



Lahontan Regional Water Quality Control Board

August 12, 2020

File: Environmental Doc Review
Inyo County

8/18/2020

Steve Karamitros, Senior Planner
Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, CA 93526
inyoplanning@inyocounty.us

Governor's Office of Planning & Research

Aug 13 2020

STATE CLEARINGHOUSE

Comments on the Updated Draft Initial Study and Mitigated Negative Declaration for Tentative Parcel Map 422/ Olancha Lake RV, Inyo County Planning Department, Inyo County, State Clearinghouse Number 2020039074

Lahontan Regional Water Quality Control Board (Water Board) staff reviewed the Updated Draft Initial Study and Negative Declaration (Draft IS/MND) for the Olancha Lake Recreational Vehicle Park (Project). The Updated Draft IS/MND, prepared by the Inyo County Planning Department (County), was submitted in compliance with provisions of the California Environmental Quality Act (CEQA) soliciting input on the potential impacts on the environment and ways to avoid or mitigate those significant impacts. This is an Update to the Draft IS/MND submitted to the State Clearinghouse on March 30, 2020. Water Board staff provided comments on the March 30, 2020 IS/MND on April 24, 2020 (enclosed). This letter provides additional Water Board staff on the Updated Draft IS/MND.

The Water Board, acting as a CEQA responsible agency, provides these comments related to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations (CCR), Title 14, section 15096.

Based on our review of the Updated Draft IS/MND, we recommend (1) the Project description be revised to provide further detail of the existing and new septic systems and (2) substantiation be provided that the Project will not violate water quality standards

Project Description Update

The developer proposes to combine seven parcels, not six as originally stated, covering approximately 80 acres, to develop a commercial tent and recreational

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

vehicle (RV) campground. The Project will consist of 30 tent camping sites (not 10 as originally stated), 95 RV camping sites (not 40 as originally stated), and 5 cabins, instead of 4 as originally stated. Most other aspects of the project are as originally stated.

Water Board Authority

As stated in our April 21, 2020, letter, all waters of the State are protected under California law. The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

Updated Comments on the IS/MND

The following comments are included to supplement comments included in the April 24, 2020 Water Boards comments letter.

1. The Updated Draft IS/MND still provides little explanation to substantiate the findings that the Project will have no impact on the environment, particularly on hydrology. The Updated Draft IS/MND mentions the installation of a new septic system in Section IX – Hydrology and Water Quality.
 - As stated in our April 24, 2020, letter, the Updated Draft IS/MND should provide further detail of the existing and new septic systems (estimated flow, design flow, septic tank sizes, septage disposal plans, etc.) to identify and evaluate the Project's impacts to hydrology and water quality resources.
 - Section IX.f states that the applicant is working with Inyo County's Environmental Health Department on determining the design flow and septic tank sizes of the Project. Depending on the size and flow of the septic systems the Project may be regulated under the County's Local Agency Management Program for onsite wastewater treatment systems or by the Water Board.
2. The Draft IS/MND states that the Project will not violate any water quality standards. The Updated Draft IS/MND states that the applicant will work with the Water Board to determine the appropriate beneficial uses in Chapter 2 and water quality objectives in Chapter 3 of the Basin Plan. The Updated Draft IS/MND cannot state that the project will not violate any water quality standards, until those standards are identified.
 - For groundwater in the Project area, Beneficial Uses are defined as

Municipal (MUN), agricultural (AGR), Industrial (IND), Freshwater Replenishment (FRSH), and maintenance of Wildlife Habitat (WILD).

Water Quality Objectives to protect those uses include standards for bacteria, coliform, chemical constituents, radioactivity, taste, and odor.

- For surface water in the Project area, Beneficial Uses are defined as MUN, AGR, Groundwater Recharge (GWR), Water Contact Recreation (REC-1), Noncontact Water Recreation (REC-2), Commercial and Sportfishing (COMM), Cold Freshwater Habitat (COLD), WILD, and the Spawning, Reproduction, and Development (SPWN) of aquatic habitats.

Water Quality Objectives to protect those uses include standards for ammonia, coliform bacteria, biostimulatory substances, chemical constituents, total residual chlorine, color, dissolved oxygen, floating materials, oil and grease, pH, radioactivity, sediment, settleable materials, suspended materials, taste and odor, temperature, toxicity, and turbidity.

- The Updated Draft IS/MND should describe how Project discharges will alter or affect both groundwater and surface water.

Permitting Requirements

Several activities associated with the proposed Project have potential to impact waters of the State and, therefore, may require permits issued by the State Water Resources Control Board (State Water Board) or the Lahontan Regional Water Board. Comments on the Permitting Requirements are included as part of the enclosed April 24, 2020, Water Board CEQA comments letter.

Please be advised of the permits that may be required for the proposed Project, as outlined above. Should Project implementation result in activities that trigger these permitting actions, the Project proponent must consult with Water Board staff. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

Thank you for the opportunity to comment on the Project. If you have any questions regarding this letter, please contact me sergio.alonso@waterboards.ca.gov (760) 243-7324 or Jehiel Cass P.E., Senior Engineering Geologist jehiel.cass@waterboards.ca.gov (760) 241-2434.

Please send all future correspondence regarding this Project to the Water Board's email address at lahontan@waterboards.ca.gov and be sure to include the State Clearinghouse No. (2020039074) and Project name (Tentative Parcel Map 422/Olancha Lake RV) in the subject line.

A handwritten signature in black ink, appearing to read 'Sergio Alonso', with a long horizontal stroke extending to the right.

Sergio Alonso
Water Resource Control Engineer

Enclosure: April 24, 2020 CEQA Comments Letter

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov) (SCH 2020039074)
California Dept. of Fish and Wildlife (AskRegion6@wildlife.ca.gov)



Lahontan Regional Water Quality Control Board

April 24, 2020

File: Environmental Doc Review

Inyo County
Steve Karamitros, Project Planner
Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, CA 93526
inyoplanning@inyocounty.us

Comments on the Draft Initial Study and Negative Declaration for Tentative Parcel Map 422/ Olancha Lake RV, Inyo County Planning Department, Inyo County, State Clearinghouse Number 2020039074

Lahontan Regional Water Quality Control Board (Water Board) staff reviewed the Draft Initial Study and Negative Declaration (Draft IS/ND) for the Olancha Lake Recreational Vehicle Park (Project). The Draft IS/ND, prepared by the Inyo County Planning Department (County), was submitted in compliance with provisions of the California Environmental Quality Act (CEQA) soliciting input on the potential impacts on the environment and ways to avoid or mitigate those significant impacts.

The Water Board, acting as a CEQA responsible agency, provides these comments related to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations (CCR), Title 14, section 15096. We thank the County for providing Water Board staff the opportunity to review and comment on the Draft IS/ND and for taking the initiative to identify potential effects on water quality.

Based on our review of the IS/ND, we recommend (1) the Project description be revised to include sufficient detail of key Project components, (2) water quality standards and impacts be identified, and (3) that sediment and erosion control best management practices (BMPs) be identified and implemented for construction phases until vegetation is restored to pre-Project conditions or permanent post-construction BMPs are in place and functioning. Our comments on the proposed Project are outlined below.

Project Description

With Inyo County approval, the developer proposes to combine six parcels, covering approximately 80 acres, to develop a commercial tent and recreational vehicle (RV) campground. The Project will consist of 10 tent camping sites and 40 RV camping sites. Four pre-existing structures will be converted into cabins. A restaurant, kayak, and

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

surfboard rental area will be included with the Project. Three pre-existing permitted wells will supply domestic potable water use and be used for lake recharge. Domestic wastewater will be treated and disposed using existing and possibly new septic tanks with subsurface leach disposal fields.

Water Board Authority

All groundwater and surface waters are considered waters of the State. Surface waters include streams, lakes, ponds, and wetlands, and may be ephemeral, intermittent, or perennial. All waters of the State are protected under California law. State law assigns responsibility for protecting water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the State are also waters of the United States (U.S.). The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the U.S.

The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at

http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

Comments on the Draft IS/ND

1. The IS/ND provides a brief overview of the Project but provides little explanation to substantiate the findings that the Project will have no impact on the environment, particularly on hydrology. The IS/ND mentions the installation of a new septic system in Section IX – Hydrology and Water Quality.
 - Provide further detail of the existing and new septic systems (estimated flow, design flow, septic tank sizes, septage disposal plans, etc.) to identify and evaluate the Project's impacts to hydrology and water quality resources.
2. The IS/ND does not include a site map of the proposed location of the septic system.
 - Identify all septic system features including nearby water bodies and groundwater wells on all Project maps and site plans. This will allow determination if appropriate set-back requirements are met.
3. Post-construction storm water management are a significant Project component. Storm water runoff must be managed to prevent concentration of discharge flows that exacerbate erosion in downstream channels. Design alternatives that are compatible with low impact development (LID) should be considered. LID components include, but are not limited to, maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge,

managing runoff as close to the source as possible, and maintaining vegetated areas for storm water management and onsite infiltration.

- Describe the site-specific BMPs that will be used for establishing effective treatment of post-construction storm water runoff.
 - Identify the specific BMPs and LID components that will be incorporated into the project.
4. The narrative related to subsection (b) of Section IX – Hydrology and Water Quality does not sufficiently describe groundwater quality or the Project’s impact on groundwater quality.
- Describe the depth to groundwater in the Project vicinity.
 - Describe the effect that septic system discharges will have on receiving groundwater quality.
 - Provide an adequate analysis for general minerals (nitrate and total dissolved solids) and bacteria concentrations (prior to construction) in the receiving groundwater to establish pre-construction conditions.
5. The Draft IS/ND states that the project will not violate any water quality standards. In addition, the Draft IS/ND does not identify the applicable water quality standards for affected waters within the Project area. These standards are identified in the Basin Plan. The only means of accurately making an assessment as to whether the Project will affect or violate those standards is to first identify the applicable water quality standards.
- Identify and describe the applicable water quality standards for receiving surface and groundwaters in the Project area. Water Quality Standards are a combination of beneficial uses described in Chapter 2 of the Basin Plan and water quality objectives described in Chapter 3 of the Basin Plan.
 - For groundwater in the Project area, Beneficial Uses are defined as Municipal (MUN), agricultural (AGR), Industrial (IND), Freshwater Replenishment (FRSH), and maintenance of Wildlife Habitat (WILD).

Water Quality Objectives to protect those uses include standards for bacteria, coliform, chemical constituents, radioactivity, taste, and odor.
 - For surface water in the Project area, Beneficial Uses are defined as MUN, AGR, Groundwater Recharge (GWR), Water Contact Recreation (REC-1), Noncontact Water Recreation (REC-2), Commercial and Sportfishing (COMM), Cold Freshwater Habitat (COLD), WILD, and the Spawning, Reproduction, and Development (SPWN) of aquatic habitats.

Water Quality Objectives to protect those uses include standards for ammonia, coliform bacteria, biostimulatory substances, chemical constituents,

- total residual chlorine, color, dissolved oxygen, floating materials, oil and grease, pH, radioactivity, sediment, settleable materials, suspended materials, taste and odor, temperature, toxicity, and turbidity.
- Describe how Project discharges will alter or affect both groundwater and surface water.
6. The Project description on page 5 of the IS/ND states that three pre-existing production wells will be used primarily in filling and maintaining Olancha Lake and for domestic use by tent and RV campers.
- Describe whether these three wells will provide a sufficient water volume to meet the campground needs.
 - Evaluate whether groundwater pumping from the production wells will be impacted by over-pumping during drought periods corresponding to a lowered groundwater table.
 - Identify distances to ensure that septic system leach fields maintain the minimum separation distances from all wells.
7. The IS/ND lists six parcels that will be merged to form the proposed campground. The parcels listed in the IS/ND are reported to have a footprint of approximately 80 acres.
- A search for the parcel locations in the LandVision database provided the following acreage for their respective parcel:
 - APN 033-500-03 10.12 Acres
 - APN 033-500-04 19.25 Acres
 - APN 033-500-14 10.14 Acres
 - APN 033-500-15 10.17 Acres
 - APN 033-500-16 9.95 Acres
 - APN 033-500-17 9.68 Acres
 - The combined acreage of the six parcels is 69.31 acres. Clarify this approximately 10-acre discrepancy between the IS/ND and recorded tracts.

Permitting Requirements

Several activities associated with the proposed Project have potential to impact waters of the State and, therefore, may require permits issued by the State Water Resources Control Board (State Water Board) or the Lahontan Regional Water Board. The required permits may include the following:

1. Land disturbance of more than 1 acre requires federal Clean Water Act (CWA), section 402(p) storm water permits, including coverage under a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board.

2. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board.
3. Water diversion and/or dewatering activities may be subject to discharge and monitoring requirements under either NPDES General Permit, Limited Threat Discharges to Surface Waters, Board Order R6T-2014-0049, or General Waste Discharge Requirements for Discharges to Land with a Low Threat To Water Quality, WQO-2003-0003, both issued by the Lahontan Water Board.
4. Discharge of domestic wastewater using onsite wastewater treatment systems (OWTS, e.g. septic tanks) is subject to approval by Inyo County under the Local Agency Management Program (LAMP). If Inyo County refers the OWTS approval to the Water Board, then individual or enrollment under general waste discharge requirements (WDRs) would be issued by the Water Board to regulate facility discharges.

Please be advised of the permits that may be required for the proposed Project, as outlined above. Should Project implementation result in activities that trigger these permitting actions, the Project proponent must consult with Water Board staff. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

Thank you for the opportunity to comment on the Project. If you have any questions regarding this letter, please contact me sergio.alonso@waterboards.ca.gov (760) 243-7324 or Jehiel Cass P.E., Senior Engineering Geologist jehiel.cass@waterboards.ca.gov (760) 241-2434.

Please send all future correspondence regarding this Project to the Water Board's email address at lahontan@waterboards.ca.gov and be sure to include the State Clearinghouse No. (2020039074) and Project name (Tentative Parcel Map 422/Olancha Lake RV) in the subject line.



Sergio Alonso
Water Resource Control Engineer

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov) (SCH 2020039074)
California Dept. of Fish and Wildlife (AskRegion6@wildlife.ca.gov)

[https://cawaterboards.sharepoint.com/RB6/WastewaterAgricultural_Operations/aReview - Jay/Draft Neg Dec Olancha Lake RV.docx](https://cawaterboards.sharepoint.com/RB6/WastewaterAgricultural_Operations/aReview%20-%20Jay/Draft%20Neg%20Dec%20Olancha%20Lake%20RV.docx)