



Legislation Text

File #: 18-2228, Version: 1

**AGENDA REPORT
REQUEST FOR CITY COUNCIL AND
CORONA UTILITY AUTHORITY ACTION**

DATE: 11/7/2018

TO: Honorable Mayor and City Council Members
Honorable President and Board Members

FROM: Public Works Department
Department of Water and Power
Community Development Department

SUBJECT:

City Council consideration of a Memorandum of Understanding with the County of Riverside Department of Environmental Health for environmental planning review, technical assistance, and plan check review for City Onsite Wastewater Treatment Systems in accordance with the Riverside County Local Agency Management Program.

RECOMMENDED ACTION:

That the:

1. City Council authorize the City Manager to execute the Memorandum of Understanding between the City and the County of Riverside Department of Environmental Health for environmental planning review, technical assistance, and plan check review for City Onsite Wastewater Treatment Systems in accordance with the Riverside County Local Agency Management Program.
2. Corona Utility Authority (CUA), review, ratify, and to the extent necessary, direct that the City Council take the above actions.

ANALYSIS:

On May 13, 2018, the State Water Resources Control Board adopted Resolution No. 2012-0032, approving the Onsite Wastewater Treatment Systems (OWTS) Policy. The policy is available at: https://www.waterboards.ca.gov/water_issues/programs/owts/index.shtml.

The OWTS Policy established a statewide, risk-based, tiered approach to the regulation and management of OWTS including low-risk (Tier 1) statewide standards for the siting, design, operation and maintenance of onsite wastewater treatment systems. OWTS also known as septic systems, means individual disposal systems, community collection and disposal systems, and alternative collection and disposal systems that use subsurface disposal.

In addition to Tier 0 (Existing OWTS), Tier 3 (Existing, new, and replacement OWTS that are near impaired water bodies) and Tier 4 (OWTS Requiring Corrective Action), the policy allows local agencies that wish to continue to permit OWTS that do not meet the Tier 1 low-risk criteria to develop a Local Agency Management Program (LAMP) that meets Tier 2 requirements for Water Board approval. Tier 2 requirements provide alternative protective guidelines for regulation, installation, and maintenance of OWTS, which if met, allows Regional Water Boards to defer regulation of the systems to a local agency. Once a LAMP is approved, all future OWTS decisions will be governed by the LAMP until it is modified, withdrawn, or revoked.

The Santa Ana Regional Water Quality Control Board (Regional Board) gave three (3) options to cities within its jurisdiction, including the City of Corona (City), to manage discharge from new and replacement OWTS to comply with the policy as summarized below:

- Option 1) The Cities can regulate new and replacement OWTS under the OWTS Policy requirements for Tier 1.
- Option 2) The Cities can develop a LAMP consistent with Tier 2 for Regional Board review and approval and adopt implementing ordinance(s) as necessary.
- Option 3) The Cities can develop a formalized contractual agreement with the Riverside County Department of Environmental Health (DEH) that allows the DEH to provide technical services to the City for regulation, installation, and management of OWTS under the DEH's approved LAMP.

Staff determined that Option 3 was the best option for the following reasons:

- Eliminates the requirement for the City to develop a LAMP.
- There are very few undeveloped lots in the City that would require OWTS.
- Many Cities within the Regional Board jurisdiction have formalized an Memorandum of Understanding (MOU) with DEH for these services.

The MOU agreement with DEH will allow the DEH to collect fees and provide environmental planning review, technical assistance, and plan check review for City Onsite Waste Treatment Systems in accordance with the Riverside County LAMP. City revenue will decrease as the City will reduce the plan check fees for the review of new OWTS within the City limits.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

City revenues will decrease when the County of Riverside Department of Environmental Health collects fees directly from the project proponent and assumes plan review of OWTS systems within the City limits. Currently the City collects \$291.28 (\$220.19 for plan review and \$71.09 for inspection) for a Septic Tank/Leach Field. Effective November 4, 2018, the revised fee will be \$99.48 (\$28.39 for plan review and \$71.09 for inspection) for a Septic Tank/Leach Field. The fee revision was approved by the City Council on September 5, 2018, based on the pending agreement to transition the plan review services to Riverside County. We have an average of one (1) septic system per year and therefore the total estimated decline in revenue is \$191.80 per year due to services no longer provided. The General Fund revenue impacts were already addressed and incorporated into the estimated fund balance with the September 5, 2018, Council Action.

ENVIRONMENTAL ANALYSIS:

This action is exempt from CEQA requirements.

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SUBMITTED BY: DARRELL TALBERT, CITY MANAGER & EXECUTIVE DIRECTOR

Attachment: Memorandum of Understanding