



COUNTY OF LAKE

HEALTH SERVICES DEPARTMENT

Division of Environmental Health

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November 10, 2011

OWTS Policy
State Water Resources Control Board
Sent via e-mail to owts_commentletters@waterboards.ca.gov

Lake County is primarily an agricultural area with a significant and longstanding tourism industry. Clear Lake is the largest natural lake within California and one of the oldest lakes in the world. County of Lake Environmental Health Division protects public health and water quality with our efficient and up-to-date permit and inspection program regulating Onsite Wastewater Treatment Systems.

We have been involved in this present effort since AB 885 was first introduced in the legislature over ten years ago. With others, we voiced our opposition in 2008. We very much appreciate the State Board's decision to redirect from the previous version and focus on a statewide policy that recognizes and validates successful local programs. Still the expected increased burden on local agencies to administer a local Tier 2 program will be far from insignificant.

Since the draft policy (particularly in the Tier 2 section) defers to local programs and since the reasonable expectation is that local agencies will elect the Tier 2 option, we are concerned that the willingness to recognize effective local programs shown by state board staff over the last two years may not be shared by Regional Boards when they are evaluating a Local Agency Management Plan. Under existing authority, even with good intentions to protect water quality a regional board may require an approval process or impose conditions that will be costly and time consuming with no corresponding benefit. We would like to see stronger language in the policy specifically so that Regional Boards give validation to successful local programs.

In addition to being a valuable recreational resource, Clear Lake is a raw water source for seventeen community water systems. Community sewer systems are extended around most of the shoreline and all of the more densely developed shoreline communities. There are some lakefront or near lakefront properties that utilize OWTS. The prescriptive standard of a 200 feet and 400 feet horizontal setback, brought up to Tier 2 from Tier 1, may not be necessary in all cases.

We request that SWRCB staff reevaluate the setbacks contained in sections 9.4.10.4 and 9.4.10.5. These setbacks create a prohibition zone around non-impaired water bodies that will prove unnecessary in most cases. This prohibition may impact needed repairs to existing OWTS and future development of existing unimproved lots. We believe setbacks to protect community water system surface water supply intakes can be established in a Local Agency Management Plan per the Tier 2 program.

Thank you for your consideration.

Sincerely,

Raymond Ruminski
Environmental Health Director