

COUNTY OF MENDOCINO
DIVISION OF ENVIRONMENTAL HEALTH

GUIDELINES FOR THE ISSUANCE OF WAIVERS
REGARDING INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

April 20, 1998

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I. INTRODUCTION

The County of Mendocino has adopted regulations which implement the policy of the North Coast Regional Water Quality Control Board with respect to on-site waste treatment and disposal practices. The regulations and the policy are designed to protect water quality and preclude health hazards and nuisance conditions arising from the discharge of wastes from individual waste treatment and disposal systems. It is recognized, however, that situations will arise which will justify less stringent requirements. Consequently, provision is made for the issuance of waivers of site suitability criteria and site evaluation methods when public health will not be endangered nor water quality impaired as a result.

II. PROVISIONS

- A. Waivers may be granted by the County Health Officer for individual cases or for defined geographical areas.
- B. In evaluating waiver situations primary consideration will be given to the prevention of health hazards, nuisances and impairment of beneficial uses of waters of the state.
- C. Waivers are not intended to be issued indiscriminately, but rather with careful review and consideration.
- D. Waivers will be considered only if no other reasonable alternative exists on the property in question.
- E. The type of discharge situation in question (i.e., land division, commercial facility, existing lot, repair system) shall be a consideration in determining the propriety of granting a waiver.
- F. Copies of all approved waiver requests will be submitted to the North Coast Regional Water Quality Control Board.

III. BASES FOR WAIVERS

A. Site Criteria

1. Ground Slope

Ground Slope in excess of specified limits may be permitted if:

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- a. All other standard criteria are met and a report by a qualified

geologist or engineer substantiates that slope stability problems are not likely to results; or

- b. All other standard criteria are met and is substantiated by a qualified site evaluator's report considering such factors as: slope stability, soil depth, permeability, and texture, fracture zones, springs and seeps, and, direct experience in similar circumstances.

2. Soil Depth

Soil depth requirements may be waived from three feet to no less than two feet on slopes less than 20% or from five feet to three feet on 20-30% slopes if:

- a. All other standard criteria are met and soils fall within Zone 2 (or Zone 3 with passing wet weather percolation tests) on the Soil Suitability Chart (individual residence only), and
- b. Substantiated by a qualified site evaluator's report considering such factors as: soil depth, permeability, texture, fracture zones, springs and seeps, and, direct experience in similar circumstances; or
- c. Approved under the Alternative Systems Program.

3. Depth to Groundwater

- a. Required depths to groundwater in excess of five feet may be waived if an underlying impermeable soil strata (Zone 4, or a percolation rate of slower than 120 MPI) precludes direct travel of effluent to the water table. (Three feet of soil containing 15% fines (or a percolation rate slower than 5 MPI) or Zone 3 soil would also meet this requirement).
- b. Minimum depth to groundwater may be waived from five feet to no less than two feet if:
 - i. All other standard criteria are met, public water exists and/or private wells are required to have an approved annular seal, density of development in the immediate area is such that groundwater mounding or other cumulative water quality impacts are unlikely, springs
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and seeps are nowhere apparent near the site in question, direct experience with other installations in

similar circumstances indicates no problem, and

- ii. Substantiated by a qualified site evaluator's report considering such factors as soil depth, permeability, texture, fractured rock, springs and seeps, development density, pertinent research findings, and, direct experience in similar circumstances; or
- iii. Approved under the Alternative Systems Program.

4. Percolation Rates

Percolation rates of slower than 60 MPI, but no slower than 120 MPI, may be permitted if approved under the Alternative Systems Program or for a Wisconsin Mound.

5. Setback Distances

Waiver of horizontal setback distances may be permitted as follows:

- a. Setback from perennial streams may be reduced from 100 feet to no less than 50 feet, and setback from ephemeral streams may be reduced from 50 feet to no less than 25 feet, if:
 - i. All other standard criteria are met and water quality impairment or health hazards are judged unlikely to occur and
 - ii. Substantiated by a qualified site evaluator's report considering such factors as: soil depth and filtering capabilities, fractured rock, springs and seeps, ground slope, flow characteristics of the stream, pertinent research findings and direct experience in similar circumstances.
- b. Where the 10-year flood level is not established or readily identifiable, setback distances from perennial streams may be measured from the edge of the watercourse during normal winter flow conditions.
- c. Minor variance in setback requirements (up to 10 % may be permitted as a practical consideration without engineering analysis.
- d. Variance in setback requirements from wells may be permitted

to no less than 50 feet if:

All other standard criteria are met and water quality impairment or health hazards are judged unlikely to occur as substantiated by a qualified site evaluator's analysis considering such factors as: soil depth and filtering capabilities, fractured rock, springs and seeps, ground slope, flow characteristics of the stream, pertinent research findings, and direct experience in similar circumstances.

- e. The setback for an intercept drain from a property line may be reduced from 25 feet to no less than 5 feet if:
 - i. Substantiated by a qualified site evaluator's report considering such factors as: soil depth and filtering capabilities, fractured rock, springs and seeps, ground slope, pertinent research findings and experience in similar circumstances and
 - ii. The location of the intercept drain is unlikely to impair water quality or create a health hazard. (The granting of a waiver of setback for an intercept drain does not preclude approval of another waiver of site criteria).

6. Replacement Area

The specified 100 percent replacement area may be waived in the following circumstances:

- a. Where the use is to be temporary with guaranteed replacement by public sewerage; or
- b. For existing lots, created before adoption of the 1979 Basin Plan requirements (August 16, 1979), under the following requirements:
 - i. All other standard criteria are met and the lot has been thoroughly tested, and
 - ii. 150% of the primary and replacement leach fields are installed as a dual, alternating system. A dual,
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alternating system is defined as an effluent disposal system consisting of two complete standard drainfields connected by an accessible diversion valve and intended for alternating use on an annual or semiannual

basis.

Note: the required replacement area cannot be waived for Wisconsin Mounds or Alternative Systems, lots created after August 16, 1979, commercial developments, second residential units, and land development in excess of three (3) bedrooms per parcel or design wastewater flows greater than 450 gallons per day.

7. Cumulative Effects

No waiver permitted.

B. SITE EVALUATION METHODS

1. General Site Features

No waivers permitted.

2. Soil Profiles

a. The number of soil profile excavations (or augured test holes) on individual parcels may be reduced where sufficient prior on-site testing has been conducted to establish the nature of soil conditions (i.e., depth and mottling).

b. For land divisions the required two profiles per site may be reduced to one if topography, vegetation and other surface features and/or prior experience indicate consistent 2A or 2B soil conditions over large areas.

c. More than the specified two excavations per site may be required for large systems serving multiple dwelling units, commercial or industrial facilities.

3. Depth to Groundwater

a. Water well data may be used for estimation of groundwater levels where:

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i. The well(s) are within the same geologic and soil formations as the proposed disposal site;

ii. There is no cause to suspect perched groundwater conditions;

- iii. The well(s) are within 300 feet of the proposed disposal site; and,
 - iv. Ground slope on the property is less than 10%.
- b. Areas for which soils mottling is not an appropriate measure of groundwater levels include, but are not limited to:
- i. Coastal dunes
 - ii. River alluvium
 - iii. Soils of volcanic origin. (To be specified by geographical area as time permits)
 - iv. Sand and loamy sand

4. Percolation Suitability

Determination of the need for wet weather percolation testing on the basis of clay content (Zone 3) may be waived in lieu of the following procedures:

- i. Soil exhibits low shrink-swell potential as substantiated in a qualified site evaluator's report considering such factors as: soil color, soil structure, soil consistence, bulk density analysis, clay mineralogy, and other pertinent information; and
- ii. Experience has shown that systems in similar soil are performing satisfactorily.

5. Wet Weather Criteria

The period for wet weather percolation testing may be extended according to yearly rainfall patterns and upon the

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recommendation of the Health Department.

IV. PROCEDURES FOR ISSUANCE OF WAIVERS

The guidelines above shall serve as the bases for granting individual and geographical area waivers. For individual cases, the presentation of the specified

information or evidence shall be largely the responsibility of the individual applicant. In the case of geographical areas, waiver justification may be initiated and conducted by the Health Department or private parties. Identification of geographical areas granted waivers shall be appended to this document.

For the repair of failing systems, waiver of site criteria and evaluation methods may be made by the Health Officer as necessary to eliminate or preclude hazards to public health and water quality. The preceding guidelines shall be followed to the extent practicable to achieve this objective. Waivers involving facilities (a) within more than 1500 GPD or (b) operating under waste discharge requirements adopted by the Regional Board shall be reviewed jointly by the Health Department and the Regional Board.

(Applicant procedures section to be completed by Health Department).