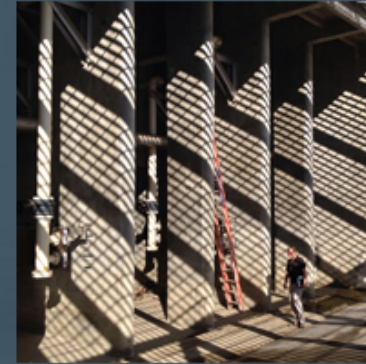
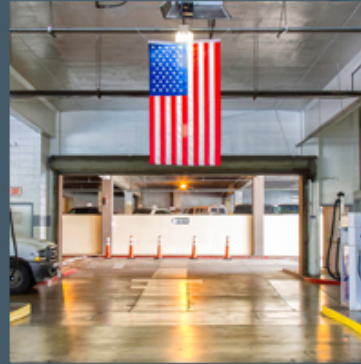


Onsite Wastewater Treatment Systems (OWTS): Local Agency Management Program, County of Orange



March 29, 2019

Meeting Agenda

- Meeting objectives
- State OWTS Policy
 - Management tiers - review
- Local Agency Management Program (LAMP)
 - Why and what it does
 - County's proposed LAMP
- Features of proposed County ordinance required for LAMP
- Schedule for public comment and final adoption by Regional Board



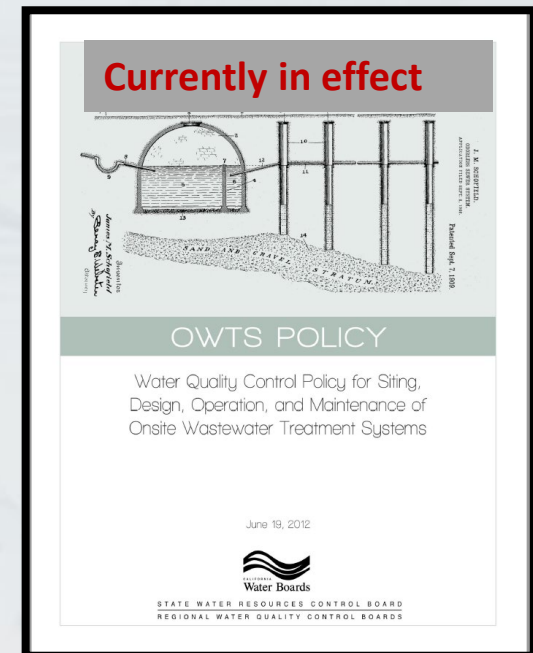
Meeting Objectives

- Discuss LAMP guidance: intended to address site-specific issues through a more flexible OWTS policy
- Provide update on LAMP & ordinance
 - Review critical sections of each document
- Discuss comments from ICL
- Ensure understanding of schedule:
 - Public comment period
 - Approval by Regional Board



State OWTS Policy

- It regulates management of OWTS for new installations and replacements
- Tiered approach that applies statewide
- **BUT**, it recognizes the effectiveness of local permitting agencies
- Effective date of May 2013



State OWTS Policy - Tiers

- **Tier 0 – Existing OWTS**
 - Routine operation and maintenance
 - No corrective action needed
 - Not near impaired waterbody
 - Continues to operate in compliance with previously permitted conditions
 - Max flow rate of 10,000 gallons/day
 - No application of LAMP or State Policy
- **Tier 1 – Low Risk New or Replacement OWTS**
 - Establishes a prescriptive set of siting & design standards for new and replacement OWTS
 - Applies when LAMP is not in place
 - Max flow rate is 3,500 gallons/day



State OWTS Policy - Tiers

- Tier 2 – LAMP for New or Replacement OWTS
 - Allows for compliance via more flexible siting and design standards by local agency
 - These requirements may differ from Tier 1 standards
 - Max flow rate of 10,000 gallons/day
 - LAMP must be adopted by Regional Board
- Does not apply to existing OWTS that are properly functioning
- So, how does the LAMP define new, replacement, or existing OWTS?



Definitions

- **New**: Refers to an OWTS permitted after the effective date of the LAMP, and only applies where a system did not previously exist.
- **Replacement**: Means an OWTS that has its treatment capacity expanded, or its dispersal system replaced or added onto, after the effective date of the LAMP.
- **Existing**: Shall mean either an OWTS that was permitted, constructed and operational prior to LAMP adoption, and not in OWTS failure; or a valid construction permit has been issued prior to LAMP adoption.
- **Maintenance**: shall mean repair, up to and including the replacement of the existing OWTS tank which maintains the existing treatment capacity. Modifications to the existing dispersal system will be considered maintenance provided that 100% of the existing dispersal system is not replaced or the system added onto. However, maintenance or repair activities for existing OWTS are still subject to any construction permit requirements established for such purpose by the Department.



State OWTS Policy - Tiers

- Tier 3 – Existing, new, or replacement systems near impaired waterbodies
 - Must be designed or managed in accordance with TMDL, or Special Provisions (Advanced Protection Management Program [APMP])
 - If Silverado Creek were to be re-listed, OWTS along the creek would be managed under Tier 3
- Tier 4 – OWTS Requiring Corrective Action
 - Systems that are not functioning properly
 - Systems revert to Tiers 0-3 after function is restored



How Does a LAMP Differ from State Policy?

- Allows for compliance using standards different from Tier 1:
 - System design requirements
 - Siting controls (e.g., system density, setbacks)
- LAMP must be submitted for approval to the Regional Board
 - Santa Ana (lead) and San Diego RBs
 - Managed locally (County of Orange)
 - Continue to protect water quality and public health
 - Standards are unique to characteristics of local area



County's LAMP Provides:

- Reduced minimum lot size for new and replacement systems
 - Allow for provisions of local planning documents to supersede
- No minimum lot size requirement (1 acre) for parcels sub-divided prior to LAMP effective date
- Ground slope max of 30%
- Includes a variance process



County's LAMP – Critical Sections

- Most importantly: Existing OWTS not impacted if maintained
- Minimum Standards for New or Replacement OWTS (LAMP Section 4):
 - Limits to Parcel Size (Minimum Lot Size Requirement)
 - Permitting
 - Installation and Inspection
 - Variance Procedures

Local Agency Management Program for
Onsite Wastewater Treatment Systems
(OWTS) in Unincorporated Orange
County

ORANGE COUNTY
 Public Works

Orange County, California

Prepared by: 
Consulting Engineers and Scientists



Critical Requirements of LAMP & When Applied

Type of OWTS	Lot Size	Maximum Slope	Minimum Setbacks	Variance Available	Annual Operating Permit	Annual Maintenance & Inspection
Existing	N/A	N/A	N/A	N/A	No	Yes ¹
Parcels sub-divided prior to LAMP effective date						
New/Replacement	0.5 ² / 2.5 ³	30%	Table 6 (LAMP)	Yes ⁴	Yes	Yes
Parcels sub-divided post LAMP effective date						
New/Replacement	1.0	30%	Table 6 (LAMP)	Yes ⁴	Yes	Yes

¹Recommended, not required. Helps to ensure current (Tier 0) status is maintained.

²Prior to State effective date.

³From 2013 – present.

⁴If minimum requirements of LAMP cannot be achieved.

County's OWTS Ordinance: Table of Contents

- Article 1. General Provisions
- Article 2. Requirements for New and Replacement OWTS
- Article 3. Operating Requirements for New and Replacement OWTS
- Article 4. Enforcement
- Article 5. Miscellaneous (general provisions)
- Article 6. Judicial Review



County's OWTS Ordinance: General Overview

- New and replacement systems will require annual operating permits
- Existing systems do not become part of the OWTS program, unless capacity is expanded
- **It shall be unlawful to operate a failing system – applies to all OWTS**
 - Annual inspections are recommended
 - Inspections will help to avoid regulatory implications of a failing system which could potentially trigger requirements of LAMP



County's OWTS Ordinance: Proposed Fee Schedule

- New OWTS installation:
 - \$750 for new construction (excludes grading permit, if required)
 - Construction permit will serve as annual operating permit for first year
- Annual Operating Permit:
 - Deposit \$150 to cover time and materials for permit processing
 - County may later adopt set fee based on data regarding permit processing costs



Path Forward - 2019



QUESTIONS?