

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** 4/14/03  
**Department Name:** PHD - EHS  
**Department No.:** 041  
**Agenda Date:** 5/20/03  
**Placement:** Administrative  
**Estimate Time:** 10 minutes  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Roger E. Heroux, Director  
Public Health Department

**STAFF CONTACT:** David Brummond, Supervising Environmental Health Specialist  
346-7348

**SUBJECT:** BEACH ACT Contract with the California Department of Health Services

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**Recommendation(s):**

That the Board of Supervisors:

Execute the agreement with the California Department of Health Services to implement the Beaches Environmental Assessment and Coastal Health Act (BEACH ACT) contract.

**Alignment with Board Strategic Plan:**

The recommendation(s) are primarily aligned with Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit, Goal V: Quality of Life – A High Quality of Life for All Residents and Goal VII: Families and Children – A Community That Fosters the Safety and Well-Being of Families and Children.

**Executive Summary and Discussion:**

The Beaches Environmental Assessment and Coastal Health Act (BEACH ACT) was signed into law in October, 2000. This legislation amends the Clean Water Act to reduce the risk of disease to users of the nation's recreational waters.

State and local monitoring and notification programs differ across the country, providing varying levels of swimmer protection. The BEACH ACT established a national program for monitoring beach water quality and notifying the public of unsafe conditions.

The major components of the BEACH ACT are:

- \* Strengthens bacteriologic standards and testing procedures.
- \* Provides faster laboratory test methods.
- \* Develops models to predict where and when beach pollution is likely to occur.
- \* Improves public access to information about the quality of the water at local beaches.

The BEACH ACT authorizes the United States Environmental Protection Agency to award program development and implementation grants to state and local governments to support microbiological testing and monitoring of coastal recreational water. These grants are also meant to provide support for development and implementation of programs to notify the public of the potential exposure to disease causing organisms. Ten million dollars has been made available for these purposes during fiscal year 02/03 only.

Current state regulations require that coastal jurisdictions sample the water adjacent to public beaches at least once per week between April 1 and October 31. As such, Santa Barbara County already meets the monitoring and reporting guidelines specified in the federal BEACH ACT.

As a state mandated program, the California Constitution requires that the state reimburse the County for expenses related to implementing the ocean water monitoring program. Although Environmental Health Services collects samples throughout the year, we are only reimbursed for costs incurred during the April through October time frame.

The Santa Barbara County Public Health Department, Environmental Health Services Division and the California Department of Health Services seek to enter into an agreement, whereby the Department of Health Services will reimburse the County, up to the limits of the contract, for the cost of monitoring water quality at public beaches and for disseminating this information to the public. These one-time funds would be used to offset the county costs incurred for these activities between November and March.

### **Mandates and Service Levels:**

The service levels required by California law are codified in sections 115889, 115885 and 115916 of the California Health and Safety Code. The regulations adapted pursuant to the statute, are found in Title 17, California Code of Regulations, sections 7956-7962, inclusive. These regulations stipulate that the County is responsible for monitoring the water quality at all public beaches within our jurisdiction at least once per week from April 1 to October 31, inclusive. Other duties include:

- \* Posting warning signs whenever testing reveals that the water quality does not meet bacteriological standards.
- \* Closing a beach in the event that a sewage spill contaminates the water adjacent to a public beach.
- \* Maintaining a telephone hotline to inform the public of any postings, closures or use restrictions at any beach.

The monitoring frequency and the reporting procedures currently used by the County would meet the guidelines contained in the BEACH ACT. Therefore, no increase in service levels would be required as a result of entering into this agreement.

**Fiscal and Facilities Impacts:**

There would be no impact to the General Fund or to the Public Health Department Special Revenue Fund with the adoption of this action. Entering into this agreement would result in a minor increase in workload for both Environmental Health Services staff and Public Health Laboratory staff. The cost of the increase in workload will be fully offset by the unanticipated revenue of \$28,034.00 provided for by the agreement. The BEACH contract requires that formalized Quality Assurance/Quality Control (QA/QC) measures be developed and implemented. These QA/QC measures would require the collection and analysis of an extra two to four samples per week as well as the preparation of Chain of Custody documentation.

No additional facilities would be needed as a result of entering into this agreement.

**Special Instructions:**

Please sign each of the five attached contract agreements and return agreements to Rick Merrifield, Interim Director, Environmental Health Services. Also, please sign and return one executed Agreement (attached and noted) to: PHD Administration, ATTN: Roger Heroux.

**Concurrence:**

Auditor-Controller  
County Counsel