

MIDCOAST COMMUNITY COUNCIL  
P.O. BOX 64  
MOSS BEACH, CA 94038

February 4, 1996

Ms. Nadia Holober, Chair  
Planning Commission  
County of San Mateo  
County Government Center  
Redwood City, CA 94063

Re: Septic Tank Ordinance

Dear Ms. Holober:

Thank you for continuing the hearing process until the Council had time to assess the Ordinance changes. As Mr. Zamora stated in his 12/13/95 memo, the Council had not responded to his September 1995 memo; the Council had been led to believe that the Health Services Agency (HSA) would cycle any proposed changes back through the Council.

We note that there appear to be several drafts of the changes and wonder why the Council was not approached as we had requested. Mr. Burns was quite clear in his response to Mr. Marsh that the County had done all that was legally required, but somehow we had hoped to work together cooperatively. We have but one ecosystem here, we're all on the same bus.

In response to the latest draft packet which Mr. Low was nice enough to send directly to Mr. Marsh - in response to his request, we have enclosed attachment A.

The Council subcommittee has quickly reviewed Mr. Ptacek's letter and the unmet concerns of the Montara Sanitary District (MSD). We find their concerns to be valid and unfortunately as-of-yet unanswered. Please see the summary sheet which address these issues - also enclosed.

The cumulative effects of the locations, capacities and needs of these septic systems and wells has not been studied. At a very minimum, these groundwater stresses need to be accumulated on ONE map, providing one place to research. Any septic system will cause a degradation of the groundwater, and many can cause serious problems for public health.

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The Council requests the Planning Commission have the Health Services Agency make a second visit to the MidCoast and explain their rationale. Perhaps we could schedule a joint meeting to discuss the issues with the MSD, and Granada Sanitary, CCWD and Citizen's Utilities.

Thank you for your time on our behalf.

Very truly yours,

Kathryn Slater Carter  
Planning and Zoning Subcommittee

Chris McComb  
Chair, MidCoast Community Council

cc Ruben Barrales, President of the Board of Supervisors  
Rick Silver, Clerk of the Board of Supervisors  
Margaret Taylor  
Brian Zamora  
Stan Low  
file Septic Tank Ordinance  
# 96

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In summary, the Council feels the following issues should be included and not omitted, or explained away:

A Third party monitoring is a cost issue that is properly addressed by the Planning Commission and not a problem for the staff who's job it is to enforce the rules as promulgated by the Planning Commission and the Board of Supervisors. Whatever the incremental costs - a couple hundred dollars to insure fair, professional, and impartial witnessing will clearly be cheaper than lawsuits, delays and grief for all those affected parties: owner, applicant, developer, neighbor, groundwater user, wildlife, etc.

B Requirement that a Registered Professional Civil Engineer should be mandatory to bring professionalism, fairness and expertise into the process. An independent Civil Engineer would insure truthful and aboveboard results to percolation tests, boundary problems, etc.

C HSA has much to do to accumulate the well and septic systems onto Assessor's Parcel Maps. The Council looks forward to to a review of the APMs and their use in the Application process as proposed in the ordinance.

D Setback requirements should be 100' as agreed, and not 50' as shown in section 9321, and unfortunately no mention is made from one section to the Application section.

E Protests of neighbors, and others to Applications should be routed through the HSA, to the Planning Commission, to the Board of Supervisors, and then to the Coastal Commission. The ordinance seems only to discuss Applicant protests.

F The HSA should work closely with the sanitary and water districts both to accumulate mapping information, as well as dangerous conditions that could affect public health due to waste systems.

G Pumps are a bad idea, one dreamed up to make an unbuildable lot into a developer's loophole. The use of pumps provides no safety features in the event of an equipment breakdown which means that the leechfield sizes are too small, providing no protection, no safeguards The Council strongly opposes the use of pumps - besides gravity is free and ecological.

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ATTACHMENT A

See our letter of July 1995, and Mr. Zamora's response of September 1995:

- 1 The 100' setback shown on plot plans appears to be part of the Location section, but not part of the Application requirements section for submittals. The section shows 50' not 100' in some subsections. Please explain how you can write "agree". See section 9321
- 2 The Application section appears a bit skimpy, does it refer to general requirements of the Building Dept, ie- 1/4" plans, plans to scale, boundary maps, survey requirements, APM submittals w/ overlays of adjacent systems, and or setbacks, etc.
- 3 The proposed process for protest by someone other than the Applicant is not addressed. What is the process for such protest though the HSA, prior to the Planning Commission, etc.
- 4 Regardless of the constraints of the State Map Act, lot line adjustments happen all the time and affect many many adjacent owners with little or no discussion of cumulative effects.
- 5 See above
- 6 Our neighborhoods are becoming much more crowded and the green spaces around our Urban areas are slowly filling with ranchettes. The HSA should seek ways to have neighbors work together cooperatively rather than denying neighbors a forum to discuss/ ameliorate their concerns. Without such open discussion, the HSA continues to guarantee a process whereby one side or the other will be unhappy and will pursue legal remedies.
- 7 See #4 above
- 8 The Locations section appears to show 50' setback not 100' from the property line.
- 9 Were the requirements of the California Regional Water Quality Control Board included or not?
- 10 Has the HSA decided to develop a method to monitor and control the problems of cumulative effects?

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11 Mr. Burn's letter to Mr. Irving states that the County's Land Use policies have not changed since 1984, but as we all know as a practical matter, through the variance and use permit process, significant building has been allowed in the Urban and Rural areas. This would appear counter to the spirit of the LCP and reasons for the recent spate of voter initiatives. The Council concurs with Mr. Ptack's 1-9-96 letter - the Districts concerns about the cumulative effects. Clearly the District is not satisfied.

12 Does the HSA keep cumulative records for Applicants use during their application process, and what assistance does the HSA or the Planning staff give to the Developer. Please explain why the HSA staff compile and maintain the information.

13 The Applicants complaints about cost are more properly addressed to the elected officials than for staff. Please clarify.

14 The risk a Developer takes to build outside the service area of either the water or sanitary providers is 100% theirs. They know where the lot is and the consequences if either their own water or sewer fails.