



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Report

Legistar File Number: RES 18-035

April 03, 2018

Introduced: 3/23/2018

Version: 1

Current Status: Agenda Ready

Matter Type: BoS Resolution

Adopt a Resolution to:

- a. Certify that the County used and considered the State Water Resources Control Board's Onsite Wastewater Treatment System Policy Final Substitute Environmental Document;
- b. Adopt the Monterey County Local Agency Management Program ("LAMP") for Onsite Wastewater Treatment Systems;
- c. Direct staff to submit the LAMP to the Regional Water Quality Control Board, Central Coast Regional, for approval; and
- d. Direct staff to return to the Board of Supervisors with proposed amendments to the Monterey County Code to make Chapter 15.20 congruent with the requirements and technical specifications in the LAMP.

RECOMMENDATION:

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

- a. Certify that the County used and considered the State Water Resources Control Board's Onsite Wastewater Treatment System Policy Final Substitute Environmental Document;
- b. Adopt the Monterey County Local Agency Management Program ("LAMP") for Onsite Wastewater Treatment Systems;
- c. Direct staff to submit the LAMP to the Regional Water Quality Control Board, Central Coast Regional, for approval; and
- d. Direct staff to return to the Board of Supervisors with proposed amendments to the Monterey County Code to make Chapter 15.20 congruent with the requirements and technical specifications in the LAMP.

SUMMARY/DISCUSSION:

On September 27, 2000, Assembly Bill 885 ("AB 885") was enacted which added Water Code Sections 13290 through 13291.7 that concern onsite wastewater treatment systems ("OWTS"), more commonly known as septic systems.

On June 19, 2012, the State Water Resources Control Board ("State Water Board") adopted Resolution No. 2012-0032, which adopted the Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems ("OWTS Policy").

On June 3, 2014, the Central Coast Regional Water Quality Control Board's ("Central Coast Water Board") Central Coast Basin Plan that incorporated the standards established in the OWTS Policy was approved. In accordance with the OWTS Policy and Central Coast Basin Plan, the Environmental Health Bureau ("EHB"), as the local agency, must adopt a LAMP in conformance with

Tier 2 standards of the OWTS Policy, which will allow for consideration of local geology and environmental conditions, or it will be required to implement Tier 1 standards of the OWTS Policy which sets forth prescriptive standards that do not take into consideration local geology and environmental conditions.

On May 13, 2016, the EHB submitted a draft LAMP to the Central Coast Water Board with the stated intention of further revising the document through a series of meetings with local OWTS stakeholders and based on feedback received from the Central Coast Water Board.

On June 27, 2017, the EHB presented an update to the Board of Supervisors regarding the status of the proposed LAMP, outlining the document history and proposed next steps for completion. The Central Coast Water Board acknowledged that Monterey County did not have an approved LAMP in place despite a May 2017 deadline as specified in the OWTS Policy. They agreed to continue facilitating the approval process for Monterey County with the stated expectation of approving a LAMP for Monterey County before the end of 2017. The EHB has maintained ongoing correspondence with Central Coast Water Board staff to ensure that the final LAMP will meet their expectations.

The EHB held multiple OWTS stakeholder meetings to review and respond to questions regarding the proposed LAMP and published a revised draft LAMP on the County website in January 2018. Based on feedback received from the public and the Central Coast Water Board, the EHB has prepared a final LAMP. Approval of the final LAMP and authorization to submit the document on behalf of Monterey County to the Central Coast Water Board is requested as outlined in the attached resolution.

Staff proposes to use and consider the State Water Board's Onsite Wastewater Treatment System Policy Final Substitute Environmental Document ("Substitute Environmental Document") pursuant to 14 C.C.R. section 15253 of the CEQA guidelines. The Substitute Environmental Document was approved by the State Water Board on June 19, 2012 as the certified agency and was the first agency to grant discretionary approval. Monterey County, a responsible agency, was provided opportunity to review and comment on the Substitute Environmental Document prepared for the OWTS Policy. The environmental analysis contained in the Substitute Environmental Document identifies that the implementation of the OWTS Policy will protect the environment by ensuring that discharges from OWTS occur in a manner that will not pollute groundwater or surface water. The State Water Board exercised the powers of a lead agency by considering all the significant environmental effects and incorporated into the OWTS Policy mitigation measures identified in the Substitute Environmental Document. The SWRCB established a consultation period with responsible agencies that was as long or longer than the period allowed for public review of the Substitute Environmental Document.

Staff will begin implementing the intent and policies of the LAMP the day following its approval and return to the Board of Supervisors within 18 months with proposed amendments to Monterey County Code Chapter 15.20, to make it congruent with the approved LAMP and with an administrative manual. EHB will provide an update to the Board of Supervisors and Central Coast Water Board every six months during this interim period.

This work supports the Monterey County Health Department 2011-2015 Strategic Plan Initiative to empower the community to improve health through programs, policies and activities and it also supports one of the ten essential public health services, specifically, to develop policies and plans that support individual and community health efforts and to enforce laws and regulations that protect health and ensure safety.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed this report and concurs with its content.

FINANCING:

There is no financial impact with the acceptance of this report.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

☐ Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

☒ Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☐ Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☐ Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Robin Kimball, Management Analyst, 1297

Approved by: Elsa Jimenez, Director of Health, 4621

Attachments on file with the Clerk of the Board:

Resolution

Local Agency Management Plan (LAMP)