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November 8, 2011



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DIVISION OF WATER QUALITY

OWTS Policy
State Water Resources Control Board
P.O. Box 2231
Sacramento, CA 95812

RE: Comment Letter Opposing Draft Policy for Siting, Design, Operation, and Management of Onsite Wastewater Treatment Systems (OWTS) – Septic Systems

Honorable Board,

On behalf of the Plumas County Board of Supervisors, I am submitting these comments concerning the draft statewide policy for onsite wastewater treatment system (OWTS) regulation. While recognizing State Water Resources has a legal mandate to adopt statewide wastewater regulations pursuant to AB 885, Plumas County opposes the proposed policy for a number of reasons described herein.

Plumas County shares the goal of ensuring OWTS are designed, installed, and maintained appropriately to protect waters of the state from contamination. Plumas County applauds the tiered approach to OWTS regulation, where it is estimated that 95 percent of homeowners statewide will not need to make changes to their septic systems. Plumas County recognizes the flexibility provided under the proposed policy will allow elements of local wastewater management programs to continue under tier 2 of the policy. However, the proposed policy will still have important and detrimental impacts on Plumas County and its wastewater management program.

In 2008, the first draft policy for statewide OWTS standards included requirements for property owners to monitor and test their individual wells. In the current proposal, this requirement has been changed to ground and surface water monitoring and analysis for pathogens and nutrients on a "regional and localized basis across the entire jurisdictional area" (proposed section 9.3.8). This simply shifts the overly burdensome requirement for monitoring water quality from homeowners to the local implementing agencies. The reality is that local agencies are already monitoring system performance through administrative permits, construction and inspection standards, complaint processes, and other means. The requirement to administer countywide water quality monitoring and analysis is too costly and unnecessary to ensure proper septic system performance.

Another important impact is the excessive mandates for local recordkeeping and reporting. The proposed standards prescribe annual reports that local agencies must file with the Regional Boards. They also mandate a variety of complaint and maintenance records pertaining to onsite system operation and performance, and local agencies must transfer certain data electronically and maintain databases to the satisfaction of the Regional Board. These unfunded mandates will only increase program costs and will not improve septic system performance or enhance water quality.

But most importantly, Plumas County already administers a highly effective local wastewater control program. Plumas County Code is tailored to address local needs, issues, and conditions, and has done a great job of protecting public health and water quality. Besides the legal mandate of AB 885, SWR points to nutrient and pathogen pollution due to septic systems as the driving force for statewide regulations. As required by Section 303(d) of the Clean Water Act, the Regional Boards maintain lists of impaired water bodies due to various sources of contamination. While some water bodies have been affected by pollution from under performing septic systems in some parts of the state, it must be noted that Plumas County does not have any such water bodies with impacts from septic systems on that list. Resources should be focused on solving those problems rather than developing statewide standards.

In summary, the proposed statewide onsite wastewater regulations are much improved from the 2008 version. Nonetheless, they remain too costly, overly burdensome to local implementing agencies and certainly not demonstrated to be needed in Plumas County. For these reasons, Plumas County opposes the draft policy as currently written.

If you have any questions, please contact Jerry Sipe, Director of Environmental Health at 530-283-6367. Thank you.

Sincerely,



Lori Simpson, Chair
Plumas County Board of Supervisors