



Proposed Amendments to Monterey County Code Chapter 15.20, Sewage Disposal

Monterey County Health Department,
Environmental Health Bureau

June 6, 2023

Purpose

- The Monterey County Local Agency Management Program (LAMP) specifies that Monterey County will bring an ordinance to the Board of Supervisors to amend and update Monterey County Code, Chapter 15.20 to conform to the LAMP. The proposed amendment of Chapter 15.20 fulfills that requirement of the LAMP and furthers the LAMP's protection of the environment by providing detailed specifications to implement the LAMP.

History

September 2000 – Assembly Bill 885 requires statewide regulations for septic systems

June 2012 – State Water Resources Control Board adopts the OWTS Policy

- Sets the level of performance and protection expected from new OWTS and repairs/expansions to existing OWTS

May 2018 – Central Coast Water Board and Monterey County adopt the Monterey County LAMP

- Intent was to implement the LAMP for a period of time and amend Chapter 15.20 to make it congruent with LAMP requirements, and improve practical application and clarity of the various requirements

OWTS Policy

Tier 0 – Existing systems – no changes required if functioning properly

Tier 1 – Prescriptive standards that do not consider local geology

Tier 2 – Local Agency Management Program (LAMP) by Monterey County with area-specific standards

Tier 3 – Standards for areas with impaired water bodies (none designated in Monterey County)

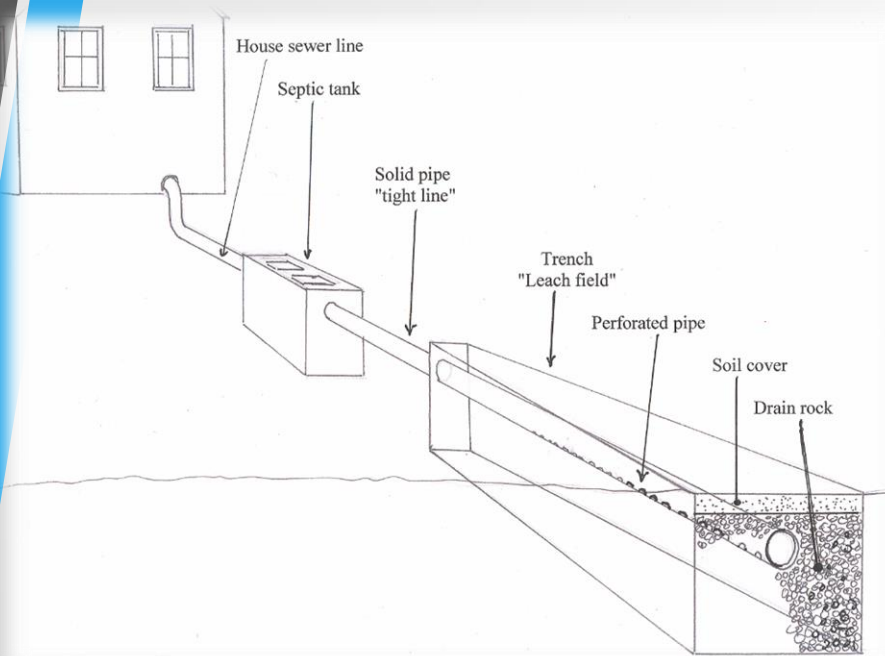
Tier 4 – Defines OWTS failure and owner responsibilities

Outreach

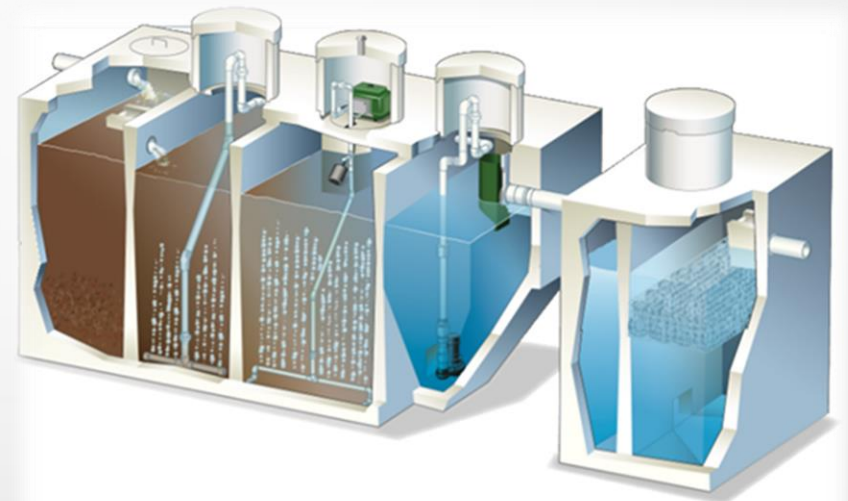
- Four (4) public information meetings in 2016
- Seven (7) LAMP Technical Advisory Committee meetings in 2016-18
- Two (2) Carmel Area Wastewater District Annexation information meetings in 2017-18
- LAMP featured in Monterey County Herald newspaper article, January 2018
- LAMP featured on Neal Kruse radio show, February 2018
- Sewage Ordinance Amendment (SOA) draft published April 2023
- SOA Information Session May 2023

Conventional vs. Alternative OWTS

CONVENTIONAL



ALTERNATIVE (SUPPLEMENTAL)



Effluent Quality 

Construction Costs 

O & M Costs 

Effluent Quality 

Construction Costs 

O & M Costs 

No Changes for Existing OWTS

- No changes required as long as the system continue to function properly, and no additional development is proposed
- Liquid waste haulers report all septic tank pump outs in Monterey County monthly



- Exception is Operating Permit requirements for “risky” OWTS or alternative OWTS with supplemental treatment

New, replacement or expansion OWTS

- Adoption of the LAMP did not nullify MCC 15.20; those standards remained in effect unless the LAMP specified new or updated regulations in which case the LAMP has controlled
- The proposed sewage ordinance amendment aligns MCC 15.20 with the standards with the LAMP by removing any inconsistencies and providing detailed instructions for implementing the LAMP
- Except for the two programs highlighted in the following slides, these standards are already effective and being implemented by staff

Qualified Professional Registration

Purpose: Accountability of OWTS installers, consultants and service providers

- Completed form signed by license or certificate holder
 - Proof of valid professional license or certificate
 - Name and contact information of person(s) who shall act as principle contact or intermediary with EHB
- Annual Registration Fee - \$201

Operating Permit

Purpose: Ensure systems are meeting performance objectives and are properly maintained to protect ground/surface water

- Only applies to OWTS with special conditions or monitoring requirements (e.g. Alternative OWTS)
- Show proof of active O&M Agreement/ service contract
 - Service visit inspection reports for prior year (number depending on manufacturer's requirements)
 - Water quality reports (effluent monitoring and/or onsite well sampling as applicable)
- Annual Operating Permit Fee - \$150

Categorical Exemption

(CEQA Guidelines Section 15307 & 15308)

- The proposed regulations are more protective of the environment and public health
 - Site specific design criteria instead of universal standards
- Adoption of the proposed amendment is not expected to induce population growth
 - The SOA fills in details but does not alter the regulatory structure put in place by the LAMP
 - Allows for use of Alternative OWTS to increase protection of our natural resources on existing lots but specifies that new subdivisions demonstrate conventional OWTS are feasible

Recommendation

It is recommended that the Board of Supervisors adopt a resolution to:

1. Find that the project, amendment of Chapter 15.20 of the Monterey County Code, is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15307 and 15308 because the amendment to Chapter 15.20 consists of regulatory procedures to assure the maintenance, enhancement, and protection of natural resources and the environment; and
2. Find that the exceptions to these categorical exemptions do not apply. The amendment of Chapter 15.20 involves no unusual circumstances, no reasonable possibility of a significant effect on the environment due to unusual circumstances, and no cumulative impact; and
3. Approve the amendment of Chapter 15.20 of the Monterey County Code.



Thank you.

What Comes Next

- We anticipate notices to be distributed to Owners of existing Alternative OWTS that fall under our Operating Permit requirements to be sent via US Mail by September 2023 with the intent for the program to become active by January 1, 2024.
- The Qualified Professional (QP's) registration program is also anticipated to become effective January 1, 2024. Qualified Professionals on our current list will receive written correspondence regarding registration requirements to their business mailing address by September 2023.
- All currently unlisted QP will need to obtain registration prior to commencement of work after January 1, 2024.

*Dates are tentative

Water Quality

- Required for well(s) located within 250' of OWTS dispersal system
- On-going monitoring required as part of operating permit (system performance, onsite well(s) within 250' of dispersal system and monitoring well(s) if present)

Constituent	When needed	Sample/ Reporting Frequency
Total Nitrogen	Onsite well <250'	1 time*
Chloride	Onsite well <250'	1 time*
Sodium	Onsite well <250'	1 time*
Total Dissolved Solids	Onsite well <250'	1 time*
Bacteria	Onsite well <250'	1 time*
Total Nitrogen (Influent)	AltOWTS (w/ N-reduction)	Annual
Total Nitrogen (Effluent)	AltOWTS (w/ N-reduction)	Annual
CBOD ₅ (Effluent)	AltOWTS	Annual
Total Suspended Solids	AltOWTS	Annual
Flow Rate	AltOWTS	Annual

**on-going testing every 5 years if system covered under operating permit*