



North Coast Regional Water Quality Control Board

6/15/2022

Governor's Office of Planning & Research

Jun 15 2022

To: Mrs. Hailey Lang, Deputy Director of Planning

STATE CLEARINGHOUSE

County of Siskiyou
Community Development Department
806 South Main Street
Yreka, CA 96097
planning@co.siskiyou.ca.us

Dear Mrs. Lang,

Subject: Comments on the Kidder Creek Orchard Camp Zone Change (Z-14-01) and use permit (UP-11-15) Partial Recirculated Draft Environmental Impact Report (DEIR).

Thank you for the opportunity to comment on the partial recirculated DEIR for the Kidder Creek Orchard Camp Zone Change and use permit. The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible agency with jurisdiction over the quality of ground and surface waters (including wetlands) and the protection of the beneficial uses of those waters.

The proposed project consists of a request for a zone change (Z-14-01) that would rezone approximately 170 acres that is currently zoned as Timberland Production Zone (TPZ) to a Residential Agricultural, 40-acre minimum parcel size (R-R-B-40). The project additionally requests to expand the use of the site and a new use permit (UP-11-15). The project would increase the number of allowable occupancy of the camp from 310 to 844 (guest, staff, and volunteers), with the addition of structures, ancillary facilities, recreation facilities, and a second pond over a 20-year period. The project will result in a maximum of 30,660 gallons per day of effluent at full occupancy.

The onsite wastewater feasibility study for Kidder Creek Camp Master Site Plan was prepared by Chris Cummings in January 2018 that recommended Alternative 1 (conventional onsite wastewater treatment system) for the areas with cabins (The Pines, Ranch Camp) and staff housing, residences and retreat center facilities, and mobile camping areas 1, 2, and 3. The study recommended Alternative 2 (Orenco/Advantex type system) with appropriate design for solids pre-filter and grease

trap for the Welcome Center and Dining Facilities. The study stated that when added, the dining hall will have the capacity to serve 600 occupants three meals per day that would result in 12,600 gallons of wastewater. The study showed that the Summer Camp Dining Hall wastewater characteristics, see Table 1.

Table 1. Summer Camp Dining Hall Wastewater Characteristics of Comparable Commercial and Institutional Facilities. Information pulled from the Onsite Wastewater Feasibility Study for Kidder Creek Camp Master Site Plan prepared by Chris Cummings, Civil Engineer dated January 2018, APP N of the partial recirculated DEIR.

BOD, mean mg/L	TSS, mean mg/L	FOG, mean mg/L	TKN/TN mean mg/L	TP, mg/L
1,633	465	106	79	14

The partial DEIR concluded that there will not be significant impacts on fish pools along Kidder Creek, nearby wells, and Scott River flows.

Germane to the statutory responsibilities of the Regional Water Board, specific environmental information that is prudent to identify in a subsequent Environmental Impact Report (EIR) include impacts to wetlands and waters of the state, biological resources affected, potential hazardous materials associated with candidate sites, wastewater treatment and disposal, construction and post-construction storm water Best Management Practices (BMPs), and the proposed use of Low Impact Development (LID) techniques.

We have reviewed the partial recirculated DEIR for the Kidder Creek Orchard Camp Zone Change (Z-14-01) and use permit (UP-11-15) and offer the following general comments:

The following permits may be required for this project:

Waste Discharge Requirements (WDRs) or a Conditional Waiver of WDRs

Under authority of the California Water Code, the Regional Water Board may issue WDRs for any project which discharges or threatens to discharge waste to waters of the state. Projects that impact waters of the state (including discharges of post-construction storm water runoff, grading activities within stream courses or wetlands, and removal of riparian vegetation in some cases) require permitting by the Regional Water Board.

Where projects involve the repair and installation of new and replacement onsite wastewater treatment systems (also known as septic systems or OWTS), the OWTS must meet the minimum standards contained in Tier 1 of the statewide Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy).

For more information, please visit the [OWTS Policy webpage](https://www.waterboards.ca.gov/water_issues/programs/owts/owts_policy.html) at (https://www.waterboards.ca.gov/water_issues/programs/owts/owts_policy.html), or an alternate standard provided by a Local Agency Management Program (LAMP), if the local agency has an approved LAMP. The Siskiyou County LAMP has been submitted and its current status is Draft.

The Regional Water Board has not approved a LAMP for Siskiyou County. A County without an approved LAMP is authorized to regulate new and replacement OWTS only with projected wastewater flows less than 3,500 gallons per day under either OWTS Policy Tier 1 standards, or local codes and ordinances, whichever is more stringent. Applicants for new and replacement OWTS with larger flows or for OWTS that receive high strength wastewater from a commercial service building will be required to submit a Report of Waste Discharge (Form 200) to the Regional Water Board for possible establishment of waste discharge requirements.

The Form 200/application for waste discharge requirements can be downloaded at the [Water Board webpage](https://www.waterboards.ca.gov/publications_forms/forms/docs/form200.pdf) at: (https://www.waterboards.ca.gov/publications_forms/forms/docs/form200.pdf)

Construction General Storm Water Permit

Land disturbances on projects of one acre or more require coverage under the construction general storm water permit. If the land disturbance will be one acre or more, the owner of the property will need to apply for coverage under this permit prior to the commencement of activities on-site. This permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies (BMPs that are required to implement and be maintained to minimize pollutant discharges from a construction site. The permit also requires a risk level analysis for the project based on erosion risk and sensitivity of the receiving waters, inspections of construction sites before and after storm events, and every 24 hours during extended storm events, storm event monitoring, and electronic document and data submittal. The permit requires the use of LID to treat post-construction storm water runoff from impervious surfaces. Owners may find the permit on the [Construction Stormwater Program webpage](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html) at: (https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html).

For information or questions regarding the construction general permit, you can contact Heaven Moore in our office at (707) 576-2753 or at Heaven.Moore@waterboards.ca.gov.

Water Quality Certification (401 Certification)

Anyone proposing to conduct a project that requires a federal permit or involves dredge or fill activities that may result in a discharge to U.S. surface waters and/or waters of the state are required to obtain a Clean Water Act (CWA) Section 401 Water Quality

Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) from the Regional Water Board, verifying that the project activities will comply with state water quality standards. Waters of the state are more broadly defined than waters of the U.S. and include isolated wetlands and stream channels that may be dry during much of the year, have been modified in the past, look like a depression or drainage ditch, have no riparian corridor, or are on private land. The most common federal permit for dredge and fill activities is a CWA Section 404 permit issued by the Army Corps of Engineers (USACE). Project areas must be evaluated for the presence of waters of the U.S. and waters of the state. Impacts to waters of the state should be avoided and/or minimized. To determine if a federal permit is needed, please contact Kasey Sirkin at (707) 443-0855. To determine if a 401 Water Quality Certification or Waste Discharge Requirement is needed, please contact Ryan Bey at (707) 576-2679.

Project-Specific Comments

In addition to the preceding general comments, Regional Water Board staff has the following specific comments on the draft recirculated DEIR for the Kidder Creek Orchard Camp zone change and use permit:

1. RV Areas (page 2-15)- Applicant should be aware that there are requirements in proposed SB 317 that regulates hazardous waste for RV parks and campgrounds where RVs are accommodated pertaining to chemical toilet. The proposed SB 317 states that it is unlawful to use a product that contains bronopol, dowicil, formalin, formaldehyde, glutaraldehyde, paraformaldehyde, para-dichlorobenzene, benzene, toluene, xylene, ethylene glycol, 1,1,1-trichloroethane, trichloroethylene, or perchloroethylene in holding tanks or any portion of a waste facility, or campground chemical toilets that have waste discharges to an OWTS. It will be the owner or operators that use such waste treatment systems responsibility to post in a conspicuous location a notice stating the following:

““The State of California prohibits the use of products in RV holding tanks, including deodorizers, that contain bronopol, dowicil, formalin, formaldehyde, glutaraldehyde, paraformaldehyde, para-dichlorobenzene, benzene, toluene, xylene, ethylene glycol, 1,1,1-trichloroethane, trichloroethylene, or perchloroethylene. These chemicals can inhibit biological activity in onsite wastewater treatment systems and threaten groundwater and drinking water wells, and are strictly forbidden.

Please use bacteria- or enzyme-based products.”

Be aware that the notification requirements in proposed SB 317 are not yet a requirement but should still be considered for the protection of groundwater resources.

2. The siting, design, and construction standards for new and replacement OWTS and OWTS repairs in Siskiyou County must comply with Tier 1 requirements in OWTS. Pursuant to section 8.1.6 of the OWTS Policy, effluent dispersal systems

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must be a leachfield, designed in accordance with Tier 1 requirements. Other effluent dispersal systems may only be authorized for repairs where siting limitations require a variance.

3. The owner of a new or replacement OWTS with a projected flow greater than 3,500 gallons per day or that otherwise does not meet the conditions and requirements set forth in Tier 1 must notify the Regional Water Board by submitting a Report of Waste Discharge.
4. Cumulative impacts of OWTS should be considered in DEIR.
5. DEIR correctly identifies the need for coverage under the construction general storm water permit for land disturbance greater than 1 acre (page 3.3-14)

Please contact the following Regional Water Board staff if you have any questions or comments:

Construction Storm Water: Heaven Moore, (707) 576-2753

Heaven.Moore@waterboards.ca.gov

Water Quality Certification: Ryan Bey, (707) 576-2679 or

Ryan.Bey@waterboards.ca.gov

Waste Discharge Requirements: Roy O'Conner, (707) 576-2670 or

Roy.O'Conner@waterboards.ca.gov

Sincerely,

Nicholas Colbrunn
Groundwater Permitting Unit
North Coast Regional Water Quality Control Board

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cc: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044
state.clearinghouse@opr.ca.gov
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