



## Monterey County Local Agency Management Program (LAMP) for Onsite Wastewater Treatment Systems

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### FREQUENTLY ASKED QUESTIONS

#### **Where can I learn more about the Monterey County LAMP?**

The Environmental Health Bureau (EHB) has a webpage dedicated to the LAMP:  
[www.mtyhd.org/LAMP](http://www.mtyhd.org/LAMP)

It features video archives from previous public outreach meetings and previous iterations of the draft LAMP are available for review. You may also contact Ms. Nicki Fowler, Supervisor of Environmental Health Review Services in the EHB by calling (831) 755-4584 or by email at [fowlerne@co.monterey.ca.us](mailto:fowlerne@co.monterey.ca.us).

#### **What is an Onsite Wastewater Treatment System (OWTS)?**

An OWTS is commonly called a septic system and can be any of the following: an individual wastewater disposal system, a community collection and disposal systems, or an alternative (supplemental) collection and disposal system, all of which utilize subsurface disposal.

#### **What is the difference between a Conventional OWTS and an Alternative (Supplemental) OWTS?**

A conventional OWTS includes a septic tank and gravel-filled trench that passively treats wastewater by way of gravity. Conventional OWTS will continue to be utilized when site and soil conditions are able to provide adequate treatment of the wastewater before it encounters groundwater.

An alternative (supplemental) OWTS incorporates aerobic pumps, media filters, or other means to pre-treat the wastewater in the tank before it is dispersed into the soil and is typically used only when site and soil conditions are insufficient to ensure protection of groundwater, surface water, or public health.

#### **Why is the LAMP necessary?**

The State Water Resources Control Board has adopted the OWTS Policy: Water Quality Control Plan for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems. The policy consists of 5 Tiers. Requirements specified by Tier 1 the OWTS Policy do not take local geology or historical practices into consideration and will become effective state-wide on May 13, 2018. Tier 2 of the OWTS Policy allows local jurisdictions, such as Monterey County, to develop a LAMP that is equally protective of groundwater, surface water, and public health as the Tier 1 requirements of the policy. Additionally, Tier 1 does not allow the use of alternative OWTS with supplemental treatment – a LAMP (Tier 2) is required to utilize these systems.

Monterey County must implement the OWTS Policy one way or the other – the LAMP provides the opportunity to adopt a customized version.

#### **Why did the State Water Resources Control Board want or need to adopt a state-wide OWTS Policy in the first place?**

When properly sited, designed, operated, and maintained, OWTS treat domestic wastewater to reduce its polluting impact on the environment and most importantly protect public health. However, there have been occasions in California where, for a varied list of reasons, OWTS have not satisfactorily protected either water quality or public health. Some instances of these failures are related to the OWTS not being able to adequately treat and dispose of waste because of poor design or improper site conditions. Other failures have occurred where the systems are operating as designed but their densities are such that the combined effluent resulting from multiple systems is more than can be assimilated into the environment.

Additionally, Assembly Bill 885 was passed by the legislature in 2000, calling for state-wide rules for septic systems. Draft state standards were released in 2005, but were not adopted at that time due to opposition by the public and special interest groups. At that time, California was one of only two states that had not yet adopted standards for the permitting and operations of OWTS. In 2011, the organizations Heal the Ocean Santa Barbara and Heal the Bay Santa Monica, filed a lawsuit against the State Water Board for failure to act. The OWTS Policy is the final product of AB-885 that was more than 12 years in the making.

**When will the LAMP become effective?**

May 11, 2018, provided the Monterey County LAMP is approved by the Board of Supervisors in April 2018 and the Central Coast Regional Water Quality Control Board on May 10, 2018.

In the event the LAMP is not approved by either of these Boards, the Tier 1 standards of the OWTS Policy come into effect on May 13, 2018. Monterey County would revise the LAMP in accordance with the Boards' direction and resubmit it for approval as soon as possible.

**Does the LAMP require all OWTS to incorporate supplemental treatment?**

No, the LAMP specifies site and soil evaluation requirements that must be done before any permit is issued for a new or replacement OWTS. A conventional OWTS permit, comprised of a septic tank and gravel-filled dispersal field, can be issued when minimum standards can be met, such as horizontal distances from surface water and water wells, the percolation rate of wastewater in the soil, and vertical separation to groundwater or an impermeable layer. An alternative OWTS with supplemental treatment is required to ensure that groundwater, surface water, and public health will be protected even when minimum standards cannot be met.

It is important to note that that Tier 1 standards of the OWTS Policy do not allow the use of alternative (supplemental) OWTS.

**Why does the LAMP limit infiltrative area of a new dispersal system to just 4 square feet per linear foot of trench?**

Infiltrative area is the surface area of the sidewalls below the wastewater distribution pipe where the dispersal system makes direct contact with the soil. The surface area of the bottom of a dispersal system is included in the infiltrative area calculation in specific circumstances.

The entire extent of a trench's sidewall, from top-to-bottom, would only be utilized if the entire trench was full of wastewater, which would represent saturated, anaerobic conditions. The aerobic bacteria that most efficiently breaks down (treats) wastewater thrive in the top few feet of soil, in unsaturated conditions. Wastewater treatment tends to decline with depth because

anaerobic bacteria are not as efficient as aerobic bacteria and because the roots of nitrogen-consuming plants aren't able to extend down to the depths where the wastewater is being dispersed. As indicated previously, wastewater treatment declines when ample oxygen is unavailable to support the aerobic bacteria in the soil.

By limiting new dispersal systems to no more than 4 square feet per linear foot, OWTS dispersal systems are more likely to be installed as shallow as practical which will maximize wastewater treatment in the soil.

**My septic system works just fine. How will the LAMP affect me?**

Existing, functioning septic systems that are not known to impact groundwater, surface water, or public health will not be affected by the LAMP. The LAMP requirements will be imposed if you: 1) propose to increase the volume of wastewater the existing OWTS will receive or 2) need to replace either your existing septic tank or dispersal field.

Liquid waste haulers (septic tank pumpers) will now be required to submit a written report to the Environmental Health Bureau for each septic tank they pump out in Monterey County.

**I have my septic tank pumped out every few years for maintenance, not because it is having problems. Could the septic tank pumper's report cause a problem for me?**

The only time the Environmental Health Bureau (EHB) would contact a property owner is when the report indicates that sewage was surfacing onto the ground and no repairs were made. Otherwise, the EHB will simply log the report into an electronic database for future reference, such as a review of a construction permit application or replacement of one of the OWTS components.

The reports will also provide information that could be useful to identify regions of the county that may be subject to seasonally high groundwater, evidenced by frequent pump outs throughout the wet season.

**How will these changes affect my wallet? What will it cost?**

All property owners will need to have a qualified professional conduct a more comprehensive site and soil evaluation of the proposed dispersal field area than is currently required before a permit can be issued. Additionally, the system will need to be designed by a qualified professional – which may or may not be the same individual/entity that completed the site and soil evaluation.

When the qualified professional determines that the minimum standards to allow use of a conventional OWTS cannot be met, an alternative OWTS with supplemental treatment will likely be required. The cost for an alternative OWTS can range considerably, depending on the site conditions and risk to groundwater, surface water or public health. While the Environmental Health Bureau (EHB) is not involved with the financial portion of an OWTS, it is reasonable to state an alternative OWTS is at least double the cost of a conventional OWTS. Alternative OWTS also have ongoing costs, such as an annual operating permit from the EHB, ongoing maintenance from a qualified service provider and operational costs (electrical, replacement parts, telephone line).

**Does the County have a plan to help property owner’s pay for these OWTS upgrades?**

The State OWTS Policy provides that local agencies can facilitate the use of funds from the Clean Water State Revolving Fund for use in mini-loan programs. However, Monterey County has received feedback from the State Water Resource Control Board that those funds would only be available for community projects necessary to overcome an OWTS constraint, such as seasonally high groundwater throughout a given region. Property owners will be responsible to privately finance OWTS replacement or upgrade costs, like the way they would pay for costs incurred to replace a roof or repair and seal a busted foundation.

**My lot is less than 1-acre. How will the LAMP affect me?**

Existing, undeveloped lots of record that are less than 1-acre will need to have a qualified professional determine the proportionate quantity of nutrient (nitrogen) loading allowable based on acreage, and that the proposed OWTS, which may include an alternative OWTS supplemental treatment or dispersal system, will not exceed that value.

It is unlikely that developed lots of record that are less than 1-acre will be able to increase wastewater generation, i.e. add a bedroom, unless a qualified professional has determined the proportionate quantity of nutrient (nitrogen) loading allowable based on acreage, and that the existing or proposed OWTS, which may include an alternative OWTS supplemental treatment or dispersal system, will not exceed that value.

A nutrient (nitrogen) loading analysis will not be required for a replacement OWTS on an existing lot of record that is less than 1-acre so long as it does not propose to accept more wastewater or increase the strength of the wastewater.

**How does the County determine the size requirements of a septic tank and dispersal field?**

The capacity requirements for a residential OWTS are determined by the number of bedrooms in the structure(s) served by the OWTS. The LAMP defines a bedroom as any room in the conditioned (heated) area of a dwelling unit which is:

- 70 square feet or greater in size; and
- Includes an exterior door or window for egress meeting health and safety code standards; and
- Includes a closing door that separate the room from any other features of the dwelling.

**I’ve got an undeveloped lot that hasn’t been able to accommodate a conventional OWTS under Monterey County’s current sewage disposal regulations. How does the LAMP affect me?**

Historically, Monterey County only had authority to issue permits for alternative OWTS permits when necessary to replace a failing system. With the LAMP, alternative OWTS will be allowed to serve new development on a previously undeveloped parcel for the first time. However, it is important to note that the LAMP includes minimum standards for alternative OWTS in the same way it does for conventional OWTS, meaning that some parcels may still be restricted from developing when those minimum standards cannot be met.

Alternative OWTS will not be allowed to demonstrate OWTS feasibility for new subdivisions.

**My undeveloped parcel has an approved septic envelope that was established at the time of subdivision. Will I still be subject to the requirements of the LAMP?**

A septic envelope is an area of land that has been designated during the subdivision process for future use by an OWTS. Regardless of the presence of a septic envelope, any OWTS permit issued after the effective date of the LAMP will be subject to its requirements. This will also include OWTS proposals submitted with pending construction permit applications when the permits (which are issued concurrently) are not issued before the LAMP's effective date.

**My existing, conventional OWTS includes a seepage pit (a deep, vertical dispersal system). I want to rebuild my existing 4-bedroom home with a new 4-bedroom home. Will I need to upgrade my OWTS?**

The LAMP will allow non-conforming OWTS to remain in use provided the following conditions are met:

- The proposed development will not result in increased wastewater volume or strength;
- The dispersal system meets minimum vertical setbacks to groundwater.

A non-conforming system is one that does not meet all water-related horizontal or vertical setbacks, is covered by an impermeable surface or is greater than 10 feet total depth.

**Why does it matter if the OWTS dispersal system is covered by asphalt or some other hard, compacted surface?**

Impermeable surfaces severely limit oxygen transfer from the air into shallow soils, where aerobic bacteria can efficiently breakdown (treat) wastewater. They also preclude nitrogen uptake that could otherwise occur from shallow rooted plants. A very limited amount of wastewater treatment occurs in the soil when it is covered by an impermeable surface. Therefore, the only way to achieve adequate wastewater treatment that is protective of groundwater, surface water, and public health is to incorporate supplemental treatment into the OWTS to pretreat the wastewater before it is dispersed into the soil.

**My leachfield is under my paved driveway. Can it remain in use?**

Any existing dispersal system that is located under an impermeable surface will be considered non-conforming. Non-conforming OWTS dispersal systems can remain in use until such time the property owner applies for a construction permit that will increase wastewater volume or strength, or the dispersal system fails and needs to be replaced.

If a construction permit will increase wastewater volume or strength, it will be necessary to incorporate alternative OWTS with supplemental treatment to pretreat the wastewater before it is dispersed into the soil.

*These FAQs have been prepared based on the January 24, 2018 Revised Draft LAMP. The answer to any given question may change depending on text of the Final LAMP as approved by the Monterey County Board of Supervisors and Central Coast Regional Water Quality Control Board.*

**Monterey County**  
**Environmental Health Bureau**

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Salinas, CA 93906  
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**REQUEST FOR FILE REVIEW**

Please complete this form and return it via FAX or MAIL.

COMPANY NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

- FILES REQUESTED:  - Water Systems/Wells  - Restaurants/ Pools/Spas/Housing Complaints  
 - Medical Waste /Land Fills  - Septic Systems  
 - UST's/AST's/Hazardous Materials  - Recycling & Resource Recovery

(Use additional sheet if necessary)

1. SITE ADDRESS: \_\_\_\_\_  
BUSINESS NAME: \_\_\_\_\_  - current  - former
2. SITE ADDRESS: \_\_\_\_\_  
BUSINESS NAME: \_\_\_\_\_  - current  - former
3. SITE ADDRESS: \_\_\_\_\_  
BUSINESS NAME: \_\_\_\_\_  - current  - former
4. SITE ADDRESS: \_\_\_\_\_  
BUSINESS NAME: \_\_\_\_\_  - current  - former
5. SITE ADDRESS: \_\_\_\_\_  
BUSINESS NAME: \_\_\_\_\_  - current  - former
6. SITE ADDRESS: \_\_\_\_\_  
BUSINESS NAME: \_\_\_\_\_  - current  - former

**1. Please allow 10 working days to process request.**

2. Office hours for file reviews are 8:30a.m.-4:00p.m. at the Office. **Please call to confirm your appointment at least 24 hours in advance.**
3. Please be prepared for your visit by bringing your own supplies (i.e., paper clips, post-its). Be prepared to pay for any copies at the time of service. **Copies are .12¢ each.** Feel free to bring your own portable copier. If you need to schedule time for consultation there is an hourly rate charge. Please check the Environmental Health Services webpage at [www.mtyhd.org/eh](http://www.mtyhd.org/eh) for current hourly rate. We accept checks, cash or credit card payments (with a 3% admin processing fee on credit cards).
4. Files will be released according to CUPA Regulations. California Health and Safety Code, Section 25506(a). California Public Records Act, Chapter 3.5.  
The party requesting the records which is being disclosed pursuant to this Public Records Act request understands and agrees that the County, its officers, employees, and/or agents, are not responsible nor liable for any damages or claims whatsoever which may result to the requesting party, its agents or assigns, due to errors, omissions, or misinformation on the part of the reporting parties. In addition, the party requesting information pursuant to the Public Records Act understands and agrees that the County is not required to create new records which do not exist in the ordinary course of business of the Health Department to respond to a Public Records Act request.

Print Requestor Name: \_\_\_\_\_ Signature: \_\_\_\_\_

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