

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: 4/11/01
Department Name: Public Health Department
Department No.: 041
Agenda Date: 5/1/01
Placement: Departmental
Estimate Time: 45 minutes
Continued Item: Yes
If Yes, date from: April 24, 1001

TO: Board of Supervisors

FROM: Roger E. Heroux, Director
Public Health Department

STAFF CONTACT: Peggy Langle, Director
Environmental Health Services 681-4900

SUBJECT: Public Hearing on Septic System Servicing and Inspection Program

Recommendation(s):

That the Board of Supervisors:

- A. Direct County Public Health Department staff to forward a request to the State Water Resources Control Board for approval of modifications to the Septic-to-Sewer Conversion Program description to allow for funding of focused environmental impact studies relative to septic to sewer conversion projects.
- B. Direct County Public Health Department staff to continue to work with interested environmental groups, homeowner groups, sanitary districts and other County agencies to define the guidelines for use of the Septic-to-Sewer Conversion Program funding.
- C. Accept the recommendation from Public Health Department staff to defer consideration of County Code revisions for mandatory servicing and inspection of septic systems until the completion of the county-wide Sanitary Survey Project.
- D. Accept the attached status report from the Public Health Department on the county's septic system program.
- E. Upon acceptance of the requested modifications by the State Water Resources Control Board for use of the state funding for the septic-to-sewer conversion program, direct Public Health Department staff to reserve, subject to certain conditions as specified within this Board letter, \$28,248 for the Carpinteria Sanitary District Rincon Point sewerage project for a portion of costs for engineering studies, CEQA Initial Study, and Phase I Archeological Survey.

Alignment with Board Strategic Plan:

These recommendations are aligned with Goal II: Community Health and Safety - A Safe and Healthy Community in Which to Live Work and Visit and 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:

Septic-to-Sewer Conversion Program

There is significant local support for the conversion of septic systems to sanitary sewer. At the Board of Supervisors hearing on January 25, 2000, your Board requested that the Public Health Department seek incentives for homeowners to convert from septic systems to sanitary sewer. The Public Health Department began work with Assembly Member Hannah Beth Jackson's office on two projects totaling \$2 million dollars; \$1.75 million for a septic-to-sewer conversion program and \$250,000 for a sanitary survey project of our local watersheds where septic systems are utilized. The \$2 million was appropriated through the State Budget Act of 2000/2001 to Santa Barbara County for these two programs.

As described in the October 24, 2000 Board letter, Public Health Department staff recommended that a low interest loan program for homeowners be developed to encourage homeowners to convert from septic systems to public sewer where available and feasible. It was anticipated that a small administrative structure would be created to facilitate the low interest rate loan program. The Public Health Department and the County Treasurer-Tax Collector's Office have been in discussions on the structure, procedures, and their respective roles in setting up and monitoring the loan program. As approved by the Board of Supervisors on October 24, 2000, the \$1.75 million received from the State Budget Act for the Septic-to-Sewer Conversion Program was to be utilized as follows:

Engineered Studies	\$ 300,000
Identification and mapping of applicable areas	50,000
Outreach to homeowners, Sanitary Districts, etc	10,000
Loan Program Development	40,000
Loan Base	1,350,000
Total	\$1,750,000

The Carpinteria Sanitary District, working in conjunction with Heal the Ocean, is poised to move forward with sewerage projects for up to 180 coastal properties. In meetings with the County Administrator's Office and in discussions with Heal the Ocean and the Environmental Defense Center, alternate proposals for a more effective use of the State Budget Act funds received for the Septic-to-Sewer Conversion Program were discussed. While the program is in the developmental stages, it has the potential to facilitate many additional septic tank system conversions county-wide.

The Public Health Department recommends that the Board of Supervisors approve modifications to the proposed Septic-to-Sewer Conversion Program to expand the amount of money previously dedicated for "Engineered Studies" to also include environmental impact studies focused on multiple septic-to-sewer conversion projects. The Public Health Department further recommends that monies for environmental impact studies be allocated as loans subject to a defined repayment criterion.

The proposed modifications for the Septic-to-Sewer Conversion Program would then shift more funding towards facilitating multiple-septic system conversions to public sewer, above the \$300,000 previously dedicated to engineered studies. The modifications to the various amounts in the allotted categories shown above will be determined after additional input is received from various interested parties. Any modifications to the proposed program workplan must first receive approval from the State Water Resources Control Board. Preliminary discussions with the State Water Resources Control Board indicate that we may receive approval, if the original intent of the use of the funding is met.

Should your Board approve the recommendations contained within this Board letter and approval is subsequently received from the State Water Resources Control Board, Public Health Department staff will continue to work with the sanitary districts and interested parties to focus on prioritization of sewerage projects for those areas known or potentially problematic for septic disposal.

In addition, a collaborative effort must occur with the County Planning and Development Department, County Counsel's Office, County Public Works Department, the Treasurer Tax Collector, LAFCO, the Regional Water Quality Control Board and the California Coastal Commission. A working project team will be established to explore and coordinate environmental impact issues and assist in the facilitation of the program.

On March 1, 2001, the Carpinteria Sanitary District made an official request of the County for assistance in finding funding to reimburse the district for expenditures encumbered by the District for the Rincon Point sewerage project (in the amount of approximately \$67,000). Rincon Point is a fully developed beachside community comprised of 72 single-family residences; 35 parcels within Santa Barbara County and 37 within Ventura County. In considering the future allocation of funds given the proposed recommendations contained in this Board letter, the Public Health Department and County Administrator's Office recommend that a portion of the District's costs be reimbursed in the event that the sewerage project fails for Rincon Point. The Public Health Department recommends that the amount of \$28,248 be reimbursed to the District in that event.

In a March 8, 2001 letter, the Carpinteria Sanitary District outlined approximate costs expended:

Engineering studies and design, flood analysis:	\$20,297
CEQA Initial Study and Phase I Archeological Survey and Impact Assessment:	20,304
Engineering report on assessment district formation:	15,895
District Counsel related to formation of the district and legal documents, resolutions:	10,010
Legal noticing, postage and recording fees:	<u>490</u>
Total	\$66,996

In arriving at this decision to set aside this specific amount of \$28,248 for the District, consideration has been given to the percentage of homes within Santa Barbara County (approximately 50%) and the exclusion of costs for district legal counsel, noticing and postage costs. The studies done to date by the District are in keeping with the originally established guidelines for the septic-to-sewer conversion program, in that \$300,000 was set aside for engineering studies to be undertaken by sanitary districts, homeowner groups, or by Public Health Department through an engineering contract.

Mandatory Servicing and Inspection Program

On June 14, 2000, your Board approved a transfer of \$110,378 from the County General Fund to the Public Health Department's septic system program. While the use of these funds was not specified as part of the Board's action, based on direction received from your Board at the October 26, 1999 and January 25, 2000 hearings, and based on the Public Health Department's presentation at the June 14, 2000 budget hearing, the Public Health Department began to develop two draft ordinances related to onsite sewage disposal systems.

One of these draft ordinances is a proposed mandatory servicing and inspection program for onsite sewage disposal systems. This ordinance has been drafted and reviewed by the Septic System Working Group and recommendations on the language in the ordinance was provided back to Public Health Department staff. At this time the Public Health Department does not recommend the adoption of this ordinance into the County Code.

Currently, the servicing and inspection of onsite sewage disposal systems is done within Santa Barbara County on a voluntary basis by homeowners. Since adoption of the program by the Board of Supervisors in April 1999, as of March 30, 2001, over 2179 onsite sewage disposal system inspections have been conducted by septic system contractors and servicing companies. The County Code requires that these inspection reports be filed with the Public Health Department. Any upgrades that are required for the onsite sewage disposal system must be completed by the homeowner within a specified time frame. Defects detected in these systems would be required to be repaired, upgraded, and possibly connected to public sewer (where sewer was available) if the septic system was in a state of failure.

There are approximately 8,500 parcels currently using septic systems county-wide as a means of sewage disposal. Inspection reports received by the Public Health Department indicate that 3% of septic systems inspected were reported to be in a state of failure (purported to be any deficiency in the operation of the septic system's disposal field to accept treated effluent at the time of the inspection). Septic systems that were found to require major repairs, such as those with structural or septic tank component defects occur at a rate of 4% county-wide. In addition, those with a finding of elevated water levels within the septic tank, which may possibly indicate a pending failure (with some exceptions), were found in 17% of the inspections. With the implementation of the County Code revisions requiring the voluntary septic system maintenance reporting program in April 1999, the Public Health Department is now able to discover and require correction of operationally malfunctioning septic systems or deteriorated septic tanks in Santa Barbara County.

Based upon the programs and projects currently underway or pending implementation, and the pending regulations promulgated out of the passage of AB 885 (Assembly Member Jackson's legislation pertaining to statewide onsite sewage disposal system standards for siting, construction, and operation), the Public Health Department does not recommend moving forward with adoption of a mandatory servicing and inspection ordinance. However, the Public Health Department will defer this issue until the Sanitary Survey Project final report and recommendations are completed in Spring 2002. Once completed, the final report will provide recommendations relative to areas served by septic systems as to the potential need for advanced treatment of septic tank effluent, areas that may be more appropriately served by public sewer, and septic systems that may require replacement of septic tanks and/or sewage disposal fields, or are geographical areas appropriate for ongoing maintenance through servicing and inspection on a mandated routine basis.

Mandates and Service Levels:

Septic-to-Sewer Conversion Program

There are no mandates for the program, with the exception that the workplan proposal approved by the Board of Supervisors on October 24, 2000 that received subsequent approval from the State Water Resources Control Board contained specific components and timelines for the program (see fiscal and facilities impact section below). The Letter of Commitment entered into by the County with the State Water Resources Control Board specifies the maintenance of any records detailing expenditures of this funding for a period of three years. If your Board adopts the staff recommendations, the workplan will need to be revised, submitted and approved by the State Water Resources Control Board before any changes in funding usage could be considered.

Mandatory Servicing and Inspection Ordinance

Currently, the servicing and inspection of onsite sewage disposal systems is done within Santa Barbara County on a voluntary basis by homeowners. Since adoption of the program by the Board of Supervisors in April of 1999, over 2179 onsite sewage disposal system inspections have been conducted by private industry (septic system contractors and pumping/servicing companies). The County Code requires that these inspection reports be forwarded to the Public Health Department, and any upgrades that may be required for the onsite sewage disposal system be completed within a specified time frame.

Fiscal and Facilities Impacts:

Currently there are no projected facility impacts.

Septic-to-Sewer Conversion Program

On January 11, 2001, the Public Health Department received the check for \$2,000,000 from the State Water Resources Control Board. The funds are currently deposited in the Public Health Department's interest bearing Special Revenue Fund. It is anticipated that the funds will generate an additional \$50,000 in interest by the close of the current fiscal year. This additional funding will be incorporated into the Septic-to-Sewer Conversion Program components.

As indicated previously, it is anticipated that work will begin on the Sanitary Survey Project in the current fiscal year and approximately 15-20% of the funding may be invoiced by the selected consultant (\$30-\$40,000).

These funds were not part of the adopted FY 00-01 Public Health Department budget. If your Board adopts the recommendations, the Public Health Department will return with a budget revision request to accept the funds and designate unused funds to be released for use in FY 01-02. The Public Health Department's FY 01-02 Recommended Budget contains an estimated use of \$125,000 for the Sanitary Survey Project. After the Septic-to-Sewer Program workplan is modified to align with the adopted Board recommendations, and receives the approval of the State Water Resources Control Board, the Public Health Department will return to your Board to amend the FY 01-02 budget to reflect the program funding uses.

Mandatory Servicing and Inspection Program

Approximately \$55,000 of the allocated \$110,378 is anticipated to be expended for this fiscal year for preparation of the two onsite sewage disposal system ordinances, file preparation and hardfile conversion to the GIS database, and educational outreach program. The entire amount of anticipated funding was adopted as part of the FY00-01 Public Health Department budget. The remaining unexpended amount will be returned to the County General Fund. This program has not been budgeted as part of the department's FY 01-02 Recommended Budget.

Special Instructions: None

Concurrence:

County Counsel

Attachment: Attachment 'A', Status Report on Septic System Program of the Public Health Department