

DEPARTMENT: Public Health

BY: Charles B. Mosher, M.D., MPH, Health Officer
PHONE: (209) 966-3689

RECOMMENDED ACTION AND JUSTIFICATION:

Recommend resolution authorizing Chair to sign letter to State Water Board regarding Draft policy to implement AB-885.

During informational presentation to the Board of Supervisors by the Health Department on November 1, 2011, direction was given to draft a letter for signature by Chair commenting on Draft Policy.

BACKGROUND AND HISTORY OF BOARD ACTIONS

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? () Yes <input checked="" type="checkbox"/> No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively _____
Additional Funding Needed: \$ _____		_____
Source: _____		Letter to State Water Resources Control Board _____
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
() General () Other _____		_____

CLERK'S USE ONLY:

Res. No.: 11-552 Ord. No. _____
 Vote - Ayes: 3 Noes: _____
 Absent: _____ Abstained: _____
 Approved
 Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California
 By: _____
 Deputy

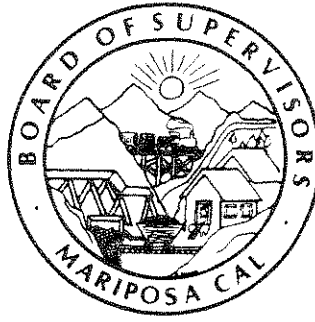
COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

CAO: BB

Mariposa County Board of Supervisors

District 1 LEE STETSON
District 2 LYLE TURPIN
District 3 JANET BIBBY
District 4 KEVIN CANN
District 5 JIM ALLEN



RICHARD J. BENSON
County Administration Officer

MARGIE WILLIAMS
Clerk of the Board

P. O. Box 784
Mariposa, CA 95338
(209) 966-3222
(800) 736-1252

Fax (209) 966-5147

www.mariposacounty.org/board

November 8, 2011

State Water Resources Control Board
Post Office Box 2231
Sacramento, CA 95812

RE: Letter of Comment on Proposed OWTS Policy

Honorable Members of the Board:

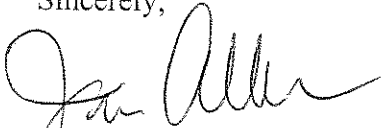
Thank you for providing us with the opportunity to comment on the *Draft Policy for Siting Design, Operation, and Management of Onsite Wastewater Treatment Systems* (OWTS Policy) to implement Assembly Bill (AB) 885. We have reviewed the OWTS Policy and give credit to your Board for your efforts to draft statewide standards that incorporate many of the comments made on the draft regulations released in 2008. However, even though the proposed OWTS Policy is an improvement over the version released in 2008, we have some serious concerns as follows:

1. The policy does not provide clear, unambiguous direction to the Regional Water Quality Control boards regarding the approval of Tier 2 Local Management Programs. We urge the State Water Resource Control Board to direct Regional Water Quality Control Boards to refrain from implementing more stringent standards that are applicable "across the board," rather than allowing local programs (especially in areas with no impaired waters) to continue their successful program implementation. Tier 1 standards should not be used to gauge the effectiveness of a Tier 2 plan.
2. The proposed OWTS Policy mandates that the permitting agency conduct, collect, store and transfer data to the Regional Water Boards. This requirement will create a financial hardship on the citizens of our County. The amount of data and man hours involved with such a task is unknown. If our County is required to complete the reporting, we will have little choice but to recover our costs through new fees, which will be a burden on our constituents. Due to the current economic situation, this is simply not the time to impose new fees.

3. In keeping with the spirit of the law (AB 885), we request that homeowner financial assistance be included as part of the final policy.

In closing, while we acknowledge that the proposed OWTS Policy does provide a more reasonable overall approach to AB 885 implementation in comparison to previous proposals; it still contains requirements that are costly and overly burdensome to property owners, and to the County as the local implementing agency. Therefore, Mariposa County opposes adoption and implementation of the OWTS Policy as currently presented and requests your Board consider our comments and concerns in reviewing the proposed policy.

Sincerely,

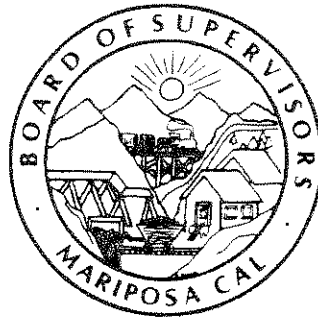


Jim Allen, Chair
Mariposa County Board of Supervisors

/ci/kb/tb

cc: California State Association of Counties (CSAC)
Regional Council of Rural Counties (RCRC)

Mariposa County Board of Supervisors



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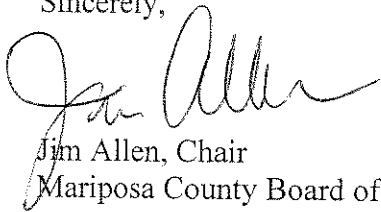
Mariposa County - - An Equal Opportunity Employer

11-29-11: Original letter + envelope picked up by Dave Conway.
We will be faxing the letter directly to the Deputy Director.

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Jim Allen, Chair
Mariposa County Board of Supervisors

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STATE WATER RESOURCES CONTROL
BOARD
Post Office Box 2231
Sacramento

NIXIE 957 DE 1 OO 11/27/77

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BCI 953380784 41672-07841-23-43

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