

California Regional Water Quality Control Board
North Coast Region

Resolution No. R1-2007-0044
WDID NO. 1B07071RSON

Conditional Waiver of Waste Discharge Requirements
For
On-site Wastewater Treatment and Disposal System
at 6875 Timber Drive, Sebastopol

Sonoma County

- WHEREAS,** On April 24, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Report of Waste Discharge (ROWD) from Thomas Carreiro and Louis Caricato (hereinafter Dischargers) for an alternative on-site wastewater treatment and disposal system at 6875 Timber Drive in Sebastopol (APN 084-290-003). Additional information was received on May 15, 2007 and May 18, 2007 to complete the ROWD; and,
- WHEREAS,** This project involves the construction of a single family residence and individual on-site wastewater treatment and disposal system to treat a maximum of 240 gallons per day of domestic wastewater on a parcel within the Thomas Larkin Woods Subdivision (Unit 1) near Sebastopol; and
- WHEREAS,** The Thomas Larkin Woods Subdivision (Unit 1) is designated by Sonoma County as a Waiver Prohibition Area due to percolation rates faster than 5 minutes per inch, shallow depth to groundwater, seasonally high groundwater in the recharge area supplying the community water supply well, and excessive ground slopes that constrain the placement of buildings and sewage disposal systems. According to Sonoma County policy, this designation prohibits the use of standard septic system technology within the Thomas Larkin Woods Subdivision unless all minimum standards and requirements established by the Sonoma County Permit and Resource Management Department (PRMD) and the Regional Water Board are met without waiver; and
- WHEREAS,** In a letter dated November 28, 2005, Regional Water Board staff determined that since the location of the proposed system appeared to have been previously graded and did not meet the minimum setback requirement to a perennial stream, the installation of a standard on-site system at the project location would require waiver of certain minimum site criteria in the Basin Plan; and,

- WHEREAS,** The Dischargers have proposed installation of an alternative on-site wastewater treatment and disposal system to minimize the threat that the disposal of domestic waste at the site will create a public health or water pollution hazard. The proposed alternative on-site wastewater treatment and disposal system consists of pretreatment of wastes using an aerobic treatment unit and final disposal using a Basin Plan-approved pressure distribution system; and,
- WHEREAS,** The Regional Water Board has reviewed the ROWD and other information related to the proposed discharge and determined that issuance of a conditional waiver of waste discharge requirements is consistent with the Basin Plan and is in the public interest. The Regional Water Board has determined that an exemption from the waiver prohibition is appropriate because the design, location, construction and maintenance of the proposed alternative on-site system will provide adequate protection of beneficial uses of water and prevent nuisance, pollution and contamination and there is no evidence of seasonally high groundwater in the vicinity of the proposed system. The Regional Water Board, therefore, waives the minimum 100-foot setback to a perennial stream to a minimum of 74 feet and waives the requirement to construct a system only in accordance with native ground slope because 1) the proposed discharge is low volume, 2) the proposed alternative on-site wastewater treatment and disposal system will provide enhanced waste treatment to remove nutrient contaminants, and 3) the pressure-distribution system will result in a reduced subsurface waste application rate, which will improve removal of wastewater contaminants within the soil; and
- WHEREAS,** Subsequent review of the ROWD indicates that portions of the parcel have been augmented with fill material. The Basin Plan On-site Policy prohibits and precludes waiver for the use of fill material to create basal area for alternative systems or mounds. For this reason, a condition has been added to require that all effluent distribution lines must be placed in native material; and,
- WHEREAS,** On May 31, 2007, the Regional Water Board filed a Notice of Exemption for the Project in accordance with CEQA Guidelines (Title 14, California Code of Regulations, Section 15000 et seq.). This Project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15303(a) and (d) as new construction of a single-family residence and the sewage to serve the residence. The proposed alternative on-site wastewater treatment and disposal system includes pretreatment of wastes using an aerobic treatment unit and final disposal using a Basin Plan-approved pressure distribution system. These systems have been tested in Sonoma County and have been found to be effective in reducing pollutant

loading to ground water. Due to the use of this advanced treatment and the fact that the proposed discharge will be low volume and the site has suitable soils for onsite disposal, the Regional Water Board has concluded that substantial evidence supports the finding that the on-site wastewater treatment and disposal system for the single-family residence, as conditioned by the terms of this waiver, will not have a significant effect on the environment. Copies of the proposed Notice of Exemption were transmitted to all agencies and persons known to be interested in this matter according to the applicable provisions of CEQA; and

WHEREAS, The Regional Water Board conducted a public hearing on June 14, 2007, in Santa Rosa, California, and considered all evidence concerning this matter.

THEREFORE BE IT RESOLVED, that pursuant to California Water Code section 13269 the Regional Water Board, based on the aforementioned hearing, finds that a Waiver of Waste Discharge Requirements for the single-family on-site wastewater treatment and disposal system at 6875 Timber Drive, Sebastopol, would not be against the public interest provided that the Dischargers are in compliance with the following:

- a. The Dischargers shall obtain an appropriate septic system permit from the Sonoma County PRMD, including groundwater monitoring requirements and any other requirements prescribed by the Sonoma County PRMD, prior to initiating the discharge;
- b. The leachlines for wastewater disposal shall be placed entirely within natural soils. Fill material shall not be used as basal area for the disposal area;
- c. The Dischargers and subsequent property owners shall allow Regional Water Board staff reasonable access onto the affected property for the purpose of performing an inspection to determine compliance with waiver conditions.
- d. The Dischargers shall submit to the Regional Water Board annual reports, on or before June 30th of each year, containing all monitoring reports forwarded to Sonoma County PRMD during the previous 12 months. In addition, the Dischargers shall include a description of how the system operated during the year and any information on any substantial modifications to the system (including changes in flow).
- e. The discharge shall comply with all applicable provisions of the Water Quality Control Plan for the North Coast Region;

- f. The discharge shall comply with the conditions for this Waiver of Waste Discharge Requirements as set forth herein, and discharge only in accordance with the terms described in the ROWD;
- g. The discharge shall not create a pollution, contamination, or nuisance, as defined by California Water Code Section 13050;

BE IT FURTHER RESOLVED, that the Regional Water Board, based on the aforementioned review of technical information supporting the waiver for Basin Plan onsite system criteria and testimony received at the aforementioned hearing determines that the adoption of the Waiver of Waste Discharge Requirements for this discharge is exempt from CEQA pursuant to California Code of Regulations, title 14, section 15303.

BE IT FURTHER RESOLVED, that the discharge of any waste not specifically regulated by the Waiver described herein is not authorized by this Waiver.

BE IT FURTHER RESOLVED, that this Waiver of Waste Discharge Requirements shall expire June 14, 2011 in accordance with Section 13269 of the Water Code.

BE IT FURTHER RESOLVED, that this action waiving the issuance of Waste Discharge Requirements for the single-family on-site wastewater treatment and disposal system at 6875 Timber Drive, Sebastopol; (a) is conditional, (b) may be terminated at any time, (c) does not permit an illegal activity, (d) does not preclude the need for permits which may be required by other local or governmental agencies, and (e) does not preclude the Regional Water Board from administering enforcement remedies (including civil penalties) pursuant to the Water Code.

Certification:

I, Catherine E. Kuhlman, Executive Officer do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, North Coast Region, on June 14, 2007.

Catherine E. Kuhlman
Executive Officer