



November 11, 2011

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OWTS Policy
State Water Resources Control Board
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Comment Letter – Draft OWTS Policy Documents

On behalf of the California State Association of Counties (CSAC), I thank you for the opportunity to comment on the On-Site Waste Treatment Systems (OWTS) Policy Documents. The draft policy is much improved in comparison to the draft regulations that were released in 2008. Unfortunately, we continue to have concerns with the draft policy and believe that other technical and procedural details must be addressed including the following:

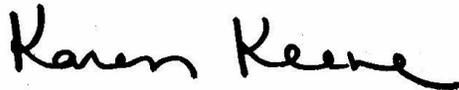
- (1) Although the draft policy relies extensively on local county and city programs to regulate OWTS, the Regional Water Quality Control Boards (RWQCB) are authorized to determine whether or not counties will be able to continue their existing local on-site programs. We believe that the final Policy must include additional mechanisms that will prevent Regional Water Quality Control Boards from imposing arbitrary and excessively stringent restrictions on county government as a condition of obtaining approval of the Local Agency Management Program.
- (2) Many of the listed requirements to obtain approval of the Local Agency Management Plan are excessive and unnecessary. Compliance with all of the proposed requirements will be costly to local governments. To address this problem, the Tier 2 submittal process for local program approval must be simplified and on-going reporting requirements to the RWQCBs must be reduced in both scope and content.
- (3) Any requirements for costly new water quality monitoring programs must be eliminated. Instead local governments should be able to rely on existing data to the greatest extent possible.

- (4) The proposed Tier 1 density limit for new subdivisions should be deleted as it inappropriately infringes on local governments' exclusive land use authority. We believe that the required CEQA analysis for all new subdivisions will provide for adequate assessment and mitigation of any groundwater quality impacts that may result from OWTS-related project approvals.

Lastly, we urge you to seriously consider the detailed comments offered by the Regional Council of Rural Counties (RCRC) regarding the proposed policy and the substitute environmental document.

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 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