



May 16, 2011

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State Water Resources Control Board  
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**RE: Comment Letter -- On-Site Wastewater Treatment System  
(OWTS) Policy Scoping Document**

Dear Ms. Mascia:

On behalf of the California State Association of Counties (CSAC), I thank you for the opportunity to provide comments on the On-Site Waste Treatment Systems (OWTS) Policy Scoping Document. These comments echo those offered by the Regional Council of Rural Counties (RCRC). We agree that the policy direction outlined in the scoping document appears to address many of the concerns voiced by both organizations and individual counties regarding the regulations that were proposed in 2009.

As noted by RCRC, the new approach appropriately recognizes the effectiveness of local government oversight of specified aspects of OWTS, and ensures greater flexibility to allow for county-based standards in consideration of local factors relating to hydrogeology, land use, rainfall patterns, etc. Emphasis on known problem areas of the State is also commendable.

While we are very pleased with this change in direction, we agree with RCRC that other technical and procedural details must be addressed including the following:

- (1) The final policy will need to include a mechanism to ensure that Regional Boards do not arbitrarily or unnecessarily impose excessively stringent across-the-board regulatory restrictions as a condition of local program approval.
- (2) Tier 1 criteria must not be overly restrictive. These criteria must form a reasonable basis for the installation of standard systems in low-risk areas of the State.
- (3) Individual homes should be included in the Corrective Action Tier only if their discharge represents a significant contribution to the pollution of nearby impaired water bodies. Homeowners with “*de minimus*” discharge contributions should not be forced to implement costly remediation programs that will not significantly improve water quality.

- (4) The final policy needs to ensure that required water quality monitoring programs are designed to rely on existing data to the greatest extent possible. Without this provision, local governments could be required to implement costly and intrusive monitoring programs similar to those that were overwhelmingly rejected several years ago.

Lastly, we urge you to seriously consider the comments offered by RCRC regarding the potential environmental impacts described in the scoping document and the need for additional attention and analysis.

Thank you again for the opportunity to comment. Please contact me if you have any questions regarding our comments. I can be reached via email at [kkeene@counties.org](mailto:kkeene@counties.org) or at 916-327-7500, x-511.

Sincerely,

A handwritten signature in black ink that reads "Karen Keene". The signature is written in a cursive, flowing style.

Karen A. Keene  
Senior Legislative Representative