



National Decentralized Water Resources Capacity Development Project

Executive Summary



Onsite Sewage Treatment in California and the Progression Toward Statewide Standards

California Wastewater Training and Research Center at California State University, Chico Research Foundation

June 2004

Onsite Sewage Treatment in California and the Progression Toward Statewide Standards

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ABSTRACT


One of the more difficult tasks that a state government faces is to develop statewide regulations. This task is even more difficult when regulations, in this case onsite sewage treatment, are being developed for an activity that had previously been, for all intents and purposes, relegated to local government. In many cases, these local regulations have a long-standing history and are tailored to meet local practices, attitudes, and needs. These local determinations may prove to be in conflict to those determined necessary at the statewide level. Statewide regulations can result in uniformity and consistency that is beneficial for many sectors of the onsite community. The difficulty arises in reaching agreement on what is necessary to achieve the consistency and, at the same time, allowing flexibility to enable local government to implement the regulations.

The regulation of onsite sewage treatment systems will undergo significant changes in California in the coming years. Currently, regulations are locally established with some broad oversight provided by the state. Recent legislation passed in 2000 mandated that the California State Water Resources Control Board (SWRCB), the state agency with overall responsibility to protect California's ground and surface water, develop and adopt statewide regulations. These will be the first statewide regulations governing the use of onsite wastewater treatment in California.

The regulation development process began in January 2002 with a series of stakeholder meetings initiated by the SWRCB. The "Stakeholder Project" brought together a wide spectrum of interest groups that had expressed their desire to be involved in the regulation development process. The project, as well as subsequent efforts, failed to reach a satisfactory compromise even though a number of issues were resolved. As of June 2004, the SWRCB had not yet released draft regulations for public comment. While it is a foregone conclusion that regulations will be developed and adopted, the content and timeframe are not clear. The regulations will result in significant change in the way in which onsite systems are regulated and managed and how they are integrated into the infrastructure used to support continued growth and development in the state.

The purpose of this report is to provide some insight into the efforts to develop statewide regulations. A brief history and description of regulation in California is included to put the current efforts into context. The effort to use the stakeholder process is also critiqued.

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