

## Summary of Comments Received on 11/12/2020 Draft of LAMP and County Responses

(Content only, not grammar or consistency) Numbers reference specific comments in comment letters.

	Comment	Commenter (s)	Response	Revisions	Changed?
<b>A.</b>	<b>General Comments</b>				
A.1	Santa Cruz County has <u>unique conditions</u> , constraints, and supporting data that justify reduced setbacks and other design flexibility and should not be affected by what is specified for other jurisdictions.	County EH, Gobler 2. Rummel, Chiordi McNair Popken Monkerud	Supports suggested changes; Already acknowledged in LAMP	Reduce GW separation to 5 ft; Allow deeper trenches without enhanced treatment	
A.2	If requirements are unnecessarily stringent, remodels may not be affordable or property owners may do illegal repairs, or repairs may be deferred. Requirements could be damaging to current and future housing stock.	County EH Rummel Fox Osland Popken Steinbruner	Consider increment of water quality protection gained relative to incremental cost or impact on property owners		
A.3	The proposed LAMP will require much greater use of expensive, cumbersome, energy-intensive enhanced treatment systems on many more parcels	County EH Osland	Yes, but also improved water quality		
A.4	The impacts on the public of the new LAMP will be significant, but the public is not aware of what is coming. More public review is needed.	Osland Steinbruner	More public review will be provided		
A.5	The LAMP will result in improved water quality.	Monkerud	Agree	None	
<b>B.</b>	<b>Groundwater Separation</b>				
B.1	Minimum <u>groundwater separation</u> for medium percolation soils should be 5 ft instead of 8 ft, particularly for system replacements	County EH, Meyer Intro Chiordi	Change: Allow 5 ft separation, Table 3-4,	Table 3-4	Allowed for Repairs
B.2	Need to clarify when 2 or 3 ft <u>groundwater separation</u> is allowed; disinfection should only be required if gw separation is less than 3 ft or stream setback is less than 50 ft.	Gobler 18, Meyer 2 Chiordi	Change/Clarify: 2 ft with ET+disinf. 5 ft w/ enhanced treatment, no disinf.	p. 37; p. 70 Table 3-4; Table 3-5, Appendix C, D	Partial: Disinfection required when GW<5 ft.
B.3	Groundwater separation of 1 ft with enhanced treatment should be allowed for repairs as this is the only solution on many parcels	Rummel 2(12)	This cannot be approved by County, but can be approved by Regional Board. Added note	Table 3-4	NA
B.4	Waive wet weather testing for emergency repairs that are providing the maximum groundwater protection possible.	Quinn 2	Clarify, this is already done	7.38.120(B)	Yes

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B.5	Allow a single observation of WWT in a pit and/or provide more specific guidelines for interpretation of piezometer data.	Quinn 3	No, hard to anticipate every situation	No	No
B.6	Table 3-4 is confusing in many ways. Simplify, clarify and use two tables for Table 3-4, one for conventional and one for enhanced treatment.	Bunte	Revise and clarify, Table split into two sections.	Table 3-4	Modified
<b>C.</b>	<b>Dispersal System Sizing and Depth</b>				
C.1	Let the building department determine bedroom count, design flows are already too high. Except for the first bedroom, only count 1 person per bedroom	Rummel 1B Sommers 4	Do not recommend change in bedroom determination, but change design flow.	See below	No
C.2	<u>Design flow</u> of 375 gpd is much too high. All systems, including new and replacement should be designed as low flow systems.	Gobler 7,8,11; Chiordi Rummel 1B,2(7) Steinbruner Engfer	No Change: want to prevent failure during peak use periods	Table 3-3	No
C.3	Allow a lower <u>design flow</u> with enhanced treatment and nitrogen removal systems to allow for effective operation.	Meyer 5; Rummel 2(7) Chiordi A	Change: allow designer to specify design flow for treatment components	Table 3-3	Yes
C.4	Allow full range of Tier 1 Table 3 and Table 4 <u>application rates</u> based on measured perc rates or observed soil texture.	Gobler 10, Meyer 4 Chiordi Bunte Fox	Agree, clarify	p.67, Table 3-2 App A, 7.38.150.A.2	Yes
C.5	Allow a simple doubling of standard <u>application rate</u> for enhanced treatment	Gobler 10 Chiordi	Agree, change provisions	p. 67, Table 3-2; 7.38.150.A.2	Yes
C.6	For repaired systems, where <u>dispersal depth</u> of 4 ft cannot be maintained due to site constraints, deeper dispersal should be allowed without requiring enhanced treatment as long as soils percolate slower than 5 MPI and required groundwater separation is met	County EH, Meyer 1 Gobler 12 Chiordi	Deeper trenches are allowed, Sec 3.2.2, p. 68 App. A, Sec 7.38.150.B.1	p.68, App. A, 7.38.150.B.1	Clarified
C.7	<u>Depth</u> : Allow 10 sf/lf and enhanced treatment for expansion area to allow bedroom additions	Gobler 13; Rummel 2(11) Chiordi	No change needed, clarify, already allowed	p. 68,	Clarified

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C.8	Depth: Allow deeper dispersal without enhanced treatment to allow bedroom additions and ADU's on existing parcels	Rummel 2(11)	Considered changing provisions to allow where existing trenches are deep, but required separation is met	p.68, Sec 3.2.2; 7.38.150(B)(1)	No
C.9	<u>Depth</u> : Clarify in LAMP that new development can utilize a trench deeper than 4 ft with enhanced treatment.	Quinn 1	Clarify	p. 68, App A 7.38.150.B.1	Clarified
C.10	Do not apply proposed excessive <u>loading criteria</u> to existing systems.	Fox	New standards generally result in less square footage	p. 65-68, 7.38.080.B.2, C.3	No
<b>D.</b>	<b>Seepage Pits</b>				
D.1	<u>Seepage pits</u> should be allowed with a 5-10 groundwater separation, with disinfection, like what is allowed in the Monterey LAMP or base separation on perc rate.	County EH; Rummel 2(12)	State OWTS policy prohibits gw separation less than 10 ft	Sec. 3.2.3 p. 68 7.38.150.D	No
D.2	<u>Seepage Pits</u> with enhanced treatment should be allowed for new development	Gobler 9,14 Chiordi	No change recommended. SCC has prohibited seepage pits for new development for many years.	No	No
<b>E.</b>	<b>Nitrogen Reduction in Sandy Soils</b>				
E.1	Broad requirement for enhanced treatment in <u>sandy soils</u> is excessive and prohibitive and unnecessary in many areas. Allow an exception where there is no groundwater or groundwater separation is more than 20 ft. Or designate specific geographic areas where nitrogen reduction is required. Or Allow a waiver for low density areas.	Gobler 17; Chiordi Rummel 2(13) Bunte Fox Osland Steinbruner	Consider defining areas where a waiver could be considered, and establish criteria: Parcel size>10 ac, or outside WSW, Aptos/Valencia, La Selva; and well setback>150ft	p. 71, 73, Table 3-4, App A 7.38.150.A.4 7.38.183.C allows waiver, App D, p. 3	Yes
E.2	For <u>sandy soils</u> that percolate faster than 5 MPI, allow a site specific analysis to demonstrate that nitrogen removal may not be needed to meet N removal standards.	Meyer 3 Chiordi	No change recommended: This could be complicated, subjective and expensive for the applicant	No	No
<b>F</b>	<b>Stormwater and Drainages</b>				
F.1	Can the 25 setback to a drainageway be reduced if the ditch is lined	Quinn 4a	Maybe for artificial ditches, but proximity would still allow a	No	No

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			failure to easily reach a ditch		
F.2	Specify dispersal setback to a tightline stormwater pipe.	Quinn 4b	Clarify: 10ft?	p. 72, 7.38.150.B.4	Yes
F.3	Specify a minimum and maximum amount of antecedent rain that must occur when determining whether a watercourse is flowing for at least seven days after rainfall.	Rummel 1GG	Clarify: This would be challenging to quantify given variability in hydrologic conditions. Could say "significant" rainfall.	No	No
F.4	Required setbacks to onsite stormwater facilities are excessive, impractical and unnecessary. Remove specified setbacks	Rummel 2(9)	Change: Reduce required setbacks to 10 and 25 ft. depending on device.	P 72, 7.38.150.B.4	Yes, modified
<b>G.</b>	<b>Soil Evaluation</b>				
G.1	For <u>soil evaluation and testing</u> , remove the requirement that work must always be witnessed by EH staff. Could be required for specific projects.	Gobler 21 Chiordi Fox	No change recommended. EH staff has the option of waiving the requirement on a case by case basis.	No 7.38.120 indicates EH <u>may</u> witness testing	NA
G.2	Average perc results for design rather than using worst result	Rummel 2(7) Quinn Bunte Gobler A-20	Clarify perc procedures in Appendix F	App F, p. 1-2	Modified
G.3	Need to distinguish and clarify <u>site/soil evaluations</u> for purpose of evaluating a system design (3.3) and site evaluation for potential real estate transfer (4.1.1)	Gobler 22,23 Chiordi	Clarify wording. Use site/soil evaluation vs OWTS evaluation	p. 82-83, 4.1.1	Yes
G.4	Need to specify that a qualified professional (REHS) can perform soil testing. Should not require annual registration with county	Rummel 1X, 2(4)	Clarify; consider multi-year registration	p.80-81 already in 7.38.120.A	clarified
G.5	Work with consultants to establish more clear and consistent guidelines for testing and interpretation of data on soils, perc, and winter water table. Appendix F	Bunte Rummel Quinn	Agree, meet, revise and clarify, meet again	App F	Pending?
G.6	Soil evaluation should only be done by a geologist or engineer, not an REHS. OWTS design can be done by a geologist, engineer or REHS. The property owner can install their own OWTS. The County cannot require its own approval of qualified professionals.	Johnston	Other jurisdictions allow REHS to do soil evaluation as a part of OWTS design. Clarify that design must be done by a qualified professional. Other jurisdictions also require local	p. 80-81, App A 7.38.120.A	Clarified

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			registration with local requirements.		
G.7	It should be encouraged to determine application rate based on soil evaluation rather than perc test	Johnston	This is an option	None	No
<b>H.</b>	<b>Enhanced Treatment and Service Providers</b>				
H.1	For enhanced treatment systems, there should be more explicit requirements on effluent water quality objectives, influent water quality and testing frequency	Chiordi B	Can be done later in procedures	App D, p.1,2	Yes
H.2	It is challenging to measure 50% N reduction. Should specify not to exceed 30mg-N/L	Chiordi C	Agree, clarify	App D, p. 1	Clarified
H.3	Installers and Service Providers of proprietary systems should be certified by the manufacturer of the system	Chiordi D	Already specified in App D, p. 9	none	NA
H.4	Should add telemetry requirements to Chapter 7.38 and require that it be maintained functional. Be sure O&M requirements in Appendix D and Chapter 7.38 are consistent	Chiordi E Wright	Agree, Clarify	App D, p. 7,8 App A, 7.38.184, 215	Yes
H.5	For enhanced systems, where sample results do not meet requirements, the homeowner should be ultimately responsible for correcting the situation.	Chiordi F Wright	Agree, Clarify	App D, p. 8	Yes
H.6	The \$501 fee for systems without a service provider is not adequate incentive for homeowners to have service. Enforcement or stronger incentives are needed. Require maintenance of a service contract for lifetime of system.	Chiordi G Wright	The requirement has been made explicit, In the future fees will be adjusted to reflect the increased cost of enforcement	None now	Future
H.7	Need better mechanism to ensure continued service when a home sells. 7.38.215.D	Chiordi H Wright	Agree, Clarify and address in procedures	App A, 7.38.184.E.6, 215.A and D	Yes
H.8	Require biannual inspection, testing, and reporting during the first two years of operation of an enhanced treatment system (3.2.6, Appendix D)	Wright Chiordi	Agree, clarify wording, address in procedures	LAMP, 3.2.6 App D, p. 8	Yes
H.9	For service providers, require training and certification by a third party entity such as COWA.	Wright Chiordi	Agree, clarify wording, address in procedures	App D, p.9	Clarified

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H.10	It is not possible to reduce N to 10mg-N/L and that objective should be removed or modified	Sommers 1	This is a goal, but not a requirement	None	NA
H.11	Santa Cruz should rely on national testing of proprietary systems and not require local testing and certification.	Sommers 2	Disagree, the requirement for local testing and certification is to ensure that all aspects of the system and system maintenance are workable.	None	No
H.12	AquaKlear systems should be listed as approved for nitrogen reduction.	Sommers 3	Need to submit nitrogen data for SC Co systems	N/A	NA
H.13	Any enhanced treatment system should have NSF approval for the proposed application, not just county approval.	Johnston	Appendix D, p. 2	Clarified	Yes
<b>J.</b>	<b>Miscellaneous</b>				
J.1	Allow leaching in areas where <u>impervious surface</u> has been removed	Gobler 18 Chiordi	No change needed, already would be allowed.	None	NA
J.2	Allow conventional systems without enhanced treatment for soils that <u>percolate in 60-120 MPI range</u> .	Gobler A-13	These have not been allowed in Santa Cruz County. Enhanced treatment is an option	None	No
J.3	For areas potentially to be <u>sewered</u> , clarify that enhanced treatment is only required for systems that do not meet standards	Gobler 20 Chiordi	Clarify, rewrite sentence	LAMP, p. 78	Clarified
J.4	Clarify timing of acknowledgment of <u>nonstandard system</u> conditions and recording of notice of nonstandard system	Gobler 24 Chiordi	No change; It is correctly and clearly worded in the LAMP	None	NA
J.5	Is <u>information in EHLUIS</u> accessible by public or design professionals	Gobler 25 Chiordi	No, but all file info is	None	NA
J.6	Clarify that requirements for <u>upgrades</u> allow building additions or ADUs.	Gobler 26 Chiordi	No change, Seems clear already	None	NA
J.7	Do <u>restaurants</u> have high strength wastewater that cannot be permitted under the LAMP?	Quinn 5	No change; Restaurants can be permitted provided they install and maintain a grease interceptor.	None	NA
J.8	Include <u>Easements</u> in calculating parcel size.	Rummel U5	No change recommended. This can already be done.	None	NA

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J.9	Specify what level of <u>public water system</u> requires a 150 ft setback from the well. State OWTS policy specifies that a public water system and public well serves 15 or more connections, and does not include a state small system or shared well.	Rummel 2(2)	Clarify: Definition is in LAMP, but number of connections can be added.	p. 114, 7.38.030.V	Clarified
J.10	Specify that <u>slopes up to 50%</u> are acceptable for repairs, upgrades, bedroom additions and ADUs.	Rummel 2(3)	Clarify: That is the intent.	p. 73, App A, 7.38.130.F	Clarified
J.11	Do not include setback from <u>unstable land mass</u> in setback table; include it only in section regarding evaluation of geologic constraints.	Rummel 2(10)	Change/clarify	p.73, App A 7.38.120.E	Clarified
J.12	System evaluation at time of <u>property transfer</u> should not involve water quality testing or other discretionary requirements, but should be based on system characteristics and performance history. Can this be done by private sector or will overworked staff have to do it?	Rummel 2(16)	Modify and clarify. Water quality testing may be required if system does not meet required setbacks	7.38.215.D	Clarified
J.13	<u>ADU's</u> should be allowed to use their own system regardless of parcel size if site conditions warrant.	Rummel 3.A. Gobler	Agree, Change	App A 7.38.130.B	Yes
J.14	It should be made explicit that <u>new parcels</u> may now be created using <u>enhanced treatment systems</u> if other minimum parcel size requirements are met.	Rummel 3.B	Clarify; Code is now silent on creation of new lots except that they must be at least one acre.	p. 74	Clarified
J.15	Any <u>new policies or procedures</u> should be promulgated in writing according to 7.38.300.	Rummel 3.C	Agree, no change needed	None	NA
J.16	<u>Review documents</u> for consistent use of disposal, dispersal, leaching, enhanced, alternative, supplemental, nonstandard	Sommers 5	OK	Done	Clarified
J.17	New Systems should be allowed on <u>slopes over 30%</u> if geologist or engineer deems ok.	Johnston	No. This change would be significant and likely require an EIR	No	No
J.18	Requirement for OWTS <u>evaluation at time of transfer</u> is a taking of property rights, but evaluation of replacement area should be done by a state licensed qualified professional.	Johnston	Disagree	No	No

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J.19	Evaluations of OWTS at time of <u>property transfer</u> should be based on clear guidelines, and include a potential transfer of responsibility. There is no need for County periodic inspections of systems that are working well.	McNair	Clarify ability to transfer responsibility. Systems will be evaluated relative to standards, age and performance history. Other inspections will be conducted where there is an indication of a potential problem based on complaint, water quality data or pumping records.	p.83 App A, 7.38.216	Clarified
J.20	<u>Can compliance be deferred to time of property transfer to reduce financial impacts?</u>	Monkerud	This is proposed	None	Clarified
J.21	<u>Might be good to promote more sewerage of areas that would require enhanced treatment.</u>	Monkerud Engfer	This is being pursued in Boulder Creek and will be further considered.	None	Future
J.22	<u>Could low interest loans be made available to help finance bringing systems into compliance with LAMP?</u>	Monkerud	This will be investigated.	None	Future
J.24	<u>Need to work toward more inspection and correction of failing systems, potentially use CSA 12 fees to fund more staff</u>	Engfer	Agree	None	NA
	Additional Comments on Appendices 4/26/21				
J.25	Allow Easements for New and upgraded Systems	Gobler A-2	Allowed for upgrades, not new	App A, 7.38.060.A	No
J.26	Show allowed reductions in setbacks in tables for enhanced treatment	Gobler A-5	Reference added to footnote	App A. 7.38.150.B.4	Yes
J.27	How is hardship defined for use of interim non-conforming system	Gobler A-7	7.38.095.C ?		No
J.28	Should not require installation of expansion system for soils that perc 31-60MPI	Gobler A-12	This has been done for many years.	None	No
J.29	Explicitly provide for allowable separation to slowly permeable layers using enhanced treatment and drip dispersal. Use 2 ft instead of 3 ft.	Gobler A-13 Gobler A-28	3 ft to impermeable layer allows for some mounding and still keep a separation of 2 ft to groundwater	7.38.130.E 7.38.150.B.10	No
J.30	Specify traffic grade risers and covers in traffic areas.	Gobler A-16	Agree	7.38.140.H.	Yes
J.31	Allow reduced horizontal setbacks for water tight septic tanks	Gobler A-17	All new septic tanks should be watertight	7.38.140.I	No



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J.32	Provide a minimum spec for a restroom in a barn or garage	Gobler C-2	Add a spec for a 1000 gal tank and 100 gpd dispersal?	This can be considered on a case-by-case basis	No
J.33	Is gravity distribution allowed such as Flout tank or dosing siphon?	Gobler D-3	Seems like a good idea, can be considered on a case-by-case basis	None	NA
J.34	Can drip dispersal be allowed for irrigation of landscaping, vineyards or orchards	Gobler D-4	This has been proposed and allowed on a case-by-case basis	None	NA