

We have listened to you!

The Proposed Septic System Ordinance ... revised and improved with community input

By Adel H. Hagekhalil, Assistant Director – Bureau of Sanitation

First of all let me start by thanking the community members and leaders across the City and especially in the North Valley for working with the Bureau of Sanitation to review the proposed Onsite Wastewater Treatment System (OWTS) or septic system ordinance and provide us great input and feedback. The Bureau of Sanitation takes pride in being transparent and listening to the community.

After more than 60 community meetings and nearly two years of extensive dialogue with stakeholders, the Bureau of Sanitation believes that we have reached a workable ordinance that addresses the major issues and concerns raised by the community, while complying with the State's regulatory water quality mandates and protecting public health and the environment.

The vast majority of properties with septic systems (98.4%, or about 11,443 properties out of 11,633) will be required only to register and self-certify that their system is in proper operating condition, once every three years, with **no fee** associated with the registration. **This is a huge improvement from the initial proposal two years ago.** The remaining 190 properties are considered high risk, of which 182 properties will be required to obtain an operating permit with certified inspection, once every three years. The other eight high risk properties have Advanced/Supplemental Treatment Systems and will be required to obtain an operating permit, enter into a maintenance agreement with a service provider, and submit annual monitoring reports. An operating permit fee, which is much lower than that currently being issued by the State today, will be required (see table). **The number of high risk properties was drastically reduced from the initially proposed nearly 3,000 properties.**

High risk areas include OWTS within 600 feet of State identified 303(d) impaired water bodies due to nitrogen and bacteria, or within 900 feet of active drinking water wells. As you have requested, we have carefully reviewed these designated areas and verified that these were accurate except for one area in La Tuna Canyon. In collaboration with the community, the La Tuna Canyon area has been removed from the high risk list since data did not support that designation, and this removal was confirmed by the State Regional Water Quality Control Board (RWQCB). The Bureau will continue to work with the community and the RWQCB to ensure the accuracy of high risk designations. The RWQCB conducts a biannual review process to review data and monitoring results.

A process will be established to allow property owners to appeal designations and determinations associated with the implementation of the proposed ordinance.

The following is a summary of the proposed ordinance requirements that will be recommended to the Board of Public Works, City Council and Mayor for consideration in the next couple months:

	NON HIGH RISK OWTS <i>(11,443 properties)</i> <i>98.37% of total</i>	HIGH RISK CONVENTIONAL OWTS <i>(182 properties)</i> <i>1.56%</i>	HIGH RISK SUPPLEMENTAL/ ADVANCED TREATMENT OWTS <i>(8 Properties) 0.07%</i>
Initial Registration or Permit	Register and self certify that OWTS are being properly maintained at all times.	Obtain a certified inspection and pay permit fee of \$350. *	Obtain an Operation & Maintenance Agreement and pay permit fee of \$800.
Renewal Period	Renew registration once every three years, within 90 days of registration expiration.**	Renew operating permit every three years, within 90 days of permit expiration.**	Renew operating permit annually, within 90 days of permit expiration.**
Self- Certify	When registering, self-certify that OWTS are properly maintained at all times.	n/a	n/a
Certified Inspection	n/a	Required; must submit proof of a passing certified inspection by a licensed, certified service provider.	Covered by the Operations & Maintenance Agreement that includes routine service inspections.
Operations & Maintenance Agreement	n/a	n/a	Required; must submit a copy of the Operations & Maintenance Agreement within 90 days of permit expiration.
Monitoring Report	n/a	n/a	Required; must submit annual monitoring report within 90 days of permit expiration.
Records	Retain copy of all OWTS related records, on-site.		
Transfer Fee	\$0	Pay \$50 at point of sale. Must be submitted by new owner within 30 days of the close of escrow.	Pay \$50 at point of sale. Must be submitted by new owner within 30 days of the close of escrow.
Fees	No fee (Free)	\$350 every three years, paid within 90 days of permit expiration.	\$800 annual fee, paid within 90 days of permit expiration.
Payment/ Registration or Permit Options	Complete on-line, by mail, fax, or in person.***	Complete on-line, by mail, fax, or in person.***	Complete on-line, by mail, fax, or in person.***

* - A certified inspection is provided by a licensed certified service provider, who must have a valid state contractor C-36 or C-42 license and possess California Onsite Wastewater Association or National Association of Wastewater Transporters certification.

** - Requirements for the first operating permit and registration cycle shall be completed by **July 1, 2012 deadline or one year after ordinance is adopted, whichever is later.**

*** - Bureau staff is currently working on the on-line procedure, and expects to have it in place before registration begins.

Again we thank you for sharing our commitment to public health and the environment and for your willingness to work with us on developing an ordinance that is sensitive to the community while complying with the State's water quality mandates.

For more information, please call (213) 978-0333 or visit our website at www.lasewers.org.