

# **County of Santa** Cruz

COUNTY ADMINISTRATIVE OFFICE

701 OCEAN STREET, SUITE 520, SANTA CRUZ, CA 95060-4073 (831) 454-2100 FAX: (831) 454-3420 TDD: (831) 454-2123 SUSAN A. MAURIELLO, J.D., COUNTYADMINISTRATIVE OFFICER

April 29, 1999

Agenda: May 4, 1999

Board of Supervisors County of Santa Cruz 701 Ocean Street Santa Cruz, California 95060

## FINAL REPORT AND RECOMMENDATIONS OF THE ENVIRONMENTAL HEALTH SERVICES TASK FORCE

Dear Members of the Board:

On February 2, 1999, at the request of Supervisor Almquist, your Board authorized the County Administrative Office to convene an Environmental Health Services Task Force and directed that the Task Force report back to the Board on April 27, 1999 with a report and recommendations for administrative and/or procedural changes or improvements to the County's sewage disposal program. On April 27, 1999 your Board defer consideration of the Task Force's report until May 4, 1999.

On April 29, 1999 the Environmental Health Services Task Force unanimously adopted the attached report which recommends that your Board adopt the recommendations in the report including the comments of the Environmental Health Services and the County Administrative Officer concerning the implementation of the Task Force's recommendations which are contained in Table 2 of the report.

Very truly yours,

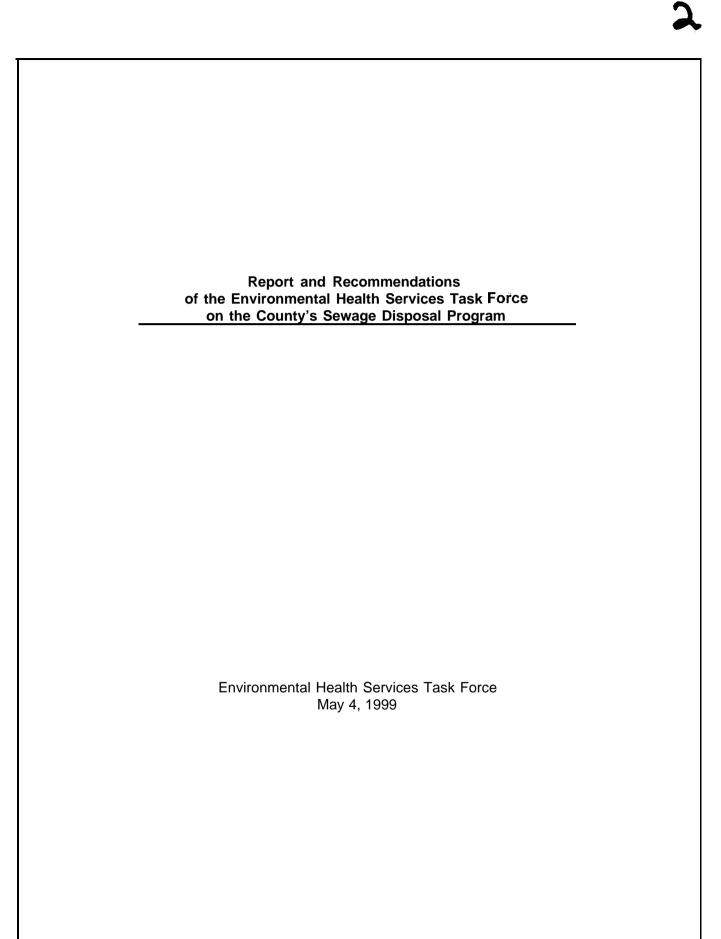
ND al

Susan A. Mauriello County Administrative Officer

cc: All Task Force members

H:\WPWIN\Septic\SEPTIC2.WPD

らよ



S:\Reportand Recomm.wpd

Report and Recommendations of the Environmental Health Services Task Force on the County's Sewage Disposal Program

## Introduction

On February 2, 1999, upon the request of Chairperson Almquist, the Board of Supervisors:

- authorized the County Administrative Officer to convene an Environmental Health Services Task Force with the membership and representation in Table 1 of this report;
- directed that the Task Force hold a series of public meetings; and
- directed that the Task Force report back to the Board of Supervisors on April 27, 1999 with recommendations for administrative and procedural changes and improvements to the sewage disposal program.

On April 27, 1999 the Board of Supervisors extended the report back date for the Task Force to May 4, 1999. The material which follows:

presents recommendations the Task Force believes will improve the County's sewage disposal program without sacrificing the State and federally mandated water quality goals included in the Wastewater Management Plan for the San Lorenzo River Watershed'; and

<sup>&</sup>lt;sup>1</sup> The Wastewater Management Plan for the San Lorenzo River Watershed was adopted by the Board of Supervisors, the Regional Water Quality Control Board and the State Coastal Commission in 1995 and serves as the basis for the County's Sewage Disposal Ordinance (Chapter 7.38 of the County Code).

٠

discusses the process which the Task Force utilized and the difficult problems which parts of the County's sewage disposal program can create for residents of the San Lorenzo Valley watershed.

Members and Representation on the Environmental Health Task Force			
Name	Organization -		
Supervisor Jeff Almquist	Chairperson of the 'Board of Supervisors		
Supervisor Walt Symons	Member of the Board of Supervisors		
Pat Busch	County Administrative Office		
Charles Moody	HSA Administrator		
Dr. George Wolfe	County Health Officer		
Diane Evans	Director, Environmental Health		
John Ricker	Water Resources Specialist		
Rafael Sanchez	Environmental Health Inspector		
Mike Dever	Assistant Planning Director		
Ken Hart	Environmental Coordinator		
Howard Kolb	Regional Water Quality Control Board		
Ray Rohrbough	Contractor - Rohrbough's Valley Septic		
	Service		
Jay Baker	Landowner (retired, member Boulder Creek		
	Fire Board)		
John Carver	Realtor - Century 21		
Ken Mabie	Consultant - Environmental Concepts		
David Ross	Neighborhood Advocate - San Lorenzo Valley		
	Water Board		
Marilyn Hummel	Sierra Club		

Table 1

## Recommendations

During March and April the Environmental Health Services Task Force held three public meetings and took approximately 9 hours of testimony from members of the public and interested contractors concerning a broad range of issues associated with the administration of the County's Sewage Disposal Program. On April 15, 1999, following the public meetings, the Environmental Health Services Task Force approved, without objection from any member of the Task Force, a series of recommendations intended to improve the administration of the County Sewage Disposal Program and address the concerns raised by the public and contractors at the public meetings, while preserving the State, federal and locally mandated water quality goals which are the basis for the requirements contained in the County Sewage Disposal Ordinance.

In general terms, the Task Force believes that:

- Environmental Health Services's management needs to strike a better balance between its twin roles of:
  - enforcing; on a County wide basis including the San Lorenzo River Watershed which includes the highest concentration of septic tanks in California, the stringent sewage. disposal ordinance which the Board of Supervisors and the Regional Water Quality Control Board have given it; and
  - providing assistance and service to:
    - (1) the individual members of the public who are experiencing problems with their septic systems and who want to have those systems repaired in an efficient and effective manner; and
    - (2) the contractors which they have hired to affect those repairs.

Both of the above roles involve important public services. The first is intended to protect the general public by enforcing the laws which the Board of Supervisors and State's Regional Water Quality Control Board have adopted and made Environmental Health Services responsible for enforcing. The second involves providing individual members of the public with efficient and effective service and assistance when their septic systems need repair.

The Board of Supervisors and the Regional Water Quality Control Board need to.consider an amendment to the existing County Sewage Disposal Ordinance which substitutes a full disclosure process, upon sale of a home or business served by a septic system, for the current practice of recording a notice of what is now known as Non Standard Septic Systems on the deed/County land record of the affected home or business. The current practice, which was intended to provide prospective buyers with notice of the existence of Non-Standard System, is having certain unintended consequences in financing and refinancing homes and as a result unnecessarily penalizes individuals and business whose "Non-Standard" sewage disposal systems may in fact work better than systems which are considered "Standard Systems".

The Task Force believes that the disclosure goal of the current process can be better and more uniformly achieved by substituting the recording on the County land record with a "Uniform Septic Disclosure Document" which title companies would be required by ordinance to include in the documents which the purchaser must acknowledge at the time of sale of a property with a septic system. The Uniform process envisioned by the Task Force would apply to all property served by a septic system and would disclose the following information:

- the date the system was installed and finalized by the County;
- a description of the system;
- disclosure of any particular maintenance or inspection requirements that will occur on an ongoing basis;
- any limitations on use of the property
- the date of the last inspection; and
- the dates of any noted failures of the system.

The "Uniform Septic Disclosure Document" would be based solely upon the Public Records of Environmental Health Services.

When the Board of Supervisors authorized the Task Force it indicated that the Task Force was charged with a review of the administrative and procedural operations of the sewage disposal program and not with review of the County's Sewage Disposal Ordinance. The Task Force believes that the recommendation for substituting and replacing the requirement for recording Non-Standard Systems on the County land record with a "Uniform Septic Disclosure Document" will strengthen the disclosure goals of the current system while eliminating the unintended consequences of the recording process and is therefore consistent with the Board of Supervisors charge to the Task Force.

- Fear of the designations in the County's Sewage Disposal Ordinance and fear of being labeled a Non-Standard System by Environmental Health Services discourages people from making needed and important repairs and upgrades to their septic systems and therefore has the detrimental and unintended effect of discouraging the repair of septic systems which are major contributors to degradation of the water quality in the San Lorenzo River Watershed. If there is one single area in which Environmental Health Services needs to encourage cooperation and show flexibility in the administration of its regulations, it is in the area of the repair and upgrading of failing septic systems\*. Providing encouragement and flexibility in making needed repairs should be an important component of the overall program.
- There are a limited number of situations where an extraordinarily expensive system is required due to unique ground water and soil conditions. The cost to an individual home owner in such situations can be catastrophic.

The Task Force believes that there should be a risk sharing program analogous to the State's "Tank Fund", which protects the owners of Gas Stations from bearing the catastrophic costs of a clean up in the event of underground leaks, is appropriate for the San Lorenzo River Watershed. The Task Force believes that some State participation in such a fund would be desirable and appropriate. In this regard, the State Water Board currently has programs to assist sewer systems that are in critical need of repair. Because the San Lorenzo River Watershed is essentially one large system, where conditions and economics preclude the installation of a sewer, the possible of assistance from these State sources should be carefully explored.<sup>3</sup>

To address the preceding the Task Force recommends that:

1. Environmental Health Services develop a Customer Bill of Rights which states:

<sup>&</sup>lt;sup>2</sup> The Task Force understands that in terms of the regulatory process there is a difference in upgrades that involve repairs and upgrades that involve new construction. The County has considerably more latitude in upgrades involving repairs to failing systems than it does for new construction. For the purpose of the Task Force's recommendations the upgrades for repairs and new construction shall be distinguished by examining the associated dwelling unit or commercial establishment. If there is no increase in bedrooms or increase in square footage more-than five hundred (500) square feet associated with the upgrade it shall be deemed a repair. If there is a greater increase in the structure associated with the upgrade it shall be deemed new construction.

<sup>&</sup>lt;sup>3</sup> A State sponsored low interest loan program is available for the San Lorenzo River Watershed but has been poorly utilized.

- the Mission and Objective of the County's Sewage Disposal Program in terms of both protecting the general public health and providing the applicant for the permit with efficient and effective service;
- advises the applicant that they will receive a written statement of fees that can be anticipated during the process; and
- sets forth the responsibilities of the applicant and time frames within which Environmental Health Services will respond at various stages during the process.
- 2. Each applicant have one designated Environmental Health Services employee who is responsible for the outcome of their application.
- 3. Environmental Health Services develop and implement an applicant satisfaction survey to monitor outcomes and provide feedback on the permitting process.
- 4. Environmental Health Services work on ways of expanding the hours of its public counter without reducing the amount of time field inspectors are available to schedule and perform inspections requested by the public and contractors.

The Task Force acknowledges that in the short term this recommendation represents a formidable time allocation problem and it is not the Task Force's intention to reduce field time by increasing counter hours. The Task **Force** believes that Environmental Health Services should consider increasing the number of inspectors to provide permanent counter staffing positions and/or training other Environmental Health Services staff to handle routine work at the Public Counter. Additionally, the Task believes that over the course of the coming year Environmental Health Services should be prepared to have presence at both Felton and Mid-County Permit Centers.

- 5. Environmental Health Services work with a Technical Advisory Committee (see recommendation # 9) to correct internal conflicts within the Sewage Disposal Ordinance and then develop a straightforward guide to the septic regulatory process which explains how the process works in layperson's terms and how septic tanks and septic systems are intended to work.
- 6. Environmental Health Services decentralize the decision making process and establish procedures and protocols which allow field Inspectors, within the constraints of the Wastewater Management Plan and the law, to modify system design and installation for septic system repairs and upgrades based on conditions and circumstances encountered in the field while the system is being installed.

S:\Reportand Recomm.wpd

- 7. The Health Services Agency design a training program that provides all staff with a public service orientation and develops them as experts whose role is to help train and educate the public as to the proper functioning of septic systems.
- 8. Environmental Health Services top management design a training program for new field inspectors which provides for in-depth training and orientation of new employees. The Task Force recommends that the program include work with a mentor employee in the field, a period of time during which they work on plan checks and design of systems with a senior employee and program which provides them with a understanding of the County's Sewage Disposal Program rules and regulations.
- **9.** Environmental Health Services, in conjunction with the State Regional Water Quality Board Staff, develop a broad based Technical Advisory Committee (TAC). The initial issues to be considered by the Technical Advisory Committee should include the following:
  - establishing an ongoing process and method for reviewing new and emerging technology;
  - a review of the 100% expansion rule for repairs and upgrades;
  - consideration of the role of "pumper reports" in the regulatory system;
  - consider the relevance of existing data for determining the need for winter water table testing and an orderly process for financing an updated data base;
  - a review of the current appeals process to determine if it is appropriate to expand the scope of the process to include technical issues; and
  - discussion of proposed policy and procedure changes before they are implemented.
- 10. Environmental Health Services develop a 'Strike Team" of experienced County staff that can work with property owners and contractors on complex problems that require special applications of County policy.
- 11. Environmental Health Services, in conjunction with the State Regional Water Quality Control Board, begin exploring ways of mitigating the extra-ordinary burdens that can result from the failure of septic systems in an area where conventional solutions will not work. The concept is to develop a fund, analogous to the State's Gas Tank

S:\Reportand Recomm.wpd

Fund, which provides for sharing the risk and burden, which is now an individual responsibility, on a collective basis.

12. The Board of Supervisors consider authorizing the establishment of a County Complaint Hotline where County residents can make complaints, not just about Environmental Health Services, but about any County Department.

As envisioned by the Task Force the hot line would be housed in the County Administrative Office and there would be prompt and regular reports to the Board of Supervisors about the types of complaints and their resolution. At the April 15, 1999 meeting of the Task Force, Supervisors Almquist and Symons indicated that they envisioned the Hotline and the County Administrative Office receiving and resolving many of the constituent complaints now handled by their respective offices.

13. The Board of Supervisors authorize Environmental Health Services in conjunction with the advice of a local advisory group to include local realtors, lenders, title companies, the State Regional Water Quality Control Board, County Counsel and other interested parties, to develop an ordinance which provides for the replacement of the current process of recording the designation of a Non Standard on County land record with a "Uniform Septic Disclosure Document" described in this document. The Task Force believes that the "Uniform Septic Disclosure Document "would strengthen the disclosure process which is now in effect while eliminating some of the unintended consequences associated with the recording of the Non Standard designation on County land record. The new disclosure process would provide for the removal of all existing non standard designations from County land records.

The Task Force realizes that amending the County Sewage Disposal Ordinance to eliminate the recording requirement and provide for the Uniform Septic Disclosure Process will require the development of an ordinance which must be approved by the Board of Supervisors, the Regional Water Quality Control Board and the State Coastal Commission and that this process will take many months.

## Implementation

The Health Services Agency Administrator and the Director of Environmental Health Services have reviewed the recommendations and have indicated that they are preparing an action plan which provides for the implementation of the recommendations. While most of the recommendations can be implemented within the context of the Health Services Agency Budget, the Health Services Agency Administrator and the Director of Environmental Health have indicated that some of the recommendations involve significant resource allocation and/or budget issues which will need to be considered and resolved by the County Administrative Office and Board of Supervisors before they can be implemented.

S \Reportand Recomm.wpd

The table below summarizes the Task Forces Recommendations and indicates how the Health Services Agency and/or the County Administrative Office are proceeding to address each issue.

Table 2				
# Description		Status	Estimated Implementation Date	
1	Applicant Bill of Rights	The Health Services Agency is currently working on the development of this document.	June 1, 1999	
2	Single Employee responsible for the outcome of each application.	e Environmental Health Services endorses this concept and it will be articulated in the Applicant Bill of Rights.	June 1, 1999	
3	Customer Satisfaction Survey	Environmental Health Services is developing a Customer Satisfaction Survey which will be implemented with the Applicant Bill of Rights.	June 1, 1999	
4	Expanded Counter Hours	<ul> <li>(a) Lunch Hour</li> <li>(b) Time Available for phone calls<sup>4</sup></li> <li>(c) Expanded counter hours and staff Permit Centers'</li> </ul>	April 26, 1999 May 10, 1999 Report for Final Budget Hearings	
5	5 Layperson's Guide to the Environmental Health Services has begur Septic Regulatory Process developing a Laypersons's Guide to the Seption Regulatory Process.		July 1, 1999	

Table 2

<sup>&</sup>lt;sup>4</sup> The phone mail system for Environmental Health Services will be changed so that calls placed to a staff member's direct line automatically will go to voice mail if that person is not available to answer the phone, with an option for the call to go to a receptionist during business hours. This will allow contractors to leave voice mail directly for staff any time during the day or after hours. Land Use staff will access voice mail and return calls to contractors between 7:30 and 8:00 a.m.

<sup>&</sup>lt;sup>5</sup> Environmental Health Services is working on a plan which would provide for the expansion of counter hours without sacrificing the time available for field inspections and consultations. The preliminary plan provides for a new position which would be deployed as follows: the counter at 701 Ocean Street from 8:00 to Noon each day and the Felton and mid-county permit centers on two afternoons each week. A report on this position'and the financing will be provided to the Board of Supervisors at Final Budget Hearings in June 1999. Beginning with the opening of the Felton permit center, Environmental Health Services will initiate a time and workload study in order to determine the amount of time, type of inquires and the resources, i.e., documents and files, needed to staff a permit center.

Agenda: May 4, 1999

## Report and Recommendations of the Environmental Health Services Task Force

#	Description	Status	Estimated Implementation Date
6	Decentralized decision making and protocols for field changes for Septic Repairs and Upgrades.	<ul> <li>(a) Environmental Health Services is currently working on managerial and organization changes; and</li> <li>(b) the protocols for increased field discretion.</li> </ul>	June 1, 1999
7	Public Service Training Program	Public Health Division of HSA will plan two training sessions for 1999.	1 <sup>st</sup> Session September 1999
8	Training Program for new Field Inspectors	Environmental Health Services is reviewing the current training program to meet the goals articulated by the Task Force.	December, 1999
9	Technical Advisory Committee	<ul> <li>Subject to the approval of the Board of Supervisors, Environmental Health Services will be establishing a TAC this month for the purpose of providing advice on the following issues and projects:</li> <li>reviewing the repair standards;</li> <li>examining the 100% expansion rule for repairs and upgrades;</li> <li>establishing an ongoing process and method for reviewing new and emerging technology;</li> <li>reviewing the role of "pumper reports" in the regulatory system;</li> <li>considering the relevance of existing data for determining the need for winter water table testing and an orderly process for financing an updated database: and</li> <li>examining the current appeals process to determine if it is appropriate to expand the scope of the appeals process to include technical issues.</li> </ul>	1" meeting June 1999
10	Strike Force	Environmental Health Services will develop a "Strike Force".	June <b>1</b> , 1999
11	Development of strategies for Financial Risk Sharing	Environmental Health Services has indicated that this is an issue for the long term which will involve working with the Regional Water Quality Control Board and the community over the course of the next year.	Status Report April 2000

S:\Reportand Recomm.wpd

## Report and Recommendations of the Environmental Health Services Task Force

Agenda: May 4, 1999

#	Description	Status	Estimated Implementation Date
12	Complaint Hotline	The County Administrative Officer has indicated that the matter of how constituent complaints are handled is a policy matter for the Board of Supervisors. Changing the primary point of citizen contact from the Board's Offices to a "Complaint Hotline" staffed by the County Administrative Office would represent a reversal of long standing Board policy.	June, 1999
		The change in policy and the new workload would require a review of resources and development of administrative procedures for processing constituent complaints by the County Administrative Office. The County Administrative Office will prepare a report on this matter for consideration by the Board of Supervisors at Final Budget Hearings in June 1999.	
13	Uniform Septic Disclosure Document	Subject to authorization by the Board of Supervisors, Environmental Health Services believes that this ordinance should be drafted with the assistance of an advisory group with representation by local realtors, lenders, title companies, interested members of the community and any other group the Board deems appropriate. It should be noted that implementation of this recommendation will require approval by the Board of Supervisors, the Regional Water Quality Control Board and the State Coastal Commission.	April, 2000

## **Public Meetings**

As part of its work the Task Force held three meetings during which the Task Force received public testimony and questions concerning the operation of the County's Sewage Disposal Program. Two of the meetings were held in the San Lorenzo Valley and one in Mid-County.

## First San Lorenzo Valley Meeting

The first meeting was held at San Lorenzo Valley High School on March 25, 1999 and was attended by approximately five hundred people. The format of the first meeting was essentially a question and answer session between the audience and Environmental Health Services' Water

S:\Reportand Recomm wpd

Quality Program Manager and the Regional Water Quality Control Board's representative to the Task Force. The testimony and questions at the first public hearing involved:

- complaints about the strict nature of septic regulations in the San Lorenzo Valley;
- · concerns about who regulates septic tanks and the cost of septic tank operations;
- . questions about the difference between Standard and Non-Standard Septic Systems;
- . dissatisfaction with the practice of recording a notice of a Non-Standard System on deed/County land record and testimony regarding the effect this practice upon the value of the home and the ability to secure real estate loans;
- questions about how a system is designated Non-Standard and questions about the application of the 100% expansion area rule.

Following the first public meeting, Environmental Health Services prepared written answers to frequently asked questions. The questions and answers for the San Lorenzo Valley Watershed are reprinted below.

## Frequently Asked Questions About Septic Systems in the San Lorenzo Valley Watershed

## 1. Why are septic regulations in the San Lorenzo Valley so stringent?

The San Lorenzo River Watershed has the highest septic system density of any comparable area in the State. While bacteria levels in the River have declined in the last few years from the dangerously high levels which prevailed in the **1980s**, in many areas bacteria levels just barely meet the standards for safe swimming. Nitrate levels remain at levels 5-7 times higher than natural levels and pose a threat to the drinking water supply for approximately 85,000 of the County's residents. Continued improvements to septic systems are needed to further reduce contaminant levels in the River.

## 2. Who regulates septic tanks in Santa Cruz County?

Septic tanks are regulated locally by the County Health Officer through the Environmental Health Division of the Health Services Agency in accordance with standards established by the State Regional Water Quality Control Board. The standards and regulations for septic tanks in the San Lorenzo Valley are contained in the Wastewater Management Plan for the San Lorenzo River Watershed and the San Lorenzo Nitrate Management Plan. The plans where approved by the Regional Water Quality Control Board and the Santa Cruz County Board of Supervisors in 1995. The standards and regulations contained in these documents may not be changed without the consent of the both the Board of Supervisors and the Regional Water Quality Control Board.

There have been no significant changes in County septic system standards since 1995. Most standards have been in place since at least 1993. At this time, there are no formal proposals for changing the current standards. However, during the past year, there have been some changes in the procedures for enforcing the standards which have caused some concern by septic contractors, realtors and property owners that the procedures may be unnecessarily complicated, strict, or burdensome. County staff are working with the public and interested parties to evaluate those concerns and to ensure that standards and procedures are friendly, workable, and effective in protecting public health and water quality.

#### 3. Are septic systems more expensive to operate than sewers?

No. The table below compares the annual cost for a single family residence of a septic tank with the cost of sewer service in the City of Santa Cruz and within the County Sanitation District which provides sewer services for Live Oak, Capitola and Aptos.

	Sewer	Service	San Lorenzo Valley - Typical		
ltem	City of Santa Cruz	Aptos, Capitola and Live Oak	Standard	Non Standard	Non Standard Alternative Technology
Annual Inspection Charge	NA	NA	\$25.00	\$115.00	\$209.00
Annual Sewer Bills	\$258.00	\$396.24	NA	NA	NA
Pumping - Typically ever 5	NA	NA	\$300.00	\$300.00	\$300.00

#### Single Family Residence A Comparison of Sewer Service and Septic Tanks Excluding Repairs

Over a five year period a the owner of a single family residents will incur the following operating costs for their sewer or septic system:

- City of Santa Cruz
- Aptos, Capitola or Live Oak
- San Lorenzo Valley
- Standard Septic System
- Non Standard Septic System
- Non Standard
- Alternative Technology System

\$1,290 for sewer services; \$1,980 for sewer services;

- \$ 425 for inspection fees and pumping charges;
- **\$** 875 for inspection fees and pumping charges;
- \$1,345 for inspection fees and pumping charges.

#### 4. What is the difference between a Standard and Non-Standard Septic System?'

A Standard Septic System is a conventional **onsite** sewage disposal system which consists of a septic tank and **leachfield**, which meet the current standards for tank size, leachfield size, groundwater

separation, setbacks from streams, cut banks, etc. The required size of the leachfield for a residence is determined by the number of bedrooms and the soil type. There must also be adequate "expansion area" on the parcel to accommodate a standard replacement leachfield which can be installed when the existing leachfield fails. Under current standards, which have been in place since 1995, at least 90% of the 400 septic system repairs in the San Lorenzo River Watershed have met requirements for a Standard System. Parcels with Standard Systems are eligible for major building additions, provided standards can still be met after the remodel. (See specific standards in County Code Chapter 7.38 and in the Standards and Procedures for the Repair and Upgrade of Septic Systems.)

A Nonstandard System is **a** recently permitted septic system (since 1993) which either uses alternative technology or does not meet critical requirements for a standard conventional septic system, such as groundwater separation, leachfield size, or availability of expansion area. Parcels with septic systems that do not meet standards are eligible for only minor building additions (a one time addition of less than 500 square feet and no bedroom additions). Parcels with alternative systems such as mound systems, at-grade systems, sand filters, or treatment units may be eligible for major building additions.

Because most Nonstandard Systems require special operating conditions (such as water conservation or regular pumping) and additional maintenance and oversight to ensure they function properly, County staff inspect them on an annual basis and charge an annual fee on the tax bill of those systems that require inspection. (Annual fees are collected through CSA 12.) Prior to approval and installation of a Nonstandard System, the property owner signs an Acknowledgment of Nonstandard System which indicates that they recognize and accept the special operating conditions and limitations required for use of such a system.

## 5. What is a Notice of Nonstandard System and why is it recorded on the deed for Nonstandard systems?

As a result of obtaining a permit for installation and use of a Nonstandard System, a Notice of Nonstandard System is recorded on the deed to describe the type of system and the special operating conditions and limitations, such as water conservation or regular maintenance, necessary for the system to perform properly. The purpose of the Notice is to notify any prospective buyer of the special conditions and limitations, if any, of the sewage disposal system serving that property, so that a new buyer will not unwittingly buy a property on which the septic system conditions may limit their future use of the property. Although these are factors that should be fully disclosed in any real estate transaction, the Notice is written to provide complete and specific information.

#### 6. Will my current system be designated as Nonstandard?

Older existing septic systems installed prior to 1993 are not considered to be either Standard or Nonstandard. This designation only occurs at the time of septic system upgrade or replacement. It is estimated that at least 50-75% of the older existing systems in the County adequately meet current standards and would be eligible for approval of major remodels. It is also estimated that 95% of all existing systems could be upgraded to Standard Systems. The designation of a system as Nonstandard only occurs at the time of system upgrade when it is determined by private designers **and** County staff that the requirements for a standard system cannot be met.

#### 7. What is 100% Expansion Area and why is it important?

For a parcel to be considered as having a Standard Septic System and be eligible for a major building addition, the parcel must have 100% expansion area. This means that there is adequate room on the parcel to install a replacement leachfield that meets standards and is 100% of the size needed for the proposed number of bedrooms in the house.

For example, in loam soils without high groundwater, the area needed for a 100% expansion area for a three bedroom house is about 50 feet by 20 feet, or 100 feet by 10 feet, depending on the configuration. The required area could be twice as large with higher groundwater or clay soils. The requirement for 100% expansion area helps to prevent the situation where a building addition may take up all the remaining area on the parcel, leaving no room to repair the septic system when it fails. In areas without sewers, having expansion area available helps ensure adequate ability to dispose of sewage for the lifetime of the home.

#### 

At each of the public meetings the Task Force provided participants with a copy of the background material listed below:

- two March, 1999 papers prepared by Environmental Health Services entitled:
  - · "Septic Systems and Design Standards in Santa Cruz County"; and
  - Background on Winter Water Table Testing in Santa Cruz County;"
- and a Memorandum of the Director of Environmental Health Services regarding Proposed Changes to the Sewage Disposal Program Procedures.

Copies of this background material are included in Attachment 1 of this Report.

#### Boulder Creek Elementary School Meeting

The second meeting was held at Boulder Creek Elementary School on April 8, 1999 and was attended by approximately three hundred people. Based on the Task Force's experience at the first meeting Environmental Health Services prepared a set of Frequently Asked Questions and Answers about Septic Systems in the San Lorenzo River Watershed. The format for the second hearing involved an initial public presentation by Environmental Health Services and the Regional Water Quality Control Board representative to the Task Force and the taking of public testimony by the Task Force. The hearing minutes from this meeting are Attachment 2 of this report.

## Mid County Meeting

The third meeting was held at Temple Beth El in mid-county. The dominant testimony at this meeting was-given by consultants and contractors, The draft hearing minutes for this meeting are Attachment 3 of this report.

### WillowBrook

During the course of the Task Force's public meeting, concern was expressed about the Residential Care Facility in Ben Lomond which is operated as a residential treatment program by a provider under contract to the County's Mental Health Department. The material in Attachment 4 was prepared by Health Services Agency staff and addresses the issue surrounding the WillowBrook Facility.

#### Correspondence

All correspondence received by the Task Force is included as Attachment 5 of this report. Environmental Health Services is in the process of responding to the various questions included in the correspondence.

### Conclusion and Recommendations

In conclusion, the Environmental Health Services Task Force recommends that the Board adopt the recommendations in this report including the comments of Environmental Health Services and the County Administrative **Officer** concerning the implementation of the Task Force recommendations contained in Table 2 of this report.

Attachments 1-5

\* \* \* \* \* \* \* \* \* \* \*