



California Conference
of Directors of
Environmental Health

June 19, 2012



Charles R. Hoppin, Chair
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

RE: CCDEH support with amendment for Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems

Dear Mr. Hoppin and State Water Resource Control Board members:

The California Conference of Directors of Environmental Health (CCDEH) membership is comprised from the Environmental Health Directors from 62 jurisdictions, including all counties and 4 cities. Our members are responsible for protecting public health, enhancing safety and safeguarding the environment by delivering effective local environmental health programs, including those related to the permitting and oversight of onsite wastewater treatment systems (OWTS).

CCDEH actively participated with State Water Resources Control Board (SWRCB) staff and other stakeholders throughout the development of the proposed Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (policy). This involvement has led to a policy that is risk based, allows the continued use of OWTS while protecting water quality and public health, and recognizes that responsible local environmental health agencies provide the most effective means to manage OWTS on a routine basis. CCDEH agrees with this framework and is appreciative of the SWRCB and their staff for their effort in development of this policy.

During all of our members' and your staff's hard work in development of this policy, it is now apparent one very critical issue was not addressed due to differences in interpretation between our membership and that of your staff regarding section 8.1.1. Section 8.1.1, if left unchanged, may have a profound, negative effect on our members' ability to effectively manage their local OWTS program by limiting the daily activity of individual qualified professional staff in performing designs and processing permits for the local agency. CCDEH has approached SWRCB staff regarding this latest concern, and provided them with justification for our interpretation. Based on the information provided by CCDEH, it is our understanding that SWRCB staff will provide an errata sheet for consideration by the SWRCB during adoption. CCDEH requests that the Board accept the errata and amend section 8.1.1 to remove the restrictions it will put in place, and to allow the same qualified professional working for a local agency to perform design, review and approval of an OWTS. With such an amendment to section 8.1.1, CCDEH supports adoption of the policy.



While CCDEH supports the policy if amended, it is understood that all our members may not be in complete agreement with all the policy's provisions. CCDEH is also cautiously optimistic about the next phase of policy implementation following adoption, which is development of Local Agency Management Program (LAMP) plans. While the proposed policy provides administrative process for dispute resolution between local agencies and the Regional Boards if needed, CCDEH believes the SWRCB and their staff must be fully engaged throughout the initial LAMP development, review and approval processes. This engagement will be necessary to ensure the continuation of existing, protective local programs, that LAMPs will not be required to have unnecessary monitoring or reporting requirements, and that consistent and equitable LAMP plans are required, including those where a local agency is overseen by multiple Regional Water Quality Control Boards. To accomplish this, CCDEH is committed to continue its partnership with SWRCB staff and is ready to assist in development of procedures to ensure timely approval of the LAMPs and their continued successful and efficient implementation.

If you have questions, please feel free to call at (530) 283-6367 or email me at jerrysipe@countyofplumas.com. You may also contact Terry Schmidtbauer, Land Use Policy Committee Chair at (707) 784-3308 or via email at tschmidtbauer@solanocounty.com.

Sincerely,



Gerald Sipe, President

