



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

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

Department Name: Public Works  
Department No.: 054  
For Agenda Of: 12/6/2011  
Placement: Administrative  
Estimated Tme: 12/13/2011, Admin  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

---

TO: Board of Supervisors

FROM: Department Scott D. McGolpin, P.E., x3010  
Director(s) Public Works Director

Contact Info: Mark A. Schleich, P.E., x3610  
Deputy Public Works Director

SUBJECT: **Ordinance Amending Chapter 29 of the Santa Barbara County Code Relating to the Regulation of Water Softeners in the Laguna County Sanitation District – Third, Fourth and Fifth Supervisorial Districts**

---

**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

Set hearing on December 6, 2011 on the administrative agenda to:

- A. Consider the introduction (first reading) of an ordinance amending Article III of Chapter 29 of the Santa Barbara County Code Relating to the Regulation of Water Softeners in the Laguna County Sanitation District;
- B. Set hearing on December 13, 2011 on the administrative agenda to:
  1. Consider adoption (second reading) of an ordinance amending Article III of Chapter 29 of the Santa Barbara County Code Relating to the Regulation of Water Softeners in the Laguna County Sanitation District; and
  2. Find that the proposed ordinance amendment is for the protection of the environment and does not involve construction activities or relaxation of standards and is therefore exempt from the California Environmental Quality Act pursuant to 14 CCR 15308 (Actions by Regulatory Agencies for the Protection of the Environment) and approve the filing of a Notice of Exemption on that basis.

**Summary Text:**

These actions recommend the adoption of an ordinance that would prohibit the installation of regenerating water softeners in all new development after its effective date. The prohibition is intended to help reduce the costs of future upgrades by minimizing the amount of salt that may be discharged to the Laguna County Sanitation District (District) sewer system and help meet state effluent standards to protect groundwater quality. These actions are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15308 as they are being implemented to reduce salt loading in the wastewater to protect groundwater quality.

**Background:**

Your Board initially heard this item on October 11, 2011 as the Board of Directors for the Laguna County Sanitation District. In general, modifications to the County Code must be made by the Board of Supervisors and therefore the changes to Article III of Chapter 29 needed to be re-noticed and re-heard by the Board of Supervisors. There are no proposed changes from the October 11, 2011 hearing and the item will be placed on the administrative agenda.

The ordinance addresses the fact that the majority of potable water supplied within the Laguna County Sanitation District service territory comes from the Santa Maria Groundwater Basin as purveyed by the Golden State Water Company. While some salt is added to water from use, the groundwater is “very hard” which necessitates the extensive practice of water softening. Unfortunately, the salt added to regenerating water softeners (used by 55% of District customers) is discharged to the sewer and becomes a form of water pollution, which limits the beneficial uses of the groundwater.

The District is regulated by the Regional Water Quality Control Board (RWQCB) to reduce salt in the wastewater such that the treated water meets discharge standards. Initial attempts to control salt included an ordinance that prohibited regenerating water softeners (later invalidated by court action) and certain plant improvements that included the installation of reverse osmosis for a portion of the flow and a disposal well for the brine. While salt content in the treated water has been drastically reduced by the plant improvements, the concentration for chloride still slightly exceeds the permitted level. Therefore, further reductions are necessary to comply with regulatory limits and to provide better quality water for recycled water users. The first step in limiting the salt loading is the adoption of a revised ordinance that prohibits the use of regenerating water softeners in new development approved after its effective date. This measure is allowed under Water Code Section 13148 et seq. as enacted October 11, 2009. The proposed ordinance replaces Ordinance 4074 adopted by the board on November 10, 1992 as written into County Code Section 29-26.

An additional step is the best management practice (BMP) of managing the salt loading from existing water softeners. Because the cost to augment the plant with additional reverse osmosis units is extremely cost prohibitive, reducing the amount of salt discharged to the sewer system is preferred. This can best be accomplished by promoting the exchange of regenerating water softeners with canister exchange water softeners as canister systems do not discharge salt to the sewer system. Staff intends to initiate an exchange program to remove 20% to 25% of the estimated 6,500 regenerating water softeners used by District customers, as a like reduction in the chloride load to the plant is expected. The program would budget up to \$400,000 over a 4 year period to provide a \$250 incentive to per customer which will be coupled with a \$150 credit provided by the canister exchange company (in addition to their capital investment) for a total incentive of \$400. Depending on the frequency of canister replacement, this would provide for approximately 8 to 10 months of canister exchange service. The effectiveness of

the program would be evaluated at the end of the first year. In order to further address the chloride issue, staff is working with the RWQCB to explore raising the chloride limit to be consistent with other wastewater agencies in the Santa Maria Valley. If the goals of the exchange program are not met, the Board may consider modifications to the ordinance such as requiring higher efficiency softeners, the prohibition on the installation of any regenerating water softeners, or even the mandatory buy-back of regenerating water softeners.

Staff recommends adopting the proposed ordinance to prohibit regenerating water softeners in new development and would recommend future modifications only in the event that other BMPs are not effective. The adoption of the ordinance and implementation of the canister exchange program is categorically exempt from CEQA under CEQA Guidelines Section 15308 for actions that assure the protection of the environment, as the purpose of the ordinance and canister exchange program is to protect groundwater quality by reducing the amount of salt in the wastewater.

**Fiscal and Facilities Impacts:**

None with this action.

**Fiscal Analysis:**

There is no cost associated with the adoption of the proposed ordinance.

**Staffing Impacts:**

There are no staffing impacts associated with this action.

**Special Instructions:**

- A. Government Code § 6066 Publication:  
Clerk of the Board to publish notice of the hearings, as set forth in the attached public notice, in the Santa Maria Times. **Recommended publication dates are November 22 and November 29, 2011.**
- B. Clerk of the Board to forward a certified copy of the amended ordinance to:
  - (1) Martin Wilder, Laguna County Sanitation District in Santa Maria
  - (2) Shannon Barcelona, Resource Recovery & Waste Management Division in Santa Barbara

**Attachments:**

Ordinance  
Ordinance with underline/strikethrough  
Public Notice  
Notice of Exemption

**Authored by:**

Martin Wilder, P.E., Utilities Manager, x8750

**Copy:**

Mike Ledbetter, County Counsel  
File - Ordinances