

OWTS Policy Section	OWTS Policy Section Summary	OWTS Policy Requirement Summary	Relevant LAMP Section & Page(s)	Technical Standards (TS) Section & Page(s)	Comments
		Purpose of LAMP	Introduction (pg. 1)		Although not required to be part of the LAMP, the introduction section(s) should describe how the purpose of the Mendocino County LAMP is to provides alternate OWTS standards from those identified in Tier 1 of the SWRCB OWTS Policy. These alternate standards will be used to manage the installation of new and replacement OWTS in Mendocino County by addressing local conditions.
2	OWTS Owners' Responsibilities and Duties	OWTS Owners' Responsibilities and Duties	§ 2.0 OWTS Owners and Responsibilities (pg. 1-2).		Good idea to inform owners of OWTS what their responsibilities are pursuant to the OWTS Policy, even though this section is not required to be part of the LAMP.
3	Local Agency Requirements and Responsibilities	Local Agency Requirements and Responsibilities	§ 3.2 Local Agency Monitoring and Reporting Responsibilities (pg. 2-3). § 9.2 Type of OWTS covered (pg. 7)		The layout/formatting of Part 3 is different then other sections of the LAMP. The initial paragraph of section 3.2 only identifies the LA's monitoring and reporting responsibilities. It would be beneficial to include in this section that the LA is also responsible for developing, implementing and administering the LAMP, in addition to providing data to the RWB on the success of the LAMP in protecting water quality and public health. Additionally, the description of the general types of new or replacement OWTS subject to the requirements of the LAMP should identify the following: 1.) OWTS that accept and treat flows of less than 10,000 gallons per day of domestic wastewater; 2.) OWTS that accept and treat flows of less than 10,000 gpd of high strength wastewater from commercial food establishments, where the wastewater does not exceed 900 mg/l of BOD and there is a properly sized and functioning oil/grease interceptor. It would also be beneficial to clarify that owners of OWTS not subject to the LAMP (not 1 or 2) are required to submit a Report of Waste Discharge to the Regional Water Board. Please include additional information on how OWTS serving mobile home parks will be subject to the LAMP. The additional information should include whether new or replacement OWTS serving mobile home parks (MHPs) and special occupancy parks (SOPs) (?) such as RV parks and Tent camps, that are regulated by the California Department of Housing and Community Development (CDHCD) and accept and treat flows of less than 10,000 gpd of domestic wastewater may be subject to the LAMP. Explain how EH staff will notify the owner of the OWTS, CDHCD, and the Regional Water Board of those specific MHPs and SOPs with new or replacement OWTS that will not be subject to the Mendocino County LAMP. Perhaps MHPs and SOPs with new or replacement OWTS of a certain flow volume or less will be subject to the LAMP while those that exceed that flow volume (5,000 gpd?) will be assessed on an individual basis by MC EH staff for LAMP applicability vs oversight by the Regional Water Board? It would be good to identify how existing OWTS serving MHPs and SOPs will be handled/overseen in Mendocino County. Will these OWTS be considered Tier 0 OWTS? Please see the attached comments from Division of Drinking Water.
3.3	Annual Report	Local Agency prepares and submits to Water Board, Annual Report. If multiple Water Boards, send to each. Include information in OWTS Policy section 3.3.1 through 3.3.3, in tabular spreadsheet form. And note whether any further actions were warranted to protect water quality.	§ 3.2 (pg. 2); § 3.2.4 (pg. 3); § 9.3.3		Include that the annual report shall summarize whether any further actions are warranted to protect water quality or public health. Additionally, identify that the water quality assessment data included every fifth year with the annual report, is in accordance with section 9.3.2 of the OWTS Policy.
3.3.1	Annual Report- Complaints	Complaints about Onsite Wastewater Treatment Systems (OWTS) operations and Maintenance (O&M). Number and locations. Note if investigated, and resolutions.	§ 3.2 (pg. 2); § 3.2.4 (pg. 3); § 9.1.11 (pg. 6); § 9.3.3		Satisfactory
3.3.2	Annual Report- Septic Tank Cleaning	Applications and registrations issued as part of the local septic tank cleaning registration pursuant to California Health and Safety Code (H&S) §117400 et seq.	§ 3.2 (pg. 2); § 3.2.4 (pg. 3); 9.2.6 (pg. 8)		Satisfactory
3.3.3	Annual Report- Permits Issued - New	Permits issued for new and replacement OWTS. Number, location, description.	§ 3.2 (pg. 2); § 3.2.2 (pg. 3); § 3.2.4 (pg. 3); § 9.3.3		Satisfactory (see comment 9.2.1 regarding Alternative Treatment Systems/Non-Standard Systems/Innovative Systems/Supplemental Treatment Systems)

3.4	Permanent Records of Permit Actions	Local Agency shall retain permanent records of permit actions. Make records available to Water Board in 10 work days with written request.	§ 3.2.2 (pg. 3)		Satisfactory
3.5	Notification of Failing OWTS to Municipal Water Suppliers	Local Agency shall notify owner of public well or water intake, and California Department of Public Health (CDPH), within 72 hours, of discovery of failing OWTS, described in section 11.1 and 11.2 (major repair) within setbacks stated in section 7.5.6. through 7.5.10.			Not addressed. Needs to be included in LAMP.
6.0	Coverage for Tier 0 (Existing OWTS)	Section 6.0 describes the conditions for coverage for existing OWTS under Tier 0	§ 2.0 (pg. 1-2)		The LAMP informs owners of all OWTS (including existing Tier 0 OWTS) of their responsibilities under the OWTS Policy in section 2.0. Consider adding a section to the draft LAMP that identifies the types of existing OWTS covered by Tier 0 of the OWTS Policy (6.0) and the requirements that must be met to be automatically covered by Tier 0 and the conditional waiver of waste discharge requirements.
9.0	LAMP for Minimum OWTS Standards	Introduction narrative advising that a LAMP may establish minimum standards different than specified in Tier 1. No specific requirement in this section.	Introduction (pg. 1) and the Regulation of OWTS & Public Education and Outreach section of other 3 page Introduction document (pg 3)		Please clarify how the LAMP provides an alternative to Tier 1 and how the entire OWTS Policy applies to OWTS located in Mendocino County, including Tier 0, 3 and 4. The LAMP should specifically describe any additional or enhanced siting or design standards, beyond those listed in Tier 1, that are required to protect water quality or public health when the conditions in sections 9.1.1-9.1.7 are present or suspected. The introduction should reflect that an approved LAMP is not equivalent to a "conditional Waiver of Waste Discharge Requirements", rather that discharges from OWTS that comply with the OWTS Policy, including those subject to the LAMP (Tier 2), are authorized through coverage under a conditional waiver of waste discharge requirements. Additionally it would be good to reference that the LAMP and OWTS Policy only authorize subsurface disposal of domestic strength wastewater and in limited instances high strength wastewater generated by a commercial food service building. Industrial wastewater discharges are not authorized per the LAMP or OWTS Policy and require authorization to discharge by the Regional Water Board.
9.1	Considerations for LAMPs	Section 9.1 advises that various issues of concern shall be considered in developing a LAMP. Sections 9.1.1 through 9.1.12 identify selected issues of concern. The requirement is to consider these issues in the course of developing the LAMP.	Introduction (pg. 1) and Regulation of OWTS & Public Education and Outreach section of other 3 page Introduction document (pg 3)		The introduction should identify how the LAMP takes into account where different and/or additional requirements are needed to protect water quality from the conditions listed in 9.1.1 through 9.1.12 of the OWTS Policy. Additionally, the introduction should identify how the water quality assessment program will address those areas in Mendocino County with characteristics listed in section 9.1 of the OWTS Policy.
9.1.1	Sensitive hydrogeological conditions	Degree of vulnerability to pollution from OWTS due to hydrogeological conditions.	Geographic Area section of other 3 page Introduction document (pg 2) and § 9.1.1 (pg 4)		The areas in Mendocino County that are vulnerable to pollution from OWTS due to hydrogeological conditions, such as high groundwater and/or shallow bedrock (along the coast line?) should be identified. Additionally, the requirements within the LAMP (beyond Tier 1 requirements) that will be met by OWTS in these sensitive areas in order to protect water quality should be identified. The water quality assessment program should be used to identify other potential hydrogeological vulnerable areas.
9.1.2	Conditions where enhanced protection is needed, e.g., high quality water	High quality waters or other environmental conditions requiring enhanced protection from the effects of OWTS.	§ 9.1.2 (pg 4)		Add a section describing the need to protect areas within Mendocino County with high quality waters or other environmental conditions from the effects of OWTS through the implementation of enhanced protection measures/requirements. Consider identifying in the LAMP the Areas of Special Biological Significance (King Range ASBS, Jughandle Cove (Pygmy Forest) ASBS, Saunders Reef ASBS), and California Marine Protected Areas that are located in Mendocino County.

9.1.3	Shallow soil requiring non-standard dispersal system	Shallow soils requiring a dispersal system installation that is closer to ground surface than is standard.	§ 9.1.3 (pg 4)	Part 3, 4.6 (pg 65)	Verify that the different or additional requirements when there are shallow soils and a dispersal system is installed closer to the ground surface is: 1.) the installation of an alternative or non-standard OWTS when slopes are >20% OR 2.) issuance of a variance for a standard OWTS and the need for 12" of soil cover (could include fill) when slopes are <20%. Define "shallow soils". Explain how the permitting of new or replacement OWTS, either standard or non-standard, in areas where the disposal field has <3' of non-saturated soil for treatment is protective of water quality. Is it because supplemental treatment is required? Variances for shallow soil have been granted in several areas of Mendocino County including but not limited to, Ukiah, Redwood Valley, Willits, Potter Valley, Boonville, Philo, Covelo, Fort Bragg, Branscom, Mendocino, Point Arena, Elk, Comptche, and Laytonville. Perhaps the water quality assessment report could identify these variance issued areas and discuss whether water quality issues are present. Consider identifying the types of alternative or non-standard OWTS required to mitigate for shallow soils.
9.1.4	High domestic well use areas	OWTS located in area with high domestic well usage.	§ 9.1.4 (pg 5)		The draft LAMP doesn't address whether there are special considerations given for new or replacement OWTS that are unique to high domestic well usage areas. The draft LAMP states that if high domestic well usage areas are identified then these areas will be further studied when there is a high incidence of dispersal system failures reported in this same area. Perhaps new or replacement OWTS proposed in high domestic well usage areas should have to meet well setback distances, no variances will be given in these areas, in order to ensure public health and water quality are protected?
9.1.5	Fractured bedrock	Dispersal system is located in an area with fractured bedrock.	§ 9.1.5 (pg 5)		The draft LAMP identifies the need for a site evaluation by a qualified professional, the need for an alternative treatment (non-standard) OWTS if shallow soil due to fractured bedrock, and a minimum of 2' of acceptable soil between the dispersal area and fractured bedrock. Please clarify that the use of disposal areas with less than 2' of adequate soil due to the presence of fractured bedrock are prohibited and no variances will be granted. Explain how the permitting of alternative treatment system OWTS utilizing disposal fields with only 2' of soil separating the discharge from the fractured bedrock is protective of water quality.
9.1.6	Poorly drained soil	Dispersal system is located in an area with poorly drained soils.	§ 9.1.6 (pg 5)		The draft LAMP identifies the need for a site evaluation by a qualified professional, the need for an alternative dispersal system (non-standard), and a minimum of 2' of soil between the dispersal area and the poorly drained soils. Please clarify that the use of disposal areas, even with alternative dispersal systems, that have less than 2' of soil due to the presence of poorly drained soils are prohibited and no variances will be granted. Explain how the permitting of alternative dispersal system OWTS utilizing disposal fields with only 2' of soil separating the discharge from the poorly drained soil is protective of water quality and public health.
9.1.7	Vulnerable surface water	Surface water is vulnerable to pollution from OWTS.	§ 9.1.7 (pg 5)	Part 3 (pg 29)	The LAMP should address whether there are special considerations given for new or replacement OWTS that are unique to all areas with vulnerable surface waters, not only water supply reservoirs. Additional surface water bodies that may be vulnerable to OWTS include perennial and intermittent watercourses, lakes, ponds, reservoirs, wetlands, vernal pools, wet meadows, and seeps. This section should reference the surface water body setbacks established in the LAMP or TS (Table 4-1?) and describe when variances to these setbacks will be allowed. Explain how the permitting of OWTS outside and possibly inside (with a variance?) the setback distances will be protective of water quality and public health.
9.1.8	Impaired surface water body	Surface water within the watershed is listed as impaired for nitrogen or pathogens.	§ 9.1.8 (pg 5) and § 9.2.2 (pg 7)		See comments for section 10.3. In addition, the LAMP should identify the different or additional requirements when surface water in the watershed is listed as impaired for Nitrogen or Pathogens. Will variances to these requirements be allowed? Explain how the permitting of OWTS in these areas is protective of water quality and public health.
9.1.9	Area with high density of OWTS	OWTS is located in a area of high OWTS density.	§ 9.1.9 (pg 5-6)	Part-2, 2.5, 4.b.i (pg 23)	Identify any areas in Mendocino County with high OWTS density, where additional criteria may be required or considered for new or replacement OWTS, not necessarily only those areas of the County with chronic nitrate issues. Consider the following areas: Boonville, Talmage, Regina Heights, or South of the Noyo, etc. If no high OWTS density areas exists in Mendocino County this should be identified along with an explanation of what a high OWTS density area is (possibly areas exceeding the Tier 1 (Table 1) Allowable Average Densities per subdivision, 0.5 acres/single family dwelling unit (Average annual rainfall >40 in/yr)). If areas with high OWTS density are found to be existing in Mendocino County this section of the LAMP should explain how the permitting of new or replacement OWTS in these areas will be protective of water quality. Perhaps requiring a cumulative impact assessment for new development? Please identifying the section of the County Code that requires that density be considered for new developments. If a cumulative impact assessment is required as part of the site assessment for areas with high OWTS density this should be identified in the Technical Standards.
9.1.10	Parcel size and sensitive conditions.	A parcel's size, susceptibility to hydraulic mounding, organic or nitrogen loading, and whether there is sufficient area for OWTS expansion in case of failure.	§ 9.1.2 (pg 4) and § 9.1.10 (pg 6)		See above comment on section 9.1.9 of LAMP. While § 9.1.10 (C) of the LAMP meets the .5 acre (21,780 sq. ft.)/1 single family dwelling unit requirement cited in Tier 1 for areas with >40in/year rainfall § 9.1.10 (B) does not. § 9.1.10 (B) allows for a minimum lot size of 12,000 square feet for parcels where only a water supply or distribution system is provided, with no explanation as to how this variance from Tier 1 criteria is protective of water quality. A parcels size and its susceptibility to hydraulic mounding, organic or nitrogen loading should be addressed

9.1.11	Areas with multiple existing OWTS that predate standards	Geographic areas that are known to have multiple, existing OWTS predating any adopted standards of design and construction including cesspools.	§ 9.1.11 (pg 6)		Section 9.1.11 of the LAMP considers no specific geographic area in Mendocino County where multiple, existing OWTS predating adopted standards of design and construction exists, rather it recognizes that the these types of OWTS are dispersed throughout the County. The Basin Plan Policy was adopted in 1987, (Mendocino Code regarding OWTS were adopted earlier?) it would be beneficial to identify in this section of the LAMP any specific geographic areas in Mendocino County that were developed prior to 1987 (or the Mendocino OWTS Code) that still rely on OWTS for wastewater treatment and disposal. This section should also clarify that no additional requirements are required of predated OWTS, rather the failures of these older OWTS will be tracked, and assessed for possible future LAMP updates. Please clarify that all existing OWTS (those predating the Basin Plan Policy or Mendocino OWTS Code, and those installed after) will remain subject to Tier 0 "until or unless a failure occurs," whereupon corrective action will occur in accordance with Tier 4 of the OWTS Policy. Additionally, please clarify that OWTS in Tier 0 are allowed to continue in Tier 0 after the failure is corrected if the failure is of one of its components other than those failures covered in section 11.1 and 11.2 (i.e., pooling or surfacing effluent, backups, no percolation, and major structural failures). OWTS with failures consistent with section 11.1 and 11.2 are required to brought into compliance with the Tier 2 LAMP.
9.1.12	Areas with multiple existing OWTS systems within setbacks of section 7.5.	Geographic areas that are known to have multiple, existing OWTS located within either the pertinent setbacks listed in Section 7.5 of this Policy, or a setback that the local agency finds is appropriate for that area.	§ 9.1.12 (pg 6-7)	Part-2, 2.5 Variance Guidelines, A.6 Setback variances	§ 9.1.12 of the LAMP states there are no areas in Mendocino County known to have multiple, existing OWTS within LA setback requirements. Please clarify how this is known, perhaps the address files for existing OWTS were searched for setback variances and the results did not identify any specific geographic area with multiple variances issued. The section of the TS that discusses variances and the basis for variances, allows for variances of all of the setbacks cited in Table 4-1 (needs to be included in TS), as long as the variance request is substantiated by a qualified site evaluators report. The LAMP should explain how the issuance of these variances is protective of water quality. If multiple variances were found to have been given in a specific geographic area perhaps groundwater monitoring/assessment should be undertaken to confirm that these variances are not impacting water quality and/or additional supplemental treatment be required.
9.2	Scope of Coverage:	The LAMP shall describe scope of coverage. Such as maximum authorized flows, types of systems in the Program, Site evaluation, Siting, Design and Construction requirements. Section 9.2 also requires that the LAMP address each of the following issues, described in sections 9.2.1 through 9.2.13.	§ 9.2 introduction paragraph (page 7); § 9.4 Prohibitions (pg 12-14)		See above comment 9.0. Clarify in § 9.2 that the LAMP covers domestic residential, domestic commercial, and high strength commercial food service facility wastewater systems producing flows of 10,000 ppd or less. Clarify in § 9.2 that industrial wastewater systems and their discharges are not authorized per the LAMP or OWTS Policy and require authorization by the Regional Water Board. Also see comments 3.0 and 9.4.
9.2.1	Inspections, O&M, permits for repair of failing OWTS.	Requirements for inspection, monitoring, maintenance, and repairs. Also, Procedures for permitting replacements or repairs of failing OWTS.	§ 9.2.1 (pg 7), § 9.2.5 (pg 8), § 9.4.6 (pg 13)	Part 1, Part 2 (pg 17), 4.7 C). 2., Graywater (10 pg 45), Part 3 (pg 29), Part 4 (pg 54-55)	The relationship between a non-standard system, a supplemental treatment system and a system required to be in the Operational Permit Program should be explained/defined. Are all supplemental treatment systems considered non-standard treatment systems and are all non-standard treatment systems required to be under the Operational Permit Program? Are OWTS with flows greater than 1,500 gpd or high-strength OWTS from commercial food service buildings required to be under the Operational Permit Program? The references to high strength waste in the Technical Standards should identify that only high strength wastewater from commercial food service buildings are covered under the LAMP as per OWTS Policy (2.4 and 2.6.3 of Policy). The references to the old Regional Water Board Basin Plan <i>Policy on the Control of Water Quality with Respect to On-Site Waste Treatment and Disposal Practices</i> in the Technical Standards should be removed and if appropriate changed to the SWRCB OWTS Policy and/or the Regional Water Board Basin Plan's <i>On-Site Wastewater System Requirements</i> .
9.2.2	Special Provisions for specific impaired waters	Special provisions for OWTS in specified geographic areas near specific impaired surface water bodies listed for pathogens or nitrogen.	§ 9.2.2 (pg 7)		Section 9.2.2 (pg 7) of the LAMP references that a TMDL is in development and existing, new, and replaced OWTS located near the Russian River will be addressed with implementation of the TMDL. Please add that prior to the adoption of the TMDL, new or replacement OWTS located within 600 feet of the impaired water body must meet the applicable specific requirements of Tier 3 of the OWTS Policy.
9.2.3	LAMP Variance Procedures	For new installations and repairs in substantial conformance, to the greatest extent practicable. Variances not allowed for the requirements stated in Sections 9.4.1 through 9.4.9.	§ 9.2.3 (pg 8) and § 9.4.10 (pg 13-14)	Part 2 (pg 21) and (pg 26)	Section 9.4.10 of the LAMP should clearly state that variances are not allowed for requirements in sections 9.4 of the OWTS Policy. The Technical Standards need to be updated to reflect the specific prohibitions and allowed exceptions identified in Section 9.2 of the OWTS Policy.

9.2.4	Qualifications for Persons who Work on OWTS	Any educational, training, certification, and/or licensing requirements that will be required of OWTS service providers, site evaluators, designers, installers, pumpers, maintenance contractors, and any other person relating to OWTS activities.	§ 3.3.1 (pg. 3) Qualified Professionals; § 9.2.6 (pg. 8) Septage Pumpers;	TS Part 1 Site Evaluations - Qualified Professionals (pg. 6)	Satisfactory but should address the following inconsistency; section 9.2.4 states that the LAMP provides requirements for OWTS service providers, site evaluators, installers, maintenance contractors, and any other person relating to OWTS; however, section 3.3.1 only includes requirements for Qualified Professionals, or site evaluators, not service providers, installers, maintenance contractors or any other person relating to OWTS.
9.2.5	Education and Outreach for OWTS Owners	Education and/or outreach program including informational materials to inform OWTS Owners about how to locate, operate, and maintain their OWTS as well as any other Water Board order regarding OWTS restrictions within its jurisdiction.	§ 9.2.5		Satisfactory
9.2.6	Septage Disposal	Assessment of existing and proposed disposal locations for septage, volume and adequate capacity.	§ 9.2.6		Satisfactory but could add information on septage volume and capacity of existing septage disposal systems.
9.2.7	Maintenance Districts or Zones	Any consideration given to onsite maintenance districts or zones.	§ 9.2.7		Satisfactory. Please note that a maintenance district or zone does not necessarily apply to only community wastewater systems. A district or zone may oversee the operation and maintenance of individual OWTS in a particular area such as an area where a high number of variances have been granted and/or localized ground or surface water ha been impacted.
9.2.8	Regional Salt and Nutrient Management Plan (SNMP) consideration	Any consideration given to development and implementation of, or coordination with, Regional Salt and Nutrient Management Plans.	§ 9.2.8		Satisfactory.
9.2.9	Watershed Management Group coordination	Any consideration given to coordination with watershed management groups.	§ 9.2.9		Satisfactory.
9.2.10	Evaluate Sewer Systems Availability to New or Replacement OWTS	Procedures to evaluate proximity of sewer systems to new and replacement OWTS. (See also Section 9.4.9 which addresses public sewer availability).	§ 9.2.10	RTM § 4.2, HCC § 611-4	Satisfactory
9.2.11	Public Water System Notification	Procedures to notify owner of a public water system prior to issuing permit for an OWTS within 1,200 feet of an intake point for a surface water treatment plant, and with other qualifications. Or within a horizontal sanitary setback from a public well.	§ 3.5, § 9.2.11		Satisfactory
9.2.12	Dispersal Areas within Sanitary Setback of Public Well or Surface Water Intake	Procedures for a proposed OWTS dispersal area within horizontal sanitary setback of a public well or surface water intake point.	§ 9.2.12 (pg 9-10) and § 9.4.9 (pg 13)		Satisfactory. However final paragraph of section 9.1.12 of the LAMP should clearly state that the OWTS shall utilize supplemental treatment for pathogens, such as disinfection, and any other mitigation measures prescribed by Mendocino County Environmental Health. Additionally please identify that per section 4.2.1 of the Policy, OWTS in the Russian River Watershed are exempt from Tier 2 and will continue to be subject to the requirments within the Basin Plan <i>Policy on the Control of Water Quality with Respect to On-Site Waste Treatment and Disposal Practices Specific to the Russian River Watershed, Including the Laguna de Santa Rosa</i> , until the RR TMDL is adopted.
9.2.13	Cesspool Phase-Out	Plans to cease and desist uses of cesspools.	§ 9.2.3 (pg. 8) and § 9.2.13 (pg. 10)		Satisfactory
9.3	Minimum Local Agency Management Responsibilities:	Minimum responsibilities include sections 9.3.1 and 9.3.2	§ 3.2 (pg 2-3) and § 9.3 (pg. 10-12)		Satisfactory

9.3.1	Maintain Records	Maintain records of the number, location, and description of permits issued for OWTS where a <u>variance is granted</u> .	§ 9.3.1		Satisfactory
9.3.2	Maintain a Water Quality Assessment Program	Maintain a water quality assessment program, to determine the general <u>operation status</u> of OWTS and to evaluate the <u>impact</u> of OWTS discharges, and assess <u>extent</u> to which groundwater and local surface water quality may be adversely <u>impacted</u> . The focus of the assessment should be on areas with characteristics listed under Section 9.1. The assessment program will include monitoring and analysis of water quality data, complaints, variances, failures, and any information resulting from inspections. (Include monitoring data for nitrate and pathogens. May use information from other programs. Sections 9.3.2.1 through 9.3.2.9 describe some sources of monitoring data that may be used.	§ 3.2.3 (pg 3), § 9.3.2 (pg. 11), and § 9.3.3 (pg.12)		Satisfactory. Note that any changes made to the LAMP to address impacts identified in the Water Quality Assessment Report should be "proposed" changes that will be approved by the RWB.
9.3.2.1	Domestic Well Sampling	Random well samples from a domestic well sampling program.	§ 9.3.2 (page 11)		Satisfactory, as LAMP identifies domestic well sampling including new well development and states that may require sampling in the future. Consider domestic well sampling in areas where variances are regularly granted, for example south Fort Bragg area, or other <u>coastal areas with high groundwater</u> .
9.3.2.2	Routine Real Estate Transfer Samples	If performed and reported.	§ 9.3.2 (page 11)		Satisfactory, as LAMP identifies type of sampling even though LAMP does not plan to require sampling. Consider requiring domestic well sampling in areas where variances are regularly granted, for example south Fort Bragg area, or other coastal areas with high <u>groundwater</u> .
9.3.2.3	Public Water System Sampling reports	If done by local agency or another municipality responsible for the public system.	§ 3.2.3 (pg 3), § 9.3.2 (page 11)		Satisfactory. Please note because public drinking water wells typically pull from deep aquifers the available water monitoring data may not provide much insight into the impacts from OWTS that discharge to the shallow aquifer.
9.3.2.4	Water Quality reports for New Wells	If data are reported.	§ 9.3.2 (page 11)		Satisfactory, as LAMP identifies domestic well sampling including new well development and states that may require sampling in the future. Consider domestic well sampling in areas where variances are regularly granted, for example south Fort Bragg area, or other <u>coastal areas with high groundwater</u> .
9.3.2.5	Beach Water Quality Sampling	Beach Water Quality Sampling, per H&S Code §115885.	§ 9.3.2 (page 11)		Satisfactory
9.3.2.6	Receiving Water Sampling Related to NPDES Permits	Receiving Water Sampling performed as part of a National Pollutant Discharge Elimination System (NPDES) Permit.			The LAMP doesn't reference specific permit holders whose receiving water monitoring data may be used. Monitoring data for NPDES permittees can be found at https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/PublicReportEsmrAtGlanceServlet?inCommand=reset
9.3.2.7	Data contained in California Water Quality Assessment Database	Data contained in California Water Quality Assessment Database.			The LAMP doesn't reference the CIWQS database or monitoring data contained in it. Currently only NPDES permit holder data is available in CIWQS, see previous comment.
9.3.2.8	Groundwater Sampling Related to Waste Discharge Requirements	Groundwater Sampling performed as part of Waste Discharge Requirements.	§ 9.3.2 (page 11)		The LAMP references the GeoTracker database and the monitoring well sampling reports contained within it. Currently only cleanup site monitoring data is available in GeoTracker however WDR facilities monitoring data will be included in the future. Although the LAMP identifies monitoring well data being available in GeoTracker it does not mention including this data in the Annual Report or the Water Quality Assessment Report.

9.3.2.9	Groundwater data collected as part of GAMA Program	Groundwater data collected as part of groundwater Ambient Monitoring and Assessment (GAMA) Program and available in <u>Geotracker Database</u> .	§ 9.3.2 (page 11)		Because the currently available groundwater data in GAMA is for deep aquifers, this data may not provide much insight into the impacts from OWTS. A shallow well monitoring network would be more appropriate and could be developed as part of its Water Quality Assessment Program.
9.3..3	Annual Status Reports Covering 9.3.1 through 9.3.2	Annual Report to Water Board. Summarizing status of items 9.3.1 through 9.3.2. Due February 1st. Beginning one year after Regional Board approves LAMP. Every fifth year also include an evaluation report. Submit all groundwater monitoring data in Electronic Delivery Format (EDF) for Geotracker; submit all surface water data to CEDEN.	§ 9.3.2 (page 10-11), § 9.3.3 (page 11-12)		Satisfactory, but should clarify whether GAMA and GeoTracker data will be included in Annual Report. Additionally, clarify whether domestic well sampling (required per legislation) will be included in Annual Report. Need to identify that any groundwater monitoring data generated by Mendocino County shall be submitted in EDF format for inclusion into GeoTracker and surface water monitoring data will be submitted to CEDEN in a SWAMP comparable format (including ocean beach monitoring data).
9.4	Not Authorized in LAMP	Section 9.4.1 to 9.4.10 lists OWTS situations that are NOT allowed to be authorized in a LAMP.	§ 9.4 (pg 12-14)		Identified some but not all of the types of OWTS not allowed in a LAMP as per 9.4 of the OWTS Policy. Satisfactorily addressed the following: cesspools (OWTS Policy 9.4.1), surface discharge (OWTS Policy 9.4.3), decreased leaching area (OWTS Policy 9.4.5), supplemental treatment monitoring/inspecting (OWTS Policy 9.4.6); RV waste (OWTS Policy 9.4.7); The following need clarification: flows >10,000 (OWTS Policy 9.4.2), Slopes >30% (OWTS Policy 9.4.4), separation to groundwater (OWTS Policy 9.4.8), public sewer availability (OWTS Policy 9.4.9), setbacks (OWTS Policy 9.4.10), replacement OWTS setback exceptions (OWTS Policy 9.4.11), and new OWTS setback exceptions (OWTS Policy 9.4.12). See comments on specific prohibition sections below.
9.4.1	Cesspools	No cesspools of any kind or size.	§ 9.2.3 (pg. 8) and § 9.2.13 (pg. 10)		Satisfactory
9.4.2	Large Flows	OWTS with Projected Flow >10,000 gallons per day (gpd). (Requires referral to the Regional Water Quality Control Board	§ 2.6.2 (pg 2), § 3.2.1 (pg 3) and § 9.4.1 (pg 12)	Part 2 (pg 26)	LAMP satisfactorily addresses that flows exceeding 10,000 gpd are under the purview of the RWB and the OWTS owner needs to submit an ROWD. Section 9.4.1 which identifies that such OWTS are not subject to coverage under the LAMP should be reviewed for the following issues: Clarify that 10,000 is referring to 10,000 <u>Gallons Per Day</u> ; Clarify that OWTS shall be approved and permitted by the NCRWQCB; Define and clarify which types of Mobile Home Parks fall under the jurisdiction of the NCRWQCB (Ex: MHPs and SOPs with flows between 5,000 and 10,000 gpd?); Clarify what types of OWTS (rather than projects) will be referred to the NCRWQCB for permitting.
9.4.3	Surface discharges	OWTS effluent discharges above ground surface.	§ 9.4.5 (pg 13)		Satisfactory
9.4.4	Steep Slopes	OWTS installation on Slopes >30% without Registered Professional's Report.	§ 9.4.12 (page 14)		The LAMP should explicitly state that installations of new and replacement OWTS on slopes greater than 30 percent are prohibited without a slope stability report prepared by a registered professional.
9.4.5	Reduced Leach field area with Multiplier < 0.70	OWTS with decreased minimum leach field area for IAPMO-Certified Dispersal System with Multiplier <0.70. (IAPMO, International Association of Plumbing and Mechanical Officials.)	§ 9.4.11 (page 14)		Satisfactory
9.4.6	Supplemental Treatment without Monitoring and Inspection	OWTS with Supplemental Treatment without Monitoring and Inspection.	§ 9.4.6 (page 13)		Satisfactory
9.4.7	Significant Wastes from RV Holding Tanks	OWTS serving significant amount of wastes from RV Holding Tanks. ('Significant amounts' can be interpreted to mean amounts greater than incidental dumping, such that volume, frequency, overall strength, or chemical additives preclude definition as domestic wastewater; see Definitions in OWTS Policy.)	§ 9.4.7 (page 13)		Satisfactory for prohibiting RV waste OWTS. However LAMP should identify how new and replacement OWTS with significant RV holding tank wastewater will be handled by the County. The LAMP and Technical Standards should provide a definition of "non-significant amounts of RV waste" and at what point non-significant amounts become significant amounts of waste so that it is no longer domestic waste and is outside the jurisdiction of the LAMP.

9.4.8	Groundwater clearance encroachment	Bottom of OWTS dispersal systems cannot be less than 2 feet above groundwater, or bottom of seepage pits cannot be less than 10 feet above groundwater.	Not addressed		The LAMP should explicitly state that dispersal systems cannot be less than 2 feet above groundwater, or bottom of seepage pits cannot be less than 10 feet above groundwater.
9.4.9	OWTS where public sewer is available.	New and replacement OWTS cannot occur on any lot with available public sewers less than 200 feet from a building or exterior drainage facility (with conditional exceptions for certain repairs).	§ 9.4.8 (page 13)		Satisfactory for prohibiting OWTS within 200 feet of public sewers. However, clarify that the language in section 9.4.8 has the same meaning as the OWTS Policy prohibition (the pump station reference is confusing/unclear. If a pump station is required but it's not maintained by the sewer district then the OWTS will be allowed?).
9.4.10	OWTS with setbacks less than Minimum Setbacks:	The minimum setbacks discussed in this section all pertain to public water systems.	§ 9.4.10* (page 13). *There are two different § 9.4.10 in the LAMP.	Part 2 (pg. 24)	RWB Comment: Verify numbering structure of § 9.4.10 as there are 2 paragraphs listed as 9.4.10; Clarify that new, expanded or replacement OWTS with horizontal setbacks less than those identified in 9.4.10 of the OWTS Policy are prohibited except as provided in sections 9.4.11 and 9.4.12 of the OWTS Policy <u>and</u> Mendocino County Code ; Verify reference to County Code Table 13.28.040 (unable to find Table in online version of County code). Include Copy of Code Table in order to verify consistency between Table and OWTS Policy setbacks. Please see the attached comments from Division of Drinking Water.
9.4.10.1	Public Water Well if OWTS < 10 ft. deep.	If dispersal system is less than or equal to 10 feet deep, then setback from public water well less than 150 feet is not allowed.			Please see the attached comments from Division of Drinking Water.
9.4.10.2	Public Water Well if OWTS > 10 ft. deep.	If dispersal system is greater than 10 feet deep, then setback from public water well less than 200 feet is not allowed.			Please see the attached comments from Division of Drinking Water.
9.4.10.3	Public Water Well if OWTS > 20 feet deep and w/in 600 feet of the well.	If dispersal system is greater than 20 feet deep, and less than 600 feet from public water supply well, then the setback must be greater than the distance for two-year travel time of microbiological contaminants, as determined by qualified professional. In no case shall the setback be less than 200 feet.			Please see the attached comments from Division of Drinking Water.
9.4.10.4	Public Water System surface water intake structure w/in 1,200 feet.	If the dispersal system is less than 1,200' from public water system's surface water intake, within its drainage catchment, and potentially threatens an intake, then the setback must be greater than 400' from the high water mark of the surface water body.			Please see the attached comments from Division of Drinking Water.
9.4.10.5	Public Water System surface water intake structure > 1,200 feet, but < 2,000 feet.	If the dispersal system is greater than 1,200 feet, but less than 2,500 feet from public water system's surface water intake, within its drainage catchment, and potentially threatens an intake, then the setback must be greater than 200' from high water mark of surface water body.			Please see the attached comments from Division of Drinking Water.
9.4.11	Replacement OWTS That Do Not Meet 9.4.10 Minimum Setbacks	Replacement OWTS shall meet minimum horizontal setbacks to the maximum extent practicable.	§ 9.4.10* (page 13). *There are two different § 9.4.10 in the LAMP.		Satisfactory for requiring setbacks to be met to the greatest extent practicable. However section 9.4.12 of LAMP should be updated to include: the correct County Code citation (unable to find Chapter 13 in Mendocino Code that pertained to OWTS). Additionally should confirm that County Code Chapter 13 cites/references OWTS Policy §9.4.11 for set back exceptions for repaired OWTS.
9.4.12	New OWTS That Do Not Meet 9.4.10 Minimum Setbacks	New OWTS shall meet minimum horizontal setbacks to the maximum extent practicable, and meet requirements for pathogens as specified in Section 10.8. and any other Local Agency's prescribed mitigation measures	§ 9.4.9 (page 13)		Satisfactory for requiring setbacks to be met to the greatest extent practicable. However section 9.4.9 of LAMP should be updated to include: the OWTS Policy requirement to "utilize supplemental treatment for pathogens as specified in section10.8 of OWTS Policy and any other mitigation measures prescribed by....." or demonstrate how current language of LAMP § 9.4.9 reflects this requirement.

9.5	LAMP content	LAMP must include adequate detail and technical information to support how LAMP criteria protect water quality and public health.	§ 9.5 (page 14)		The LAMP including all technical documents includes adequate detail, to support how all the criteria in this local program work to protect water quality and public health.
10.1	Special provision area(s) and requirements	The geographic area for each water body's Advanced Protection Management Program is defined by the applicable TMDL, if one has been <u>approved</u>	§ 9.1.8 (pg 5) and § 9.2.2 (pg 7)	Part 3 (pg 55)	The LAMP should clarify that new or replacement OWTS (i.e., OWTS constructed or for which a construction permit has been issued after May 13, 2013) within 600 feet of an impaired water body must comply with all of the Tier 3 requirements until a TMDL is in effect or Special Provisions are <u>approved</u> .
10.2	OWTS Policy does not change Basin Plan prohibitions/conditions	Existing, new, and replacement OWTS that are near impaired water bodies and are covered by a Basin Plan prohibition must also comply with the terms of the prohibition, as provided in Section 2.1.			Not applicable
10.3	Special Provisions for specific impaired waters	In the absence of an adopted TMDL implementation plan, the requirements of an APMP will consist of any special provisions for the water body if any such provisions have been approved as part of a Local Agency Management Program	§ 9.2.2 (pg 7)		Section 9.2.2 (pg 7) of the LAMP references that a TMDL is in development and existing, new, and replaced OWTS located near the Russian River will be addressed with implementation of the TMDL. Need to add that because the TMDL and its implementation program have not yet been adopted by the RWB and SWRCB and there are no special provisions included in the LAMP, new or replacement OWTS within 600 feet of impaired water bodies must meet applicable specific requirements of Tier 3 of the OWTS Policy. See previous comment on 9.2.2
11.1	Corrective Action OWTS Failure (performance)	Any OWTS that has pooling effluent, discharges wastewater to the surface, or has wastewater backed up into plumbing fixtures, because its dispersal system is no longer adequately percolating the wastewater is deemed to be failing, no longer meeting its primary purpose to protect public health, and requires major repair, and as such the dispersal system must be replaced, repaired, or modified so as to return to proper function and comply with Tier 1, 2, or 3 as appropriate.	Not addressed	Part 3 (pg 54)	Need to include Requirements for OWTS requiring corrective action as per the OTWS Policy (Tier 4). Part 3, Repair Guidelines does not reference Tier 4 of the OWTS Policy or its specific requirements.
11.2	Corrective Action OWTS Failure (structural)	Any OWTS septic tank failure, such as a baffle failure or tank structural integrity failure such that either wastewater is exfiltrating or groundwater is infiltrating is deemed to be failing, no longer meeting its primary purpose to protect public health, and requires major repair, and as such shall require the septic tank to be brought into compliance with the requirements of Section 8 in Tier 1 or a Local Agency Management Program per Tier 2.	Not addressed	Part 3 (pg 54)	Part 3, Repair Guidelines does not reference Tier 4 of the OWTS Policy or its specific requirements.
11.3	Corrective Action OWTS Failure (component)	Any OWTS that has a failure of one of its components other than those covered by 11.1 and 11.2 above, such as a distribution box or broken piping connection, shall have that component repaired so as to return the OWTS to a proper functioning condition and return to Tier 0, 1, 2, or 3.	Not addressed		Part 3, Repair Guidelines does not reference Tier 4 of the OWTS Policy or its specific requirements.

11.4	Groundwater/Surface Water Impacts	Any OWTS 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 other public nuisance condition shall be modified or upgraded so as to abate its impact.	Not addressed		Need to include requirements for OWTS requiring corrective action as per the OTWS Policy (Tier 4). Part 3, Repair Guidelines does not reference Tier 4 of the OWTS Policy or its specific requirements.
11.6	Corrective Action Schedule	Owners of OWTS will address any corrective action requirement of Tier 4 as soon as is reasonably possible, and must comply with the time schedule of any corrective action notice received from a local agency or Regional Water Board, to retain coverage under this Policy.	Not addressed		Need to include requirements for OWTS requiring corrective action as per the OTWS Policy (Tier 4). Part 3, Repair Guidelines does not reference Tier 4 of the OWTS Policy or its specific requirements.
				Part 2 (pg 23 and 24) Setback Distances	Please see the attached comments from Division of Drinking Water.
				Part 3 (pg 30)	Commercial Units: This section indicates that systems treating more than 1500 gpd may require approval of the RWB and may require a cumulative impact study, including calculations for groundwater mounding, flow of nitrates, denitrification, deep percolation rates, and background nitrate rates. This appears to be a remnant of the old Basin Plan, which authorized the Regional Water Board to require a cumulative effect study for residential subdivisions, commercial establishments, and for OWTS receiving domestic wastewater in excess of 1,500 gpd. Under the LAMP, Mendocino County will have total responsibility for regulating OWTS with projected domestic flows under 10,000 gpd. The Regional Water Board retains the authority from the California Water Code to request information, like a cumulative effects study, from any person discharging or proposing to discharge waste. (CWC § 13267)
					Overall Comments
					LAMP formatting should be consistent throughout the document.
					Technical Standards needs formatting/editing.
					Review and remove references to conditions/requirements of old RWB Basin Plan Policy for On-site systems. Historical references may be appropriate to retain. The Basin Plan Policy is no longer in effect and has been replaced by the statewide OWTS Policy.

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