

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**BOARD ORDER NO. R6V-2004-0006
WDID NO. 6B141550001**

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS
BOARD ORDER NO. 6-85-004**

FOR

MESA COMMUNITY SERVICE DISTRICT

Inyo County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Discharger

The Mesa Community Service District (CSD) serves an area located on the east side of State Highway 395, approximately eight miles northwest of Bishop, and includes 145 lots on 250 acres. The Mesa CSD is located in the Upper Owens Subunit of the Owens Hydrologic Unit within the SW/4, S/2 of the NW/4 and W/2 of the SE/4 Section 23, T6S, R31E. For the purposes of this Regional Board Order (Order), the Mesa CSD is referred to as the "Discharger."

2. Facility

For the purposes of this Order, the individual lots within the Mesa CSD are referred to as the "Facility." Currently approximately 42 individual lots are developed out of 145 lots. Each occupied lot uses a septic system which discharges to a leach field. Leach fields located within the Bishop Tuff which do not have sufficient soil thickness to allow for percolation are constructed using a sand filter. The sand filters enhance nitrate removal while allowing for a reasonable percolation rate. The Bishop Tuff is a jointed, fractured, welded volcanic ash. The Bishop Tuff has low permeability where consolidated, but does allow for rapid water infiltration through joints and fractures.

3. History

In 1964 a Report of Waste Discharge was filed with the Regional Board for a 96-lot subdivision (Mesa Vista Estates) located northwest of Bishop. Although the Regional Board established Waste Discharge Requirements (WDRs) for the Mesa Vista Estates under Resolution No. 64-8, adopted on June 25, 1964, the subdivision as proposed was never developed. The land was subsequently resubdivided as it exists today. On November 21, 1978 the Mesa CSD was formed for the purpose of providing, in part, a public entity with the authority to provide wastewater disposal for the property owners in the area including the Mustang Mesa, Mesa Vista and Alta Vista subdivisions.

Prior to the adoption of the 1975 Basin Plan, Inyo County Health Department (ICHHD) reported that certain drinking water wells in the Mustang Mesa subdivision had been contaminated by fecal coliform bacteria. In response, the Regional Board included two prohibitions for the area in the 1975 Basin Plan regarding individual subsurface leaching disposal systems. The first prohibition states, in part, that the discharge from leaching and percolation systems installed after 1975 is prohibited. Exemptions to the prohibition were allowed and granted by the Executive Officer on a case-by-case basis. The second prohibition prohibited the discharge from leaching and percolation systems after 1985. Because of the geology of the Bishop Tuff, depth to ground water, substandard drinking water well construction and no community sewerage or drinking water supply, the individual wastewater disposal systems in the area presented a threat to the ground water quality. In response to the potential ground water quality impact and to enforce Basin Plan prohibitions, the Regional Board adopted WDRs for the Mesa CSD on February 8, 1985 in Board Order No. 6-85-004. The Order required alternate methods of wastewater disposal and monitoring of the discharge. The Order also prohibited the discharge of waste from leaching and percolation systems after January 1, 1988. Board Order No. 6-85-004 rescinded Resolution No. 64-8. Resolution No. 6-86-10, adopted on October 10, 1986 and approved by the State Board in March 1987, extended the deadline for the prohibition of waste disposal by leaching and percolation systems in the area to January 1, 1989. In 1991, the Regional Board held a workshop and considered results of an independent ground water study of the area. Based on the study results, the Regional Board determined that waste disposal by individual leaching and percolation systems could be protective of water quality in the area if properly designed and monitored to achieve compliance with water quality objectives. The Basin Plan prohibitions for the area were rescinded by the Regional Board in Resolution No. 6-91-42.

4. Reason for Action

The ICHHD submitted, on behalf of the Discharger, a request that the WDRs and the monitoring program (Board Order No. 6-85-004) be rescinded for the Mesa CSD based on lack of evidence of adverse water quality impact and the ability of the County to oversee the discharge from sewage disposal.

Since 1985 ground water samples have been collected by the Mesa CSD. The samples are collected on a semiannual basis and analyzed for nitrate as nitrogen and coliform count. Data from the last five years of sampling does not show impacts to water resources in the area from the septic systems due to nitrates or fecal coliform bacteria. Additionally, Inyo County worked with the Mesa CSD to develop alternate on-site disposal system designs that could be used by individual lot owners to reduce the impact of sewage disposal. Sand filter or similar systems are required in areas underlain by Bishop Tuff. Mesa CSD prepared the Mustang Mesa Wastewater Management Plan in July 1993 for the entire Mesa CSD area. The Wastewater Management Plan includes alternative septic system designs, well requirements, enforcement procedures, a monitoring program, and a maintenance program. The Mesa CSD and Inyo County entered into a Memorandum of Understanding (MOU) regarding septic systems for Mesa CSD. Inyo County has adequate regulations in place to control water well and septic system construction at the area and is capable of continued regulation of the Mesa CSD through site inspections and monitoring. The Regional Board and Inyo County entered into an MOU dated February 6, 1990, regarding oversight by the County of septic tank discharges and implementation of Basin Plan requirements.

Based on the information available, it is appropriate to rescind Board Order No. 6-85-004. Additional lots may be developed under Inyo County oversight in the Mesa CSD area provided the provisions regarding septic systems are met and monitoring data does not indicate adverse impacts to ground water.

5. Beneficial Uses

The beneficial uses of the ground water beneath the Mesa CSD are:

- a) municipal and domestic supply
- b) agricultural supply
- c) industrial service
- d) freshwater replenishment

6. California Environmental Quality Act Compliance

This action is being taken by this regulatory agency to rescind Order No. 6-85-004 issued pursuant to the California Water Code and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with Title 14, of the California Code of Regulations, Section 15321(a)(2).

7. Public Notice

The Regional Board has notified the Discharger and interested parties of its intent to rescind WDRs for this Facility. The Regional Board, in a public meeting, heard and considered all comments pertaining to this Order.

IT IS HEREBY ORDERED that Board Order No. 6-85-004 be rescinded.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on February 10, 2004.

HAROLD J. SINGER
EXECUTIVE OFFICER