

COMMUNITY DEVELOPMENT AGENCY

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May 10, 2016

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Marin County Board of Supervisors
3501 Civic Center Drive
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SUBJECT: Local Agency Management Plan (LAMP) for Onsite Wastewater Treatment Systems (OWTS)

Dear Board Members,

Building and Safety
Environmental Health Services
Planning
Environmental Review
Housing
Sustainability
Code Enforcement
GIS
Federal Grants

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RECOMMENDATION:

Approve the Local Agency Management Plan (LAMP) for Onsite Wastewater Treatment Systems (OWTS) for submission to the California Regional Water Quality Control Board, San Francisco Bay Region (RWQCB).

SUMMARY:

In 2000, the Legislature passed Assembly Bill 885 which required the State Water Resources Control Board (Water Board) to adopt standards or regulations for permitting and operation of onsite wastewater systems (OWTS), more commonly referred to as septic systems. The Water Board subsequently adopted the *Water Quality Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy)* as the statewide regulation overseeing all septic systems. As California is diverse in its geography and climate, the OWTS Policy recognizes that a “one-size-fits-all” regulation is not practical. Instead, the OWTS Policy utilizes a risk-based, tiered approach along with performance standards to allow flexibility in the siting and design of septic systems at the local level.

The OWTS Policy recognizes that responsible local agencies can provide the most effective means to manage septic systems within their respective jurisdictions and allows the use of customized local management programs. Local environmental health agencies proposing a customized program are required to submit a Local Agency Management Plan for Onsite Wastewater Treatment Systems (LAMP) no later than May 13, 2016. Many counties have been working toward meeting this deadline.

Marin County proposes an alternative means of compliance with the OWTS Policy referred to as Tier 2 in the draft LAMP presented to your Board at the April 12th workshop. The LAMP would allow the County to continue to provide local oversight of septic systems by implementing practices that: 1) are suited to the environmental conditions in Marin County, 2) meet or exceed the environmental protections of the minimum “default” siting and design requirements identified in the OWTS Policy by

providing alternative requirements that will effectively address site-specific conditions, and 3) ensure the best opportunity for coordinated and comprehensive management of septic systems, public health and water quality in Marin County. Staff recommends your Board approve the LAMP for submission to the Regional Water Quality Control Board (RWQCB) for their approval. In response to your Board's input from the April 12th workshop, staff has revised the introduction section of the LAMP to highlight that the flexible standards in the County's Tier 2 proposal would uphold existing water quality standards.

FISCAL/STAFFING IMPACT:

Implementation of the LAMP will increase the workload for the Environmental Health Services (EHS) Division in the areas of monitoring and reporting. Application fees for OWTS systems may need to be increased in the near future to meet the goal of full cost recovery for the Land Use program in EHS. Staff will monitor the LAMP's impact on workload and propose program and/or fee adjustments, as necessary, for review and approval by the Board of Supervisors.


ALTERNATIVE TO RECOMMENDED ACTION(S):

The minimum "default" siting and design requirements of the OWTS Policy, especially in areas adjacent to impaired water bodies are very stringent with the consequence that many parcels would be unable to meet the requirements for new and improved septic systems. Therefore, if the LAMP is not approved for submission to the RWQCB, or if the RWQCB does not approve the proposed LAMP, the siting, installation, and maintenance of septic systems in Marin County could be severely limited.

REVIEWED BY: (These boxes must be checked)

<input type="checkbox"/> Department of Finance	<input checked="" type="checkbox"/> N/A
<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

SIGNATURE:



Rebecca Ng, R.E.H.S
Deputy Director, EHS



Brian C. Crawford
Director

Attachments: (1) Resolution

In order to conserve resources, paper copies of the following attachment have been provided only to the Board of Supervisors. The Plan is available for public review/download from <http://www.marincounty.org/depts/cd/divisions/environmental-health-services/septic-systems>.

(2) Draft Local Area Management Plan