

Assembly Bill 885 (AB885)

Board of Supervisors
2/3/09

Presented By:

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EDC Environmental Management



Background

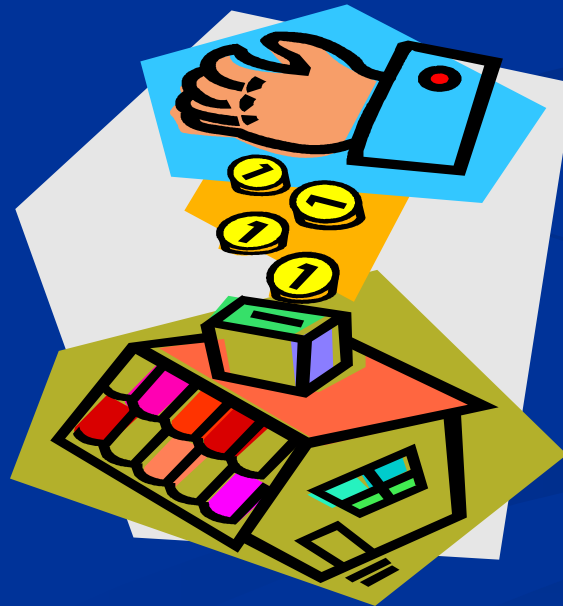
- Original Goals and Intent of AB 885
 - Introduced February 25, 1999
 - “Coastal onsite sewage treatment systems” – intent was to protect the coastal zone
 - Amended by Senate on August 18, 2000
 - “Coastal zone” verbiage eliminated
 - Expanded to statewide onsite wastewater treatment systems (OWTS)
- Will Affect:
 - All new systems and major repairs
 - All existing systems: Septic tank solids and well monitoring

Environmental Management Perspective

- Regulations exceed original intent and statutory authority
- Lacks scientific basis
- Unfunded mandates for property owners and local jurisdictions
- Overly prescriptive, “one size fits all”
- Inflexible of CA diverse geology
- Limit future land development
- “Self-implementing”
 - Possibly resulting in oversight by local authorities

■ Fiscal Considerations

- Property Owners
- El Dorado County Union Mine Facility
- El Dorado County Environmental Management Department



■ Administrative Issues/Enforcement

- Memorandum of Understandings?
- Regulation and Enforcement unclear
 - Who will approve supplemental treatment systems?
- Is corrective action timeframe adequate?



Timeline

- February 9, 2009 – Santa Rosa Workshop
- February 23, 2009 – State's Public Hearing and comment period ends
- February to August 2009 - State prepares comment responses and revises regulations
- August 2009 - Comment period on revisions
- January 1, 2010 - Effective date
- July 1, 2010 - Implementation date

How Do I Get Additional Information and Provide Comments?

http://www.waterboards.ca.gov/water_issues/programs/septic_tanks

State Water Resources Control Board

Division of Water Quality

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BY FEBRUARY 9, 2009

Conclusion

- Oppose implementation
 - Correlation between septic systems and ground water integrity unproven and flawed
 - Existing local oversight provides adequate protection
 - New State Regulations are unnecessary
 - New State Regulations are costly

Board Action

Environmental Management Department recommending the following pertaining to Assembly Bill 885 (AB 885):

- (1) Authorize Chairman to sign letter for submittal to the State Water Resources Control Board by February 9, 2009 regarding AB 885 onsite wastewater treatment systems (OWTS) proposed regulations and Draft Environmental Impact Report, citing issues as described in the analysis of the impacts;
- (2) Direct Environmental Management staff to continue to work with Regional Council of Rural Counties (RCRC), California State Association of Counties (CSAC), California Conference of Directors of Environmental Health (CCDEH) and State Water Resources Control Board (SWRCB) with the goal of developing a reasonable set of minimum standards for onsite wastewater treatment systems that provide public health and water quality protection;
- (3) Direct the Environmental Management staff to provide periodic updates to the Board as this issue is addressed;
- (4) Authorize other actions that the Board deems appropriate, possibly including the presence of interested members of the Board of Supervisors or designees who may wish to appear February 9, 2009 at the SWRCB to speak on behalf of the Board of Supervisors on this issue.