be offered to service professionals to improve industry standards when conducting OWTS maintenance and/or when troubleshooting problems that may arise with existing systems.

Education

Unlike centralized sewer systems that employ certified operators to oversee day to day operations, OWTS owners need to be sufficiently informed about how to locate, operate, and maintain their system to keep it functioning as designed since they are tasked to be the day to day operators of their onsite wastewater treatment system. Proper operation and preventative maintenance is essential to avoid unanticipated failures, expensive repairs, or conditions where sewage is being improperly treated prior to its discharge to surface or groundwaters. OWTS owners should not, for example, introduce strong chemicals into the system for the purpose of system cleaning, use additives that are not approved by the State, or dispose of more sewage or other wastewater into an OWTS than it is designed to accommodate. Moreover, OWTS owners should protect the dispersal system and replacement area from impervious cover, stormwater drainage, flood irrigation, soil compaction or vehicular traffic. A licensed sewage pumper should be employed to remove septage from the septic tank when the level of solids and scum indicates that removal is necessary (or approximately every 3-5 years for a family of four).

While this information is commonly available through many public resources, it is the intent of the County to provide new OWTS owners with a basic service manual to guide them on how to operate their new on-site wastewater treatment plant from day one. For those OWTS incorporating alternative treatment or dispersal field components designed by a qualified professional, the design must include a site specific operation and maintenance manual for the owner of an alternative OWTS.

Training

In some instances, supplemental treatment may be required based on soil or groundwater conditions at the property, or due to inadequate setbacks to drinking water supplies. The use of these systems will require an annual operating permit with specific service schedules by a qualified provider. To ensure that local OWTS service providers are sufficiently trained to conduct ongoing system maintenance, telemetric monitoring, reporting, and quarterly sampling of wastewater effluent, the Division, in consultation with the RWQCB, will develop and implement a local certification program. Training will also be made available, when possible, to commercial OWTS installers, designers, and homeowners through partnering nonprofit organizations, such as the California Onsite Wastewater Association, Rural Community Assistance Corporation, or others that may be sponsored by the State Water Resources Control Board. An emphasis of the trainings will be placed on OWTS troubleshooting to ensure that system deficiencies are detected early so that preventative maintenance or corrective actions can be taken to reduce treatment failures.

Technical Advisory Committee

As alternative dispersal and treatment technology options will continue to change with further advancements in small scale wastewater treatment, the Division intends to establish a technical advisory committee to review and recommend revisions for adopted technical standards in response to these OWTS advances. The technical advisory committee will consist of industry professionals selected by the Division based on experience, training, and knowledge of on-site wastewater treatment system technology. This ad hoc committee will also review technical standards and policies that have been adopted by the Department at least every five years, and submit any recommended changes to the County for incorporation into the next LAMP update.

Section XI Enforcement

It will be the duty of the local Health Officer or Department Director, as the Administrative Officer, to enforce the provisions of this LAMP as codified in County Ordinance. While public education and coordination with other county departments on the permitting of proposed building projects has lessened the need for direct enforcement action, there are situations encountered that serve as an immediate threat to public health and safety. Enforcement procedures have been developed to provide an owner ample opportunity to comply with local ordinance or State regulations with respect to OWTS provisions. However, the Department has also developed enforcement tools for a quick response when immediate or potentially injurious health or damaging environmental impacts are identified. The circumstances or conditions that would result in the initiation of enforcement activities are described in this section.

Violation of OWTS Provisions

County Ordinance requires that a permit be obtained prior to construction, alteration or modification, expansion, repair, or abandonment of an OWTS. It further states that it is unlawful to cover, conceal, or place into use any OWTS or part thereof without first having obtained an inspection and final approval from the Division. Should the County be made aware or discover such work without a permit, a cease and desist (or stop work) order is issued to the property owner directing that all work cease and that the appropriate permit be obtained. An OWTS that was installed, modified, repaired or abandoned without permit has no legal standing, and it will be the responsibility of the owner to make any modifications necessary to meet the requirements of this LAMP, including the submittal of an application and supporting documents (i.e. percolation test, design, etc). A violation of a stop work order or a failure to correct unauthorized construction is subject to a citation as provided for in Imperial County Ordinance, Section 8.80.270.

Citation Authority

The Health Officer, and any qualified designee, shall have authority to issue citations for violations of Chapter 8.80 of the Imperial County Codified Ordinances against any person, firm or corporation that is in violation of this OWTS ordinance to effect compliance with these standards. Any person who violates or fails to comply with any provision of this Chapter shall be guilty of an

infraction punishable by a fine not to exceed two hundred fifty dollars ($250.00). A second or subsequent violation is a misdemeanor punishable by imprisonment in county jail for not more than six months and by a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00).

Notwithstanding these provisions, any disposition of a violation resulting in an immediate or potential health hazard shall not absolve a person from correcting or abating the violation immediately, and shall not prevent the Health Officer or the County from pursuing criminal prosecution, other civil action, including, but not limited to, injunctive relief, registration revocation, and immediate abatement, or all of the above.

Appeal Hearing

Any person aggrieved by an action taken by the Division pertaining to the processing, issuance, suspension, or revocation of permits, or the issuance of stop work orders may request an administrative hearing before a hearing officer. The timelines and procedures of such a hearing have been established in County Ordinance.

Furthermore, individuals requesting a site specific waiver from local OWTS requirements may petition the Health Officer to grant a special permit or variance to these standards, provided that the waiver does not create a potential health hazard and is consistent with the purpose of this LAMP. If the Health Officer determines that a waiver is not consistent with the purpose of County Ordinance and may result in a violation of the State Policy, no waiver will be issued and the person will be directed to seek relief and/or applicable permitting by the applicable Regional Water Board for the discharge.

Financial Assistance

While it is not anticipated that this LAMP will cause undue financial hardship on private property owners to comply with the State Policy or the local alternative standards developed herein, the County may seek to establish a low interest loan program and/or refer owners to outside agencies that may provide direct financial assistance with funds from the Clean Water State Revolving Fund

consistent with Section 14.0 of the State Policy. The details of any such local assistance program will be provided as an update to the LAMP program upon adoption by the County.

Section XII Program Administration

In accordance with Section 9.3 of the State Policy, this Local Agency Management Program outlines the responsibilities of administering the program. The liquid waste program is located under the Environmental Health Services section of the Division of Environmental Health. Staff assigned to this section report to the Environmental Health Services Manager, who in turn reports to the Deputy Director of the Division. Please see the organization chart for the Division of Environmental Health in Appendix F.

Minimum Staff Requirements

Staff assigned to the liquid waste program is classified at the journey-level Environmental Health Compliance Specialist II position. A Registered Environmental Health Specialist within the Environmental Health Services section reviews all new or replacement OWTS permits prior to issuance by the Division. Based on a recent workload analysis, the liquid waste program requires a minimum of 0.4 Full-Time Equivalents (FTEs) for technical staff, with additional administrative and supervisory support.

Table 2. Time-task analysis.

Program Component	Staff Hours Per Year[1]		
	2012	2013	2014
Septage Haulers	23.6	52.3	25.5
OWTS Permits	214.5	203.8	190.1
Building Plan Reviews	22.4	169.1	222.8
Sewage Complaints	6.2	6.4	7.1
General Liquid Waste[2]	295.4	192.9	147.3
Travel Time	70.3	109.1	114.0
Total Time (FTE)	632.4 (.36)	733.6 (.41)	706.8 (.40)

[1] One Full Time Equivalent (FTE) = 1768 Hours/Year Per Person

[2] The General Liquid Waste program component includes document and technical report reviews, written correspondence, follow up meetings, and consultations.

With the adoption of a Local Agency Management Program, the Division must also account for additional program requirements that will be newly implemented upon its adoption. Specifically,

the Division anticipates that an increase in technical staff time will be necessary for each permit application to review design and soils characterization reports, conduct permit tracking and reporting for the RWQCB, and implement the ongoing regulatory oversight duties of the Advanced Protection Management Program. To evaluate programmatic and fiscal needs for local implementation of this program, the current time accounting system through Envision Connect will be maintained. For time accounting purposes, all staff assigned to the liquid waste program complete Daily Activity Reports (DARs) in Envision Connect that detail the tasks performed by an individual and the time spent on each of these tasks during a workday. The DAR entry codes identify the particular program, the permit or project, the activity or type of work performed, and the time spent by the Environmental Health Compliance Specialist performing the specific activity.

Based on the estimated increase in time necessary for implementing the LAMP, the Division anticipates increasing the minimum staffing to 1.0 FTE person to accommodate the additional responsibilities. However, the workload and staffing may be shifted and/or shared between equivalent Environmental Health technical program staff depending on program needs.

State Reporting

The Division fully intends to submit an annual report to the Colorado Regional Water Quality Control Board as required by Sections 3.3 and 9.3 of the Policy. The annual report will be provided to the RWQCB no later than February 1st of each year, and will include the preceding reporting period of January 1st to December 31st. The first annual report is anticipated to be submitted prior to February 1, 2016; and will include the information requested in the State Policy, as summarized below:

- the number and location of OWTS related complaints, including a description of the Division response to resolve any justified complaints;
- a summary report of the registered septage hauler permits issued for the calendar year;
- the number, address location, and type of OWTS permit issued by the Division (i.e. new, repair, alteration, replacement, or abandonment);

- the number, address location, and type of OWTS permit issued by the Division where a variance is granted to the minimum county standards;

- the number and address location of OWTS permitted with supplemental treatment under the Advanced Protection Management Program for areas of special concern; and

- water quality testing results from private and public water systems compiled as part of the local Groundwater Ambient Monitoring and Assessment Program for the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifer areas of special groundwater concern as described in Section VI.

As the groundwater in the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifer are utilized as primary sources for drinking water, the Division will also submit every fifth year an evaluation of the monitoring program for these Areas of Special Concern, along with an assessment of whether water quality is being impacted by OWTS. If groundwater quality impacts or impairments are identified, the report will also identify modifications that may be necessary in the Local Agency Management Program to address these impairments.

The summary of groundwater monitoring data compiled as part of the Groundwater Ambient Monitoring and Assessment Program will not be submitted in an electronic deliverable format (EDF) for inclusion into the State Water Resource Control Board's (SWRCB) Geotracker System as the Division does not currently have the software capabilities to electronically report the data at this time. The Division will, however, continue to direct public water systems within these groundwater Areas of Special Concern to submit all required groundwater sample results through electronic data transfer (EDT) to the SWRCB's Division of Drinking Water Program, which is data that is also directly accessible by the RWQCB.

Fiscal Impact/Regulatory Fees

The Local Agency Management Program will be funded through permit fees. All of the fees for the Division of Environmental Health, including the Liquid Waste Program, were most recently revised in 2012 to account for full cost recovery of related permitting and inspection services. The fee study for the Imperial County Public Health Department was prepared by Wohlford Consulting, and

was based on an evaluation of staff time for each fee service. The daily accounting by service and program element data from Envision Connect allows the Division to accurately calculate the user fee cost for each of the LAMP program services.

As part of the phased implementation of the fee study, specific Liquid Waste/Sewage System and Septage Hauler permit fees were temporarily reduced by 25% to 50% for one to two years with a 25% cap on the total fee increase to be proposed. The reduction and/or delay of permit fee implementation for septage haulers, new or replacement OWTS, engineered OWTS, and septic tank replacements and abandonments resulted in temporary budget shortfalls in the Liquid Waste Program. All temporary reductions have now expired as of July 1, 2014; and permit fees, with the exception of minor repair permits, currently reflect the full user cost to the Division.

In fiscal year 2013/14, the program revenue generated to support the Liquid Waste Program was derived from three main sources: annual health permits for septage haulers ($50,758.00), construction permit fees for OWTS related projects ($14,336.00), and building permit reviews ($24,346.10). It is anticipated that the current fees for the Liquid Waste Program will sufficiently fund the current 0.4 FTEs of technical staff, and clerical/supervisory support needed to initially manage the proposed LAMP. However, the Division anticipates that the relatively fixed revenue support for the program may result in an estimated 15-20% shortfall in budget revenue over the next five year planning period as additional permitting, RWQCB reporting, design review, and tracking time is required. Division fees will continue to be evaluated to ensure that program staffing and budgets are sufficient to meet the responsibilities of the Local Agency Management Program.

LAMP Revisions

It is likely that modifications to this Local Agency Management Program may need to be made in the future based on a variety of factors, including, but not limited to:

- Updates to the Advanced Protection Management Program based on the adoption of a TMDL implementation plan by the RWQCB;

- A modification to the Clean Water Act 303(d) list of impaired water bodies for nitrogen or pathogens that are located within Imperial County;

- Revisions to the minimum OWTS standards within Areas of Special Concern based on the results of the ongoing Groundwater Ambient Monitoring and Assessment Program; or the

- Adoption of revised technical standards for OWTS with supplemental treatment.

If, at any time, the Division proposes to modify the approved LAMP, it will provide to the State Water Board and the Colorado River Basin Regional Water Quality Control Board written notice of its intended modifications. As required, Imperial County would continue to implement its existing Local Agency Management Program until such modifications are approved.

Appendices

APPENDIX A SWRCB Onsite Wastewater Treatment System Policy (June 2012)

APPENDIX B Imperial County Ordinance No. 1516

APPENDIX C Pressure Distribution Standards (February 2012)

APPENDIX D Imperial County OWTS Permit Application Guidance and Forms

APPENDIX E Biosolids Generation and Management in Imperial County (August 2006)

APPENDIX F Imperial County Division of Environmental Health Organization Chart

APPENDIX G Imperial County Environmental Health Permit Fees

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Agency Links

Bureau of Land Management	http://www.blm.gov/ca/st/en/fo/elcentro.html
City of Calexico Utility Services	www.calexico.ca.gov/
City of Holtville Public Works	www.holtville.ca.gov/
Coachella Valley Water District	http://www.cvwd.org/
County of Imperial	www.co.imperial.ca.us
Imperial Irrigation District	www.iid.com
Imperial County Planning & Development Services	http://www.icpds.com/
Imperial County Public Health	http://www.icphd.org/
Local Agency Formation Commission	http://www.iclafco.com/
Palo Verde County Water District	Tel: 760-854-3530
Regional Water Quality Control Board, Colorado River	http://www.waterboards.ca.gov/coloradoriver/
Salton City Community Services District	http://www.saltoncsd.ca.gov/
Seeley County Water District	https://seeleycountywaterdistrict.wordpress.com/
State Water Resources Control Board	http://www.waterboards.ca.gov/
U.S. Department of Housing and Urban Development	http://portal.hud.gov/hudportal/HUD

Attachment "C"

Submitted Documents

EEC ORIGINAL PKG

COUNTY OF IMPERIAL
PUBLIC HEALTH DEPARTMENT

JANETTE ANGULO, M.P.A.
Director

STEPHEN MUNDAY, M.D., M.P.H., M.S.
Health Officer

August 21, 2023

Diana Robinson
Planning Division Manager
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243

Subject: Initial Study & CEQA Analysis Request

Dear Ms. Robinson,

Below is a brief project description that details the establishment of the Local Agency Management Program and the onsite wastewater treatment system ordinance, the process of making modifications to these documents, and a summary of some of the proposed changes. Our agency is requesting an initial study and CEQA analysis through your department.

The Imperial County Public Health Department, Environmental Health Division (EHD), oversees implementation of the Onsite Wastewater Treatment System (OWTS) program and Local Agency Management Program (LAMP) for the County of Imperial. On April 26, 2016, the Imperial County Board of Supervisors (BOS) conducted a public hearing to consider actions related to the LAMP and OWTS Ordinance, and approved the following:

-Adopted OWTS Ordinance (Chapter 8.80) No. 1516;
-Adopted Resolution No. 2016-048 approving the LAMP; and
-Adopted Resolution No. 2016-047 adopting the Negative Declaration approved by the Planning Commisssion;

Following BOS approval, on June 30, 2016, the Colorado River Basin Regional Water Quality Control Board (RWQCB) adopted Resolution No. R7-2016-0020, approving the LAMP for implementation in Imperial County.

As a condition of the LAMP's approval, EHD is required to submit annual reports to the RWQCB, including program updates every five years. In 2021, EHD submitted a five-year LAMP update to the RWQCB for their consideration. On June 27, 2023, the RWQCB approved the updated LAMP.

Furthermore, upon meeting with members of the industry and our technical advisory committee, EHD incorporated several modifications for consideration to the LAMP and the OWTS and can be summarized below.

LAMP updates include the following: minor revisions to figures using 2020 US Census data, updates to the design flows for accessory dwelling units, and minor edits.

OWTS ordinance revisions include the following: updates to definitions to be consistent with the OWTS State Policy, language modifications to standards for land developments, clarifying sections related to areas of special concern, inclusion of design flows for accessory dwelling units, update to drainfield depths, addition of new language and permitting requirements for the temporary transfer and storage of septage waste, and other minor edits.

If you have any questions, please feel free to contact me.

Regards,

Jorge A. Perez
EHS Manager
Environmental Health Division

Enclosures: 1) LAMP w/edits, 2) OWTS Ordinance w/edits, 3) RWQCB Adopted Resolution Letter, 6-28-2023

CERTIFIED MAIL: 7021 1970 0002 0497 8111

June 28, 2023

Jeff Lamoure, Deputy Director
Imperial County Public Health Department
Division of Environmental Health
797 Main Street, Suite B
El Centro, CA 92243
jefflamoure@co.imperial.ca.us

SUBJECT: ADOPTED RESOLUTION R7-2023-0026, APPROVING IMPERIAL COUNTY LOCAL AGENCY MANAGEMENT PROGRAM

Dear Mr. Lamoure,

Enclosed for your attention are copies of Resolution R7-2023-0026, approving the Imperial County Local Agency Management Program, which was adopted by the Colorado River Basin Regional Water Quality Control Board at its June 27, 2023 Board meeting.

If you have any questions concerning this matter, please contact Reginald Tan at (760) 776-8944 (Reginald.Tan@waterboards.ca.gov).

Sincerely,

Paula Rasmussen
Executive Officer
Colorado River Basin
Regional Water Quality Control Board

Enclosures: Resolution R7-2023-0026
Imperial County Local Agency Management Program

RT/jc

File: CW-823775, Imperial County Division of Environmental Health OWTS LAMP, R7-2023-0026

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE COUNTY OF IMPERIAL BY ADDING CHAPTER 8.80 TO TITLE 8 RELATING TO ONSITE WASTEWATER TREATMENT SYSTEMS FOR LAND DEVELOPMENTS

THE BOARD OF SUPERVISORS OF THE COUNTY OF IMPERIAL ORDAINS AS FOLLOWS:

SECTION 1: The Codified Ordinances of the County of Imperial are hereby amended by repealing sections 91012.00 through 91012.05 and section 91012.09 of Chapter 12 of Division 10 of Title 9.

SECTION 2: The Codified Ordinances of the County of Imperial are hereby amended by repealing Chapters 11, 13, and 14 of Division 10 of Title 9.

SECTION 3: The Codified Ordinances of the County of Imperial are hereby amended by enacting Chapter 8.80 of Title 8 to read in its entirety as follows:

Chapter 8.80
ONSITE WASTEWATER
TREATMENT SYSTEMS (OWTS)

SECTIONS:

8.80.010 – AUTHORITY, PURPOSE, AND POLICY.

A. This Chapter is established pursuant to Section 101000, et seq. of the California Health and Safety Code, the Porter-Cologne Water Quality Control Act, Water Code Section 13000 et seq., State Water Resources Control Board Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems, and the Colorado River Region Basin Plan. This Chapter shall apply to all territory embraced within the unincorporated limits of the County of Imperial, State of California.

B. The purpose of this Chapter is to protect public health by minimizing:

(1) The potential for public exposure to sewage from onsite wastewater treatment systems; and

(2) Adverse effects to public health that discharges from onsite wastewater treatment systems may have on ground and surface waters.

C. This Chapter regulates the location, design, installation, operation, maintenance, repair, and monitoring of onsite wastewater treatment systems. This Chapter seeks to:

(1) Achieve long-term sewage treatment and effluent disposal; and

(2) Limit the discharge of contaminants to waters of the State.

D. This Chapter implements local alternative minimum standards for new and replacement OWTS consistent with the Local Agency Management Program authorized by the Water Quality Control Policy adopted by the State Water Resources Control Board on June 19, 2012, and in compliance with the Colorado River Region Basin Plan.

E. This Chapter incorporates by reference the California Plumbing Code, 2013 Edition, and as amended, including the appendices, as adopted into State law in Title 24 of the California Code of Regulations.

8.80.020 – ADMINISTRATION.

A. The Administrative Officer shall be the administrator of this Chapter and shall be responsible for administrating the provisions and requirements of this Chapter.

B. The Health Officer shall act under the direction of the Board of Supervisors. The Health Officer shall have the powers and duties enumerated in the California Health & Safety Code, and as may be delegated by the Regional Water Quality Control Board.

C. The Health Officer is hereby authorized and directed to adopt administrative rules or technical standards that are consistent with and effectuate the purpose of this Chapter. Any activity pertaining to onsite wastewater treatment and disposal shall conform to any such administrative rules or technical standards adopted pursuant to the following procedures:

(1) Notice of intent to adopt, amend, suspend, or repeal an administrative rule or technical standard shall be given to the Board of Supervisors, and any trade, industry, professional interest group or regional publication that the Department deems effective in reaching affected persons at least thirty (30) days before the deadline for comments;

(2) Adoption of a proposed administrative rule or technical standard shall be by official action of the Health Officer, who shall duly consider all relevant matter presented during the comment period; and

(3) Nothing shall prohibit the Health Officer from adopting emergency administrative rules to the minimum extent necessary without notice to avoid an immediate threat to public health.

D. The Administrative Officer is hereby authorized to develop a fee schedule to cover all of the activities delineated in this Chapter. Any proposed fees shall become effective upon approval by resolution of the Board of Supervisors. The Health Officer shall not accept for review any application, nor issue any permit, nor in any manner take any official action until the appropriate fees are paid.

E. Where the provisions of any local, State, or Federal regulation conflicts with this Chapter, the stricter regulation shall apply.

F. Where waste discharge requirements are also required by the Regional Water Quality Control Board, Colorado River Region, any OWTS construction permit or annual health permit issued by the local Health Officer shall be consistent with the waste discharge requirements issued by the Regional Water Board.

G. Nothing in this Chapter shall be construed as imposing upon the county of Imperial any liability or responsibility for damage resulting from the defective construction, alteration, or relocation of any sewage disposal system, nor shall the county of Imperial, or any official or employee thereof, be held as assuming any such liability or responsibility by reason of any inspection authorized or permit issued hereunder.

8.80.030 – DEFINITIONS.

Abandoned Excavation - "Abandoned Excavation" means any abandoned mining shaft, pit, well, septic tank, cesspool or other excavation dangerous to persons legally on the premises where the abandoned excavation is located or to minors under the age of twelve (12) years.

Administrative Officer - "Administrative Officer" means the Director of the Public Health Department.

Administrative Rule - "Administrative Rule" means a standard, statement of policy, or other statement of general applicability, that is intended to be judicially enforceable and implements, interprets or makes specific the requirements of this Chapter, or describes the procedures or practices of the Department.

Alteration - "Alteration" means any change in an OWTS component without a change in the design capacity.

Alternative System - "Alternative System" means any onsite wastewater treatment system designed to include supplemental treatment prior to dispersal or that includes a dispersal field design consisting of components other than conventional gravity or pressure distribution within standard rock and pipe trench disposal configurations.

Approved - "Approved" means a written statement of acceptability, in terms of the requirements in this Chapter, issued by the Health Officer or the Regional Water Quality Control Board.

Approved List - "Approved List" means the document titled *List of Approved Systems and Products* which is adopted by administrative rule and updated as necessary by the Department. This document contains:

(1) A list of proprietary devices approved by the State Water Board and/or Department; and

(2) A list of specific systems meeting Treatment Standard 1 and Treatment Standard 2.

Area of Special Concern - "Area of Special Concern" means an area of definite boundaries delineated by the Health Officer, after consultation with the Regional Water Quality Control Board, where additional requirements for onsite wastewater treatment systems may be necessary to reduce potential failures, to minimize negative impacts of onsite wastewater treatment systems upon public health, or to protect an impaired water body due to nitrogen or pathogens pursuant to Section 303(d) of the Clean Water Act.

Basin Plan - "Basin Plan" means the same as "water quality control plan" as defined in Division 7 (commencing with Section 13000) of the Water Code. The Basin Plan applicable to Imperial County is adopted by the Regional Water Quality Control Board for the Colorado River Region of the State of California.

Bedroom - "Bedroom" means any room in a dwelling unit with a floor area equal to or greater than seventy (70) square feet that could reasonably be used as a bedroom. Kitchens, bathrooms, laundry rooms, and other rooms such as family rooms and living rooms with large (≥48") arched doorways or half walls opening onto living areas shall not be considered as bedrooms.

Board of Supervisors - "Board of Supervisors" means the Imperial County Board of Supervisors.
Building Sewer - "Building Sewer" means that part of the system of drainage piping which conveys sewage into the septic tank or other treatment facility outside the building or structure within which the sewage originates.

Cesspool - "Cesspool" means a pit that receives untreated sewage and allows liquid to seep into the surrounding soil or rock.

Commercial Installer - "Commercial Installer" means a person licensed by the California Contractor State License Board in accordance with the California Business and Professions Code and meeting the requirements of this Chapter to install and/or repair onsite wastewater treatment systems.

Conforming System - "Conforming System" means any onsite wastewater treatment system that meets any of the following criteria:

(1) A system in full compliance with the new construction requirements of this Chapter or the State Water Quality Control Policy;

(2) A system approved, installed, and operating in accordance with previous regulations pertaining to onsite wastewater treatment systems, unless considered a failing system under Section 8.80.180 of this Chapter or the State Water Quality Control Policy; or

(3) A system (including a repaired system) that has been granted a waiver by the Health Officer or the RWQCB.

Cover - "Cover" means soil material that is used to overlay the treatment and disposal area.

Cuts and/or banks - "Cuts and/or banks" means any naturally occurring or man-formed slope which is greater than one hundred percent (100%) (or forty-five degrees (45°)) and extends vertically at least five (5) feet from the toe of the slope to the top of the slope.

Department - "Department" means the Imperial County Public Health Department.

Design Flow - "Design Flow" means the daily sewage flow in gallons per day that a single family dwelling, multiple dwelling unit, or non-residential facility is expected to produce during peak operating flows and from which the drainfield is sized.

Designer - "Designer" means the same as a "Qualified Professional."

Development - "Development" means the creation of a residence, structure, facility, mobile home park, subdivision, planned unit development, site, area, or activity resulting in the production of sewage.

Discharge - "Discharge" means the discharge or deposition of sewage or other liquid wastes associated with human habitation or from animal origin, or the effluent of treated sewage or other liquid wastes, onto land, into groundwater, or in or on any waters of the state.

Dispersal System - "Dispersal System" means a leachfield, seepage pit, mound, at-grade, subsurface dripfield, evapotranspiration and infiltration bed, or other type of system for final wastewater treatment and subsurface discharge.

Domestic Sewage - "Domestic Sewage" means the same as domestic wastewater or residential sewage, which is wastewater with a measured strength less than high-strength wastewater and is the type of wastewater normally discharged from, or similar to, that discharged from plumbing fixtures, appliances and other household devices. Domestic sewage does not include wastewater from industrial processes or RV holding tank wastewater.

Drainage Ditch - "Drainage Ditch" means a natural or man-made open depression created and maintained to collect and transport surface water runoff and subsurface drainage from agricultural fields, tile lines, surrounding property, structures and/or encumbrances.

Drainage System - "Drainage System" means and includes all the piping within public or private premises which conveys sewage or other liquid waste to a point of disposal, but does not include the mains or laterals of a public sewer system.

Drainfield - "Drainfield" or "Dispersal System" means the treatment and disposal component of an OWTS receiving effluent from a septic tank or other pretreatment device and transmitting it into native soil.

Dripfield - "Dripfield" means a type of drainfield where effluent is applied directly into the soil through driplines.

Dripline - "Dripline" means the distribution piping used with a subsurface drip system to discharge effluent into the soil. A dripline consists of small diameter, flexible polyethylene tubing with small in-line emitters.

Dump Station - "Dump Station" means a facility intended to receive the discharge of wastewater from a holding tank installed on a recreational vehicle. A dump station does not include a full sewer hook-up sewer connection similar to those used at a recreational vehicle park.

Effective Soil Depth - "Effective Soil Depth" means the depth of suitable native soil above a restrictive layer.

Effluent - "Effluent" means liquid discharged from a septic tank or other onsite wastewater treatment system component.

Effluent Sewer - "Effluent Sewer" means that part of the system drainage piping that conveys partially treated effluent from the septic tank or other treatment facility into a distribution unit or drainfield.

Emergency Repair - "Emergency Repair" means the repair of a failing septic system where immediate action is necessary to prevent sewage from backing up into a dwelling or building or to fix a broken pressurized sewer pipe.

Equivalent Dwelling Unit - "Equivalent Dwelling Unit" means:

(1) A single-family residence usually occupied by just one household or family; or

(2) Two hundred fifty (250) gallons of sewage per day where the proposed development is a non-residential facility.

Existing OWTS - "Existing OWTS" means an OWTS that was constructed and operating prior to the effective date of the adopted State Water Quality Control Policy or this Chapter, and for which a permit has been issued by the Department authorizing its construction and operation.

Expansion - "Expansion" means a change in a residence, facility, site, or use that:

(1) Causes the waste strength or flows to exceed the existing treatment or disposal capability of an onsite wastewater treatment system; or

(2) Reduces the treatment or disposal capability of the existing onsite wastewater treatment system or the replacement area. For example, a shop, building addition, pool, or impervious area that encroaches into the primary or replacement area, or any other activity reducing the capability of the soil to maintain design acceptance rates.

Failing System - "Failing System" means the presence of any of the conditions delineated in Section 8.80.180(C), or a system or system component listed under Section 8.80.180(D) of this Chapter.

Fixture Unit - "Fixture Unit" means a quantity design factor in the California Plumbing Code expressed in terms of the load-producing effects on the plumbing system of different kinds of plumbing fixtures. Fixture units may be used for the design of sewage flows.

Gravity System - "Gravity System" means a conventional onsite wastewater treatment system consisting of a septic tank and a drainfield with gravity dispersal of the effluent.

Gray Water - "Gray Water" means untreated household wastewater that has not come into contact with toilet waste. Gray water includes used water from bathtubs, showers, bathroom wash basins, and water from clothes-washers or laundry tubes. It shall not include wastewater from kitchen sinks, dishwashers, or laundry water from soiled diapers.

Gray Water System - "Gray Water System" means a system designed to collect gray water and transport it out of the structure for distribution in an irrigation or disposal field. A gray water system may include tanks, valves, filters, pumps or other appurtenances along with piping and receiving landscape.

Grease Interceptor - "Grease Interceptor" means a passive interceptor that has a rate of flow exceeding 50 gallons/minute (gpm) and that is located outside of a building. Grease interceptors are used for separating and collecting fats, oils, and greases (FOG) from wastewater.

Groundwater - "Groundwater" means subsurface water occupying the zone of saturation, either permanently, or seasonally. Indication may be demonstrated by one or both of the following methods:

(1) Water seeping into or standing in an open excavation, boring, or monitoring well from the surrounding soil; and/or

(2) The presence of redoximorphic soil features (or soil mottles) caused by intermittent periods of saturation and drying that may be indicative of poor aeration and impeded drainage.

Health Hazard - "Health Hazard" means a condition or situation where disease potential exists, and if left unabated, the disease potential may increase leading to a public health emergency.

Health Officer - "Health Officer" means the Health Officer appointed by the Board of Supervisors, or a representative authorized by and under the direct supervision of the appointed Health Officer or the Administrative Officer.

Hearing Officer - "Hearing Officer" means an administrative hearing officer designated by the Health Officer or Administrative Officer to conduct any hearing required by this Chapter.

High-Strength Wastewater - "High-Strength Wastewater" means wastewater having a thirty (30)-day average concentration of biochemical oxygen demand (BOD) greater than three hundred (300) milligrams per liter (mg/L) or of total suspended solids (TSS) greater than three hundred thirty (330) milligrams per liter (mg/L) or a fats, oils, and grease (FOG) concentration greater than one hundred (100) milligrams per liter (mg/L) prior to the septic tank or other OWTS treatment component.

Holding Tank Sewage System - "Holding Tank Sewage System" means an onsite wastewater treatment system which incorporates a holding tank and tank capacity alarm, is designed and constructed to receive and retain sewage, and requires the services of a registered septage pumper hauler for off-site treatment and disposal of the sewage generated.

Impaired Water Bodies - "Impaired Water Bodies" means those surface water bodies or segments thereof that are identified by the State Water Board pursuant to Section 303(d) of the federal Clean Water Act as being impaired or threatened by either pathogens or nitrogen that may be associated with OWTS installations.

Large Onsite Sewage System (LOSS) - "Large Onsite Sewage System" means an OWTS that has design flows, at any common point, greater than five thousand (5,000) gallons per day up to ten thousand (10,000) gallons per day, and that is operated in accordance with waste discharge requirements by the Regional Water Board and a local health operational permit. LOSS may include effluent disposal of treated and/or recycled wastewater that discharges on or above the post installation ground surface such as sprinklers, exposed drip lines, evaporative ponds, or lagoons as may be authorized by the State waste discharge permit.

Listed (third-party certified) - "Listed" means equipment or materials included in a list of approved products published by the Department that have been accredited by an approved third-party certifying body.

Local Agency - "Local Agency" means the Imperial County Department of Public Health.

Lot - "Lot" or "parcel" means a unit or portion of land separate from other units or portions by description as on a final map, parcel map, or certificate of compliance, or by such other map approved by the county under the provisions of the Subdivision Map Act and county ordinance.

Major Repair - "Major Repair" means the restoration or replacement of a failed onsite wastewater treatment system, or septic tank replacement due to a failure of its structural integrity or compartmental baffle.

Minor Repair - "Minor Repair" means any alteration, repair, or replacement of solid or perforated piping, tank baffles, distribution box, pumps, or electrical and mechanical components that may affect the performance and integrity of the OWTS.

Native Soil - "Native Soil" means undisturbed soil that exhibits the same structure, texture, and permeability as the area in question.

Net Land Area - "Net Land Area" means the total parcel area excluding surface water, road easements, rights-of-way, and drainage and utility easements.

New OWTS - "New OWTS" means the installation of any permitted system not defined as a repair, expansion, or alteration that occurs after the effective date of the adopted State Water Quality Control Policy or this Chapter.

Non-Conforming Repair - "Non-Conforming Repair" means a repair or replacement of an existing onsite wastewater treatment system that cannot meet the new installation requirements of this Chapter due to soil or site limitations.

Non-Residential Facilities - "Non-Residential Facilities" means any facility that is constructed or used for commercial, industrial, institutional, agricultural, public use, or recreational purposes.

Nuisance - "Nuisance" shall mean any nuisance as defined in the Health and Safety Code Section 17920(lk), including an inadequate or unsafe onsite wastewater treatment system.

Onsite Wastewater Treatment System (OWTS) - "Onsite Wastewater Treatment System" means an integrated arrangement of components for a residence, non-residential facility, or other place not connected to a public sewer system consistent with section 13290 of the California Water Code which:

(1) Conveys, stores, treats, and/or provides subsurface soil treatment and disposal of sewage on the property where it originates, or upon adjacent or nearby property; and

(2) Includes piping, treatment devices, other accessories, and soil underlying the drainfield and replacement area.

Ordinary High-Water Mark (OHWM) - "Ordinary High-Water Mark" means the mark on all lakes, reservoirs, rivers, streams, drains, and ponds where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil and vegetation a character distinct from that of the abutting upland. The OHWM adjoining canals or rivers shall be the natural or levied edge of the bank.

Operational Permit - "Operational Permit" means a permit issued by the Department for a specified period of time for the operation and/or use of a Large Onsite Sewage System or other alternative wastewater treatment system utilizing supplemental treatment with special operational or maintenance needs.

Owner of Record - "Owner of Record" means the owner of real property as shown in the records of the Imperial County Assessor's Office.

Percolation Test - "Percolation Test" means an approved method of testing water absorption of the soil, which can be used to establish the dispersal system design.

Permit - "Permit" means a written certificate issued by the Department allowing an activity under the provisions of this Chapter and the State Water Quality Control Policy.

Person - "Person" means an individual, firm, association, company, organization, partnership, corporation, governmental entity, or any other entity of any kind. "Person" also includes an applicant, a permit holder, an authorized agent of any entity, or any third party acting on behalf of any entity.

Pressure Distribution System - "Pressure Distribution System" means a system designed to uniformly distribute septic tank or other treatment unit effluent under pressure and described in Department standards for pressure distribution systems.

Prior Approval - "Prior Approval" means any valid written approval or permit pertaining to a specific septic system application that was issued before the effective date of this Chapter.

Privy - "Privy" means a structure used as a toilet under a part or all of which is a vault or pit intended or used for the reception of sewage.

Proprietary Device - "Proprietary Device" means any device classified as an alternative system or a

component thereof that is held under a patent, trademark, or copyright and is listed in the Department's *List of Approved Systems and Products*.

Public Sewer System - "Public Sewer System" means a community sewage system under permit from the Regional Water Board, which is owned or operated by a city, town, municipal corporation, county, political subdivision of the state, or other approved ownership consisting of a collection system and necessary trunks, pumping facilities, and a means of final treatment and disposal.

Public Water System - "Public Water System" means a water system regulated by the California Department of Public Health or the Local Primacy Agency pursuant to Chapter 12, Part 4, California Safe Drinking Water Act, and as defined by Section 116275(h) of the California Health and Safety Code.

Qualified Professional - "Qualified Professional" means an individual licensed or certified by the State of California to design an OWTS. This may include an individual who possesses a registered environmental health specialist certificate or is currently licensed as a professional engineer consistent with the requirements of Chapter 7, Division 3, Business and Professions Code of the State of California. A professional geologist may perform soil and site evaluations as required by Sections 8.80 and 8.80.120 of this Chapter.

Recycled Water - "Recycled Water" means non-potable water derived in any part from wastewater with a domestic sewage component that has been adequately and reliably treated and disinfected, so that it can be used for beneficial purposes. Recycled water is not considered a wastewater.

Redoximorphic Soil Features - "Redoximorphic Soil Features" means the presence of soil mottles, or low-chroma colors, manganese and/or iron nodules, concretions, masses; depletions of iron and/or clay; and/or reduced matrices which may indicate the presence of groundwater.

Regional Water Board - "Regional Water Board" is the Regional Water Quality Control Board (RWQCB), Colorado River Basin Region, or its Executive Officer.

Regulation - "Regulation" means a statute, administrative rule, or adjudicatory decision that is adopted under the authority of the Imperial County Board of Supervisors, the State of California, or the Federal Government.

Replacement Area - "Replacement Area" means an area of land equivalent to not less than one-hundred percent (100%) of the required drainfield area that is approved for the installation of an onsite wastewater treatment system and dedicated for replacement of the OWTS in the event of its failure

Replacement OWTS - "Replacement OWTS" means an OWTS that has its treatment capacity expanded, or any portion of its dispersal system replaced or added onto, after the effective date of the adopted State Water Quality Control Policy or this Chapter.

Restrictive Layer - "Restrictive Layer" means a layer that impedes the movement of water, air, and growth of plant roots; including, but not limited to, groundwater tables, hardpans, claypans, fragipans, compacted soils, bedrock, unstructured clay soils or unsuitable soils.

RWQCB - "RWQCB" means the Regional Water Quality Control Board, Colorado River Basin Region.

Seepage Pit - "Seepage Pit" means a drilled or dug excavation or pit, either lined or gravel filled, designed to dispose the effluent discharge from a septic tank or other OWTS treatment unit to underlying soils that are more permeable without receiving treatment in the upper soil horizons.

Septage - "Septage" means the mixture of solid wastes, scum, sludge, and liquids pumped from septic tanks, pump tanks, holding tanks, chemical toilets, cesspools or seepage pits, or any other OWTS component.

Septage Pumper Hauler - "Septage Pumper Hauler" means a person registered by the Department who cleans and pumps septic tanks, pump tanks, holding tanks, chemical toilets, or other sewage and transports the cleanings thereof to a public sewer system consistent with the California Health & Safety Code Section 117405 et seq.

Septic Tank - "Septic Tank" means a watertight receptacle which receives the discharge of sewage from a building sewer; and is designed and constructed to permit the separation of settleable and floating solids from the liquid, and detention and digestion of the organic matter, prior to discharge of the liquid portion.

Service Provider - "Service Provider" means a person licensed to operate, monitor, and maintain an OWTS in accordance with this Chapter. A wastewater treatment plant operator certified pursuant to the California Water Code, Section 3670 et seq. is required for Large Onsite Sewage Systems, as established by the Regional Water Board.

Sewage - "Sewage" means urine, feces, and the water carrying human wastes, or any waste substance that contains or may be contaminated with human or animal excreta or excrement, offal, or any feculent matter, including kitchen, bath, and laundry wastes from residences, buildings, or other facilities. Sewage does not include wastewater from industrial processes.

Single-Family Dwelling - "Single-Family Dwelling" means any structure occupied, intended or designed for occupancy by one family for living or sleeping purposes as its principal use. The minimum design flow for OWTS sizing shall be two hundred fifty (250) gallons per day of wastewater, with each additional bedroom at one hundred twenty-five (125) gallons per day.

Site Evaluation - "Site Evaluation" means an evaluation of the soil profile and landscape features of a specific parcel or location for the purpose of determining whether the site complies with the requirements of this Chapter for the installation of an onsite wastewater treatment system.

Soil Log - "Soil Log" means a detailed description of the soil profile or mantle, and other soil characteristics such as color, texture, structure, and density to provide information on the soil's capacity to act as an acceptable treatment and disposal medium for sewage.

Soil Type - "Soil Type" means a textural classification of fine earth particles (i.e. various percents of sand, clay, and silt) and coarse fragments in their various combinations as identified in the soil

textural triangle developed by the United States Department of Agriculture, Soil Conservation Service, and as described in Table II of Section 8.80.110(B) of this Chapter.

Special Wastes - "Special Wastes" means liquid wastes or brines that require some special method of handling, such as the use of indirect waste piping and receptors, corrosion-resistant piping, sand, oil or grease interceptors, condensers, or other pretreatment facilities.

Sump - "Sump" means an approved tank or pit that receives sewage or liquid waste and which is located below the normal grade of the gravity system and which must be emptied by mechanical means.

State Water Board - "State Water Board" is the State Water Resources Control Board.

Statute - "Statute" means any ordinance of the Imperial County Board of Supervisors, or any State or Federal law.

Subdivision - "Subdivision" means any division of land, as defined in Section 90801.04 of the Imperial County Codified Ordinances, as now or as hereafter amended.

Supplemental Treatment - "Supplemental Treatment" means any OWTS or component of an OWTS, except a septic tank or dosing tank, which performs additional sewage treatment so that the effluent meets specified treatment performance standards (Treatment Standard 1 or 2) prior to discharge of the effluent to the dispersal field.

Surface Water - "Surface Water" means any body of water that either flows or is contained in natural or artificial depressions for continuous periods of thirty (30) days or more. Such bodies include, but are not limited to, natural and artificial lakes, ponds, rivers, streams, marshes, and water supply canals; but shall exclude surface water contained by drainage ditches, irrigation supply laterals, flood-irrigated crops, or detention basins.

Swimming Pool - "Swimming Pool" means any constructed or prefabricated structure intended for swimming or recreational bathing that contains water over eighteen (18) inches deep. Swimming pools may be in-ground or above-ground structures, and shall include doughboys, spa pools, and any other special purpose pools.

Treatment Standard 1 - "Treatment Standard 1" means supplemental treatment requirements for pathogens. Supplemental treatment for pathogens shall provide sufficient pretreatment of the wastewater so that effluent from the supplemental treatment components does not exceed a 30-day average TSS of 30 mg/L and shall further achieve an effluent fecal coliform bacteria concentration less than or equal to 200 Most Probable Number (MPN) per 100 milliliters. ~~(Pathogen or Nitrogen Reduction) means a thirty-day average of less than thirty (30) milligrams per liter (mg/L) of biochemical oxygen demand (five (5) day BOD_5), and thirty (30) milligrams per liter (mg/L) of total suspended solids (TSS), with:~~

~~Pathogen reduction to a thirty (30) day geometric mean of less than two hundred (200) Most Probable Number (MPN) of fecal coliform bacteria per one hundred (100) milliliters; and/or~~

~~Nitrogen reduction by fifty percent (50%) in total nitrogen (TN) when comparing the thirty (30) day average influent to the thirty (30) day average effluent, or a TN concentration of ten (10) milligrams per liter (mg/L) as nitrogen, whichever it most stringent.~~

Treatment Standard 2 - "Treatment Standard 2" means supplemental treatment requirements for nitrogen. Effluent from the supplemental treatment components designed to reduce nitrogen shall be certified by NSF, or other approved third party tester, to meet a 50 percent reduction in total nitrogen when comparing the 30-day average influent to the 30-day average effluent. ~~a thirty day average of less than thirty (30) milligrams per liter (mg/L) of biochemical oxygen demand (five (5) day BOD_5), thirty (30) milligrams per liter (mg/L) of total suspended solids (TSS), and a thirty (30) day geometric mean of less than one thousand (1000) MPN per one hundred (100) milliliters~~.

Undocumented Onsite Sewage Disposal System - "Undocumented Onsite Sewage Disposal System" means an installed onsite wastewater treatment system for which no permit is on file with the Department.

Unsuitable Soils - "Unsuitable Soils" means soils that are not capable of adequate treatment and/or disposal of sewage effluent and include:

(1) Weak or structureless sandy clays, clays, or silty clays, silt, and strongly cemented, compacted, or massive soils;

(2) Very gravelly sands having greater than or equal to thirty-five percent (≥35%) and less than sixty percent (<60%) gravel and coarse fragments by volume;

(3) All extremely gravelly soils having greater than or equal to sixty percent (≥60%) gravel and coarse fragments by volume;

(4) Soils that have a clay content of fifty (50%) or more as determined by particle size analysis; and

(5) Soils having a percolation rate of less than one (<1) minutes per inch (mpi) or greater than two hundred forty (>240) mpi.

Vertical Separation - "Vertical Separation" means the depth of unsaturated native soil between the bottom of a leaching trench and the highest seasonal water table, restrictive layer, or unsuitable soils.

Waste Discharge Requirement (WDR) - "Waste Discharge Requirement" means an operation and discharge permit issued for the discharge of waste pursuant to Section 13260 of the California Water Code.

Water Quality Control Policy - "Water Quality Control Policy" means the OWTS Policy adopted by the State Water Resources Control Board for the Siting, Design, Operation and Management of Onsite Wastewater Treatment Systems, effective May 13, 2013.

8.80.040 – APPLICABILITY.

A. Every residence, place of business, or other building or place where persons congregate, reside, or are employed in which sewage is generated that is not connected to a public sewer system shall be connected to an onsite wastewater treatment system (OWTS) meeting the requirements of this Chapter.

B. An approved OWTS permit issued prior to the effective date of this Chapter shall be valid for the period of time that is stated on the permit.

C. The Regional Water Quality Control Board (RWQCB) has authority and approval over:

(1) Public sewer systems;

(2) Industrial wastewater treatment facilities;

(3) Wastewater treatment facilities utilizing sewage lagoons or surface discharge for disposal; and

(4) Onsite wastewater treatment systems with design flows through any common point above five thousand (5,000) gallons per day.

D. The Department has authority and approval over:

(1) Onsite wastewater treatment systems with design flows through any common point up to five thousand (5,000) gallons per day;

(2) Any large onsite sewage system with a design flow greater than five thousand (5,000) gallons per day up to ten thousand (10,000) gallons per day for which waste discharge requirements have been issued by the RWQCB, but that ongoing primary administrative authority has been granted by written agreement from the RWQCB to the Department.

E. Sewage that is not treated through a public sewer system shall not be discharged to surface water, to the surface of the ground, or underground unless the discharge conforms to the requirements of this Chapter.

F. When a public sewer system is available within two hundred (200) feet of the nearest property line as measured along the usual or most feasible route of access, the owner of record must connect the residence or facility to the public sewer system if:

(1) The residence or facility is served by an OWTS which has failed or that requires a major repair; or

(1) The proposed residence or facility does not have an existing OWTS.

G. The Health Officer may issue a permit to construct and/or repair any OWTS within the incorporated limits of a cCity-provided public sewer system is not available within two hundred (200) feet of the nearest property line as measured along the usual or most feasible route of access, and the cCity has requested such action of the Health Officer in writing.

8.80.050 – ALTERNATIVE SYSTEMS.

A. Alternative systems and proprietary devices shall comply with the requirements of this Chapter and technical standards adopted by the Department under Section 8.80.020(C).

B. The Health Officer shall only permit the installation of alternative systems for which there are technical standards adopted by the Department, or a proprietary treatment device if it appears on the list of approved systems or devices maintained by the Department. Alternative OWTS shall be designed by a qualified professional.

C. The Health Officer:

(1) May require performance monitoring or sampling of any alternative system; and

(2) Shall submit copies of evaluation reports to the RWQCB, if required, when alternative system performance is evaluated.

D. No person shall operate or discharge to an alternative system with supplemental treatment without a valid operational permit issued by the Department.

E. An owner of record who receives an alternative OWTS permit from the Health Officer shall:

(1) Record a notice with the Imperial County Clerk Recorder of the presence of an alternative OWTS on the property. The notice shall specify operation and maintenance requirements and any limitations on the use of the property that are related to the presence of an alternative system; and

(2) Monitor the performance of the OWTS according to any requirements stipulated on the annual operational permit.

8.80.060 – GRAY WATER SYSTEMS.

A. Gray water systems shall comply with the requirements of the California Plumbing Code, Chapter 16, or as may be amended, and technical standards adopted by the Department.

B. It shall be unlawful for a person to construct, install, alter, or cause to be constructed, installed, or altered, an alternate water source system in a building or on a premise without first obtaining a permit to do such work.

C. A qualified professional shall design gray water systems and shall certify that the proposed gray water system and OWTS together meet the requirements of this Chapter and will adequately serve the total amount of estimated gray water and sewage from a proposed facility or residence on a daily basis.

D. The following provisions and limitations apply to the design, construction, alteration, repair, or use of gray water systems:

(1) Gray water shall only be used for subsurface and/or subsoil irrigation, or to be dispersed within a disposal field. Discharges to a mulch basin or to above the ground surface are prohibited;

(2) Unless the OWTS is otherwise designed to accommodate the total combined design flow of gray water and sewage, the diversion of gray water to the OWTS shall be prevented;

(3) Gray water systems shall have no unprotected connections to a potable water supply, private water cistern, fire protection tank, or non-potable irrigation service lines; and

(4) The indoor use of onsite treated gray water is prohibited until such time that standards have been adopted by the Health Officer pursuant to Section 8.80.020(C).

E. An operation and maintenance manual for gray water systems shall be supplied to the building owner by the qualified professional, and include the minimum items of Section 1601.6 of the California Plumbing Code.

F. The discharge of gray water from a clothes washer to the surface of the ground is considered a nuisance and is prohibited.

8.80.070 – NON-RESIDENTIAL OWTS.

A. A qualified professional shall design onsite wastewater treatment systems for non-residential facilities and shall certify that the proposed onsite wastewater treatment system meets the requirements of this Chapter and will adequately serve a proposed facility.

B. For non-residential facilities, the design flow rate shall be based on estimated wastewater flow rates specified in the California Plumbing Code or EPA *OWTS Manual*, or based on the number of plumbing fixture units, whichever is greater for the type of building occupancy.

(1) Any deviations shall be supported by appropriate water usage information and/or the use of low water use fixtures or gray water system.

(2) The minimum design flow for a non-residential OWTS shall be two hundred fifty (250) gallons per day.

C. When an OWTS is proposed to treat and dispose of special wastes that are not classified as domestic sewage, the applicant shall have an authorized professional submit to the Health Officer, and the RWQCB as necessary:

(1) Information which shows that the waste is not industrial or high-strength wastewater;

(2) Information that establishes the waste strength and identifies chemicals present that are not found in residential sewage;

(3) A design that provides treatment equal to that required for residential sewage; and

(4) An approved operation and maintenance contract between the system owner and qualified service provider (certified by the proprietor of the treatment unit), if applicable.

8.80.080 – LARGE ONSITE SEWAGE SYSTEMS.

—Reserved—

8.80.090 – ACTIVITIES REQUIRING A PERMIT.

A. No person shall construct, repair, replace, alter, expand, relocate, or destroy an OWTS or gray water system without a valid permit.

B. Persons applying for a building permit for the construction of a building that will necessitate an onsite wastewater treatment system shall obtain a permit from the Department prior to commencement of construction of such new building.

C. Any persons desiring to modify or construct a building or structure, or modify the existing use on any lot or site that is served by an onsite wastewater treatment system, shall file a building plan review with the Department and obtain approval for any such proposed addition or alteration prior to the issuance of the building permit.

(1) The application shall contain a detailed site plan and description of the proposed modifications.

(2) No building or land use permit shall be issued by the County where there is insufficient lot area or improper site conditions for adequate sewage disposal and replacement area consistent with this Chapter.

D. Every cesspool, septic tank, and seepage pit that has been abandoned or has been discontinued otherwise from further use shall be filled in accordance with Section 722.0 of the California Plumbing Code. A permit shall be obtained prior to the completion of such

work.

E. If a person fails to comply with the terms of a permit issued under this Chapter, or engages in activities regulated under this Chapter without the appropriate permit(s) or approval, the Health Officer may issue a written order to immediately stop or suspend all work, except that which is necessary to bring the project into compliance with this Chapter.

8.80.100 – LOCATION OF OWTS.

A. Every new onsite wastewater treatment system shall meet the minimum horizontal separations shown in Table I, Minimum Horizontal Separations:

Table I. Minimum Horizontal Separations (Setbacks)

Items Requiring Setback	**Disposal Field** and replacement area	**Septic Tank** and holding or pump tank, and distribution boxes	**Seepage Pit** and undocumented OWTS	**Building Sewer** and non-perforated transport line
Water Supplies				
Private water supply well	100 ft.	50 ft.	150 ft.	50 ft.
Public water supply well	150 ft.	150 ft.	200 ft.	150 ft.
Private water cisterns	50 ft.	50 ft.	50 ft.	50 ft.
Water supply canals	50 ft.	50 ft.	50 ft.	50 ft.
Public water system supply canals (i.e. All-American, Westside Main, Central Main, East Highline)	100 ft.	100 ft.	150 ft.	100 ft.
Properly destroyed well[1]	10 ft.	10 ft.	N/A	N/A
Pressurized public water main	10 ft.	10 ft.	10 ft.	10 ft.
Gravity water supply line	50 ft.	50 ft.	50 ft.	50 ft.
Onsite domestic water service line	5 ft.	5 ft.	5 ft.	1 ft.[2]
Surface Water				
Irrigation canals Lined Supply Laterals Unlined Delivery Channel	 25 ft. 50 ft.	 25 ft. 50 ft.	 25 ft. 50 ft.	 10 ft. 50 ft.
Surface water[3]	100 ft.	50 ft.	100 ft.	50 ft.
Colorado River	200 ft.	200 ft.	200 ft.	100 ft.
Structures				
Building or structures[4]	8 ft.	5 ft.	8 ft.	2 ft.
Property line or easement[5]	5 ft.	5 ft.	10 ft.	Clear
Swimming Pool	8 ft.	8 ft.	8 ft.	5 ft.
Drainage ditches and detention basins	50 ft.	50 ft.	50 ft.	10 ft.
Agricultural Tile Lines[6]	10 ft.	10 ft.	10 ft.	N/A
Trees	10 ft.	10 ft.	10 ft.	N/A

Table I. Minimum Horizontal Separations (Setbacks)				
Disposal field	--	5 ft.	10 ft.	5 ft.
Distribution box	5 ft.	5 ft.	5 ft.	--
Down-gradient cuts or banks with at least 5 ft. of undisturbed soil above a restrictive layer due to a structural or textural change[7]	4x height 50 ft. max	10 ft.	4x height 50 ft. max	N/A

Notes:

[1] Prior to any disposal field being placed within one hundred (100) feet of a well the owner of record shall obtain a well destruction permit from the County and have the well destroyed by a licensed well driller.

[2] See Section 720.0 of the California Plumbing Code.

[3] Measured from the ordinary high water mark. If surface water is used as a public drinking water supply, the designer shall locate the OWTS outside of the required sanitary control area.

[4] Including porches and steps, whether covered or uncovered, breezeways, roofed porte cocheres, roofed patios, carports, covered walks, covered driveways, hay storage sheds, and similar structures or appurtenances. The minimum setback from building structures to a drip field may be reduced to two (2) feet.

[5] See also Section 307.0 of the California Plumbing Code. The Health Officer may require a fifty (50) foot setback to property lines from the OWTS when individual wells are to be installed and the minimum distance between the drainfield and wells cannot be assured.

[6] Tile lines within ten (10) feet of the disposal field shall be cut and capped.

[7] The item is down-gradient when liquid will flow toward it upon encountering a water table or a restrictive layer. The item is up-gradient when liquid will flow away from it upon encountering a water table or restrictive layer. The Health Officer may increase the setback to down-gradient cuts or banks with less than five (5) feet of undisturbed soil above a restrictive layer due to a structural or textural change.

B. OWTS design and/or installation shall only occur where:

(1) The slope is less than thirty percent (30%);

(2) The area of the proposed OWTS and the replacement area is not subject to:

(a) Encroachment by buildings or construction such as placement of swimming pools, patios, stormwater drainage systems or facilities, interceptor drains, drainage courses, and/or underground utilities;

(b) Cover by impervious material;

(c) Vehicular or animal traffic; or

(d) Other activities adversely affecting the soil or OWTS performance; and

(3) Sufficient replacement area exists to treat and dispose one hundred percent (100%) of the design flow.

C. Except as otherwise provided in this Chapter, no private sewage disposal system, or parts thereof shall be located in any lot other than the lot that is the site of the building, structure, or premises served by such facilities.

D. Any new or replacement OWTS discharge shall be located a minimum of two hundred (200) feet from a water body listed as impaired unless the discharge meets the performance standard of Treatment Standard 1 or 2 for the applicable impairment of pathogens or nitrogen.

8.80.110 – SOIL AND SITE EVALUATION.

A. 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.

B. In performing soil and site evaluations, the qualified professional shall:

(1) Record a minimum of three (3) soil percolation tests in locations representative of the primary and replacement drainfield areas at a depth that sufficiently characterizes the receiving soils present below the proposed disposal field. Percolation testing shall be performed in a manner consistent with the Department's *Policy for Soils Evaluation, Testing, and Reporting*;

(2) Record the static groundwater elevation, the date of the observation, and the probable maximum height;

(3) Record the topography and drainage characteristics of the site;

(4) Record a minimum of one (1) representative soil boring log in close proximity to the proposed dispersal area. The description shall include:

(a) the location and depth of restrictive layers, and effective soil depth; and

(b) classification of soils according to Table II, Soil Textural Classification.

Table II
Soil Textural Classification

Soil Type	Soil Textural Classification
1	Coarse sands, Medium sands
2	Fine sands, Loamy sands
3	Sandy loams, Loams
4	Silt loams, that are porous and have well-developed structure

Table II Soil Textural Classification	
5	Other Silt loams (weak), Sandy clay loams
6	Clay loams, Silty clay loams
Marginal	Sandy clays, Clays & Silty clays of low clay content (typically less than forty-five percent (<45%)) with moderate or strong structure
Unsuitable for Treatment or Disposal	Weak or structureless sandy clays, clays, or silty clays, silt, and strongly cemented, compacted, or massive soils (percolation rate of greater than two hundred forty minutes per inch (>240 mpi)) Very gravelly sands and all extremely gravelly soils (percolation rate of less than one minute per inch (<1 mpi))

C. Site Approval.

(1) The Health Officer:

(a) May require additional soil testing as outlined in Section 8.80.120, Extended Site Evaluation;

(b) May waive the required number of soil percolation tests if adequate soil information has previously been developed for the site.

(2) The results of a soil evaluation report prepared by a qualified professional shall be valid for a period of five (5) years from the date of the report, provided that no grading or disturbance of the soil has significantly modified site conditions.

(3) Site approval and a permit for the installation of a new or replacement OWTS may be granted by the Department provided that the soil application rates proposed do not exceed the maximum hydraulic loading rates for the soil type listed in Section 8.80.170, Table III.

D. The Health Officer shall render a decision or notify the applicant of the reason for delay on all permit applications within twenty (20) working days of submittal of a complete application by an authorized professional and/or property owner.

8.80.120 – EXTENDED SITE EVALUATION.

A. The Health Officer shall require additional soil testing prior to OWTS permit issuance if soil percolation data indicate the presence of soils with a percolation rate slower than sixty minutes per inch (>60 mpi) or exceeding five minutes per inch (<5 mpi), or in very gravelly soils, or as otherwise necessary to determine if the site meets the minimum requirements of this Chapter. Additional soil testing may include:

(1) Particle size analysis (hydrometer testing) and plasticity index (PI) testing; and

(2) Preparation of a minimum of one (1) representative soil profile excavation within the primary drainfield area and a minimum of one (1) representative soil profile excavation within the replacement area (additional soil excavations may be required) to a depth of five (5) feet:

(a) To allow examination of the soil profile in its original position by:

i. Excavating pits of sufficient dimensions to enable observation of soil characteristics by visual and tactile means to a depth of five (5) feet deeper than the anticipated bottom of the drainfield; or

ii. Stopping at a shallower depth if a water table or restrictive layer is encountered; and

(b) To allow determination of the soil texture, structure, color, compaction, water absorption capabilities or permeability, and elevation of the maximum groundwater level.

B. All testing shall be done by a qualified professional and in accordance with testing standards adopted by administrative rules under Section 8.80.020(C). All soils analysis shall be completed at a commercial engineering testing laboratory.

8.80.130 – OWTS PERMITS.

A. When an application for an onsite wastewater treatment system conforms to the provisions of this Chapter and requirements of other pertinent regulations, the Health Officer shall issue a permit to the applicant. No permit, unless it is for a minor repair or septic tank replacement, shall be issued without a signed application accompanied by a site evaluation report prepared by a qualified professional, a detailed system design, and the payment of permit fees as established by ordinance.

B. The applicant shall submit a detailed system design for any new or replacement OWTS that is approved by the Health Officer and satisfies the requirements of Section 8.80.170. The detailed system design must include:

(a) A scaled, dimensional drawing showing the proposed location of all OWTS components and replacement area;

(b) Vertical cross-section drawing showing the depth of the drainfield, the vertical separation to groundwater, the depth of soil cover, and any other OWTS components to be constructed or installed at the site;

(c) Calculations and assumptions supporting the proposed design, including:

i. The soil type;

ii. The hydraulic loading rate in the drainfield;

iii. The design flow of the OWTS; and

(d) Such additional information as required by adopted technical standards.

C. The OWTS design shall be prepared by a qualified professional for all sites where soils have a percolation rate slower than sixty minutes per inch (>60 mpi) or faster than five minutes per inch (<5 mpi), or where gravity dispersal cannot be utilized due to insufficient depth to groundwater.

D. When the Health Officer issues a permit, he/she shall:

(1) Identify the permit as a new installation, replacement, repair, alteration, abandonment, or operational permit;

(2) Specify the expiration date on the permit; and

(3) State the period of validity for operational permits, the date by which an operational permit must be renewed, and the conditions of renewal.

E. The Health Officer may amend, suspend, revoke, or deny a permit for reasonable cause. Reasonable cause may include, but is not limited to:

(1) Installation of an OWTS that creates a health hazard;

(2) Misrepresentation or concealment of material fact in information submitted to the Health Officer; or

(3) Failure to meet conditions of the permit or the requirements of this Chapter.

F. The Health Officer may stipulate additional requirements for a particular permit if a health hazard would otherwise occur.

G. New installation, alteration, or replacement permits shall be valid for a period of two (2) years from the date of issuance. Such permits are not transferable or renewable.

H. Minor repair, abandonment, and tank replacement permits shall be valid for a period of one (1) year from the date of issuance and shall not be transferable.

I. Operational permits for alternative OWTS utilizing supplemental treatment shall be valid for the calendar year for which they are issued. All operational permits are transferable and shall be renewed each year subject to conditions specified by the Health Officer.

8.80.140 – STANDARDS FOR RV DUMP STATIONS.

A. All recreational vehicle dump stations shall discharge into a public sewer system or private OWTS operating under an individual waste discharge requirement issued by the Regional Water Board, or a wastewater holding tank system approved by the Health Officer.

B. Recreational vehicle dump stations shall be provided in an accessible location for all special occupancy parks or RV storage facilities without permitted sewer utility connections. Recreational vehicle dump stations are not required in tent camps or incidental camping areas, but if provided, they shall comply with the requirements of this Chapter.

C. Each recreational vehicle dump station shall be constructed and maintained to meet the specifications of Sections 2270 and 2271 of Title 25 of the California Code of Regulations, or as amended, including cross-connection protection to the potable water supply and the provision of a warning sign immediately adjacent to the hose connection warning users to use the hose only to flush holding tanks and the drain receptor.

8.80.150 – STANDARDS FOR SUBDIVISIONS AND LAND DEVELOPMENTS.

A. All proposed major subdivisions shall provide for the extension or development of public sewer systems permitted by the Regional Water Board. Any proposed subdivision within a designated Urban Area of the unincorporated county shall also connect to a public sewer system.

B. The use of OWTS on newly created individual lots is restricted to minor subdivisions where access to a public sewer system is otherwise unavailable.

C. Where an OWTS is existing or being proposed, the minimum net land area per dwelling unit shall be:

(1) One (1) acre for areas designated as Limited Agriculture within Urban boundaries (A-1) or other Community Areas;

(2) Two and one half (2.5) acres for areas designated as General Agriculture (A-2) or Heavy Agriculture (A-3) with a lot reduction exception;

(3) Two and one half (2.5) acres within a designated Area of Special Concern; or

(4) Two and one half (2.5) ~~Twenty (20)~~ acres within Open Space, Recreation, or Preservation Areas.

~~(4)~~(5) The minimum net land area per dwelling unit requirments of subsection 8.80.150(C) are waived for non-conforming lots, created prior to June 30, 2016, that are undeveloped. These non-conforming lots are commonly located in, but not limited to, the communities of Vista Del Mar, Salton Sea Beach, and

Ocotillo.

D. The Health Officer may waive the minimum net land area requirements of this Chapter for lot reduction exceptions, or for lot line adjustments on nonconforming lots created prior to June 30, 2016~~the adoption of this Chapter.~~

E. A maximum allowable density of OWTS for new land developments on existing parcels shall be one (1) dwelling unit per acre.

F. Prior to the submittal of a tentative map for a minor subdivision, a site evaluation by a qualified professional shall be made and site approval received for each parcel within a proposed subdivision, unless parcels in the proposed subdivision will be connected to a public sewer system or a parcel is not designated for land development.

G. Site evaluations for subdivisions and lot line adjustments utilizing OWTS shall include a minimum of two (2) representative soil percolation tests for each proposed or adjusted parcel designated for land development. The test holes shall be prepared in accordance with Section 8.80.110. The Health Officer may waive this requirement for lot line adjustments if the existing OWTS and replacement area will not be impacted by the adjustment.

H. If alternative systems are proposed for a subdivision, sufficient design information that includes the specific site location for both primary and replacement systems shall be provided to the Health Officer for review to determine if the minimum requirements of this Chapter can be met. A minimum of five (5) feet to groundwater must be maintained for any new parcels within an Area of Special Concern.

I. The Health Officer may require specific language to be recorded on or with the parcel map or final map addressing OWTS design or operational permit requirements.

8.80.160 – AREAS OF SPECIAL CONCERN.

A. The Health Officer, after consultation with the RWQCB, may designate the following areas as areas of special concern. This designation shall not be made unless a minimum of one public hearing is held by the Health Officer.

(1) Sole source aquifers designated by the U.S. Environmental Protection Agency;

(2) Areas with a critical recharging effect on aquifers used for potable water;

(3) Designated public water supply wellhead protection areas;

(4) Areas designated as special protection areas for impaired surface and ground waters of the State of California;

(5) Drainage and flooding problem areas; and

(6) Areas identified and delineated by the Department in consultation with the RWQCB which constitute a health hazard due to the presence of failing onsite wastewater treatment systems.

B. The Health Officer may impose more stringent requirements on new developments and take corrective measures to protect public health upon existing developments in areas of special concern, including:

(1) Additional design and/or performance standards for OWTS;

(2) Larger land areas for new development;

(3) Mitigation for the impacts of development;

(4) Additional operation procedures and maintenance/monitoring protocols for OWTS;

(5) Upgrades to existing OWTS;

(6) Abandonment of undocumented and failing OWTS; and

(7) Monitoring of ground water or surface water quality.

C. The Health Officer has designated the Townsite of Palo Verde (Zoning Map 57A), Bard Area (Zoning Maps 25-26), and the Ocotillo/Nomirage Community Area as defined by Title 9, Division 25 of Imperial County Ordinance as Areas of Special Concern for purposes of implementing this Chapter.

D. Any new or replacement OWTS within the Bard Area or Ocotillo/Nomirage Community Area shall maintain the minimum vertical separation depth of five (5) feet to groundwater, unless supplemental treatment meeting Treatment Standard ~~2~~ 1 is provided prior to discharge.

E. Any new or replacement OWTS discharge within six hundred (600) feet of the Palo Verde Lagoon shall meet the performance standard of Treatment Standard 1 for the impairment of pathogens, unless:

(1) The owner has committed by way of a legally recorded document with the County Recorder's Office ~~prior to May 13, 2017~~ to connect any existing or proposed building structure with plumbing to a wastewater collection and treatment system operated under waste discharge requirements from the Regional Water Board ~~by May 13, 2021~~ when said system is developed; or

(2) The OWTS discharge is otherwise permitted under an individual waste discharge by the Regional Water Board.

~~F. In order to reduce risk of system failures within an area of special concern, a service provider shall:~~

~~(1) Inspect every OWTS at least once every five (5) years.~~

~~(2) Submit the following written information to both the Health Officer and the property owner within thirty (30) days following the inspection:~~

~~(a) Location of all OWTS components;~~

~~(b) Structural condition of the tank(s);~~

~~(c) Depth of accumulated scum and solids in the septic tank;~~

~~(d) Problems detected with any part of the system;~~

~~(e) Recommended and/or required maintenance;~~

~~(f) Maintenance provided at the time of inspection; and~~

~~(g) Other information as required by the Health Officer.~~

~~(3) Immediately report failures to the Health Officer.~~

~~G.~~F. Any person operating an OWTS requiring supplemental treatment to meet a treatment standard within an Area of Concern shall maintain a contract with a licensed service provider to perform scheduled maintenance and testing in accordance with the terms of the annual operational permit. No person shall operate an alternative OWTS without a valid operational permit issued by the Health Officer.

~~H.~~G. When the Health Officer intends to designate an area of special concern, the Health Officer shall notify the Board of Supervisors of the definite boundaries of such designation, and the additional requirements for OWTS to be applied within the delineated area of special concern.

8.80.170 – OWTS DESIGN AND INSTALLATION CRITERIA.

A. The detailed design and construction of all OWTS shall conform to this Chapter and technical standards adopted by the Department. All pressure distribution, alternative OWTS, non-residential systems, and OWTS discharging to clayey soils with percolation rates slower than sixty minutes per inch (>60 mpi) shall be designed by an authorized professional.

B. The OWTS shall be designed to receive all sewage from the residence or facility served unless otherwise approved by the Health Officer. The design flow shall be established as follows:

(1) For individual residences, and accessory dwelling units connected to the same

OWTS. flows of one hundred twenty-five (125) gallons/day/bedroom shall be used for design purposes;

(2) For non-residential facilities, the design flow rate shall be based on typical values noted in the California Plumbing Code, EPA *OWTS Manual*, or the number of plumbing fixture units, whichever is greater for the type of building occupancy. Any deviations shall be supported by appropriate water usage information and/or the use of low water use fixtures or gray water system; and

(3) The minimum design flow for an OWTS shall be two hundred fifty (250) gallons per day.

C. Gravity systems and pressure distribution systems shall have the calculation of drainfield area based upon the design flows in Section 8.80.170(B) and loading rates equal to or less than those in Table III, Maximum Hydraulic Loading Rate for Residential Sewage, and applied only to the bottom of the excavated trench.

Table III
Maximum Hydraulic Loading Rate
For Residential Sewage[1,2]

Soil Type	Soil Textural Classification	Percolation Rate (mpi)	Loading Rate (gal./ft.^{2}/day)
1	Coarse sands, Medium sands	1-4	0.8
2	Fine sands, Loamy sands	5-10	0.8
3	Sandy loams	11-20	0.7
	Loams	21-30	0.6
4	Silt loams, that are porous and have well-developed structure	31-60	0.45
5	Other Silt loams (weak) and Sandy clay loams	61-90	0.3
6	Clay loams, Silty clay loams	91-120	0.2
Marginal	Sandy clays, Clays & Silty clays of low clay content (typically less than forty-five percent (<45%)) with moderate or strong structure	121-240	0.1

[1]Compacted soils, cemented soils, and/or poor soil structure may require a reduction of the loading rate or make the soil unsuitable for the installation of an onsite wastewater treatment system.
[2]The maximum hydraulic loading rate for the soil type listed is to be used for calculating the drainfield area required.

(1) If more than one suitable soil horizon is encountered in the soil profile, drainfield trench sizing shall be based on the most restrictive soil within twenty-four (24) inches beneath the bottom of the trench.

(2) The minimum total length of drainfield lines for all residential OWTS within the irrigated farm areas of Imperial Valley shall be one hundred and ninety-five (195) feet. No reductions may be applied such that the minimum total length is not met.

(3) The Health Officer may allow the drainfield area calculated from Table III to be reduced by a maximum of twenty percent (20%) to account for trench sidewall infiltration if at least eighteen (18) inches of drain rock is used under the distribution pipe.

(4) The Health Officer may allow a maximum reduction of thirty percent (30%) for IAPMO certified gravel-less chamber products if designed in accordance with the Department's *Chambered Leach Fields* policy.

D. Effluent Treatment and Distribution.

(1) The standard of effluent treatment prior to discharge and/or method of distribution in all cases shall meet or exceed the requirements contained in Table IV, Effluent Treatment and Distribution for Soil Types and Vertical Separation.

Table IV
Effluent Treatment and Distribution
for Soil Types and Vertical Separation

Soil Type	Percolation Rate (MPI)	Vertical Separation	
		≥2 feet to <5 feet	≥5 feet
1	1-4	Treatment Standard 12	Pressure Distribution[1]
2-5	5-90	Pressure Distribution	Gravity Distribution
6	91-120	Pressure Distribution	Pressure Distribution
Marginal	121-240	Treatment Standard 12	Pressure Distribution

[1]Depth to groundwater must be greater than or equal to twenty (≥20) feet for gravity distribution.

(2) A minimum effective soil depth of twenty-four (24) inches is required to utilize an onsite wastewater treatment system for wastewater treatment and disposal.

(3) Onsite wastewater treatment systems requiring more than five hundred (500) lineal feet of drainfield trench shall utilize pressure distribution.

E. Holding Tanks.

(1) Persons shall not install or use holding tank sewage systems for residential or non-residential development whether seasonal or year-round. This prohibition may be waived by the Health Officer:

(a) For temporary office construction trailers;

(b) For recreational vehicle dump stations; and

(c) For limited, seasonal use where it is not practicable to install an OWTS system as permitted under this Chapter.

(2) A person proposing to use a holding tank sewage system shall submit a design by a qualified professional, which includes:

(a) A description of the intended use and duration of use;

(b) A site plan indicating the proposed location of the holding tank sewage system;

(c) A pumping contract with a licensed septage hauler to pump and remove the contents of the tank at a minimum frequency of once per week;

(d) Details for a tank capacity alarm to notify the owner that the sewage has reached three-quarters (3/4) of the tank capacity; and

(e) The specifications of the proposed holding tank to be utilized and any installation details necessary to meet the requirements of this Chapter.

F. Septic Tanks.

(1) Must be watertight and constructed in accordance with the California Plumbing Code;

(2) Must be certified as compliant with the Uniform Plumbing Code by the International Association of Plumbing and Mechanical Officials (IAPMO) if the tank is prefabricated or manufactured;

(3) Shall have the following minimum liquid capacities for a single family residence:

Number of Bedrooms	**Required minimum liquid tank volume (gallons)**
≤ 3	1,000

4	1,200
5-6	1,500
Each additional bedroom	250 per bedroom
Additional fixture units	Minimum capacity as specified in Table H 2.1 of the California Plumbing Code

(4) Shall have at least two and one half (2.5) times the daily design flow with a minimum of one thousand (1,000) gallons for non-residential facilities where waste/sewage flow rates are available;

(5) Shall have a minimum capacity based on the maximum fixture units served per Table 702.1 of the California Plumbing Code for non-residential facilities if estimated waste/sewage flow rates are not available;

(6) Shall have clean-out and inspection accesses at or above grade;

(7) Shall have access risers and covers that are watertight, constructed of a durable material, and secured with a lockable lid or otherwise secured to prevent unauthorized entry;

(8) Must be designed with protection against flotation and groundwater intrusion in high groundwater areas;

(9) Must be equipped with an NSF/ANSI Standard 46 certified or Department approved effluent filter designed to prevent solids in excess of three-sixteenths (3/16) of an inch in diameter from passing to the drainfield; and

(10) In multi-compartment tanks or when two (2) or more tanks are used in series, the primary compartment or tank shall not have a liquid capacity of less than five hundred (500) gallons or less than two-thirds (2/3) of the total liquid capacity, whichever is greater.

G. Pump Tanks.

(1) Must be watertight and constructed in accordance with the California Plumbing Code;

(2) Must be certified as compliant with the Uniform Plumbing Code by the International Association of Plumbing and Mechanical Officials (IAPMO) if the tank is prefabricated or manufactured;

(3) Shall have a liquid capacity of at least two (2) times the daily design flow with a minimum capacity of five hundred (500) gallons;

(4) Shall have cleanout and inspection accesses at or above finished grade;

(5) Shall have access risers and covers which are watertight, constructed of a durable material, and secured with a lockable lid or otherwise secured to prevent unauthorized entry; and

(6) Must be designed with protection against flotation, ground water intrusion, and surface water inflow.

H. Location of Septic Tanks and Pump Tanks.

(1) Septic tanks and pump tanks shall be located in an accessible location for pumping and maintenance.

(2) Septic tanks and pump tanks located under paving or in areas subject to vehicular traffic must be reinforced to withstand the additional loading caused by potential vehicular traffic. A California registered civil engineer shall determine the appropriate specifications for the reinforced tank.

I. Building Sewer and Gravity Effluent Pipe.

(1) Pipe used for the construction of a building sewer and gravity effluent line, beginning two (2) feet from any building or structure shall be a minimum of three (3) inches inside diameter and of plastic that shall be PVC ASTM D3034/SDR 35, or ABS Schedule 40, or an equivalent material as specified by the California Plumbing Code. Effluent gravity sewer pipe shall be of the same material and size as the building sewer pipe.

(2) Construction of the building sewer line shall be run in practical alignment and at a uniform slope of not less than one-quarter (1/4) inch per foot.

(3) Construction of the effluent sewer line to the distribution box shall be in such manner as to maintain watertight joints and shall be on a grade of not less than one eighth (1/8) inch per foot on natural ground or compacted fill. All laterals from the distribution box to the disposal field shall be approved pipe with watertight joints.

(4) No tees or ells exceeding forty-five degrees (45°) shall be permitted in the building sewer line except for plastic long bend ninety degree (90°) elbows or sanitary tees.

(5) Building sewers shall have accessible cleanouts installed at intervals of not more than one hundred (100) feet and for each aggregate horizontal change in direction exceeding one hundred thirty-five degrees (135°).

J. Distribution Boxes.

(1) Shall be required on all conventional gravity trench systems;

(2) Shall be constructed and installed to provide equal flow of effluent to all outlets;

(3) Shall be set on a level concrete slab, unless a concrete distribution box of the minimum dimension of twenty (20) inches in both length and width is utilized;

(4) Shall be installed in natural or compacted soil to prevent misalignment;

(5) Shall be durable, watertight, and equipped with an adequate removable cover;

(6) Shall not be constructed or installed where the invert of the inlet pipe is less than one (1) inch above the level of the invert of the outlet pipes, nor shall the invert of the outlet pipes be less than two (2) inches above the floor of the distribution box; and

(7) Shall not be installed within five (5) feet of the drainfield trenches to prevent settling.

K. Drainfield.

(1) All drainfields shall be installed or located to comply with the following design criteria:

Trench Design Criteria	
Maximum length of each trench[1]	100 feet
Maximum width of trench	36 inches
Minimum width of trench	18 inches
Minimum depth[2]	12 inches
Maximum depth of trench[3]	36 inches
Minimum spacing between disposal trenches	4 feet

[1]Without pressure distribution.
[2]The minimum trench depth for alternative OWTS may be less than twelve (12) inches provided sewage effluent is dispersed at or below grade.
[3]~~T~~For existing structures only, the bottom of the drainfield shall not be deeper than ~~thirty-six (36)~~ forty-eight (48) inches below the finished grade, unless written approval is given by the Health Officer. Gravel-filled excavated pits shall not be designed or constructed in drainfield trenches.

(a) The length of all drainfield trenches in conventional gravity systems shall be the same length with a maximum variance of fifteen percent (15%);

(b) The grade of the bottom of drainfield trenches and drainfield lines shall be level with a maximum grade of two (2) inches per one hundred (100) feet;

(c) The minimum depth of drain rock under gravity drainfield lines shall not be less than twelve (12) inches;

(d) The amount of drain rock over drainfield lines shall not be less than two (2) inches; and

(e) The drain rock in the drainfield shall terminate at the intersection of the drainfield trench sidewall and the effluent sewer line, and such intersection shall be at least five (5) feet from the distribution box and the septic tank or pump tank.

(2) Drainfield trenches shall not be excavated during wet soil conditions to prevent smearing and/or compaction of the soil interface. All smeared or compacted soil surfaces in the trench shall be scarified and the loose material removed.

(3) All distribution piping for gravity drainfields shall be a minimum three (3) inch diameter Polyethylene (PE), ABS, or PVC perforated sewer pipe. Diameter of pressure laterals shall be as specified in the engineering design and must meet those specifications listed in the Department's *Standards and Guidance for Pressure Distribution*.

(4) Drain Rock.

(a) Shall be one-half (1/2) to 2 inches in diameter, with no less than one hundred percent (100%) passing a two (2)-inch sieve by weight and no more than five percent (5%) passing a one-half (1/2) inch sieve by weight; and

(b) Must be durable, clean, washed, non-deteriorating gravel, free of organic materials and fines, and having a cleanliness value of eighty-five (85) or higher.

(5) Drainfield trenches shall have an approved barrier material consisting of untreated building paper (forty pounds (40 lbs.) to sixty pounds (60 lbs.)) or a geotextile filter fabric placed between the gravel or gravel substitute and soil cover. This requirement may be waived by the Health Officer when gravelless chambers are used.

(6) Gravelless chambers or gravel substitutes may be used if shown on the Department's *List of Approved Systems and Products*, and installed in accordance with the manufacturers' specifications and standards established by the Department.

L. Cover of the Drainfield.

(1) The minimum depth of soil cover over the drainfield shall not be less than twelve (12) inches unless otherwise authorized by the Health Officer;

(2) The maximum depth of soil cover over the drainfield shall not exceed twenty-four (24) inches except by special permission of the Health Officer;

(3) The soil cover shall extend at least five (5) feet beyond the limits of the drainfield trenches and graded at a maximum slope of three-to-one (3:1). On sloping sites, a downslope correction factor shall be used to maintain the required maximum slope of three-to-one (3:1);

(4) The required grade of the drainfield trenches must be maintained while backfilling;

(5) The soil cover shall be graded to prevent ponding and covered with an approved erosion control material if necessary;

(6) Disposal fields shall not be paved over or covered by concrete, base, asphalt, or other material that can reduce or inhibit any possible evaporation of sewer effluent; and

(7) Barriers, fencing, or other means as approved by the Health Officer shall be constructed as to restrict vehicles access on or over the drainfield or replacement area.

8.80.180 – FAILING SYSTEMS.

A. No person shall knowingly cause, permit, or allow an OWTS failure to occur.

B. All sewer wells, failing OWTS and cesspools are declared a public nuisance. It is unlawful to drill, construct, maintain, or to operate a cesspool, failing OWTS, or a sewer well, and such an offence shall constitute as a misdemeanor and/or infraction pursuant to Section 8.80.270.

C. An onsite wastewater treatment system failure occurs when:

(1) Sewage and/or sewage effluent or untreated gray water is present upon the surface of the ground;

(2) Sewage and/or sewage effluent or untreated gray water is discharging to surface water directly or by means of a ditch or depression;

(3) Sewage and/or sewage effluent that has affected, or will affect, groundwater or surface water to a degree that makes it unfit for drinking or other uses, or is causing a human health or public nuisance condition;

(4) Sewage is backing up into a residence, business, or facility;

(5) Sewage is leaking from a septic tank, pump tank, holding tank, or collection system; or

(6) Non-domestic sewage is being discharged from an OWTS to waters of the State that is not authorized by ordinance or waste discharge requirements issued pursuant to the California Water Code.

D. The following systems or system components shall also be considered a failing system and shall be repaired or replaced:

(1) Pit privies;

(2) Cesspools or seepage pits;

(3) Deep trenches or gravel pits that discharge effluent directly to groundwater within a designated area of special concern under Section 8.80.160 of this Chapter;

(4) Metal or wood septic tanks;

(5) Concrete septic tanks that may be considered a potential safety hazard (i.e. wood lid or otherwise structurally unsound);

(6) Any dispersal system that is located within fifty (50) feet of surface water or a water supply well; and

(7) Any dispersal systems within one hundred fifty (150) feet of a public water supply well.

8.80.190 – REPAIR OF OWTS.

A. A permit shall be required for all OWTS repairs or replacements, including major or minor repairs, unless such repair is to stop leaks in drain or sewer pipes, remove clogs in existing drain or sewer pipes, or to install maintenance and monitoring components to the septic tank or drainfield that do not otherwise affect the performance or integrity of the system.

B. When an OWTS failure occurs that cannot be readily repaired without the replacement of the drainfield or an owner of record submits an application to use an undocumented system which does not comply with this Chapter, the OWTS owner shall, in order of priority:

(1) Connect the residence or facility to a public sewer system;

(2) Repair or replace the OWTS with a conforming system, either on the property served, or on nearby or adjacent property if the necessary easement(s) is/are obtained.

(3) Perform one of the following when the requirements in subdivision (1) or (2) are not feasible:

(a) Repair or replace the OWTS with a non-conforming repair;

(b) Obtain a National Pollution Discharge Elimination System or an individual waste discharge permit from the Regional Water Quality Control Board issued to a public entity or to the system owner; or

(c) Abandon uses of the property which generate sewage.

C. Prior to replacing or repairing the drainfield, the OWTS owner shall develop and submit information required under Section 8.80.110 and obtain a permit.

D. The Health Officer shall permit a non-conforming repair only when:

(1) Installation of a conforming system is not possible; and

(2) Connection to a public sewer system is not feasible.

E. An owner of record who receives a non-conforming repair permit from the Health Officer shall:

(3) Record a notice with the Imperial County Clerk Recorder of the presence of a non-conforming repair on the property. The notice shall specify operation and maintenance requirements and any limitations on the use of the property that are related to the presence of a non-conforming repair;

(4) Monitor the performance of the OWTS according to any requirements stipulated on the permit; and

(5) Immediately report any failure to the Health Officer.

8.80.200 – EXPANSION.

A. An expansion of a residence or other facility not served by a public sewer system shall not occur unless the onsite wastewater treatment system and replacement area comply with the new system construction standards specified in this Chapter.

B. The owner of record may replace an existing residence or structure ("like for like") served by a conforming OWTS with record of approval provided that:

(1) The replacement residence or structure does not cause the waste strength or flows to exceed the design flow of the existing system;

(2) The replacement area fully complies with this Chapter; and

(3) The existing OWTS is not considered a failing system under Section 8.80.180 of this Chapter.

8.80.210 – ABANDONMENT.

A. No person shall permanently abandon any septic tank or other tank, seepage pit, or cesspool without first obtaining a permit from the Health Officer.

B. Any septic tank or other tank, seepage pit, or cesspool, which is no longer in use or has been discontinued otherwise from further use, shall be abandoned by:

(1) Having the septage removed by a registered pumper;

(2) Removing or destroying the lid; and

(3) Filling the void with soil, concrete, or other approved material after the Health Officer has inspected the tank, seepage pit, or cesspool.

C. Pre-fabricated tanks to be abandoned, such as fiberglass or polyethylene septic tanks, shall be removed from the site for disposal after the septage has been removed by a registered pumper.

8.80.220 – INSPECTIONS.

A. All construction and materials used in an OWTS shall be subject to inspection by the Health Officer at any reasonable time. Using an OWTS prior to final inspection and approval is unlawful. At the time of final inspection, the OWTS shall meet the following conditions:

(1) The septic tank and pump tank (if applicable) installation shall be completed and the access covers shall be removable so that the inside of the tank(s) may be inspected;

(2) An open trench inspection or any other required inspections shall have been conducted by the Health Officer;

(3) The drainfield trenches shall be completed except for backfilling with cover material. A pressure test of the laterals is required prior to covering the laterals on pressure distribution systems;

(4) There shall be an unobstructed view of all outlets within the distribution box;

(5) All electrical work including the installation of system control panels and float switches shall be installed and operating; and

(6) All required OWTS components shall be installed.

B. The owner of record or commercial installer making such installation or modification shall be responsible for notifying the Health Officer that the installation is ready for inspection. Notification shall be made at least one (1) working day prior to the anticipated date that the system will be ready for inspection.

C. If, upon inspection, the Health Officer finds that the work, material, design, or location of the OWTS does not comply with the requirements of this Chapter, he/she shall notify the owner of record and/or commercial installer by written notice. If non-conformance with the provisions of this Chapter is not corrected, the OWTS shall not be approved and its use shall be prohibited.

D. OWTS shall not be approved by the Health Officer until the designer and/or commercial installer has submitted a scaled "as-built" drawing of the installed system.

E. "As-Built" Drawings.

(1) All "as-built" drawings shall include measurements to existing site features enabling all OWTS components to be easily located.

(2) All "as-built" drawings for new OWTS shall delineate the dimensions of the replacement area.

(3) All "as-built" drawings for repaired or altered OWTS shall include the new, repaired, or altered components with their relationship to the existing system.

(4) All "as-built" drawings for designed systems must include the minimum information specified in the adopted technical standards.

8.80.230 – SEPTAGE PUMPER HAULERS.

A. It shall be unlawful for any person to engage in the cleaning or pumping of any septic tank, pump tank, holding tank, or chemical toilet, or to dispose of the cleanings therefrom without first obtaining registration from the Health Officer.

B. Only disposal sites with a valid discharge permit from the RWQCB shall be used for the ~~dumping~~ disposal of septage. The transfer of septage from one container to another ~~or from one vehicle to another for transport~~ is prohibited, unless conducted: ~~a~~

(1) At a publicly owned treatment works pursuant to waste discharge requirements issued by the ~~Regional Water Board~~RWQCB; or.

(2) At a permitted temporary septage storage facility. Septage that is transferred at a permitted temporary septage storage facility shall be stored in licensed septage pumper hauler(s) as authorized under the temporary septage storage facility permit. Septage that is transferred and stored at a permitted temporary septage storage

facility may only be stored temporarily for no more than seven (7) calendar days. A temporary septage storage facility shall not exceed 12,000 gallons of cumulatively stored septage onsite at any given time.

~~(1)~~

C. An applicant for registration as a septage pumper hauler must furnish his/her equipment for inspection by the Health Officer prior to the issuance or renewal of registration. The equipment must meet the following minimum requirements:

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(1) All equipment, pumps, valves, and hoses must be in good repair, leak proof, and easily cleanable. Vehicles shall be kept clean of splashing and waste accumulation;

(2) Truck equipment must be designed to adequately control effluent disposal from the truck into receiving stations without spilling or splashing;

(3) The tank discharge valve must be equipped with a leak proof cap fitted over the outlet pipe at all times, and the cap chained to the truck;

(4) A sighting gauge or other reliable tank content level indicator must be installed on the exterior of the tank adjacent to a manual vacuum shut-off device and must be calibrated to measure capacity to the quarter tank;

(5) A properly functioning automatic vacuum shut-off system shall be provided;

(6) Each vehicle shall carry a hose of at least twenty-five (25) feet in length, a minimum of one (1) gallon of disinfectant material, and at least five (5) gallons of potable water for sanitary cleanup; and

(7) The name of the operating firm, address, phone number, and tank capacity shall be conspicuously displayed on both sides of the truck or on the rear of the tank in bold letters not less than three (3) inches high.

~~B.~~D. Septic tank pumper registration expires on December 31 of each year. This registration is renewable if the registrant continues to meet the requirements of this Chapter.

F~~E~~. Septic tank pumpers shall submit the following minimum information in writing on forms provided by the Health Officer no later than the tenth (10th) of each calendar month for the previous month:

(1) Gallons pumped according to location and site address;

(2) Date of pumping, type of waste, and reason for pumping, if applicable; and

(3) Gallons disposed of at each authorized dumping site.

G~~F~~. Any septage pumper hauler registration issued pursuant to this Chapter may be revoked by the Health Officer for incompetence, negligence, misrepresentation, or failure to comply

with the requirements of this Chapter on the part of the septage pumper hauler.

8.80.240 – OPERATION AND MAINTENANCE.

A. The owner of record is responsible for properly operating and maintaining the OWTS, and shall:

(1) Employ a registered septic tank pumper to remove septage from the tank when the level of solids and scum indicates that removal is necessary;

(2) Protect the OWTS and the replacement area from:

(a) Cover by impervious material or additional overburden;

(b) Surface or stormwater drainage;

(c) Soil compaction by vehicular traffic; and

(d) Damage by soil removal and grade alteration;

(3) Keep the quantity and waste strength of sewage entering the OWTS at or below the approved design; and

(4) Operate and maintain alternative systems as directed by the Health Officer.

B. All OWTS designs prepared by a qualified professional shall include operation and maintenance information for the owner of record prior to approval of any new installation, repair, or alteration of the OWTS.

C. The Administrative Officer, in consultation with the Health Officer, shall develop and implement plans to:

(1) Monitor all OWTS performance within areas of special concern;

(2) Ensure that each owner of record of an alternative OWTS and/or OWTS with supplemental treatment properly maintain and operates the OWTS in accordance with this Chapter and with periodic monitoring requirements as specified in the annual operational permit; and

(3) Disseminate relevant operation and maintenance information to the OWTS owner of record.

D. Persons shall not:

(1) Use or introduce strong bases, acids, or chlorinated organic solvents into an OWTS for the purpose of system cleaning; or

(2) Use an OWTS to dispose of waste components atypical of residential sewage.

E. Operating Permits. When required by this Chapter, an owner of record is responsible for maintaining a valid annual operational permit issued by the Health Officer. Renewal shall be completed prior to the expiration date of the operating permit (December 31 of each year) on a form or manner as required by the Department, and shall include:

(1) An annual inspection and evaluation report prepared by a qualified service provider. Quarterly maintenance inspections are required where supplemental treatment components are not equipped with a telemetric alarm and monitoring system;

(2) Quarterly treated effluent sampling results demonstrating continued compliance with Treatment Standard 1, if applicable;

(3) Proof of repairs, pumping, or maintenance conducted on the alternative OWTS when such repairs have been required by the Department or otherwise recommended by the qualified service provider; and

(4) An approved ongoing operation and maintenance contract between the system owner and qualified service provider (certified by the proprietor of the treatment unit).

F. Bacteriological sampling results for disinfection treatment shall be submitted to the Department by the tenth (10th) day of the following month of the sampling event. All effluent samples shall be taken by a qualified service provider and analyzed by a California certified laboratory for the most probable number of total coliform bacteria.

G. No person shall operate or discharge to an alternative system with supplemental treatment without a valid operational permit issued by the Department.

H. Within sixty (60) days of a change of ownership, the new owner or owners must transfer the operational permit into his, her or their names, using forms provided by the Department.

8.80.250 – TECHNICAL ADVISORY COMMITTEE.

A. A Technical Advisory Committee shall be established to review and recommend revisions to adopted technical standards in response to changes in regulation and/or technology.

B. The Technical Advisory Committee shall review the technical standards documents at a minimum frequency of once every five (5) years and submit any recommended changes to the Department.

C. The Technical Advisory Committee shall be appointed by the Administrative Officer based on experience, training, and knowledge of onsite wastewater treatment system technology;

and

D. The Technical Advisory Committee shall be comprised of the Health Officer, and authorized professionals and commercial installers as appointed by the Administrative Officer.

8.80.260 – ADMINISTRATIVE HEARINGS.

A. This Section only applies to:

(1) The processing of applications for permits;

(2) The issuance of permits;

(3) The suspension of permits;

(4) The revocation of permits; and

(5) The issuance of stop work orders.

B. Notwithstanding Section 8.80.260(A), any action which is taken that requires a valid permit when no such permit has been issued, or when the permit has expired, or when the permit is suspended or revoked, is subject to the sanctions listed in Section 8.80.270. In addition, any violation of a stop work order is subject to the sanctions listed in Section 8.80.270.

C. A person aggrieved by any action taken by the Health Officer pertaining to the activities listed in Section 8.80.260(A) may request an administrative hearing before a hearing officer.

(1) A request for an administrative hearing shall be filed in writing with the Department within twenty (20) working days of the date of the action being challenged.

(2) Upon receipt of a request for administrative hearing, the Department shall notify the person aggrieved of the time and place of such hearing, which shall be set not less than ten (10) working days nor more than twenty (20) working days from the date the request was received, unless a later date is agreed to in writing by the person aggrieved.

(3) The Department shall, if possible, set the hearing at a mutually convenient time.

D. The administrative hearing delineated in Section 8.80.260(C) shall be conducted in an informal manner. All relevant evidence is admissible and the strict rules of evidence shall not apply. The person aggrieved may be represented by a lawyer.

E. The Hearing Officer shall determine whether the explanation of the events by the person aggrieved justifies modifying or reversing the initial decision.

(1) The decision of the hearing officer to affirm, reverse, or modify the initial decision shall be in writing and shall be issued within twenty (20) working days after the close of the hearing.

(2) The decision shall be accompanied by written findings of fact and shall be promptly sent to the person aggrieved.

8.80.270 – VIOLATIONS.

A. Any person who violates any of the provisions of this Chapter or fails to comply with any of its requirements is guilty of an infraction or a misdemeanor, and each day or portion thereof during which a violation is committed, continued, or not permitted shall constitute a separate offense. The penalty for each violation determined to be a misdemeanor is punishable by a fine of not more than one thousand dollars ($1,000) and/or by imprisonment for not more than six (6) months, unless otherwise prescribed.

B. The Health Officer or designee(s) have authority pursuant to Section 1.12.020 of the Codified Ordinances of the County by Imperial to issue citations against any person, firm or corporation that is in violation of any provision of this division and/or any section, article, or regulation of the adopted codes.

C. Any disposition of a violation pursuant to this Chapter shall not absolve a person from correcting or abating a violation and shall not prevent the prosecuting authority from pursuing criminal prosecution, other civil action including, but not limited to, injunctive relief, registration revocation, and abatement, or all of the above. If the County prevails in a separate civil action, the Court may award the County reasonable costs including, but not limited to, the costs of the responsible officials' time, witness fees, attorney fees, court costs, and the costs to the County of abatement or of enforcement of an injunction, or both.

D. Nothing contained in this Chapter shall prevent the Administrative Officer, by and through the prosecuting authority, from taking such other lawful action as is necessary to prevent or remedy any violation of this Chapter.

8.80.280 – WAIVER OF REGULATIONS.

A. For individual, site-by-site waiver requests, the Health Officer may grant a waiver from specific requirements in this Chapter for OWTS if:

(1) The applicant submits a waiver application to the Health Officer which justifies how the requested waiver is consistent with the purpose of this Chapter; and

(2) The Health Officer determines that the waiver is consistent with the purpose and intent of this Chapter and would not result in a violation of mandatory state laws and regulations.

B. A person aggrieved by a decision of the Health Officer pertaining to a waiver request may appeal the decision to the administrative hearing officer. The hearing officer shall process waiver appeals according to the procedural rules delineated in Section 8.80.260.

C. If an applicant desires to modify and resubmit a previously denied waiver request, the process described in Section 8.80.280(A) shall be followed again.

D. The Health Officer may grant special permits allowing for variances from the provisions of this Chapter in the case of natural disasters (i.e. fires, floods) and/or unnecessary hardships provided that:

(1) An expansion of the original structure does not occur; and

(2) The special permit does not create a potential health hazard and is consistent with the purpose of this Chapter.

8.80.290 – SEVERABILITY.

If any Section, Subsection, Sentence, Clause, Phrase, or Portion of this Chapter is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4: This ordinance shall take effect sixty (60) days after the date of its adoption, and before the expiration of fifteen (15) days from the date of passage thereof shall be published at least once in the Holtville Tribune, a newspaper of general circulation, together with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED this ____ day of _____, 2023~~6~~, by the Board of Supervisors of the County of Imperial, State of California, by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

_____
CHAIRMAN, BOARD OF SUPERVISORS

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Imperial County Public Health Department
Division of Environmental Health

Onsite Wastewater Treatment Systems

Local Agency Management Program/ Advanced Protection Management Program

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TABLE OF CONTENTS

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Acronym List

ANSI	American National Standards Institute
BOD	Biochemical Oxygen Demand
BOS	Board of Supervisors
DARs	Daily Activity Reports
EDT	Electronic Data Transfer
FOG	Fats Oils and Greases
IAPMO	International Association of Plumbing and Mechanical Officials
IID	Imperial Irrigation District
LAMP	Local Agency Management Program
LOSS	Large On-Site Sewage Systems
MPI	Minutes Per Inch
MPN	Most Probable Number
NSF	NSF International
OWTS	On-Site Wastewater Treatment System
RV	Recreational Vehicle
RWQCB	Regional Water Quality Control Board
SWRCB	State Water Resources Control Board
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
USEPA	U.S. Environmental Protection Agency
WDR	Waste Discharge Requirements

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This Local Agency Management Program (LAMP) has been designed as a customized management program for On-Site Wastewater Treatment Systems (OWTS) in the County of Imperial. With the chaptering of Assembly Bill 885 (Jackson) in 1999 and the subsequent adoption of a water quality control policy by the State Water Resources Control Board in June of 2012, the County is authorized to develop local standards for OWTS that address conditions specific to its geographic area that are as equally protective of water quality as the State minimum standards.

The County has evaluated its existing regulatory oversight of OWTS discharges and has determined that potential impacts to water quality or to the health and safety of its residents are minimal given current policies. However, the County recognizes the long-term need for a comprehensive OWTS management program, and has sought to codify the new statewide standards into a Local Agency Management Program that can be effectively implemented within Imperial County given its diversity of geology, population, community areas, and future land use planning considerations.

At the direction of the Imperial County Board of Supervisors, the following actions have been taken to adopt a Local Agency Management Program~~, with an effective date to be thirty (30) days from the grant of approval by the Colorado River Basin Regional Water Quality Control Board:~~.

- *Adoption of Resolution No. 2016-048, on April 26, 2016, authorizing the submittal of this Local Agency Management Program to the State ~~for approval within 36 months of May 13, 2013~~, and to authorize the Director of Public Health, or ~~his/her~~their designee to implement the approved LAMP program activities.~~;~~ and*

- *Adoption of Imperial County Ordinance No. 1516 to codify the standards and policies described in this Local Agency Management Program, including an Advanced Protection Management Program for impaired water bodies.*

The LAMP was submitted and subsequently approved by the RWQCB (state) on June 30, 2016, through resolution R7-2016-0020.

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On April 15, 2021, the County submitted a letter to the RWQCB proposing updates to the LAMP and its complimentary ordinance (No. 1516). The County received comments from the RWQCB regarding the LAMP on April 11, 2023. Further updates, based on the RWQCB's comments were incorporated into the LAMP, which was dated April 2023.

Section I Introduction

The Imperial County Public Health Department, Division of Environmental Health (Division), is the local administering agency for permitting, inspections, and enforcement of on-site wastewater treatment systems within the County of Imperial. As established by Imperial County Ordinance, Title 9, Division 10, Chapter 14, (Section 91014.00 et seq.), the County Health Officer has been granted authority to enforce all provisions of this division and to adopt, promulgate, repeal, and amend uniform and reasonable rules, regulations, and requirements consistent with the laws of the State of California. The Division of Environmental Health is the authorized agent of the Health Officer to implement the regulations of Imperial County Wastewater Treatment System Ordinance (ordinance 1516) to ensure all discharges from private sewage disposal systems adequately protect water quality and public health.

While the State's regulatory authority extends to individual Onsite Wastewater Treatment Systems under Section 13260 of the California Water Code, the State Water Resources Control Board (SWRCB) and the regional boards have recognized the advantages and efficiencies of regulation of small dischargers by authorized and qualified local agencies. Historically, the Colorado River Basin Regional Water Quality Control Board (RWQCB) authorized the County of Imperial Public Health Department to issue septic system permits provided the regulation of these discharges was consistent with the "basin plan," which was developed to outline water quality objectives within the Colorado River Basin as well as policies and programs to achieve those objectives. A conditional waiver was extended to private sewage discharges provided that an "authorized public agency" assured that these were appropriately designed, constructed, and maintained consistent with the *Guidelines for Sewage Disposal from Land Developments*, published in 1979.

In June 2012, the SWRCB adopted the *Water Quality Control Policy for Siting, Design, Operations, and Maintenance for Onsite Wastewater Treatment Systems* (herein referred to as the State Policy or Policy), which became effective on May 13, 2013 (see Appendix A). This was the

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first statewide policy in California for the regulation and management of OWTS. In response to the adoption of this State Policy, Section II of the LAMP provides a description of the scope and applicability of local authority and responsibility granted to the Division for regulatory oversight of OWTS discharges within Imperial County.

While the Policy seeks to adopt uniform, minimum statewide standards for low risk OWTS, it also incorporates a risk-based tiered approach for the implementation of the Policy to allow local agencies to develop customized management programs that address the hydrogeologic conditions specific to the particular jurisdiction. Section III of this LAMP identifies where different and/or additional requirements are required to protect water quality consistent with Section 9.1 of the State Policy, giving particular consideration to the degree of vulnerability to pollution from OWTS discharges based on underlying soils and geology, as well as surface and groundwater hydrology within the region.

The County of Imperial acknowledges that Tier 1 prescriptive standards afford an essential level of public health and water quality protection. Accordingly, Imperial County Ordinance No. 1516 for On-Site Wastewater Treatment Systems (see Appendix B) maintains a number of existing provisions consistent with Tier 1 standards of the State Policy. These are outlined in more detail within Section IV of the LAMP. However, in recognition of the purpose and scope of the State Policy to protect water quality objectives consistent with local needs, the County of Imperial is also proposing alternative OWTS standards as authorized under the Tier 2 risk-based provisions of the Policy. These have been described in further depth in Section V of this LAMP, and as codified into County Ordinance.

Furthermore, the County of Imperial recognizes the need to implement an Advanced Protection Management Program for those discharges located near an impaired water body, until such time as the RWQCB adopts a Total Maximum Daily Load (TMDL) implementation plan to address the impairment based on watershed-specific circumstances, and assigns load allocations to OWTS. The provisions for OWTS discharges adjacent to the Alamo River and the Palo Verde Lagoon and Outfall Drain have been described in Section VI beginning on page 31.

The utilization of OWTS must also be consistent and take into full consideration local land use development plans within the unincorporated county to ensure that government services and public sewerage infrastructure are afforded to residents of the county in the most efficient service arrangements available. Therefore, development standards incorporated into the LAMP to address environmental protection and sewer infrastructure planning are included in Sections VII (Sewer District Formation), Section VIII (Land Use Planning), and Section IX (Septage Management).

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These sections taken together provide the foundational basis for an Onsite Wastewater Management Plan that serves to inform long-term County land use planning to the benefit of area residents.

Finally, the key components for effective LAMP implementation by the Division of Environmental Health are described in Section X (Education and Training), Section XI (Enforcement), and Section XII (Program Administration).

The Imperial County Division of Environmental Health is hereby providing notification of its Local Agency Management Program prepared pursuant to the State Policy, and respectfully requests that the Colorado River RWQCB consent to the following elements of its local program as established herein. Please note that in the interest of public health and safety, and pursuant to Section 4.3 of the Policy, the County will continue to regulate the discharge of domestic wastes from existing or new individual OWTSs (not to exceed 5,000 gallons per day) under its current Local Agency Management Program.

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Section II Scope and Applicability

Septic System Survey

According to the most recently available census data (2021~~0~~), the County of Imperial contains an estimated 56,0~~0~~6257~~7~~ housing units with a population of 179,7024~~,528~~; however, nearly 85 percent of these units are currently connected to city sewer services. Public sewer services are available within the 7 incorporated cities of Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial and Westmorland, as well as within the community service district areas of Salton City, Winterhaven, Desert Shores, Bombay Beach, Heber, Seeley, and Niland. Private septic system utilization, then, is predominately concentrated in the outlying community areas of Ocotillo/No Mirage, Palo Verde, Salton Sea Beach, Vista del Mar, Bard, Walter's Camp/Riverfront, and the rural agricultural areas surrounding the incorporated cities within the central Imperial Valley. It is estimated that 6,651~~08~~ occupied housing units are serviced by OWTS in Imperial County. And based on most recent permitting data from 2016 to 2020, approximately 12 new or replacement OWTS are constructed each year. However, it may be anticipated that the historical average of 75-100 new systems per year since the early 1990s may be more indicative for future growth trends.

In 2000, Imperial County initiated an electronic database using Microsoft Access to track OWTS permitting and installation records. This tracking process was further expanded in 2009, when the Department undertook a project to locate, characterize, and electronically document septic system records back to the late 1960s. All detailed OWTS site and permit design information is maintained in hard files organized by city and site address for ease of identification and location at the request of property owners. Prior to 1970, permit files are incomplete and limited information beyond the owner's name is available to identify the location of the septic system. Approximately 5,175 OWTS permit records (including system repairs and abandonments) are on file since 1970, with an additional estimate of 2,030 records from 1960-69 that have not been incorporated into the electronic database. GIS mapping information indicates that septic system concentrations are consistent with general demographic data and population patterns for the county. Geographical areas with the heaviest concentrations of septic systems have been identified within this LAMP, with management standards adopted to specifically address any local areas from a public health and water quality perspective that may potentially be impacted due to OWTS discharges.

Local Administering Agency

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The California Water Code, Section 13282, allows an authorized public agency (this Division), to permit discharges from individual disposal systems that are adequately designed, located, sized, spaced, constructed, and maintained to protect water quality and prevent pollution. Pursuant to Section 3.1 of the Policy, the Division intends to continue its existing OWTS permitting ~~program, and~~program and will make necessary adjustments as described herein to substantially comply with this Policy. The Division will implement the Policy using its local authority to enforce the statewide minimum standards, as authorized by Section 3.6 of the Policy.

The Imperial County Division of Environmental Health (DEH), as the local administering agency, will continue to regulate the discharge of domestic wastes from existing or new individual OWTSs consistent with the alternative Tier 2 standards adopted pursuant to ~~the this~~this Local Agency Management Program (LAMP), and as authorized by the State Policy.

This LAMP applies to all territory encompassed within the unincorporated limits of the County of Imperial, State of California. In letters dated, December 15, 2015, to all incorporated cities within Imperial County, which include, Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial and Westmorland, DEH notified said cities of its intention to adopt the LAMP within unincorporated Imperial County. The letter also notified the cities that the LAMP would only apply within their city limits with their written authorization, authorizing DEH to administer the LAMP. To date, written authorizations in the form of resolutions, from the cities of Brawley, Calipatria, El Centro, and Holtville have been received authorizing the administration of the Imperial County LAMP within these cities. New or replacement OWTS, in cities that have authorized the Imperial County LAMP, are referred to DEH for permitting and inspection.

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Section III Water Quality

The County of Imperial is identified within the Imperial Valley, Salton Sea, and East Colorado River Basin planning areas of the Colorado River Basin Region. It is the driest climatic region in California, characterized by mild winters and extremely hot summers with an average annual temperature of 73 degrees and a mean daily high of 108 degrees in July. The typical mean seasonal precipitation within the desert valleys is less than three inches per year, but its distribution and intensity are often sporadic. Localized thunderstorms may contribute to all of the average seasonal precipitation in one storm event, or conversely only a trace of precipitation may be recorded at any locale for the entire season. Little of the rainwater percolates into the groundwater, and almost all is lost to evaporation and evapotranspiration. The major hydrologic feature of the region is the Colorado River, which is the predominant water supply to the region via the All American Canal. It is utilized for irrigation, industrial and domestic water supply purposes. With the exception of the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifer, which are utilized as sources for drinking water, the existing groundwater within the agricultural portions of the Imperial Valley have been identified as having limited beneficial uses based on high total dissolved solids and impacted groundwater quality from agricultural irrigation and its associated seepage. However, due to increasing demand for scarce water resources in southern California, continued interest in shallow groundwater reclamation in these areas has also been identified.

These unique climatic, groundwater, and surface water hydrology features contribute heavily to the regions unique infrastructure planning and development. Therefore, the Local Agency Management Program must appropriately consider different and/or additional requirements that may be necessary to protect water quality within vulnerable areas.

Surface Water Hydrology

Regional agricultural drainage waters from irrigation, surface runoff, and lesser amounts of treated municipal and industrial waste waters within the Colorado West Basin drain through approximately 1,456 miles of drainage ditches toward the Salton Sea, located at the northerly boundary of the Imperial Valley via the Alamo and New Rivers. (The flow in the New River also contains agricultural drainage, treated and untreated sewage, and industrial waste discharges from Mexicali, Mexico.) As the Alamo River is listed as an impaired water body for bacterial pathogens (in addition to other pesticides and sedimentation/siltation from agricultural return flow)

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further discussion on the potential OWTS contribution to this impairment is provided on page 16 of this LAMP.

Surface water utilized to supply irrigation, industrial, and domestic water supply purposes within the Imperial Valley Planning Area is delivered through an extensive canal system operated by the Imperial Irrigation District. Colorado River water is distributed to the East Highline, West Main and Central Main canals via the All-American Canal. These and other main canals bound the Salton trough area and serve as the primary drinking water supply source for all seven incorporated Cities, three unincorporated town sites, two State prisons, and a federal naval facility (NAF-El Centro) located within the Imperial Valley. The Imperial Irrigation District canals also provide the water supply to an additional thirty-one (31) small public water systems, which include four (4) elementary schools and a community college (Imperial Valley College).

For delivery to agricultural crops, the IID serves irrigation water through approximately 5,600 delivery gates over 1,438 miles of lateral canals and lined/unlined delivery channels. Although water cisterns at rural homes and businesses also receive canal water for domestic purposes from irrigation supply laterals, the IID requires an alternate source of water for drinking and cooking purposes. A point of entry (or private) water treatment system is required by the County to meet potable water standards to all plumbing fixtures within these homes consistent with the California Plumbing Code. It should also be noted that a similar (but over a much smaller acreage) distribution of irrigation water from the Colorado River through supply canals is also managed by the Palo Verde Irrigation District in the northeast corner of the county, and by the Bard Water District in the southeast corner of the county along the lower stretch of the Colorado River.

The source raw water from the Colorado River that serves the primary water supply canal system in the Imperial Valley is tested annually by the Imperial Irrigation District for compliance with the Safe Drinking Water Act. These and other tests conducted by local public water systems indicate that the canal water does contain high fecal coliform bacteria levels, making it unsuitable for drinking without filtration and disinfection. Further localized impacts from OWTS near public or private water system intakes does remain a concern as this surface water is also vulnerable to sewage contamination. Therefore, specific setbacks to water supply and irrigation canals have been established in Table I of Imperial County Ordinance No. 1516 included in Appendix B.

Ground Water Hydrology

Within Imperial County, the regional groundwater hydrology that characterizes the largest portion of the populated area is described by the Imperial Valley Groundwater Basin. This basin is

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generally bounded on the east side by the Sand Hills and on the west by the impermeable rocks of the Fish Creek and Coyote Mountains. The northern basin is bounded by the Salton Sea, which is the discharge point for groundwater flowing northward within the basin. The Imperial Valley Groundwater Basin lies within shallow fine-grained lake sediments and is generally recharged by irrigation return, underflow into the basin, and seepage from unlined canals. Due to tile-drain systems located throughout the Imperial Valley to dewater sediments to a depth below the root zone of crops and to prevent the accumulation of salts near the ground surface, the groundwater is consistently maintained at a depth of approximately 8 to 12 feet below the ground surface, with some localized mounding within clayey soils at shallower depths near the border of Baja California, the Mesquite Lake Area, and ~~at~~ along the northern portion of the Imperial Valley near the Salton Sea, west and north of Niland. Groundwater depths over this larger basin may fluctuate slightly from year to year, but this not typically associated with seasonal precipitation due to its minimal contribution to groundwater recharge. County standards for siting new and replacement OWTS require consideration of localized fluctuations or mounding that may occur due to nearby flood irrigation activities.

As the groundwater within the Imperial Valley Groundwater Basin is of a higher salinity, with total dissolved solids typically ranging between ~~500~~498 to ~~3,000~~7,280 milligram/liter, it is considered unusable for domestic or irrigation purposes without further treatment. However, groundwater storage capacity within the upper unconfined basin is estimated to be considerable; and potential future beneficial uses have been identified. To prevent further degradation of the groundwater quality within the Imperial Valley Groundwater Basin, a minimum separation to saturated soils of five (5) feet will be maintained below the bottom of leaching trenches, and deep gravel pits that have historically been utilized at the distal end of leaching trenches are no longer permissible. This LAMP does recognize that equivalent treatment may be provided in shallower soils with the use of pressure distribution, and alternatives to the minimum separation of five (5) feet are discussed further in Section V.

There are two additional groundwater basin areas within Imperial County that are designated as having beneficial consumptive uses, and have been designated by the county in this Local Agency Management Program as groundwater areas of special concern, the Coyote Wells and Lower Colorado River Basin Aquifers. The minimum OWTS standards for the county, therefore, give consideration to the potential impacts that OWTS may have on groundwater quality in these designated areas, consistent with the policy goals of the Water Element in the Imperial County General Plan and the RWQCB's Colorado River Basin Plan.

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The Ocotillo-Clark Valley Groundwater Basin located along the northwestern boundary of the county, south of Highway 78 and west of San Felipe and Fish Creek springs, is not discussed here in detail as limited development has occurred or is expected to occur in this area over the next five year planning period. Local groundwater use in this area is limited to the OW Café, Blu-In RV Park and the Seville Solar Project area sited on the Allegretti Ffarms property.

Coyote Wells Groundwater Basin

The Coyote Wells Hydrologic Subunit is located within the federally designated Ocotillo-Coyote Wells Sole Source Aquifer at the southwest corner of Imperial County near the unincorporated townsite of Ocotillo (see Figure 1). As designated in the federal register, this aquifer is the sole or principal source of drinking water for Ocotillo, Nomirage, Yuha Estates, Painted Gorge, and Coyote Wells. The unconsolidated sediments reach up to 650 feet thick, with water-bearing zones most productive between 100 and 300 feet below ground surface. Primary recharge to the basin occurs through percolation of precipitation and ephemeral runoff from the surrounding mountains. However, the aquifer has been described to be in a state of overdraft, characterized by declining groundwater levels since the 1970s. Static groundwater levels are generally found at approximately 90 to 150 feet below the ground surface in the town site area of Ocotillo, but can be as shallow as 15-25 feet in some localized areas. Groundwater quality varies over the basin associated with the hydraulic gradients and thickness of the alluvium deposits through the area. Higher water quality with lower total dissolved solids is typically found near or around Ocotillo, with higher TDS and mineral constituents (particularly elevated fluoride) to the south and east of this community. As the soils in this alluvial area consist of highly permeable sands and gravelly sands, the potential degradation from OWTS discharges are of concern in this area. Pressure distribution in the dispersal bed will be required unless twenty (20) feet of separation to groundwater can be maintained consistent with the Policy for these soil types.

It should be noted that nitrate levels in the town site of Ocotillo have been historically low due to the low density of residences in this community (ranging from 7 to 13 mg/L Nitrate as NO_3). Therefore, supplemental treatment for nitrates has not been proposed for new or replacement OWTS; but continued monitoring of water quality data from the community water wells of Coyote Mutual and Ocotillo Mutual will be included as part of the local Groundwater Ambient Monitoring and Assessment Program as described in Section VI to evaluate the effectiveness of the water quality protection afforded by this alternative management program.

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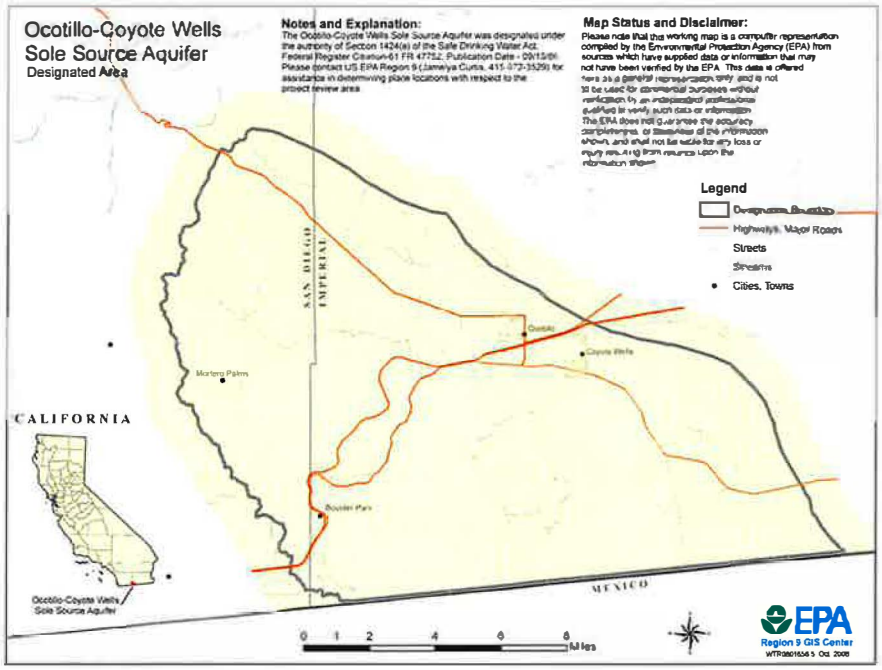
Figure 1.



Source: USEPA, Region 9, Sole Source Aquifer Program. http://epa.gov/region9/water/groundwater/ssa.html.

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The Lower Colorado Aquifer Basin extends outward along the Colorado River flood plain along the lower reaches of the river bounding Imperial County in California and Yuma and La Paz Counties in Arizona. The groundwater within the lower Colorado basin is apportioned for consumptive use as part of the Colorado River Compact of 1992. However, the groundwater quality does vary considerably with distance from the flood plain basin recharge areas and between the upstream and downstream portions of the river within Imperial County. The groundwater within the Palo Verde and Cibola Valleys is generally high in total dissolved solids and inorganic constituents (i.e. Iron, Manganese, and Fluoride). Limited groundwater wells are used for direct consumptive use in this agricultural valley as residential development is predominately within the community of Palo Verde, which is serviced by community water wells adjacent to the Colorado River located approximately 1.5 miles south of the town site. Groundwater quality is likely also impacted in this area due to agricultural returns in drains, as well as seepage from the Palo Verde Lagoon and Outfall Drain, which is listed as an impaired surface water body.

Further south along the Palo Verde Outfall Drain near its return discharge to the Colorado River in the Walter's Camp area are several seasonal mobile home and RV parks (i.e. Walter's Camp and Mitchell's Camp), private seasonal homes along Old River Road, and the recent Riverfront subdivision that rely on public groundwater wells adjacent to the river. It is likely that the minimal density of OWTS on existing parcels will not impact groundwater resources in this area provided minimum vertical and horizontal setbacks are maintained. Direct groundwater recharge from the nearby river is anticipated. A two hundred (200) foot setback for any new or replacement OWTS has been established to the Colorado River in county ordinance.

The Lower Colorado Aquifer Basin downstream of the Imperial Dam, and stretching westward across the Bard Valley, Winterhaven, Felicity, and to the Gordon's Wells area (see Figure 2) has direct consumptive importance for the region's development. As such, this aquifer area has been designated as an area of special groundwater concern since it is primary source of drinking water, and it will be included within the local Groundwater Ambient Monitoring and Assessment Program. Groundwater, particularly within the Bard and Winterhaven area, is shallow within unconsolidated sandy loam or sandy soils, and may be impacted by OWTS discharges from private residential developments. Due to the small parcel size of many pre-existing lots developed with 50 foot setbacks between OWTS and shallow domestic water wells (including sand point wells), many of these lots would be unable to install a conforming OWTS upon failure of their existing systems. Pressure distribution will be required if a waiver is necessary for a reduced setback on an existing lot. Furthermore, disinfection and periodic sampling of the on-site well for

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nitrates and bacteria will be established as an ongoing mitigation measure to ensure private groundwater wells are not being impacted by OWTS installations.

In other areas of this basin to the west, the parcel sizes are substantially larger based on the underlying zoning of open space (S-2) and no additional requirements will be required for new or replacement OWTS in these sandy soils provided a minimum twenty (20) foot setback to groundwater is maintained below the dispersal system, and adequate horizontal setbacks to domestic or public water wells can be maintained.

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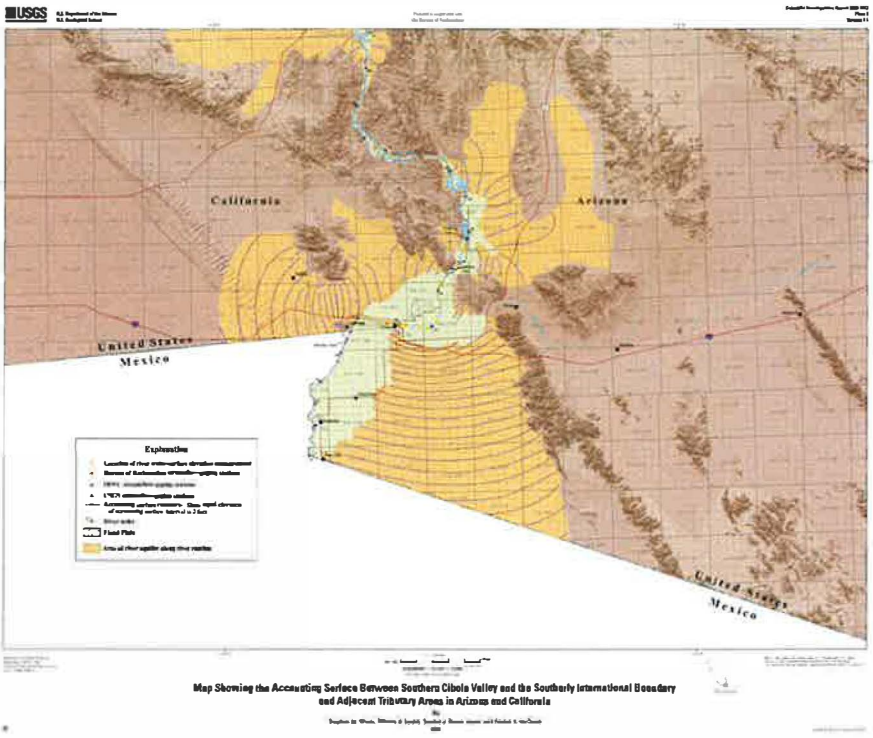
Figure 2.



Source: USGS, Scientific Investigation Report. 2008. http://pubs.usgs.gov/sir/2008/5113/

Geology and Soils

The predominant geology that characterizes the region is the Salton Trough, a large structural depression in the Colorado Desert resulting from tectonic boundary adjustments between the Pacific and North American plates. The Salton Trough is presently occupied by the Salton Sea and the Imperial Valley, bounded by the San Andreas Fault system and the peninsular mountain ranges in the west. The Imperial Valley was originally created as a northward land extension of the Gulf of California that was isolated by the Colorado River delta approximately 4.4 million years ago. Subsequently, under desert conditions, the inland sea dried up and the trough was filled later with lacustrine deposits by intermittent filling of the fresh-water Lake Cahuilla.

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The soils along the basin floor of the Imperial Valley are typically described as nearly level, deep, and moderately well drained to well drained silty clay loam and clay loam soils. However, the typical profile may vary considerable depending on sediment formations, with variable thicknesses of silty clays with high shrink-swell potential and slow permeability within the central portion of the valley (particularly near Calexico, Imperial, and Calipatria within the Imperial silty clay soil unit), and well drained sandy loam and loams along the eastern and northwestern portions of the valley. The Imperial-Holtville-Glenbar soil group encompasses the largest percentage of the valley area and consists of nearly level, moderately well drained silty clay, silty clay loam, and clay loam soils. These soils are typically deeper (to greater than 60 inches) and suitable for OWTS installation, but dispersal fields may require special design considerations to account for the slow permeability of underlying clayey soils. Due to the variability of clayey soils within the irrigated areas of the valley, a minimum leach field design of one hundred ninety-five (195) lineal feet will be required for any residential OWTS.

Along the edges of the lacustrine basin area and the low alluvial fan deposits of the Imperial Valley, the soils are well drained with fine sandy loam, loam and silt loams overlying silty clays at variable depths. The Meloland-Vint-Indio soil complex is generally suitable for OWTS installation, but consideration must be given to stratified layers that may include limiting clay lenses at shallow soil depths ranging between 24 and 40 inches below the ground surface. The Holtville loam unit is also found in the well drained areas along the Alamo River near the City of Holtville, and it is characterized by a deep, well drained loam/silt loam with a depth of more than 80 inches to the water table. This area is suitable for conventional gravity OWTS, and requires no special design considerations for septic systems. The geology and soils are also similar in the Bard valley near Winterhaven, an area characterized by alluvial deposits along the flood plain of the Colorado River which bounds the Indio-Lagunita-Ripley complex on the east and the drainageways extending south from the Chocolate Mountains and Picacho Peak to the north. The typical soil profile of the area is a silt loam overlying very fine sandy loams or excessively well drained Lagunita loamy sands to a depth of greater than 60 inches. Shallow groundwater is typically the limiting design consideration for OWTS in this area.

Near the northern boundary of the county, the saline soils along the edges of the Salton Sea are poorly drained silty clays and are unsuitable for OWTS installation; however, the soils found higher in elevation along the mesas adjacent to the old Lake Cahuilla basin are well drained and somewhat excessively drained sand, fine sand, and silt loams of the Rositas and Superstition units. These soils are also characteristically found along the West Mesa out to the Imperial Sand Dunes and are suitable for OWTS installation provided that the percolation rate is not excessively rapid (below 1 MPI).

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Rapid infiltration through excessively gravelly sands is also often a limiting factor in the southwestern portion of the county south of the Coyote Mountains near the town of Ocotillo, where the geology is characterized by deep alluvial deposits of highly permeable fine to medium sands from weathered rock that may be classified as gravelly to extremely gravelly. This region is bounded by fault activity and subject to flash flooding along washes and drainageways. As the soils are excessively permeable, design considerations for OWTS to prevent the potential degradation of groundwater are necessary in this area.

Impaired Water Bodies

The State Policy (in Attachment 2) identifies impaired water bodies within California where: (1) it is likely that operating OWTS will subsequently be determined to be a contributing source of pathogens or nitrogen and therefore it is anticipated that OWTS would receive a loading reduction, and (2) it is likely that new OWTS installations discharging within six hundred (600) feet of the water body would contribute to the impairment. Specifically, Table 5 within the State Policy identifies the Alamo River and the Palo Verde Outfall Drain and Lagoon as two water bodies within Imperial County that are subject to Tier 3 requirements due to impairment from pathogens. The Policy does not further differentiate the source of pathogens since a Total Maximum Daily Load (TMDL) attributing reductions on specific contributing sources to these water bodies have not been completed. However, the State Water Board has specifically identified these impaired water bodies based on the current 303(d) listing status under the federal Clean Water Act. The *State Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List* (adopted September 30, 2004) provides the listing/delisting data procedures to identify streams whose water quality is impaired (affected by the presence of pollutants or contaminants).

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Alamo River

The Alamo River has been designated as an impaired water body based on exceedances of the water contact and noncontact water recreation bacterial objectives. Fecal coliform (*Enterococcus*) and E. coli (*Escherichia coli*) bacteria are used as indicator organisms to evaluate the presence of pathogenic microorganisms. Thirteen (13) water samples were collected between a period of May 2002 and April of 2003, with a minimum of five (5) water samples exceeding the Basin water quality objectives for surface water bodies. Although the water body-pollutant levels of these bacteria exceed the applicable water quality standards, the various sources will not be attributed until the TMDL is completed.

Residential development along the Alamo and New Rivers is minimal; however, it is estimated that the impairment designation may impact up to approximately fifty-five (55) existing residences that currently discharge from OWTS within six hundred (600) feet of the Alamo River, with a potential to restrict development on up to five hundred and seventy (570) land parcels that border the Alamo River as it traverses northward through the Imperial Valley (County BOS Presentation, May 13, 2013). Although the large majority of this land is designated and used solely for agricultural crop production, rural residences on these properties will be subject to the Advanced Protection Management Program developed under this LAMP (see Section VI).

Palo Verde Outfall Drain and Lagoon

The Palo Verde Outfall Drain and Lagoon are located in the Palo Verde Valley that lies in the northeastern portion of the county along the Colorado River. Agricultural runoff from irrigation provided by the Palo Verde Irrigation District is drained by a system of open drains that discharge into the Palo Verde Outfall Drain, which extends southward through the valley and into an old channel of the Colorado River for approximately 17 miles in total distance within Imperial County. The Outfall Drain enters the present river channel at the Cibola National Wildlife Refuge in the Walter's Camp area. Along the northern border of Imperial County, in the center of the agricultural valley, is the community of Palo Verde, which was built around a lagoon fed by water off of the Outfall Drain. The designated beneficial uses of the Palo Verde Outfall Drain and Lagoon are water contact and water non-contact recreation, warm freshwater habitat, and wildlife habitat that support rare, threatened or endangered species. The water quality standards established for these beneficial uses have not been met for bacterial pathogens based on water sampling events conducted between May 2002 and October of 2004. Bacterial exceedances were documented for both fecal coliform (*Enterococcus*) and E. coli (*Escherichia coli*) bacteria; however, no point or non-point sources have been identified, nor have load reductions been attributed to any potential sources to date.

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The impairment designation of this water body has substantial impacts on the town site of Palo Verde, which is comprised of ~~124~~153 residences, a service station, a mobile home park, and several small businesses located directly adjacent or nearby the Palo Verde Lagoon that discharge to existing OWTS within six hundred (600) feet of the lagoon. Replacement or new OWTS on individual parcels with supplemental treatment for pathogen reductions to meet the Advanced Protection (Tier 3) standards of the Policy would likely be overly cost prohibitive to residents of the seriously economically disadvantaged community. Moreover, many of the parcels are insufficiently sized (less than 1,500 square feet) to accommodate the installation of an OWTS meeting the minimum setbacks to the lagoon and minimum dispersal field sizing requirements. Given these factors, a community sewer system for the existing and undeveloped land parcels within the town site of Palo Verde may be necessary to ensure ongoing water quality objectives are met in this area (see Section VII). Other scattered residences and special occupancy parks (Coco Palms and Two Palms Mobilehome Parks) near the Palo Verde Mesa off Stallard Road would also be subject to the Advanced Protection (Tier 3) standards for any replacement OWTS.

Other potential impacts by existing OWTS to the Palo Verde Outfall Drain include seasonal residences along Old River Road, and special occupancy parks along the lower segment of the drain near its discharge into the Colorado River. Mitchell's Camp is operated under Waste Discharge Requirements (Order No. ~~94-067~~R7-2015-0025) and Walter's Camp is located on federal Bureau of Land Management property and its discharge is authorized under Waste Discharge Requirements (General Order No. ~~84-55~~97-500). These facilities will be subject to RWQCB requirements adopted pursuant to the State Policy. Due to the seasonal nature of residences along Old River Road and the close proximity to the outfall of the Palo Verde Drain to the Colorado River (3,500 feet), the Advanced Protection Management Program in Section VII specifies alternative provisions for OWTS in this area. Within the Walter's Camp area, new or replacement OWTS will not require supplemental treatment for pathogen reductions provided that the minimum two hundred (200) foot setback to the drain and/or Colorado River can be maintained as an equivalently protective measure against surface water quality impairments.

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Section IV Existing System Requirements

Local Ordinance

The Imperial County Division of Environmental Health currently regulates the construction, alteration, or replacement of OWTS, and the permitting of such, pursuant to Imperial County Ordinance, Title 9, Division 10, Chapters 4, and 11-14. In addition to the codified ordinance of Imperial County, the California Plumbing Code (2010) is adopted by reference in Imperial County Ordinance Section 91004.00, including its construction and siting standards found in Appendix K (Private Sewage Disposal Systems). The County has also administratively implemented policies and procedures with respect to *Pressure Distribution Standards (Feb 2012)*; *Uniform Policy and Method for Soils Evaluation, Testing, and Reporting; Distribution Boxes;* and *Chambered Leach Fields*.

As provided for in Section 6.0 of the State Policy, owners of existing OWTS that have been sited, designed, constructed, and maintained in accordance with local ordinance may continue to operate these OWTS as permitted. Unless otherwise subject to corrective action or deemed failing, there are minimal proposed local regulatory changes for these Tier 0 systems. County ordinance will be amended as described herein to clearly identify those OWTS that are failing or require corrective action to prevent impacts to groundwater quality or to pose a potential health threat to humans (see Appendix B).

Existing Functioning Onsite Wastewater Treatment Systems (Tier 0)

Existing OWTS that are being utilized as designed and permitted are of limited risk to impair local groundwater or nearby surface water bodies. The discharge of conforming OWTS are, therefore, covered under a waiver of discharge requirements provided by the State Policy if they continue to meet the following requirements:

- The existing OWTS is defined as a "conforming system" under Imperial County Ordinance Section 8.80.030, which specifies that the system has been approved, installed, and continues to operate in accordance with the regulations pertaining to onsite wastewater treatment systems under which the system was permitted;
- The existing OWTS is being used to discharge only domestic wastewater (or sewage), which specifically excludes wastewater from industrial processes, high strength wastes, or wastes from RV dump stations or other non-residential sources;

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- The cumulative design flow to existing OWTS(s) on a lot or parcel is maintained at less than 5,000 gallons per day;

- The existing OWTS is not otherwise considered a "failing system" under Imperial County Ordinance Sections 8.80.180(C)-(D); and

- The existing OWTS is not located within a geographic Area of Special Concern that is subject to supplemental treatment and monitoring requirements under the Advanced Protection Management Program described in Section VI due to identified impacts to an impaired water body or protected groundwater aquifer.

Minor Repairs

The life expectancy of an existing OWTS will often depend on ~~a number of~~several factors, including septic tank pumping frequency, use, soil conditions, cover and construction materials, climate, and proximity to nearby trees or irrigation systems. For an existing OWTS that is older than 20 years, it is highly recommended that the owner consider budgetary planning for its eventual replacement and/or consider preventative maintenance or minor corrective actions that may be permitted by the Division to further prolong the life expectancy of the septic system. Minor repairs may include the replacement of a distribution box, septic tank baffles, or broken transport pipes to prevent a complete system failure.

The installation of monitoring equipment, such as observation ports in the leach lines or access risers on the septic tank, is also recommended for all owners of existing OWTS, and would not require a permit by this agency. Other remedial actions, such as regular pumping of the septic tank, reducing daily wastewater flows, minimizing the use of a garbage disposal, spreading out loads of laundry throughout the week, or installing low flow plumbing fixtures may prolong the service life of an existing OWTS to avoid the need for major repairs. Please note that the use of chemical additives or enzymes have not been shown to be beneficial, and in some cases may be detrimental to the function of the septic system.

Failed Onsite Wastewater Treatment Systems (Tier 4)

Imperial County currently maintains a voluntary service and maintenance program for owners of existing OWTS. Any OWTS owner of record is legally responsible for properly operating and maintaining their existing OWTS in a manner consistent with the State Policy to ensure continued coverage under the waiver of discharge requirements, including the employment

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of a registered septic tank pumper to periodically remove septage from the tank when the level of solids and scum indicates that removal is necessary. Consistent with the State Policy, Imperial County finds that it is essential for owners of existing OWTS to periodically inspect the septic system ~~in order to~~to identify conditions that may indicate an early warning that the OWTS is failing so corrective actions may be taken.

Any OWTS that has pooling of sewage and/or sewage effluent on the surface of the ground, has sewage leaking from a failed tank, backing up into plumbing fixtures, or causing a human health or public nuisance condition, or is otherwise discharging to surface water directly or by means of a drainage ditch, or impacting groundwater to a degree that makes it unfit for drinking or other uses, is considered to be failing pursuant to Imperial County Ordinance Section 8.80.180(C). Additionally, Imperial County recognizes that certain conditions are prima facie evidence of pollution that may impact human health or the environment, including the use of a cesspool, sewer wells, seepage pits, pit privies, metal or wood septic tanks, dispersal systems that are located within fifty (50) feet of surface water or a water supply well, or that are located within one hundred and fifty (150) feet of a public water supply well.

Major Repairs

If an existing OWTS is deemed a failing system, an owner must immediately abate the condition. Corrective actions for an OWTS failure may include 1) connection of the residence or facility to a public sewer, if available within two hundred (200) feet of the property; or 2) obtain a permit from this Division to repair or replace the failing OWTS or the failed septic tank or treatment component to conform to standards adopted as part of the Local Agency Management Program. As with the installation of a new system, all major repairs or replacement of an existing OWTS must be designed and installed by qualified professionals.

If an owner of the failing OWTS is not able to repair or replace the system to comply with current regulations due to insufficient lot size or unsuitable soils, the Division may permit a non-conforming repair meeting Imperial County Ordinance to the maximum extent permitted by the site. Supplemental treatment may be required if necessary to provide treatment equivalent to the adopted standard. Moreover, any owner who receives a non-conforming repair permit shall record a notice with the Imperial County Clerk Recorder of the presence of a non-conforming repair on the property. The notice shall specify operation and maintenance requirements and any limitations on the use of the property that are related to the presence of a non-conforming repair.

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Abandonment Standards

An existing OWTS that is no longer used or that is no longer functioning represents a health and safety hazard to the public. In particular, the top and lids of a septic tank deteriorate over time and may collapse unexpectedly leading to serious injury or death. Moreover, an abandoned excavation, such as a septic tank or cesspool, may otherwise pose as a direct safety hazard to minors legally on the premises. Therefore, the Division makes it a priority to ensure that these structures are properly abandoned by the owner of the property. An abandonment permit and inspection from this Division is required to ensure that the health and safety hazard has been abated.

An existing OWTS or a portion thereof shall be properly abandoned when a residence or structure is demolished and no replacement structure is proposed, when the structure is connected to public sewer, or upon the discovery of a cesspool, sewer well, pit privy, or seepage pit. The abandonment standards for Imperial County are derived from the California Plumbing Code, and include pumping the tank or pit to remove all contents, removing the tank entirely (required for plastic or fiberglass tanks) or removing the top of the concrete tank in its entirety and filling it with an inert material such as clean soil, sand or cement. Leach lines composed of gravel and pipe may be abandoned in place.

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Building Permit Reviews

Existing functioning OWTS that would otherwise be expected to continue to function properly may become overloaded when homes or businesses are remodeled or expanded in a manner that increases the sewage flow or changes the characteristics of the sewage generated. When an expansion or change of use is proposed, the existing OWTS must be evaluated to determine whether the proposed use (or anticipated wastewater flows) can be received and treated reliably by the septic system. Examples of changes that would indicate an increased flow to the system and result in the need to alter or modify the existing OWTS include the addition of a bedroom, an increase in the number of employees, or the installation of additional plumbing fixtures. A change in the characteristics of the sewage generated may also require the existing OWTS to be altered or modified to include supplemental treatment.

Additionally, it is recognized by Imperial County that improvements on the property without proper review or oversight may encroach upon the location of the existing OWTS or its required 100% replacement area, impacting the function of the system or precluding the ability to replace the system with a conforming OWTS in the future. Moreover, owners of existing OWTS that have no record of approval are often unable to accurately identify the installed location of the septic tank and dispersal field, which may lead to the unanticipated failing of an existing OWTS due to these unforeseen encroachment impacts.

To minimize OWTS failures for public health protection, and to protect current and subsequent owners from the unanticipated expense of abating a condition of pollution, the County of Imperial implements a coordinated review process for building permit applications to protect the OWTS and replacement area from: 1) cover by an impermeable surface; 2) encroachment by a building structure or swimming pool; 3) soil compaction by vehicular traffic; or 4) impacts from surface or stormwater drainage. Also importantly, the building permit review by this Division ensures that the quantity and waste strength of sewage entering the OWTS will remain at or below the approved design. For those existing OWTS with no record of approval, an evaluation and certification of the system by a qualified professional is required to determine whether any system modifications will be needed to support the proposed building project.

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Section V Requirements for New or Replacement OWTS

Since the adoption of the Local Agency Management Program, all new or replacement OWTS have been governed by the Tier 2 Program and alternative standards, which have been incorporated into Imperial County Ordinance No. 1516 in order to protect water quality and public health in Imperial County, as well as address unique local hydrogeologic conditions and areas of special concern. Justification for the locally adopted alternative standards has been provided in Section III of this LAMP document. It should be noted that the Local Agency Management Program for Imperial County does not authorize any of the conditions described in Section 9.4 of the State Policy. A summary of the alternative minimum standards that the Division intends to implement consistent with its local authority under the State Policy are as follows.

Minimum Site Evaluation and Siting Standards

- Site evaluations in the County will remain consistent with the Imperial County *Uniform Policy and Method for Soils Evaluation, Testing and Reporting* without additional soil profile excavations; but will include a mandated measure of groundwater depth through a soil boring at the site, along with a general description of soil type and any limiting conditions encountered at the site during the test boring. A site specific evaluation of the soil conditions to determine that adequate suitable soil depth is present will be required for all new and replacement OWTS. *(See Sections 7.1-7.3 of the State Policy)*

- The minimum percolation test result in the effluent disposal area for new or replacement OWTS shall not be slower than two hundred forty minutes per inch (240 MPI). An extended site evaluation by a qualified professional to evaluate the suitability of the soils will be required for all soils slower than sixty minutes per inch (60 MPI). *(See Section 7.4 of the State Policy)*

- The minimum horizontal setback from any irrigation supply canal located upstream of a surface water intake for a public water system shall be no less than one hundred (100) feet. Additionally, the minimum setback to the effluent dispersal system of one hundred (100) feet shall be maintained to the All-American, Westside Main, Central Main and East Highline canals. Setbacks to lined supply laterals or unlined delivery channels used only for agricultural irrigation will be twenty-five (25) and fifty (50) feet, respectively. The permitting agency will provide notice to public water systems for comment prior to issuance of a permit to install an OWTS within 1,200 feet of an intake point for a surface water treatment system as required. *(See Sections 7.5-7.6 of the State Policy)*

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Minimum OWTS Design and Construction Standards

- A qualified professional will be required to design all new OWTS and modifications to existing OWTS where the treatment or dispersal system will be replaced or expanded if the minimum soil depth cannot be maintained, gravity dispersal cannot be utilized, or if the soil percolation rate is slower than sixty minutes per inch (60 MPI), or if the OWTS is to service a non-residential structure. A qualified professional may be an individual that is currently licensed in the State of California as a professional engineer or professional geologist, or an individual that possesses a registered environmental health specialist certificate. *(See Section 8.1.1 of the State Policy)*

- The design of a new or replacement OWTS shall be based on the expected influent wastewater quality with a projected flow not to exceed 5,000 gallons per day, the characteristics of the site and the required level of treatment for protection of water quality and public health. If the proposed OWTS use is such that the cumulative waste discharge to existing and/or new OWTS exceeds 5,000 gallons per day, a Report of Waste Discharge must be submitted to the RWQCB to obtain an individual waste discharge permit. *(See Section 8.1.3 of the State Policy)*

- The design of a new or replacement OWTS shall ensure that the minimum depths to groundwater for the site specific soil characteristics will be maintained to provide sufficient protection of groundwater quality, as described below~~:~~ ~~(~~; *(See Section 8.1.5 of the State Policy)*

  - The minimum depth to groundwater from the bottom of the dispersal system will remain at five (5) feet for conventional gravity dispersal (i.e. soil percolation rate > 5 MPI and ≤ 90 MPI).

  - As pressure distribution of septic tank effluent distributed uniformly through the entire dispersal field within the upper aerated soil horizons has been broadly demonstrated to provide improved wastewater treatment, a minimum soil depth of two (2) feet will be allowed between the highest anticipated groundwater and the bottom of the dispersal field, unless otherwise specified for proposed discharges within groundwater areas of special concern. All pressure distribution systems will be designed by an engineer consistent with this Division's *Pressure Distribution Standards (Feb 2012)*, or any subsequent document revision.

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- Soils with percolation test results slower than ninety minutes per inch (90 MPI), but faster than two hundred forty minutes per inch (240 MPI), will be mitigated by the use of pressure distribution to uniformly distribute the wastewater throughout the dispersal system.

- Soils with percolation test results faster than five minutes per inch (5 MPI) will be mitigated by the use of pressure distribution in the dispersal bed unless twenty (20) feet of separation to groundwater can be maintained consistent with the Policy.[2] In areas of special groundwater concern, supplemental treatment may be required prior to dispersal.

- The leach field shall be designed based on the bottom area only. However, a maximum twenty (20) percent reduction in leach field sizing based on sidewall infiltration may be requested if a minimum of 18 inches of rock is utilized under the gravel pipe. Size reductions of up to thirty (30) percent for IAPMO certified gravel-less chamber products will be authorized in accordance with the County's *Chambered Leach Fields* policy, although no reductions will be provided below the minimum leach field area of one hundred ninety-five (195) lineal feet for residential OWTS within the irrigated farm areas of Imperial Valley. A one hundred (100) percent replacement area will be required based on the non-reduced leach field sizing requirements. *(See Sections 8.1.6 and 8.1.11 of the State Policy)*

- No dispersal system shall exceed a depth greater than four (4) feet as measured from the ground surface to the bottom of the trench. For any new or replacement OWTS, the dispersal system shall not exceed a maximum depth of three (3) feet from finished grade, unless written authorization is provided by the Division. A lift station designed by a qualified professional may be necessary on some replacement OWTS to ensure that the dispersal of septic tank effluent is within the aerated upper zones of the soil horizon to maximize treatment and evapotranspiration. *(See Section 8.1.7 of the State Policy)*

~~Septic tanks shall be designed to produce a clarified effluent consistent with accepted standards and shall provide adequate space for sludge and scum accumulation. Calculations used for the determination of septic tank size must be included in the OWTS report. Septic tank design shall meet the following criteria:~~

~~Septic tanks shall be in conformance with the current edition of the UPC and IAPMO~~

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[2] It should be noted that while the Vista del Mar and Ocotillo/No Mirage areas have historically exhibited soil percolation rates between 1 and 5 MPI, the minimum depth to groundwater typically exceeds 20 feet consistent with minimum groundwater protection standards of the State Policy.

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certified.

The tank shall be equipped with at least two risers: one at the solids side and the other on the effluent side. For septic tanks which are 2,000 gallons or larger, the solids side shall be equipped with at least two risers. All risers shall extend to within 4 inches of final grade with access openings of at least 20 inches in diameter, watertight and secured to prevent unauthorized access.

Tanks shall also be equipped with effluent filters to prevent solids more than three-sixteenths (3/16) of an inch in diameter from passing to the dispersal field. Septic tanks that use National Sanitation Foundation (NSF)/American National Standards Institute (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 to meet this requirement.

The liquid capacity of the septic tank shall conform to applicable UPC Tables and the following:

- For dwelling occupancies, sizing will be determined per Table H201.1(1).
- For dwellings with greater than 33 fixture units, use fixture unit count for sizing per Table H201.1(1) and Table 702.1. Also, see section on *Additional Guidelines for Determining Number of Bedrooms* in this chapter.
- For other building occupancies, by using the estimated waste/sewage design flow rate or the number of plumbing fixture units, whichever is greater per Table H201.1(4) and/or Table 702.1. See section on *Waste/Sewage Flow Rates* in this chapter.
- Proposals that fall outside of the above categories will be reviewed on a case-by-case basis by the Department.

Septic tanks, lids and risers installed under drive paths shall be constructed of traffic-rated materials.

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UPC Table H 201.1(1)

Capacity of Septic Tanks.

SINGLE FAMILY DWELLINGS — NUMBER OF BEDROOMS	MULTIPLE DWELLING UNITS OR APARTMENTS — ONE BEDROOM EACH	OTHER USES: MAXIMUM FIXTURE UNITS SERVED PER TABLE 702.1	MINIMUM SEPTIC TANK CAPACITY (gallons)
1 or 2	—	15	750
3	—	20	1000
4	2 units	25	1200
5 or 6	3	33	1500
—	4	45	2000
—	5	55	2250
—	6	60	2500
—	7	70	2750
—	8	80	3000
—	9	90	3250
—	10	100	3500

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- Design flows – The minimum design flow for purposes of sizing hydraulic components of a new or replacement OWTS will be 250 gallons per day of wastewater. For single-family dwellings, the minimum design flow for each additional bedroom will be 125 gallons per day. Design flows for accessory residential structures (accessory dwelling units) will be 125 gallons per day per each additional bedroom contained in the accessory residential structure. Drainage fixture units and/or the estimated waste/sewage design flow rate may be used for all other non-residential building occupancies, whichever provides the most reasonable calculation of anticipated flows as determined by a qualified professional. *(See Section 8.1.3 of the State Policy)*

- Maximum loading rates – The maximum design loading rates for purposes of sizing the dispersal area of a new or replacement OWTS shall be based on the underlying or receiving soil characteristics at the proposed construction location as determined by both the stabilized percolation rate and the soil texture or structure determination as provided in Table 1 below, whichever provides the most conservative long term soil application rate. *(See Section 8.1.6 and Tables 3-4 of the State Policy)*

Table 1. Soil Loading Rates for OWTS.

Maximum Hydraulic Loading Rate For Residential Sewage[1,2,3]			
Soil Type	**Soil Textural Classification**	**Percolation Rate (mpi)**	**Loading Rate (gal./ft.²/day)**
1	Coarse sands, Medium sands	1-4	0.8
2	Fine sands, Loamy sands	5-10	0.8
3	Sandy loams	11-20	0.7
	Loams	21-30	0.6
4	Silt loams, that are porous and have well-developed structure	31-60	0.45
5	Other Silt loams (weak) and sandy clay loams	61-90	0.3
6	Clay loams, Silty clay loams	91-120	0.2

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Maximum Hydraulic Loading Rate For Residential Sewage[1,2,3]			
Marginal	Sandy clays, Clays & Silty Clays of low clay content (<45%) with moderate or strong structure	121-240	0.1

[1]Compacted soils, cemented soils, and/or poor soil structure may require a reduction of the loading rate or make the soil unsuitable for the installation of an on-site wastewater treatment system. Supplemental pre-treatment may be required prior to dispersal in marginal soils.
[2]The maximum hydraulic loading rate for the soil type listed is to be used for calculating the drainfield area required.
[3]Due to variable clayey soils of marginal quality and irrigation impacts within the Imperial Valley, a minimum leach field area of one hundred ninety-five (195) lineal feet will be required for any residential OWTS.

Alternative Wastewater Treatment Systems

Alternative wastewater treatment systems are OWTS utilizing dispersal field designs consisting of components other than conventional gravity or pressure distribution within standard rock and pipe trench disposal configurations, such as "mound", "at grade", "evapo-transpiration bed," or "sand-lined trenches". "Subsurface drip systems" are also a special category of pressure distribution that have specific design considerations and require pre-treatment prior to wastewater discharge to drip lines. Alternative systems may be utilized to mitigate limiting soil conditions such that the minimum standards for separation to groundwater, or so that horizontal setbacks may be maintained equivalent to a conventional dispersal system. The use of alternative wastewater systems is limited to those components or dispersal technologies for which there have been technical standards adopted by the Division and/or the RWQCB. Projects proposing the use of alternative wastewater treatment systems should be referred to the ~~Regional Water Board~~RWQCB for determination as appropriate. A proprietary treatment device must be certified by an independent third party laboratory and be included on the list of approved systems or devices maintained by the Department prior to its consideration for use. Due to the technical design information necessary to evaluate alternative wastewater treatment systems, any OWTS incorporating alternative treatment or dispersal field components must be designed by a qualified professional in conformance with the Local Agency Management Program, and include a site specific operation and maintenance manual for the owner of the alternative OWTS.

Prior to final construction approval, the property owner will be required to record a notice stating that an alternative system has been installed on the property. This "Notice to Property Owner" shall run with the land and will act as constructive notice to any future property owner that the property is served by an alternative wastewater treatment system with regular maintenance, monitoring and reporting requirements. A copy of the recorded document shall be provided to the

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Department prior to final system approval. The Division will document the location and types of alternative OWTS installed, and submit record of such installation in its annual report to the RWQCB.

To ensure that the system continues to function properly, it ~~is~~ should be inspected at least annually by a qualified professional. Inspection reports should be submitted to the Division of Environmental Health detailing the findings of the inspection within thirty days of its completion so that routine inspections are tracked and required maintenance can be assured.

Large On-Site Sewage Systems

Although not currently proposed, the Division may revise the Local Agency Management Program in the future to establish local regulatory oversight of large on-site sewage systems (LOSS) that discharge to on-site subsurface drip systems or leach fields, or to evaporation ponds following wastewater treatment. For purposes of this program, a LOSS would be defined as any large on-site sewage system with a design flow greater than five thousand (5,000) gallons per day up to ten thousand (10,000) gallons per day for which waste discharge requirements have been issued by the ~~Regional Water Quality Control Board~~RWQCB, but that ongoing primary administrative authority has been granted by written agreement from the RWQCB to Imperial County. The minimum operation, design, and treatment requirements would be dictated by the State issued permit; however, routine inspections and annual operational permits would be issued by the local health agency.

The potential benefits of a LOSS program for the RWQCB may include more frequent inspections of small dischargers, higher assurance of certified operator oversight, improved coordination with owners, and accessibility to local technical assistance. Currently, the Division also regulates drinking water systems through its Local Primacy Agency, and conducts annual inspections at facilities that discharge to LOSS systems (e.g. RV and Mobilehome Parks, energy production plants, fuel stations, irrigation district facilities, or county parks). State or federal facilities would be specifically excluded from local permitting under this delegation program.

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Section VI Advanced Protection Management Program

The State Policy identifies impaired water bodies (the Alamo River and Palo Verde Outfall Drain and Lagoon) within Imperial County that may be further impacted from discharges by existing, new or replacement OWTS (see Section III). In the absence of Total Maximum Daily Load (TMDL) reductions established by the RWQCB for OWTS discharges, or special provisions contained within a Local Agency Management Program to protect impacts to these impaired water bodies, the minimum requirements of the Advanced Protection Management Program (Tier 3) of Section 10.0 of the State Policy would apply, initially to any new or replacement OWTS within six hundred (600) feet of the impaired water body. However, until such time that the RWQCB attributes specific reductions on contributing sources of pathogens to OWTS discharges for new or existing OWTS, the Advanced Protection Management Program to be implemented in Imperial County will include ***special provisions*** within its Local Agency Management Program to address potential water quality impacts of OWTS on the impaired water bodies. These special provisions have been described below, and consider the nature and extent of potential pathogen impacts that OWTS may contribute based on the characteristics of development adjacent to the specific impaired water body.

Furthermore, the Division also recognizes that there are Areas of Special Concern within Imperial County where groundwater quality may be detrimentally impacted by OWTS if special provisions under an Advanced Protection Management Program are not established for new and replacement OWTS. These special provisions, along with the associated Groundwater Ambient Monitoring and Assessment Program to monitor ongoing groundwater quality are also described in this Section.

Advanced Protection Program for Impaired Areas (Tier 3)

The Advanced Protection Program for Impaired Areas (Tier 3) has been incorporated into this Local Agency Management Program and specific standards for implementation will be codified into County Ordinance. For new, replacement, and existing OWTS in the Advanced Protection Management Program, no special provisions are established that are not otherwise covered by the State Policy's waiver as authorized in Section 10.6. It is recognized that these minimum standards are essential to minimize the potential impacts of OWTS near impaired water bodies.

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Moreover, the Division recognizes that all new or replacement OWTS utilizing supplemental treatment and other mitigation measures to protect impaired water bodies will require periodic monitoring and inspections to ensure that these mitigation measures continue to be effective, consistent with Sections 10.11 – 10.15 of the State Policy (see p. 39 of Appendix A for specific details). The ongoing operation and monitoring standards are necessary to ensure that OWTS utilizing supplemental treatment continue to meet the established performance requirements for these systems. In part, each OWTS system will be designed by a qualified professional to meet applicable treatment standards, including the use of specific pretreatment and/or disinfection components that have been tested by an independent third party testing laboratory (i.e. NSF[3] or IAPMO listing). A service contract with a qualified provider will be necessary to monitor the system in accordance with the operation and maintenance manual for the OWTS, and no less frequently than quarterly. Testing of wastewater effluent samples for those OWTS designed to meet the pathogen disinfection requirement of Treatment Standard 1 (see below) must also be taken by the service provider and analyzed by a State certified laboratory on a quarterly basis. Each owner of an OWTS with supplemental treatment will be responsible to maintain an annual health permit to cover the cost of services to review the operation and maintenance of these systems.

Imperial County Ordinance establishes a performance standard for treatment consistent with the State Policy. Any OWTS discharging within the geographical area of the Advanced Protection Management Area for pathogen impaired water bodies must be designed to provide sufficient pre-treatment of the wastewater so that effluent being discharged to the dispersal system does not exceed a thirty-day average total suspended solids (TSS) of 30 mg/L and shall further achieve an effluent fecal coliform bacteria concentration less than or equal to 200 Most Probable Number (MPN) per 100 milliliters. In order to meet the pathogen reduction standards as established by State Policy, a disinfection system will be necessary prior to disposal, in addition to secondary or advanced treatment of the residential sewage.

As this treatment performance standard is a costly alternative to a conventional OWTS, and specific load allocations have not been attributed to OWTS by the RWQCB, special provisions have been proposed for each of the areas discharging near the water bodies listed as being pathogen impaired.

[3] Listing standards include, but are not limited to: NSF Standard 40 (Residential: Onsite Systems), NSF Standard 41 (Non-Liquid Systems), NSF Standard 245 (Nitrogen Reduction), NSF Standard 350 & 350-1 (Onsite Water Reuse), and NSF Standard 46 (Components and Devices).

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Special Provisions for Impaired Water Bodies

Water quality impacts from pathogens may be negligible for OWTS discharges beyond a reasonable transport distance to a surface water body provided that sufficient unsaturated soils are present below the dispersal field. Waste-borne bacterial pathogens are effectively filtered within the soil profile immediately below the dispersal trenches. While it should be noted that human enteric viruses may persist in the soil for much longer periods of time, the removal of virus pathogens still relies on adsorption and inactivation in the soil environment, with the fastest inactivation occurring in soils with decreased water content. Some virus filtration may also be provided in soils with very fine pore sizes (i.e. clays or silty clays).

These are the ideal pathogen removal conditions that may be expected for properly sited OWTS along the Alamo River, which transverses through the Imperial Valley largely confined to a river basin that is approximately 200 to 300 feet from bank to bank. Aerial overlays of parcel data using the county's geographic information system (GIS) suggest that the establishment of a prescriptive two hundred (200) foot setback from the ordinary high water mark of the Alamo River would generally maintain all new or replacement OWTS discharges above and beyond the river basin, providing sufficient separation for effective treatment of pathogens from OWTS discharges in the native soils underlying the dispersal fields. The following ***special provisions*** are therefore established for the Alamo River until such time as the RWQCB adopts a TMDL for pathogens reductions in this listed water body:

- No new or replacement OWTS discharge may be sited within two hundred (200) feet of the ordinary high water mark of the Alamo River unless the discharge meets the performance standard of Treatment Standard 1 established for the Advanced Protection Management Program of this LAMP. A minimum setback of one (100) feet is required to any surface water body.

- Existing OWTS within six hundred (600) feet of the Alamo River will not be subject to the Advanced Protection Program until such time as a TMDL and its implementation program have been established by the RWQCB for the Alamo River. However, any failing OWTS subject to corrective action will be subject to the special setback and/or treatment provisions established for this water body.

As described in Section III of this LAMP, the Palo Verde Lagoon and Outfall Drain are geographically located such that potential impacts to the bacteriological load of this water body from OWTS must be distinctly addressed within the Advanced Protection Management Program.

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Therefore, special provisions have been established to be protective of both stretches of this impacted water body with consideration to the density of OWTS discharges and the hydrogeology of the surrounding areas. In particular, the lower stretch of the Palo Verde Outfall Drain has different policy options for water quality protection than does the Palo Verde Lagoon located in the community of Palo Verde, given existing parcel sizes and the historic development patterns of the area.

The following ***special provision*** has been identified for new and replacement OWTS within the geographic areas of the Palo Verde Outfall Drain:

- Within the geographic area extending no more than one (1) mile upstream from the discharge point of the Palo Verde Outfall Drain into the Colorado River, no new or replacement OWTS discharge may be sited within two hundred (200) feet of the ordinary high water mark of the Outfall Drain unless the discharge meets the performance standard of Treatment Standard 1 established for the Advanced Protection Management Program of this LAMP. This is consistent with the minimum setback of two (200) feet that is currently required for any OWTS discharges along the Colorado River south of the drain in the Riverfront subdivision area.

The impairment designation of the Palo Verde Lagoon has substantially greater economic impacts on the town of Palo Verde, a severely disadvantaged community located directly adjacent or nearby the lagoon. Moreover, due to the presence of rapidly draining sandy soils and small parcel sizes, the water quality protection options for pathogen loading from OWTS discharges are severely limited. Both new and replacement OWTS within six hundred (600) feet of the lagoon will be subject to the Advanced Protection Management Program, provided other centralized sewerage options remain unavailable. As discussed in Section VII of this LAMP, the formation of a sewer district for this community may provide an additional option for owners of OWTS subject to the ***special provisions*** as described below:

- Owners of OWTS that are constructed and operating, or permitted, on or prior to the effective date of the State Policy will not be subject to the Advanced Protection treatment standards for OWTS discharges, provided that:

  - The owner has committed by way of a legally recorded document with the County Recorder's Office to connect any existing building structures with plumbing to a centralized wastewater collection and treatment system regulated through Waste Discharge Requirements issued by the RWQCB; and

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- The specified date of connection to a centralized community wastewater collection and treatment system is no later than **May 13, 2026.**

- The Palo Verde centralized community wastewater collection and treatment system was originally planned to be constructed and operated prior to May 2021. However, delays were encountered with selecting a final location of the wastewater plant. The proposed location prompted US Fish and Wildlife to require a wetland delineation study. A determination is currently pending. Additionally, the chosen wastewater plant technology was switched during the planning process and consequently required additional vetting through the RWQCB.

- Owners of existing OWTS will also not be subject to the Advanced Protection treatment standards for OWTS discharges until such time as the RWQCB adopts a TMDL implementation plan specific to the Palo Verde Lagoon and any necessary revisions to the LAMP have been incorporated. However, no expansions to the occupancy or building structures will be approved by the County such that the OWTS discharge is increased or available area for a replacement OWTS system meeting the minimum setbacks to the Palo Verde Lagoon is diminished.

It should be noted that these special provisions may be implemented by the County following the formation of a sewer district for the service area through the Imperial County Local Agency Formation Commission (LAFCO). The permitting and construction timelines for a centralized wastewater collection system would be coordinated with the RWQCB to ensure adequate water quality protections are implemented prior to May 13, 2026 or to the adoption of specific TMDL implementation policies requiring pathogen load reductions from OWTS discharges, whichever is sooner. In the absence of a sewer district, those existing and new OWTS that are subject to the Advanced Protection Management Programs of this LAMP may need additional financial assistance to comply with the supplemental treatment requirements of the State Policy. Financing options vis-á-vis a low interest loan program administered by the County utilizing Clean Water State Revolving Funds consistent with Section 14.0 of the Policy are discussed further in Section XI of this LAMP.

Areas of Special Concern

As discussed in Section III (Water Quality), the Division has identified two groundwater basin areas – the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifer – which are

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utilized as primary sources of drinking water that may be detrimentally impacted by OWTS discharges if special provisions under an Advanced Protection Management Program are not established for new and replacement OWTS. The special provisions, along with the associated Groundwater Ambient Monitoring and Assessment Program to monitor ongoing groundwater quality, are described here, and have been codified in Imperial County Ordinance Sections 8.80.150 and 8.80.160. These provisions may be revised and/or expanded within the LAMP to protect groundwater quality as necessary based on ongoing groundwater quality monitoring data compiled by the Division.

As it is likely that the improper siting and operating of an OWTS may subsequently be determined to be a contributing source of pathogens or nitrogen, such that beneficial consumptive uses of these groundwater aquifers are impacted, the Division recognizes the importance of water quality protections and ongoing monitoring in these areas. In particular, without careful planning, nitrate loading from higher density residential OWTS discharges may impact groundwater supplies over time. Nitrates, an acute drinking water contaminant, are readily soluble and not reduced or removed with standard OWTS siting or design. Therefore, the cumulative impacts of nitrate loading from OWTS are typically mitigated by either minimizing discharges through sewering or by the establishment of maximum allowable densities (or minimum lot sizes). Supplemental treatment devices may also be incorporated to reduce nitrate loading to the dispersal field and into groundwater at pre-existing parcels if minimum setbacks to water wells or vertical separation to groundwater cannot be established for replacement OWTS.

Given this, the following ***special provisions*** have been identified as necessary for these designated areas of special concern for groundwater protection:

- The minimum parcel size for any new minor subdivision or residential lot division within the Ocotillo/Nomirage Community Area Plan shall be one dwelling unit per two and one half (2.5) acres consistent with the low density residential land use character of the community, unless public water and sewer services are available for connection. An exemption for a second dwelling may be allowed for an existing residential parcel upon approval of a conditional use permit if the lot maintains a minimum population density of one (1) dwelling unit per acre and the site is suitable for placement of an additional septic system.

- Consistent with the Ocotillo/Nomirage Community Area Plan adopted by Imperial County, no new OWTS will be permitted for RV or mobilehome parks, or for other commercial uses that may contribute to groundwater contamination through the discharge of high

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strength wastewater, non-residential wastewater, or large quantities (>3,500 gallons per day) of domestic sewage effluent being discharged to an OWTS dispersal system.

- The minimum parcel size for any new minor subdivision or residential lot division within the Bard Area as defined by Title 9 of Imperial County Ordinance (Section 92526.00), shall be one dwelling unit per two and one half (2.5) acres unless public water and sewer services are available for connection.

- Any new or replacement OWTS that cannot meet a minimum of one hundred (100) feet to domestic water wells, or that cannot maintain the minimum vertical separation of five (5) feet to groundwater must incorporate supplemental treatment meeting Treatment Standard 1[4] prior to discharge.

While not currently required by this LAMP, if detrimental impacts to groundwater are identified from OWTS in these Areas of Special Concern, the Health Officer may require any new or replacement OWTS to meet Treatment Standard 2 for Nitrate Reductions[5] prior to dispersal of the effluent within the designated areas.

Groundwater Ambient Monitoring and Assessment Program

To evaluate the effectiveness of the Advanced Protection Management Program, specifically for the Areas of Special Concern for groundwater resources, it is important to maintain an ongoing monitoring and assessment program to evaluate OWTS impacts to groundwater. Although increasing nitrate levels in groundwater may also be attributable to fertilizer application within agricultural areas, nitrate levels remain the best and most readily available chemical constituent for tracking potential long term groundwater impairment trends from OWTS discharges. As annual recharge rates are particularly low in the region due to extremely low precipitation rates, it is much less likely that variations in infiltration rates will mask any year over year increasing trends in groundwater nitrate levels. Moreover, with minimal rainfall, routine bacterial testing to evaluate potential contamination from pooling or untreated effluent washing into surface waters or contaminating nearby wells is a less effective planning tool for groundwater protection. Therefore, a Groundwater Ambient Monitoring and Assessment Program will be

[4] Treatment Standard 1- Supplemental treatment components designed to perform disinfection shall provide sufficient pretreatment of the wastewater so that effluent from the supplemental treatment components does not exceed a 30-day average TSS of 30 mg/L and shall further achieve an effluent fecal coliform bacteria concentration less than or equal to 200 Most Probable Number (MPN) per 100 milliliters.

[5] Treatment standard 2 (for Nitrogen Reduction)- Effluent from the supplemental treatment components designed to reduce nitrogen shall be certified by NSF, or other approved third party tester, to meet a 50 percent reduction in total nitrogen when comparing the 30-day average influent to the 30-day average effluent.

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established for the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifers that is based predominately on monitoring nitrate levels in the groundwater to assess the ongoing need for further OWTS controls in these areas. The water quality data will be compiled from the following sources:

- Well samples taken to establish a private domestic well as a "potable source" (i.e. private water potability reviews);
- Routine annual nitrate water samples collected by small public water systems; and
- US Geological Survey well sample data that may be available.

Water quality testing results from private and public water systems compiled as part of the local Groundwater Ambient Monitoring and Assessment Program will be made available to the RWQCB as part of the annual reporting described in Section XII of this LAMP on p. 57.

Supplemental Treatment

If required by the Advanced Protection Management Program, alternative wastewater treatment systems must incorporate supplemental treatment devices or technologies designed to meet the minimum specified Treatment Standard. The use of alternative wastewater treatment systems is limited to those components or dispersal technologies that have been demonstrated to meet the applicable performance standard, and that the Division and/or the RWQCB have adopted technical standards for proper design and construction of the treatment component. Alternative OWTS incorporating supplemental treatment to meet a specified Treatment Standard must also be designed such that the discharge can be tested and/or verified prior to dispersal so that it can be demonstrated that the treatment performance objectives are continually being met. If a proprietary treatment device is to be utilized, it must be certified by an independent third party laboratory (such as NSF/ANSI or IAPMO) and be included on the list of approved systems or devices maintained by the Division as meeting Treatment Standard 1 or 2.

As supplemental treatment is provided as a mitigation factor, it is essential that the alternative wastewater treatment system be regularly monitored and maintained by a qualified service provider to ensure that they are operating as designed. Therefore, a maintenance contract with a qualified service provider must be signed and established prior to OWTS installation. This agreement is to remain in effect for the life of the system. Supplemental treatment components shall also be equipped with a visual or audible alarm and a telemetric system to alert the owner and service provider in the event of a system malfunction. In lieu of telemetry, enhanced frequency

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inspections on a monthly basis by the service provider would be necessary to ensure that the system is functioning in accordance with designed operating parameters. Similar to the procedures for alternative wastewater treatment systems, the property owner will be required to record a notice that an OWTS with supplemental treatment has been installed on the property along with its specific discharge standard requirements.

Any OWTS discharging within the geographical area of the Advanced Protection Management Program for pathogen impaired water bodies must be designed to also provide a supplemental disinfection treatment system to meet Treatment Standard 1[6] such that pathogens are continually reduced to a thirty (30) day geometric mean of less than two hundred (200) Most Probable Number (MPN) of fecal coliform bacteria per one hundred (100) milliliters. Sampling of the wastewater flowing from the supplemental treatment components that perform disinfection must be conducted quarterly by a service provider and analyzed at a California certified laboratory. The Imperial County Public Health Department is one such certified laboratory that could be used by an owner and/or service provider to analyze wastewater samples to ensure that the supplemental disinfection device is operating correctly.

Operational Permits

Alternative systems incorporating supplemental treatment devices to meet a specified Treatment Standard as may be required by the Advanced Protection Management Program will require an ongoing operational permit to ensure that the discharge is continually meeting standards. While supplemental treatment technologies are very effective at treating residential wastewater, they are more dependent on periodic inspections, maintenance, and servicing than conventional gravity flow septic systems. Furthermore, the use of alternative systems and/or supplemental treatment would typically be limited to constrained sites where standard setbacks from groundwater or a water supply, for example, could not be met. Therefore, any treatment failures using these methods of treatment and dispersal would pose a much higher potential to negatively impact public health or the environment.

Consequently, operating permits will be required for OWTS that utilize an alternative dispersal system or supplemental treatment to ensure that they are functioning as designed. Permit conditions would require regular inspections of the system by a qualified service provider and a

[6] Treatment standard 1 (for Pathogen Reduction) Supplemental treatment components designed to perform disinfection shall provide sufficient pretreatment of the wastewater so that effluent from the supplemental treatment components does not exceed a 30-day average TSS of 30 mg/L and shall further achieve an effluent fecal coliform bacteria concentration less than or equal to 200 Most Probable Number (MPN) per 100 milliliters.

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report detailing the findings of any service inspection to be submitted to the Division for review. Each owner of an OWTS with supplemental treatment will be responsible to maintain an annual health permit to cover the cost of services to review the operation and maintenance of these systems.

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Section VII Sewer District Formation

While individual OWTS serve as an effective decentralized wastewater discharge option within rural areas of Imperial County, the LAMP may also serve to inform long term Onsite Wastewater Management Plans that may be developed by the County. In particular, it is recommended that local government agencies actively coordinate with the Local Agency Formation Commission (LAFCO) to ensure public sewerage services are provided throughout the county in the most efficient service arrangements for the benefit of area residents.

Public Sewerage

Medium to high density communities and unincorporated town sites that are subdivided into small residential parcels, and that are located near or adjacent to existing sewer service districts serve as a principal example of inefficient urban service arrangements, adding additional costs to local government for the regulatory management of wastewater discharges, while at the same time limiting future development options for area residents. Replacement costs for OWTS in these areas also tend to be higher based on space constraints and accessibility, further depressing comparative property values below urban areas serviced by public sewerage systems.

Sewer improvement projects and consolidation feasibility studies to explore the potential conversion from OWTS to public sewers are initially recommended for the communities of Salton Sea Beach and Vista del Mar within the Salton City area of the county. Coordination between the Salton City Community Services District and the Coachella Valley Water District should be encouraged to identify feasible service area boundaries and sewer options for these town sites to reduce long term costs to residents and minimize health and environmental impacts from high density OWTS discharges. Other areas of potential public sewerage may be identified during periodic plan updates of this Local Agency Management Program based on 1) current public sewer availability, 2) the number of repair and/or replacement OWTS permits issued, 3) grant funding opportunities for sewer consolidation projects, and 4) building permit reviews conducted identifying limitations for development due to the continued use of OWTS.

Community Wastewater Facility

In other instances of low to medium density development, existing public sewerage services may not be available for consolidation or conversion of OWTS to a more centralized

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method of treatment arrangement. However, the limitations placed on the use of individual OWTS for wastewater discharge may still detrimentally impact the economic vitality of a rural town site or specific plan area for recreational or seasonal residential use due to unsuitable soils, shallow groundwater, or other inadequate setbacks to surface water or individual drinking water wells. In these instances, the cost of OWTS replacement or servicing may become higher than the construction and operational costs of a community wastewater facility that may be managed more cost-effectively by a sewer service district. In particular, it is highly recommended that feasibility and environmental studies be undertaken to develop and implement a community wastewater facility for the unincorporated town site of Palo Verde, which is located wholly within an Advanced Protection Management Area due to its proximity to the impaired Palo Verde Lagoon. As described in Section VI, and based on the special provisions of the State Policy, owners of existing OWTS would not be subject to supplemental treatment standards provided they have committed to connect to a centralized community wastewater collection and treatment system.

While not currently indicated as a project priority, long term feasibility planning for centralized community collection and wastewater treatment may be necessary for communities within areas of special groundwater concern, should the special provisions of this Local Agency Management Program, or as may be revised, become ineffective for groundwater protection. Any consideration for OWTS conversion should be based on identified impacts attributable to these discharges through the ongoing Groundwater Ambient Monitoring and Assessment Program established in Section VI.

Colonias

The term colonia has its origins in the Spanish work for "neighborhood," but recently it has come to define a residential development characterized by substandard living conditions located within 150 miles of the United States and Mexico Border. At least nine colonias have been designated by the U.S. Department of Housing and Urban Development as being located within the rural, unincorporated areas of Imperial County.[7] Often, these areas lack basic sanitary services, such as centralized water and wastewater systems or routine solid waste collection, and the presence of failing septic systems or deficient or poorly managed community wastewater facilities that may contribute to continuing groundwater and health impacts to the economically disadvantaged communities. A number of outreach and funding projects have targeted the larger of these colonias (such as the Poe Subdivision); however, small colonias within rural subdivisions utilizing septic systems also have the potential to negatively impact groundwater resources due

[7] Colonias identified within the unincorporated areas of the County include: Palo Verde, Niland, Heber, Ocotillo, Bombay Beach, Salton Sea, Poe, Seeley, and Winterhaven.

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marginal soils and deficient septic systems. Financial assistance through Community Development Block Grants (CDBG) or low interest loan programs using Clean Water State Revolving Funds may be necessary to repair and/or replace failing OWTS in these severely economically disadvantaged communities to improve basic living conditions. Coordinated efforts with the Imperial County Community and Economic Development Department to identify public wastewater treatment projects within neighborhood clusters with failing OWTS may be necessary for effective implementation of the required corrective actions identified in the LAMP to protect groundwater or remediate public nuisance conditions in these areas.

Initially, several colonia areas have been identified within this LAMP document as potential projects for OWTS replacement and/or sewerage service projects due to substandard OWTS, high OWTS failure rates, or the utilization of individual OWTS with higher potential for deleterious health impacts due to marginal soils and/or insufficient setback protections to drinking water wells. Specifically, these areas may be described as:

- The northern portion of the City of Imperial within the unincorporated county south of Neckel Road, west of State Highway 86, and north of Worthington Road;
- The unincorporated residential subdivision along the extent of Flood Road in Bard;
- The unincorporated town site of Salton Sea Beach and the Vista del Mar Subdivision of Salton City; and
- The unincorporated town site of Palo Verde.
- The unincorporated neighborhood that abuts the City of El Centro on the easternsouth boundary, located at Cross Road and Villa Avenue.

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For each of these identified colonia areas, preferred sewerage alternatives will be assessed prior to project implementation. Various project alternatives may include individual financing for OWTS replacement and/or repairs, construction of a community wastewater facility within a new or modified sewer management district area, or the consolidation of colonia areas into an existing sewer district through the expansion of the service area. Each project alternative will be reviewed for potential long-term benefits to groundwater and surface water protection within the Colorado River Basin region from the potentially identified wastewater infrastructure improvements.

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Section VIII Land Use Planning

With the implementation of the State Policy and in consideration of this LAMP, the County recognizes that the general location and extent of OWTS use for residential and commercial development must be considerate of groundwater resource protection and be coordinated with the expansion of public facilities within the unincorporated community areas of the County. The land use standards of this LAMP have also been prepared such that they are consistent with the basic concepts of environmental protection, planned public infrastructure development, and safety for people and property, as identified within the Land Use Element of the County's General Plan. The following outline of an Onsite Wastewater Management Plan, with a specific emphasis on Community Areas has been developed here such that the objectives, policies, and standards may be incorporated into the Land Use Element with future revisions. All terms, designations, and land use descriptions are used herein as described within the General Plan and County Zoning Ordinance.

Onsite Wastewater Management Plan

The implementation of the Onsite Wastewater Management Plan is intended to be a continual process involving amendments to the Imperial County Codified Ordinances to assure that proposed developments have identified adequate sewage disposal mechanisms that are protective of water quality objectives. However, the County's approval of proposed subdivisions and grant of conditional use permits will be restricted to the standards of this LAMP, unless otherwise granted discretionary authority in ordinance for OWTS siting, construction, or use for proposed developments. It should be noted that Urban Area designations have not been discussed at length as development in these areas shall provide for the extension and development of full urban services such as public sewer and water.

Land Use Development Standards

- All proposed subdivision development and new multiple-family, commercial, and industrial development within an Urban Area adjacent to incorporated cities shall connect to public sewer. Furthermore, no OWTS permit will be issued for the installation, alteration or repair on any lot for which a connection with a public sewer is available.

- All proposed major subdivisions shall provide for the extension or development of full public sewerage services to be permitted by the Regional Water Quality Control Board. The use of OWTS on newly created individual lots is restricted to minor subdivisions

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where access to public sewer services is otherwise not accessible. Minimum lot sizes per dwelling unit for residential or commercial development will otherwise be consistent with the County Land Use Ordinance in Title 9 where public water and sewer service is available.

- New minor subdivisions for residential improvement in Limited Agriculture Areas (A-1) within Urban boundaries or other Community Areas will be subject to a minimum size limit of one dwelling unit per acre provided that a soils report prepared by a qualified engineer demonstrates that sufficient soils and/or setbacks can be maintained consistent with minimum OWTS standards. A minimum of five feet to groundwater must be maintained for new residential parcels located within an Area of Special Concern, as well as a larger minimum parcel size of two and one half (2.5) acres. Due to potential groundwater impacts, more intensive commercial or industrial land uses may only be allowed pursuant to an approved Master Plan for the overall Community Area when adequate public infrastructure exists.

- The purpose of the General Agriculture (A-2) or Heavy Agriculture (A-3) zoning designations is to maintain areas that are suitable and intended primarily for agricultural uses. An exception to the minimum lot/parcel size of forty (40) acres is provided in the County Land Use Ordinance for the subdivision of property by parcel map within existing enclaves or to authorize conveyance of an existing single-family dwelling. As these agricultural properties are often used for farming related activities and located within the Imperial Valley Subunit that contains marginal soils suitable for OWTS installation, a minimum parcel size of two and one half (2.5) acres shall be maintained for new parcels unless a site specific waiver is granted based on the unique characteristics of the site that would equally prevent water quality degradation given a smaller parcel configuration. An additional dwelling unit may be permitted on existing lots provided that the minimum requirements of Chapter 8.80 of the Imperial County Codified Ordinances can be met. Agricultural employee housing may be permitted with a Conditional Use Permit following an appropriate environmental review to determine whether suitable sewer and potable water infrastructure can be supported.

- The Land Use Element of the County General Plan recognizes the unique recreational character of Imperial County and includes Open Space/Recreation/Preservation Areas of the County characterized by a low intensity of human utilization and associated impacts. The maximum allowable density for residential use is one dwelling unit per acre, with a minimum parcel size for new subdivisions of one single family dwelling per twenty (20) acres.

- The development of recreation-oriented residential or special occupancy uses in Open Space/Recreation Areas, such as mobile home and recreational vehicle (RV) parks, and resort and recreation facilities, provide unique challenges for wastewater treatment and dispersal due to the quantity of wastewater flows generated as well as the non-domestic waste characteristics of the sewage. These parks shall not be developed unless an operation and discharge permit has been issued by the Regional Water Quality Control Board for the proposed discharge, regardless of projected flow quantities.

Development Prohibitions

- Dry recreational vehicle parks are generally prohibited; however, an RV dump station with holding tanks may be permitted by the Division in remote desert areas to service a proposed RV park or RV storage facilities without sewer utility connections.

- Holding tank systems shall not be allowed as a permanent means of wastewater management for either seasonal or a year-round operations. The Division may permit holding tanks for RV dump stations, interim use for temporary construction offices or for limited seasonal use where it is not practicable to otherwise install an OWTS system.

- No pit privies shall be permitted in the unincorporated County of Imperial. The adequate and reliable provision of running water and proper means of sewage disposal is required for all buildings constructed for human occupation. Additionally, it is unlawful to drill, construct, maintain, or to operate a cesspool or sewer well. Due to the potential to detrimentally impact groundwater, seepage pits are not authorized by the Division, unless otherwise permitted for non-conforming repairs where siting limitations would require a variance to these standards.

- The discharge to an OWTS that exceeds peak design flows or the maximum permitted capacity of the system is prohibited for existing developments. Persons that do not comply with the permitting conditions of an existing OWTS are not covered by a waiver of waste discharge requirements, and may be subject to enforcement action pursuant to Section XI of this LAMP and will be directed by the Division or RWQCB to take corrective actions to remedy the condition of violation.

- To ensure the safe and reliable provision of potable water to county residents through private or public water systems, no lot shall be developed such that a connection to a public water system or an identified on-site supply of potable water is detrimentally impacted or potentially threatened by an OWTS installation. An onsite source supply of

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water that is safe and reliable must be identified prior to the grant of occupancy by the county building official.

Any appeal process or waiver request to the Health Officer from these development standards and prohibitions contained herein will be processed as described in Sections 8.80.260 and 8.80.280 of Imperial County Ordinance, respectively, and as noted in Section XI of this LAMP. The County will review proposed developments for consistency with these standards, and update the LAMP as necessary to afford ongoing protection of public groundwater resources.

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Section IX Septage Management

This section describes the existing disposal locations for septage, the volume of septage anticipated, and general septage management in Imperial County as required by Section 9.2.6 of the State Policy. Although it is difficult to accurately assess the total quantity of septage that may be generated from OWTS on an annual basis, a general discussion of septage management has been provided in this LAMP.

Septage is a partially treated mixture of solid waste, scum, sludge, and liquids that are pumped from septic tanks, pump tanks, holding tanks, chemical toilets, or any other OWTS component containing sewage. It is estimated that the majority of septage pumped and hauled to authorized disposal facilities within Imperial County is generated from the routine pumping of residential septic tanks. As generally discussed in Section X, an owner of record is responsible for properly operating and maintaining an OWTS, including employment of a registered sewage pumper/hauler to remove septage from the tank when the level of solids and scum indicate that removal is necessary. A service visit by an authorized provider is recommended at least every five (5) years. Failure to routinely pump a septic tank allows accumulated solids to pass out of the tank and clog the dispersal field, potentially requiring a complete replacement of the OWTS.

In Imperial County, septage is also generated in large quantities from recreational vehicles (RVs) associated with off-roading activities, private RV dump stations, and from chemical toilets provided for agricultural farm laborers. Septage pumpers/haulers providing cleaning services for septic tanks, recreational vehicles, or chemical toilets must be registered with the Division and maintain an annual health permit in accordance with the California Health & Safety Code, Section 117405 et seq. A sanitary inspection of septage pumper/hauler vehicles and equipment is conducted prior to the issuance of an annual permit. The inspection also includes a review of required pumping records that specify the locations serviced and where the cleanings were disposed.

Upon removal or cleaning by a registered pumper hauler, liquid septage must be transported to a disposal facility that operates under the authority of a permit issued by the Colorado River Basin Regional Water Quality Control Board. Currently, there are two (2 facilities in Imperial County that accept septage for further treatment and disposal: the Holtville Wastewater Treatment Plant (WWTP) and the Seeley County ~~Wastewater Treatment Plant~~WWTP. Volume estimates obtained for septage received at these facilities during 2020 was approximately 2.73 million gallons, which accounted for an estimated 0.68% of the total permitted wastewater volume for these facilities. Sufficient local capacity to manage the treatment of septage volumes

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generated from OWTS currently exists in Imperial County. It should be noted that these WWTP facilities temporarily halt the acceptance of septage from septage haulers due to elevated chemical detections in their plant discharge. This could be attributed to the distribution of the septage at only two facilities, along with the chemical strength associated with septage waste.

As septage is transported as a liquid waste, there are currently no solid waste landfill facilities that are permitted to accept this waste for disposal in Imperial County.[8] However, dewatered sewage sludge from wastewater treatment plants may be disposed of at either the Imperial Landfill or the Salton City Solid Waste Site.

[8] The South Yuma County Landfill in Arizona may be authorized to receive non-hazardous liquid wastes (including septic or sewage wastes) for disposal at its liquid solidification process facility.

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Section X Education & Training

Proper operation and maintenance of an on-site wastewater treatment system is critical for environmental and public health protection by ensuring that deleterious impacts associated with failing or poorly designed and installed OWTS are minimized. While an on-site wastewater treatment system is a significant long term investment for a private property owner or commercial business, insufficient education is often available for system owners. Education and outreach is necessary to ensure that residents are equipped with a service manual informing them how to properly maintain and operate their OWTS for years to come. Additionally, ongoing training will be offered to service professionals to improve industry standards when conducting OWTS maintenance and/or when troubleshooting problems that may arise with existing systems.

Education

Unlike centralized sewer systems that employ certified operators to oversee day-to-day operations, OWTS owners need to be sufficiently informed about how to locate, operate, and maintain their system to keep it functioning as designed since they are tasked to be the ~~day-to-day~~day-to-day operators of their onsite wastewater treatment system. Proper operation and preventative maintenance is essential to avoid unanticipated failures, expensive repairs, or conditions where sewage is being improperly treated prior to its discharge to surface or groundwaters. OWTS owners should not, for example, introduce strong chemicals into the system for the purpose of system cleaning, use additives that are not approved by the State, or dispose of more sewage or other wastewater into an OWTS than it is designed to accommodate. Moreover, OWTS owners should protect the dispersal system and replacement area from impervious cover, stormwater drainage, flood irrigation, soil compaction or vehicular traffic. A licensed sewage pumper should be employed to remove septage from the septic tank when the level of solids and scum indicates that removal is necessary (or approximately every 3-5 years for a family of four).

While this information is commonly available through many public resources, it is the intent of the County to provide new OWTS owners with a basic service manual to guide them on how to operate their new on-site wastewater treatment plant from day one. For those OWTS incorporating alternative treatment or dispersal field components designed by a qualified professional, the design must include a ~~site specific~~site-specific operation and maintenance manual for the owner of an alternative OWTS.

Training

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In some instances, supplemental treatment may be required based on soil or groundwater conditions at the property, or due to inadequate setbacks to drinking water supplies. The use of these systems will require an annual operating permit with specific service schedules by a qualified provider. To ensure that local OWTS service providers are sufficiently trained to conduct ongoing system maintenance, telemetric monitoring, reporting, and quarterly sampling of wastewater effluent, the Division, in consultation with the RWQCB, will develop and implement a local certification program. Training will also be made available, when possible, to commercial OWTS installers, designers, and homeowners through partnering nonprofit organizations, such as the California Onsite Wastewater Association, Rural Community Assistance Corporation, or others that may be sponsored by the State Water Resources Control Board. An emphasis of the trainings will be placed on OWTS troubleshooting to ensure that system deficiencies are detected early so that preventative maintenance or corrective actions can be taken to reduce treatment failures.

Technical Advisory Committee

As alternative dispersal and treatment technology options will continue to change with further advancements in small scale wastewater treatment, the Division has established a technical advisory committee to review and recommend revisions for adopted technical standards in response to these OWTS advances. The technical advisory committee consists of industry professionals selected by the Division based on experience, training, and knowledge of on-site wastewater treatment system technology. This ad hoc committee will also review technical standards and policies that have been adopted by the Department at least every five ~~years, and~~years and submit any recommended changes to the County for incorporation into the next LAMP update.

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Section XI Enforcement

It will be the duty of the local Health Officer or Department Director, as the Administrative Officer, to enforce the provisions of this LAMP as codified in County Ordinance. While public education and coordination with other county departments on the permitting of proposed building projects has lessened the need for direct enforcement action, there are situations encountered that serve as an immediate threat to public health and safety. Enforcement procedures have been developed to provide an owner ample opportunity to comply with local ordinance or State regulations with respect to OWTS provisions. However, the Department has also developed enforcement tools for a quick response when immediate or potentially injurious health or damaging environmental impacts are identified. The circumstances or conditions that would result in the initiation of enforcement activities are described in this section.

Violation of OWTS Provisions

County Ordinance requires that a permit be obtained prior to construction, alteration or modification, expansion, repair, or abandonment of an OWTS. It further states that it is unlawful to cover, conceal, or place into use any OWTS or part thereof without first having obtained an inspection and final approval from the Division. Should the County be made aware or discover such work without a permit, a cease and desist (or stop work) order is issued to the property owner directing that all work cease and that the appropriate permit be obtained. An OWTS that was installed, modified, repaired or abandoned without permit has no legal standing, and it will be the responsibility of the owner to make any modifications necessary to meet the requirements of this LAMP, including the submittal of an application and supporting documents (i.e. percolation test, design, etc). A violation of a stop work order or a failure to correct unauthorized construction is subject to a citation as provided for in Imperial County Ordinance, Section 8.80.270.

Citation Authority

The Health Officer, and any qualified designee, shall have authority to issue citations for violations of Chapter 8.80 of the Imperial County Codified Ordinances against any person, firm or corporation that is in violation of this OWTS ordinance to effect compliance with these standards. Any person who violates or fails to comply with any provision of this Chapter shall be guilty of an infraction punishable by a fine not to exceed two hundred fifty dollars ($250.00). A second or subsequent violation is a misdemeanor punishable by imprisonment in county jail for not more than six months and by a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00).

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Notwithstanding these provisions, any disposition of a violation resulting in an immediate or potential health hazard shall not absolve a person from correcting or abating the violation immediately, and shall not prevent the Health Officer or the County from pursuing criminal prosecution, other civil action, including, but not limited to, injunctive relief, registration revocation, and immediate abatement, or all of the above.

Appeal Hearing

Any person aggrieved by an action taken by the Division pertaining to the processing, issuance, suspension, or revocation of permits, or the issuance of stop work orders may request an administrative hearing before a hearing officer. The timelines and procedures of such a hearing have been established in County Ordinance.

Furthermore, individuals requesting a ~~site-specific~~site-specific waiver from local OWTS requirements may petition the Health Officer to grant a special permit or variance to these standards, provided that the waiver does not create a potential health hazard and is consistent with the purpose of this LAMP. If the Health Officer determines that a waiver is not consistent with the purpose of County Ordinance and may result in a violation of the State Policy, no waiver will be ~~issued~~issued, and the person will be directed to seek relief and/or applicable permitting by the applicable Regional Water Board for the discharge.

Financial Assistance

While it is not anticipated that this LAMP will cause undue financial hardship on private property owners to comply with the State Policy or the local alternative standards developed herein, the County may seek to establish a low interest loan program and/or refer owners to outside agencies that may provide direct financial assistance with funds from the Clean Water State Revolving Fund consistent with Section 14.0 of the State Policy. The details of any such local assistance program will be provided as an update to the LAMP program upon adoption by the County.

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Section XII Program Administration

In accordance with Section 9.3 of the State Policy, this Local Agency Management Program outlines the responsibilities of administering the program. The liquid waste program is located under the Environmental Health Services section of the Division of Environmental Health. Staff assigned to this section report to the Environmental Health Services Manager, who in turn reports to the Deputy Director of the Division.

With the adoption of a Local Agency Management Program, the Division must also account for additional program requirements that will be newly implemented upon its adoption. Specifically, the Division anticipates that an increase in technical staff time will be necessary for each permit application to review design and soils characterization reports, conduct permit tracking and reporting for the RWQCB, and implement the ongoing regulatory oversight duties of the Advanced Protection Management Program. To evaluate programmatic and fiscal needs for local implementation of this program, the current time accounting system through Envision Connect will be maintained. For time accounting purposes, all staff assigned to the liquid waste program complete Daily Activity Reports (DARs) in Envision Connect that detail the tasks performed by an individual and the time spent on each of these tasks during a workday. The DAR entry codes identify the particular program, the permit or project, the activity or type of work performed, and the time spent by the Environmental Health Compliance Specialist performing the specific activity.

Based on the estimated increase in time necessary for implementing the LAMP, the Division anticipates increasing the minimum staffing to 1.0 FTE person to accommodate the additional responsibilities. However, the workload and staffing may be shifted and/or shared between equivalent Environmental Health technical program staff depending on program needs.

State Reporting

The Division fully intends to submit an annual report to the Colorado Regional Water Quality Control Board as required by Sections 3.3 and 9.3 of the Policy. The annual report will be provided to the RWQCB no later than February 1st of each ~~year. and~~year and will include the preceding reporting period of January 1st to December 31st. The annual report will include the information requested in the State Policy, as summarized below:

- the number and location of OWTS related complaints, including a description of the Division response to resolve any justified complaints;

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- a summary report of the registered septage hauler permits issued for the calendar year;
- the number, address location, and type of OWTS permit issued by the Division (i.e. new, repair, alteration, replacement, or abandonment);
- the number, address location, and type of OWTS permit issued by the Division where a variance is granted to the minimum county standards;
- the number and address location of OWTS permitted with supplemental treatment under the Advanced Protection Management Program for areas of special concern; and
- water quality testing results from private and public water systems compiled as part of the local Groundwater Ambient Monitoring and Assessment Program for the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifer areas of special groundwater concern as described in Section VI.

As the groundwater in the Coyote Wells Aquifer and the Lower Colorado River Basin Aquifer are utilized as primary sources for drinking water, the Division will also submit every fifth year an evaluation of the monitoring program for these Areas of Special Concern, along with an assessment of whether water quality is being impacted by OWTS. If groundwater quality impacts or impairments are identified, the report will also identify modifications that may be necessary in the Local Agency Management Program to address these impairments.

The summary of groundwater monitoring data compiled as part of the Groundwater Ambient Monitoring and Assessment Program will not be submitted in an electronic deliverable format (EDF) for inclusion into the State Water Resource Control Board's (SWRCB) Geotracker System as the Division does not currently have the software capabilities to electronically report the data at this time. The Division will, however, continue to direct public water systems within these groundwater Areas of Special Concern to submit all required groundwater sample results through electronic data transfer (EDT) to the SWRCB's Division of Drinking Water Program, which is data that is also directly accessible by the RWQCB.

LAMP Revisions

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It is likely that modifications to this Local Agency Management Program may need to be made in the future based on a variety of factors, including, but not limited to:

- Updates to the Advanced Protection Management Program based on the adoption of a TMDL implementation plan by the RWQCB;
- A modification to the Clean Water Act 303(d) list of impaired water bodies for nitrogen or pathogens that are located within Imperial County;
- Revisions to the minimum OWTS standards within Areas of Special Concern based on the results of the ongoing Groundwater Ambient Monitoring and Assessment Program; or the
- Adoption of revised technical standards for OWTS with supplemental treatment.

If, at any time, the Division proposes to modify the approved LAMP, it will provide to the State Water Board and the Colorado River Basin Regional Water Quality Control Board written notice of its intended modifications. As required, Imperial County would continue to implement its existing Local Agency Management Program until such modifications are approved.

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Appendices

APPENDIX A SWRCB Onsite Wastewater Treatment System Policy (June 2012)

APPENDIX B Imperial County Ordinance No. 1516

APPENDIX C Pressure Distribution Standards (February 2012)

~~**APPENDIX D Imperial County OWTS Permit Application Guidance and Forms**~~

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Agency Links

Bureau of Land Management	https://www.blm.gov/office/el-centro-field-office~~http://www.blm.gov/ca/st/en/fo/elcentro.html~~
City of Calexico Utility Services	www.calexico.ca.gov/
City of Holtville Public Works	www.holtville.ca.gov/
Coachella Valley Water District	http://www.cvwd.org/
County of Imperial	www.~~co.imperial.ca.us~~imperialcounty.org
Imperial Irrigation District	www.iid.com
Imperial County Planning & Development Services	http://www.icpds.com/
Imperial County Public Health	http://www.icphd.org/
Local Agency Formation Commission	http://www.iclafco.com/
Palo Verde County Water District	Tel: 760-854-3530
Regional Water Quality Control Board, Colorado River	http://www.waterboards.ca.gov/coloradoriver/
Salton City Community Services District	http://www.saltoncsd.ca.gov/
Seeley County Water District	https://seeleycountywaterdistrict.wordpress.com/
State Water Resources Control Board	http://www.waterboards.ca.gov/
U.S. Department of Housing and Urban Development	http://portal.hud.gov/hudportal/HUD

Field Code Changed