

**GENERAL LISTENING SESSION
FOR THE
PROPOSED ONSITE WASTEWATER TREATMENT SYSTEM ORDINANCE**

**Session #2 Minutes
August 10, 2010
6:00PM to 8:30PM
7747 Foothill Blvd, Tujunga, CA 91042**

The following is a summary of some of the session's questions and answers:

1. Q. Why are certain streams/channels designated 303(d) impaired and not others nearby?
A. Those other streams are not impaired with nitrogen or bacteria. The State is only concerned with water bodies that are listed in the 303(d) list that are polluted with nitrogen or bacteria.

2. Q. Why do we have to re-register every 5 years?
A. It's a way to keep the Bureau updated on who is responsible for the maintenance and operation of the septic system, because a lot can happen in 5 years. People move, sell their home, etc. Every 5 years for regular septic and every 3 years for septic systems in high risk areas. Only high risk requires certified inspectors.

3. Q. If high risk requires a certified inspector, won't inspectors approved by the city cost more? We should have a public oversight program.
Will any licensed C42 or C36 contractor be allowed?
 - A. The purpose of the oversight program is to ensure that all contractors/service providers have the proper license, experience, education and training. Any C42/C36 license contractors will be allowed, with a minimum 2 years of experience. There will be a list of certified contractors.
 - B. Require a COWA (California Onsite Wastewater Association) Inspector Training.
 - C. 2 day training provided nationally.
 - D. If you have the certification, you won't be denied to be on the list. You can also be on Malibu's list.
 - E. You can be removed from the list if found fraudulent.
 - F. There is no limit to the number of certified contractors, as long as they meet all the necessary requirements.

4. Q. Is Sunland/Tujunga a high risk area?
A. No. Sunland Tujunga is not a high risk area, just certain properties that fall within the high risk criteria.

5. Q. How do you know if you are high risk?
A. The list of 300 + high risk addresses are posted on the website www.lasewer.org

6. Q. Why do we need to re-certify in 3 or 5 years if our septic systems are meant to last 50-100years? 5 yrs is punitive. MOU is not law and should be modified. Sunland/Tujunga is on rock foundation and suffers minimum earthquake damage. Many systems have been around since the 1930s with no earthquake damage. No liquefaction occurs.
A. Certification is required because locally, septic systems have a 10% failure rate. The City recognizes that homeowners don't want a failed septic system, and registering guarantees that homeowners will be responsible should their septic system fail.

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7. Q. Show facts of failure. What defines failure? What is considered a failed system? Is Building and Safety standard different from what a contractor considers a failed system?
A. Definition of septic system failure is as defined in LAMC 94.101.15.2. The most obvious sign of failure is spill and odor which when reported to LADBS will trigger in depth inspections as required by code.
8. Q. How much is nominal fee?
A. Originally was going to be as high as \$50.00 but now it is going to be between \$5-20/year. City Council requires this program to be cost neutral.
9. Q. What will the fees go to?
A. Administration, web and online permitting maintenance, inspections, technical support & consultation for homeowners, contractors, realtors, etc., outreach & public education.
- We are considering using some of the fees generated to help low income homeowners with failing septic systems to fix or upgrade their septic systems.
10. Q. Is the city trying to use this money for administration and other costs?
A. The fees generated will be used for OWTS purposes only (see question #9).
11. Q. So wouldn't more septic tanks be better so less adding to sewer?
A. We are not trying to limit flow, that is not a motivating factor.
12. Q. How much will approved contractor charge?
Most homeowners don't know they are on septic. Some contractors charge \$44/hr. They have to dig the septic system up, fill in the water to do the percolation tests. They don't want to give anything in writing since they don't want to provide a warranty and be held liable if there is a failure.
A. Most septic tanks can be self-certified and don't require a contractor if it is not a high risk OWTS.
13. Q. Street has no sewer line. Is there any initiative to place sewers so there will be a potential to hook up?
A. No. City won't construct mainline sewer. Homeowner is responsible to build either through B-Permit process in which the resident hire a contractor to build a 6 inch lateral and connect to mainline sewer. If mainline sewer is unavailable, affected homeowners may start a petition and begin the sewer assessment process. The City will then build the sewer and bill the homeowners the cost of the sewer over a 10-20 years period.
14. Q. 2 years ago I enlarged septic for home expansion. LADBS granted a variance so I don't have to connect to sewer because it is 185ft away. They quoted \$85K to build sewer up to my property.
A. There is existing ordinance regarding connecting to sewer.
BOE: \$85k is for entire sewer. Assessment is around \$20-30k per property, if 3-4 other neighbors participate in the assessment process to split the costs over 10 years where all neighbors contribute.
15. Q. In the first meeting, my property was tagged as high risk because it was near Haines Canyon Channel, but Haines Canyon is not a 303(d).

A. Since spring, we've reduced the criteria for high risks from four to two. Haines Canyon was considered a stream so therefore any property within 150ft of Haines Canyon channel was considered high risk. Now that criteria is no longer part of the high risk definition.

16. Q. What is the cost of installing sewers depend on area of coverage? Like a 12 ft lot with a trailer vs a 12000 ft lot.

A. Cost varies according to the frontage. If it's odd-shaped then it will be calculated based percentage.

17. Q. We don't trust politicians. Is this a con? By tax collector? Please gain our trust.

A. That is why we are having these listening sessions and updating our website. That's also why we revised the ordinance after initial public input.

18. Q. This ordinance grew over several years from Federal, State, Local government. Please clarify if the broad picture is to provide safe drinking water.

A. Yes. To prevent and reduce pollution to our surface and groundwater. The ordinance is one method to address pollution in the form of bacteria from further impairing our water bodies.

19. Q. There is no evidence of contamination.

A. The emphasis is on bacteria and nitrogen. The state determines which streams are contaminated. The list is updated every 2 years. We've recently updated the maps. The policy for developing California's Clean Water Act Section 303(d) List is available on our website or RWQCB's website.

20. Q. There has been no case of Septic system reaching a stream in the U.S.

A. We are being proactive. We are stewards of the environment, just because it hasn't happen, that doesn't mean it will never happen.

21. Q. If the state waterboard did testing, can we get the results?

A. Once we get the info from them, we will share it or you can contact the state directly by visiting their website.

22. Q. Where is the scientific research? Not maybe. Clearly. What research is it based on? Where, When, Why. Before ordinance go forward, define the problem clearly.

A. The state's 303d listing process is spelled out clearly on their website at: [http://www.swrcb.ca.gov/losangeles/water_issues/programs/303d/2008_integrated_report_303\(d\)_revised_list.shtml](http://www.swrcb.ca.gov/losangeles/water_issues/programs/303d/2008_integrated_report_303(d)_revised_list.shtml)

23. Q. Want more info before we go forward.

A. You can go online to the state web site: www.swrcb.ca.gov/rwqcb4/

24. Q. Does City plan to expand sewer in future? Will state mandate it?

A. Only in groundwater improvement districts (GID).

25. Q. Does the city mandate sewer installation?

A. Only when a sewer is available within 200ft from the building, AND that the septic system has failed, or if the homeowner were to add additional bedrooms to the property. Please see informational bulletin online at: www.lasewers.org

26. Q. What if there is new technology? Will the state mandate sewers installed in areas?
A. There are no plans for that at this time.
27. Q. How much does it cost to connect to sewers?
A. Cost varies depending on distance to home, frontage, etc. Please contact BOE at 213-482-7049 or 818-374-4600
28. Q. Can we get guideline for percolation test?
A. Yes. Please refer to <http://ladbs.org/LADBSWeb/public-home.jsf>, or “what a homeowner should know” on our website www.LAsewers.org. Also refer to Appendix K of LAMC.
29. Q. Plan has holes. No data to support. Are you going to implement anyway?
A. We are going to continue public outreach and adjust our proposed ordinance before presenting to the Board of Public Works. Nothing is finalized yet and we will return to visit the neighborhood councils before it is finalized.
30. Q. If it’s self-inspection, how do homeowners know if their system is functioning? Is there any penalty if it’s not working after we say it’s okay?
A. Because the public did not want the added cost of required inspections by professionals, we are allowing for self certification. We believe you if you claim that the system is working perfectly fine. It is based on the honor system. The only way to know if your system is functioning properly to have it inspected by a professional.
31. Q. If it’s on the honor system, why do we need the city to be involved?
A. Because there is a 10% failure rate throughout the City, we need to have a way to monitor and make sure that homeowners are actually maintaining their system. Two out of 30 homes we inspected recently in the Pacific Palisades area failed.
32. Q. How do you know the owner is doing the right thing?
A. We are asking that you take the best care of your system. You are liable for your system. The web site http://www.lasewers.org/private_sewers_septic/septic_systems/owts.pdf has a Homeowners Guide to Best Management Practices (BMP).
33. Q. Why an ordinance?
A. It is a state requirement. Otherwise you will have to go to the state to get a WDR (Wastewater Discharge Requirement). This ordinance will eliminate the WDR requirement by the state.
34. Q. Can we become high risk in future if we are near other streams? I’m willing to pay a small fee to help others in high risk. Like using a park, some are occasional users and others are regular users, but we should all pay to support the park. So we should help others. But is the money going to higher salaries?
A. The 303(d) list is updated every two years by the RWQCB. Impaired bodies of water may be added or taken off the list depending if they have or have not met acceptable levels of impairment.
35. Q. The effect of the ordinance will be felt when we sell the property. Have to disclose if the septic system needs repair and has to pay \$20-30k. Like eminent domain. This can reduce the value of a home. Already have to state if you have a cesspool.

A. Disclosure is already required in home sales. The City doesn't want to interfere with real estate sales through this proposed ordinance. There is no inspection required at point of sale like Malibu.

36. Q. Also attending are representatives from North Hollywood and Sun Valley NC. For problem areas, how to get compliance? How to hook up to sewers? Get Septic into compliance? 25years ago, La Canada successfully connected to sewer, do you look at how other communities do things?

A. We do look at other agencies programs for ideas, like Malibu. We also have looked everywhere for money to help low-income OWTS owners. We used to get a revolving loan from the state, but that's gone. We used to get a revolving loan from the state, but that's gone. We are still actively searching for funding to help low income homeowners in any way possible.

37. Q. Is this ordinance because the federal government is forcing the state to comply with the Clean Water Act? Can't we get a postponement because of the economy?

A. Historically, the state regulates the surface and ground water. Up until 1952, we received a waiver to allow the city to issue permits for septic. But after AB8854 in 2000, the state requires us to comply. All this is from the state level. Section 303(d) of the Clean Water Act (CWA) mandate all states to identify impaired water bodies and set TMDL (Total Maximum Daily Load) to address the levels of pollutants in our waters.

38. Q. B Permit costs \$3000. Why can't the city lower cost? Have they ever lowered the cost? Building and Safety?

A. The Sewer Service Charge is lower now than in 1994.

39. Q. If the state is mandating this, then wouldn't it be better if we get licensing from the state in lieu of an ordinance?

A. The State requirements cost more, ranging from \$400-\$900 for initial permit and then \$400/year. Also since their staff and work hours are reduced, it will take more time to process permits

40. Q. If septic is regulated and has fees, is it cheaper than sewer?

A. Even with the added costs of maintenance and inspections, being on septic system is still cheaper than paying sewer fees every month.

SUMMARY OF ACTION ITEMS:

	<u>ACTION ITEM</u>	<u>ORGANIZATION</u>	<u>To be Complete by:</u>	<u>Action Taken</u>
1.	Update LA Septic Website with related links to groundwater studies, EPA, City of Malibu OWTS Program.	BOS/WESD	08/13/10	Completed
2.	Provide information on RWQCB's method for developing California's Clean Water Act Section 303(d) list.	BOS/WESD	08/13/10	Completed
3.				

Next Meetings:

1. Listening Session #1 (already held on 08/03/10)
2. Listening Session #2, Tuesday, (already held on 08/10/10)
3. Listening Session #3, Thursday, (already held on 08/12/10)
4. Listening Session #4, Thursday, (already held on 08/10/10)
5. Arleta NC. 6:30pm. Arleta First Assembly of God, 9757 Arleta ave
6. Arroyo Seco NC. 7pm. Ramona Hall 4580 N. Figueroa st.