Exhibit A

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County of Monterey
HEALTH DEPARTMENT
Elsa Mendoza Jimenez
Director of Health Services

1270 Natividad Road
Salinas, CA 93906
O: 831 755 4500
F: 831 755 4797

Monterey County HCD
Melanie Beretti
Chief of Planning

July 1, 2026

RE: August 26 Planning Commission Referral 24.9: Use and Permissibility of Composting Toilets and Other Self-Contained Wastewater Units

Based on review of the Monterey County Local Agency Management Program (LAMP), as well as Monterey County Code Chapter 15.20, composting toilets and other self-contained wastewater units are not authorized as a primary wastewater disposal method for residential or commercial development, except in the limited circumstances expressly identified in County Code.

The Monterey County LAMP was approved by the Monterey County Board of Supervisors on 4/3/18 as well as the Central Coast Regional Water Quality Control Board on 5/10/18. LAMP section 5.3 – General Policy Recommendations/Provisions states "Composting or incinerating toilets are not currently considered a viable option for sewage management for sites that preclude the use of a conventional or alternative OWTS because a gray water system intended to handle wastewater from a lavoratory or shower would be restricted by similar site constraints as would a conventional OWTS".

- Composting and other self-contained wastewater units only address blackwater from the toilet. A typical residence still generates wastewater from bathroom sinks, showers and bathtubs, kitchen sinks, dishwashers, and potentially laundry facilities.
- Collectively these sources generate "graywater", which still contains pathogens, organic matter, suspended solids, nutrients, soaps, detergent, oils, grease, and household chemicals that cannot be discharged onto the ground.
- Additionally, California Plumbing Code Chapter 15 provisions require graywater systems to include overflow or diversion arrangements so that when the graywater system is offline, full, or under maintenance, wastewater can be conveyed back to the building sewer or septic system.

Monterey County Code Chapter 15.20 was updated in 2023 to align with the LAMP and State OWTS policy. The amendments focused on OWTS regulation and did not establish an approval pathway for composting or other self-contained wastewater units.

- Monterey County Code Chapter 15.20.040 – Flush Toilets Required states: "Except as provided by this Section, no person(s) shall use or maintain any building, structure, or place where people reside, congregate, or are employed unless it is equipped with an adequate number of flush toilets, as determined by the California Plumbing Code, supplied by a source of water".

- This code section also outlines criteria for when the Environmental Health Bureau has determined that installation of flush toilets with connection to an approved sanitary system or OWTS is not feasible:

1. Haul away system:

a. For remote public restrooms (e.g. remote trailheads) maintained by a public agency, where there is no existing infrastructure to supply water, and it would be prohibitive to construct flush toilets; or

b. On a privately owned, existing lot of record where recycled water irrigation is in place and existing potable water infrastructure is not available within one thousand feet (1,000'); or

c. On a privately owned, existing lot of record, when a qualified professional has determined, with concurrence from the EHB and the Monterey County Building Official, that severe constraints have left no viable area to accommodate an adequate OWTS to serve an existing, legally established building with plumbing, and when all options for subsurface dispersal, including alternative dispersal systems, have been exhausted.

2. Privies or chemical toilets:

a. For construction sites pursuant to Health and Safety Code Section 5416, as may be amended from time to time; or

b. For a mobile workplace (i.e. work crews that move from one worksite to another worksite) when the EHB has determined that a portable toilet is necessary to remain with the mobile work crews to protect the health and safety of the employees and/or the public pursuant to California Code of Regulations, Title 8, Sections 3360-3376, as may be amended from time to time; or

c. For sites where food crop growing and harvesting is occurring pursuant to Health and Safety Code Sections 113310-113360 and California Code of Regulations, Title 8, Section 3457, as may be amended from time to time; or

d. For publicly owned and operated facilities, such as buildings, parks, beaches, and recreation areas; or

e. For workplaces to provide an adequate number of toilets and handwashing facilities for temporary employees, privies or chemical toilets may be used for up to thirty (30) days per calendar year; or

f. For activities involving the assemblage of people, including but not limited to circuses, carnivals, festivals, picnics, barbecues, or races, privies or chemical toilets may be used for up to thirty (30) days per calendar year. The following requirements shall also apply to such activities:

i. If food will be available for consumption or sale, the following standards apply:

1. Hand washing facilities with soap, water, and paper towels shall be provided at a ratio of one hand washing facility per ten (10) chemical toilets.

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2. Chemical toilets shall be pumped at least once per day, or more often if necessary.

ii. If food will not be available for consumption or sale, chemical toilets shall be pumped as often as necessary to maintain them in a clean, sanitary and serviceable condition.

3. For the purposes of Subsection 2 of this Section, the following standards shall apply:

a. No less than one chemical toilet per forty (40) persons. When flush toilets are also provided, the facility shall follow the standards specified by Section 422.1 of the California Plumbing Code and Title 18 of this Code, as each may be amended from time to time.

i. If toilets are pumped and emptied twice a day, one chemical toilet per eighty (80) persons shall be adequate.

ii. If toilets are pumped and emptied three times a day, one chemical toilet per one hundred twenty (120) persons shall be adequate.

b. All toilets must be clean, sanitary, and serviceable at all times. Toilet paper must be provided at all times.

c. Chemical toilets shall be pumped by a liquid waste hauler registered to operate in Monterey County. Disposal of pumped waste must be at a site approved by the EHB. Except as specified above, pumping shall occur as often as necessary to maintain the chemical toilets in a clean, sanitary and serviceable condition.

Based on the current County Code, approved LAMP, and State OWTS Policy framework, Environmental Health Review Services does not recommend recognition of composting toilets or other self-contained wastewater units as a substitute for an approved OWTS or public sewer connection without further policy analysis and corresponding regulatory amendments.

Respectfully,

Connor Cappi, Supervising REHS
831-755-4556
cappic@countyofmonterey.gov
Environmental Health Review Services