

## **The Lookout** **February-April 2009**

### **Septic Regulations Report**

A revolution of sorts is spreading across the state as home and business owners learn of new regulations under "AB 885" from the State Water Resources Control Board staff aimed at modernizing septic systems and water quality.

Regional hearings held throughout California over the past two months have been uniformly greeted by angry residents who pack auditoriums and council chambers to overflowing, arguing that the proposals could bankrupt them. Many also object to the intrusion of the state into what they contend is a local issue and to what they describe as a "one-size-fits-all" approach to a complicated issue.

The proposals would establish minimum requirements for the permitting, monitoring, and operation of septic systems statewide. Among other things, they would require inspections with an estimated cost of \$325 every five years for all 1.4 million septic tanks in the state. If the system weren't working properly, it would have to be repaired or replaced. New septic systems would have to have alarms and overflow tanks and filters to prevent the escape of solids. Systems within 600 feet of certain bodies of water would need to have additional treatment equipment. Onsite wells would also be subject to inspection at a separate cost.

While local governments like Marin agree with the goals and apply stringent and often costly requirements for septic systems when houses are sold or remodeled, Phil Smith, deputy director of Marin's Environmental Health Services, says the proposed statewide regulations are "unworkable and prohibitively expensive." In addition, they don't allow for local flexibility to use alternative systems. His department and others around the state, which support some form of statewide regulations, have signed off on the California Conference of Directors of Environmental Health (CCDEH) opposition to the proposals. They hope widespread opposition will result in substantial changes, including allowing local health and water agencies to target only those faulty septic tanks identified through nearby contaminated water sources.

"The proposed statewide standards do not focus adequately on [systems] that contribute to water quality impairment, but rather impose considerable additional requirements on all [systems] irrespective of past performance," CCDEH President Lewis Pozzebon wrote to the Water Resources Control Board on Jan. 30. Among other complaints, county officials say they don't have the manpower to enforce the proposed regulations. But they also say the regulations don't take into account different geological conditions in different areas.

Board spokesman David Clegern says the proposal will be revised, but he says he doesn't yet know how. The state agency is holding hearings for the purpose of considering public input before the regulations become final.

"We're aware Malibu isn't the same as Marin," he told the Lookout. But he also said that "septic tanks are effective as long as they work." The board "simply wants to establish a baseline by which we can determine if there are problems."

Clegern said how the regulations will change won't be known until after the hearings and the public comment period, whose deadline has been extended from Feb. 9 to Feb. 23 because of the huge interest and outcry. (Anyone interested in the issue should go to: [www.waterboards.ca.gov/water\\_issues/program](http://www.waterboards.ca.gov/water_issues/program) to learn more about the regulations. To comment by the Feb. 23 deadline, send an e-mail to [AB885@waterboards.ca.gov](mailto:AB885@waterboards.ca.gov).)

An estimated 10 percent of California households use septic systems. Smith says in some cases they have an advantage over sewer because sewers tend to leak. When working properly, septic systems provide a natural way to efficiently treat effluent and allow water to seep into the ground, help plants grow and ultimately help replenish the water supply. Last August, Marin County imposed a new fee schedule for septic permits. At least one Mt. Tam resident was surprised to learn she must pay an annual \$495 fee for an alternative septic system operating permit.

- *Diane Curtis*

### **Sewer Issue: Special Meeting**

#### **Date to be scheduled during March**

**Look for a separate invitation** to a meeting to discuss moving forward with identifying our neighborhood boundaries. Lynn Hindley, Chair of the Sewer Committee, will keep us informed as new information emerges.

### **The Lookout**

#### **February-April 2008**

### **Sewer Committee Update**

No news to report. We're awaiting an update from Dietrich Stroeh, whose firm has been consulting with MWPCA. Meanwhile, members of the board and the Sewer Committee are checking in with the City of Mill Valley and the Homestead Sewer District to explore possibilities. Lynn Hindley will keep us informed as new information emerges.

### **The Lookout**

#### **December 2007-February 2008**

### **Sewer Project Update**

The sewer project flows on. 2007 began with the completion of the "Feasibility Study" by the Engineering firm CSW/ Stuber – Stroeh Inc. The study was delivered to us in April. Karen Buckter created a sewer page on our website, [www.mounttam.org](http://www.mounttam.org) and the feasibility study was uploaded. This was followed by an informational meeting held at the clubhouse in May. Over 130 members of the community attended. Dietrich Stroeh was on hand to present an

overall concept on how sewer lines could be extended into our community. He was also available for answering questions and to shed light on the pros and cons of sewer versus septic. Following the meeting the Independent Journal called me for an interview. I reluctantly agreed and the results were that our issue made the front page.

Over the summer months, Karen Buckter, Dietrich Stroeh and I met with both Mill Valley Public Works and the Homestead Sewer District. The Homestead Sewer District has been most responsive to our needs and seems generally interested in helping us achieve our goals. One possibility is to annex our area into their Sewer District, eliminating the need for us to form a separate entity. They would then possibly buy extra capacity from Mill Valley and possibly contract with Mill Valley to accept some effluent from the Upper Edgewood and Washington Park area.

Currently Dietrich is working with Homestead to determine the conditions of their "upper pipes" closest to our neighborhood, and to cost out what new work would have to be done to ensure that those pipes are capable of increasing their capacity. We should be getting follow-up results from these studies soon. Financially we are in good shape, although that can change quickly. We paid about \$5000 for the feasibility study, and we have signed with Dietrich for additional services of up to \$5000. This money has come from existing dedicated funds at the MWPCA. Keith Papulias and his faithful band of BBQ Beauties raised over \$5000 at the Fall Arts Festival Booth, this money has been dedicated to the sewer project. Thank you, Keith!

We are always in need of more monies, so please donate what you can; it will be gratefully accepted. Make your checks payable to MWPCA Sewer Fund. I have enjoyed Chairing this committee this year and look forward to doing so in 2008, and I hope that progress will be as positive as in 2007.  
Lynn Hindley, Chair of the Sewer Committee

### **The Lookout Summer 2007**

There was an amazing turnout for the May 23rd Sewer Feasibility Study meeting. About 130 owners attended, and the Clubhouse was bursting with people filling 104 seats, observing through the windows, watching the video feed in the back room and hanging out in the kitchen where the food was. After the presentation, a straw vote was taken and a majority of those voting indicated they were in favor of proceeding. Additionally, many called and emailed their support of the proposed sewer project.

Some of our good friends and neighbors are opposed, and their concerns are genuine. Many are still information gathering before deciding. What follows outlines the continually developing information about how a sewer would happen in our neighborhood. The presentation was made by Dietrich Stroeh, of CSW/Stuber Stroeh, whom the MWPCA commissioned to do the Feasibility Study covering our entire mountain neighborhood. The study defined six sub-areas, each on a different watershed. Sewer lines would end up at different places

at the bottom of the hill. The entire study and other information is available online at: [mounttam.org](http://mounttam.org).

The MWPCA sewer committee objective is information gathering. They have already met with our Supervisor Steve Kinsey and he is going to advocate with Marin County Public Works and the two Public Sanitary Districts on behalf of our neighborhood.

### **What Are The Next Steps?**

There are two steps on a neighborhood level:

**One** is for several people in each area to volunteer to become captains/lieutenants/worker bees in their Study areas. The larger the area, the more needed. Each neighborhood group needs to come together, have meetings, reach out to those who aren't yet informed, and determine just who wants to proceed now, who wants to proceed later and who wants out entirely. Our fervent wish is to reach out to everyone and work out a plan that acknowledges every opinion and accommodates as many as possible. Seed money will have to be raised.

The **second** step is to form a study group to determine how the overall project will be financed and managed. What we will do soon: Right now, we are networking for volunteers for each of the six defined areas. A study group will be formed to examine the financial and management alternatives, come up with a recommendation, and proceed.

We have updated the parcel lists that were on the wall at the meeting and posted them on the website. Please check and review. This is also a developing process, and if you think your property should be designated in another area, that may be correct. The best way for your ideas to be considered is for you to participate

**This is your wake-up call to become involved.** Call/email us. We will be thrilled to include you. Call 381-3119 or email [webmaster@mounttam.org](mailto:webmaster@mounttam.org). We will send out another informational letter to the owners-at-large soon. It will cost about \$300, paid for with the donations many of you have made over the last several years to the sewer committee. For developing updates we will need to send out communications by email for cost reasons. And, of course, there will be updates on the website. If you are not getting emails from [webmaster@mounttam.org](mailto:webmaster@mounttam.org), please give us your email address. Group emails to the neighborhood include reminders of events, bus schedule changes, important warnings and neighborhood issues such as this. You will not be inundated, and all large group emails are sent out masked - which means that only the webmaster has your email.

### **This is your neighborhood; be informed!**

#### **Management**

A Sewer Maintenance District, a separate legal entity from the MWPCA, must be formed for the areas - we hope all - wanting to proceed. The County would run it and appoint a local advisory board. The Muir Woods Park Sewer Maintenance District (MWPSMD) would make arrangements to build the sewer system which would connect to the Homestead Valley Public Sanitation District (HVPSD) and the Mill Valley Public Sanitation District. They would arrange for

treatment rights to use the Mill Valley Treatment Plant and contract for maintenance, operation and administration.

A sewer maintenance district is a simpler organization than a Public Sanitation District. There are six public sanitation districts that purchase treatment rights to the Mill Valley treatment facility located across from the Middle School. Our proposed pipes from the Sequoia Valley, Madera, Ridge and Chanticleer areas would feed into Homestead Valley Public Sanitation District, and pipes from the Washington Park and upper Edgewood areas would feed into Mill Valley Public Sanitation District.

### **Boundaries**

If one or more of the identified areas wants to opt out entirely, new boundaries can be drawn. If special planning and restrictions are desired in any micro - area, this is the time.

### **What is it all going to cost?**

The construction estimate for the entire neighborhood was about \$6,000,000. There would be another \$1,000,000 in engineering and legal fees and costs to set up the sewer governing body, for an estimated total capital cost of \$7,000,000. The county may bear a small part of this to get the district going, and it is possible that state funds might be secured in the form of a low interest government loan. The capital construction component would bring a sewer line to within connection distance of each participating property. It would be each owner's responsibility to actually connect to the new sewer pipe, at a cost that could range from \$2,000 to \$5,000 for most properties depending on how close you are, what lies between, and any special obstacles.

Look at the Study map and find your location, find the nearest proposed sewer line, go outside and walk around and think about how close you are and what obstacles exist. When completed, each owner would also pay a connection fee to the sewer district. For long established Public Sanitation Districts these are \$3,000 - \$5,000 to add a NEW home. There would be annual sewer fees for maintenance and treatment rights, billed on your property tax statement, which range from about \$250 to \$800 per year in Southern Marin sanitation districts. We understand it is not necessary to dig out your old system and dispose of it. We also caution that this information is preliminary.

### **Paying for the Sewers, There are Options**

Natural questions are: How would the \$7,000,000 in capital costs be paid for, who would participate and is non-participation an option? There are two basic courses of action.

#### **1. Participation by Choice**

With this model, very simply stated, those properties who want to participate would opt in; the overall cost would be divided up between them. To give an example: If 250 owners choose to opt in, dividing \$7,000,000 by 250, each owner would pay \$28,000 all at once to cover the initial capital cost. Owners could of course, borrow the money against credit lines or create a mortgage. If more opt in, the cost per property goes down, If less opt in, the cost goes up. The actual costs may be adjusted between the six identified areas, and issues of unimproved lots, two lots with one house, and so forth will be investigated. A method will be

developed to reimburse the owners of the original participating properties with the fees paid by those opting in later. Those opting in later would pay more, according to a predetermined scale.

## **2. Assessment**

An assessment is similar to the school bonds you presently pay. All properties within the specified boundaries would participate. The assessment is approved by vote, the bonds are bought, and everyone pays the debt back over 20 to 30 years. Two (of many) illustrative approaches are:

### **Per Parcel:**

One is for every owner to get one vote per parcel. If approved, owners are assessed an equal amount per parcel. This model has obvious issues with those already on sewer, those with far larger/smaller homes than others, those with expensive, recent septic systems and owners of unimproved or unbuildable lots.

### **Special Benefit:**

The second assessment model is to hire engineers to determine the **special benefit** each lot would receive when the sewer goes in. There is a process for this with room for discussion/appeal and so forth. Those already on sewer or with unbuildable lots would have minimal special benefit. Properties with large relative value would have greater special benefit than the average single-family house. The weight would confer greater voting power on some properties, but it would also confer proportionally greater capital costs. The range in cost could be large. Whether per parcel or special benefit, the **average** homeowner would pay (very roughly) something like \$1,500 annually over 20-30 years to retire the bond, in addition to the other annual costs for maintenance and treatment. This would be billed on your property tax statement

## **The Lookout**

**April - May 2006**

### **Got the Septic Tank Blues ?**

Many septic tank issues can be minimized by proper use.

- **Do not** use septic tank additives
- **Do not** place poisons (kill bacteria) down the toilet
- **Do not** use a garbage disposal (increases sludge)
- **Do not** put cooking oil down the drain
- **Do not** do all your wash loads at once — too much water can hydraulically overload the system, putting solids into the drain field and decreases treatment.
- **Do not** allow house downspouts and property drains to add more water to the septic area. Drain elsewhere.

### **Having Septic problems - there's real hope!**

Several neighbors have used the services of a geologist who has been of great help to their "ailing" tanks. Her name is Noadiah Eckman. With such good

recommendations, we tracked her down to learn more. Eckman has her own firm and over the past nine years has helped home owners from Mendocino to Santa Barbara, including many in Marin, to maintain their systems. She told us that often there are many different improvements that can turn a failing system into a functional one. And the improvements usually don't cost as much as you might think. She deals routinely with improvements to meet Marin County's regulatory compliance regulations. We asked her to take out an ad in the LOOKOUT and she was happy to do so. She is a great source of information, offers much reassurance to concerned homeowners, and is happy to answer questions. Her ad is on page 7.

### **The Lookout December 2005-January 2006 Sewer**

#### **Survey — results are in !**

Thank you to everyone who took the time to answer the survey and send it back. 120 surveys were returned and the Plan Group completed the tabulation of the results with the final few surveys arriving in October. Our community has many divergent views so a simple summary is difficult, but the results might be read as follows:

There was sentiment to restrict development expressed.

A small majority (66) of the respondents would support a plan to control the size of houses regardless of the waste treatment plan in use.

74 people would like to see a FAR standard more restrictive than the county allowed

30%; 76 residents would like to see the maximum house size as 4,000 square feet or less.

The majority of respondents were interested in the possibility of sewers.

92 respondents would prefer to have either sewer or both sewer and septic systems available.

68 said they would hook up to sewer if the costs were the same or less than a septic system, with an additional 24 answering "maybe" and 54 would be willing to join an assessment district to fund the cost with 32 answering this question as "maybe."

It would appear that our community would like to pursue this further. 76 respondents favored proceeding with an engineering study and 72 answered that they would be willing to contribute to such a study. One of the ways to understand the divergence of the views in our community is to read the extensive comments that people wrote on their surveys. The complete results and comments are published on our website ([www.mountTam.org](http://www.mountTam.org)) in an anonymous format. If you are unable to access the website and wish to have a copy sent, contact Alison Shapiro at 389-6831.

Further discussion is scheduled for the next Plan Group meeting which will be held on Friday, January 20th at 7 pm.

*(Thank you, Alison, for this fine summary. Our thanks to your*

*committee members as well for all their hard work.)*