



## COUNTY OF LAKE

Public Health Services Department - Administration  
922 Bevins Court  
LAKEPORT, CALIFORNIA 95453-9739  
Telephone 707/263-1090 FAX 707/263-4395

*Promoting an Optimal State of Wellness in Lake County*

### MEMORANDUM

Jim Brown  
Health Services Director  
(707)263-1090

Karen M. Tait, M.D.  
Health Officer  
(707)263-1090

Ray Ruminski, REHS, Director  
Environmental Health Division  
(707)263-1164

**DATE:** 8/27/2014

**TO:** The Honorable Stephen O. Hedstrom, Presiding Judge of the Superior Court, via the Lake County Board of Supervisors

**FROM:** Jim Brown, Health Services Director

**SUBJECT:** Required Response to FY 2013–14 Grand Jury Final Report on Planning and Public Works Report On Water Quality in Lake County

Pursuant to Penal Code Section 933, I am submitting this response to the FY 2013 -14 Final Grand Jury Report via the Lake County Board of Supervisors.

#### **Response to Planning and Public Works Report On Water Quality in Lake County (Pages 35 – 52)**

#### **Response to Discussion and Analysis in Part One (Pages 35-38):**

We don't disagree with anything presented in this section pertaining to Environmental Health (EH) or Public Health (PH).

#### **Response to Findings in Part One (Page 38):**

We agree with the findings that pertain to Public Health (PH) and Environmental Health (EH). However, we do not believe it is required or appropriate to respond to those findings that deal with Special Districts, Community Development, Public Works and Water Resources.

#### **Response to Recommendations (Page 39):**

R 1 and R 3 are directed to Special Districts, the Board of Supervisors, and Community Development. The Lake County Environmental Health and Public Health roles in drinking water regulation are very limited. However, EH frequently responds to general and even specific questions from consumers regarding drinking water, and, as indicated in F3, we do provide information to the public on water quality and health issues.

R 2. The staff time and funds expended by Health Service (PH and EH) for emergency preparedness programs is mandated by Federal and State programs. The funds we receive for these programs can only be used to support these programs. We have been able to use some time and emergency preparedness funding to expand our use of epidemiological investigations, but only when we can tie it to one of the emergency preparedness programs.

We agree more time and funds should be directed to water quality issues; however, Health Services does not receive any funds from any source to do any more than we are currently doing. Hopefully, if Measure S passes

in November, some funds will be directed to pursuing water quality and health issues.

**Response to Discussion and Analysis in Part Two – Waste Water (Pages 39 – 41):**

We agree with everything in this section that pertains to PH and EH.

**Response to Findings in Part Two (pages 41-42):**

It is not appropriate for us to respond to F1 through F5 as they deal with Special Districts or other agencies.

We agree with F6 through F10, and F12.

F10. Problems with illegally built or faulty septic systems are an issue for EH. Although the problem is not entirely eliminated, illegally built systems and unpermitted work is largely controlled through regulatory checks on any new construction and to some extent by industry standards on new and existing systems. A septic permit is required to obtain a building permit, and a building permit is required for an electrical connection or water service.

Repair of existing, faulty systems can evade permit requirements. However, if they are using a licensed contractor or professional, it is extremely rare that they will jeopardize their licensure or any risk any penalties or liability. They nearly always obtain or require the owner to obtain a permit. Also, because real estate is a capital investment, people consider property that has been constructed or repaired under legal, conforming standards to have greater value, so most do go through the permitting process.

F13. This is also covered in Recommendations, so I will address it in my response to R 1.

**Response to Part Two Recommendations (Page 42):**

R 1. Considering our current staffing levels and workload, we do not believe changing policy to use staff on surveillance patrols in the field would be an effective use of time and funds. Because of the regulatory checks in place on new construction of septic systems, the compliance of licensed professionals, and complaints received from the public about unpermitted or faulty systems, we believe the current system is working adequately. In addition to the complaints we receive from the public about faulty systems, contractors and other agencies, such as Community Development's Planning, Code and Building Divisions, Special Districts, and law enforcement, also report potential problem sites to us. Also, whenever our inspectors are traveling in the field from one site to another, they are always on the alert for any potential environmental problems that our department oversees and enforces. We do not believe there would be enough of an increase in the number of violations detected to warrant changing our policy by having staff do surveillance patrols instead of trying to keep up with their current backlog of inspections.

R 2. Although satellite imaging may provide us with a new way of identifying some unpermitted septic system construction and repairs, we do not believe the potential costs of the technology and the time spent analyzing satellite images would prove to be a very effective use of staff's time or money. Also, because new construction and repairs of septic systems moves so quickly, we are uncertain how many problems would actually be captured by satellite imaging. Again, based on our calculations of the number of unpermitted systems and repairs that we find, we do not believe this to be the best use of staffs' time or taxpayers' money.

R 3. Although we would love to increase salaries to be able to recruit and retain highly qualified staff, this department has no control in setting county employees' wages, nor would EH, a self-funded department receiving nothing from the general fund, have the funds to do so.

R 4. An active information effort for the operation and maintenance of onsite waste water systems would

certainly benefit owners of private septic systems. We currently have numerous methods of providing this information in place, and we will continue exploring ways to educate owners on the importance of maintaining these systems.

**Response to Part Three – Water Quality (Pages 42-44):**

**Response to Discussions and Analysis (Pages 43-44):**

The report mentions a number of water front properties having converted from private septic systems to public sewer service. There are many shoreline areas, some with high density development, that would benefit from converting to or planning for public sewer systems rather than using onsite, private waste water treatment (septic systems).

**Response to Findings (Page 44):**

We agree with the findings that pertain to EH and PH, most notably F5, which recognizes a need for a designated position to compile, analyze and interpret data to develop a clearer understanding of water quality issues.

**Response to Recommendations (Page 44):**

The recommendations are not directed to EH or PH; therefore no response is required nor would it be appropriate.

In closing, we wish to acknowledge our appreciation of the Grand Jury's recognition of the role Health Services (EH and PH) plays and the challenges we face to improve and protect the quality of water in Lake County and the health of the community.