



## **BOARD OF HEALTH**

### **Minutes of June 14, 2016**

#### **Public Hearing to receive testimony on the Revised On-Site Sewage Management Plan**

#### **1) CALL MEETING TO ORDER**

**Attendance:** Bud Blake, Chair; Cathy Wolfe, Vice Chair; Sandra Romero, Commissioner; Ramiro Chavez, Interim County Manager; Art Starry, Environmental Health Division Director; and Kathy Patton, Clerk of the Board of Health.

Chair Blake called the public hearing to order at 5:30 P.M. at the Thurston County Courthouse.

Chair Blake explained the purpose of the hearing is to receive testimony on the proposed Thurston County On-site Sewage System Management Plan Update. This is a proposed update to the 2008 plan. The purpose of the plan is to guide regulation of on-site sewage systems within Thurston County. He then explained the process that would be used to receive testimony and that each person would have three (3) timed minutes to testify.

Art Starry, Environmental Health Division Director of the Public Health and Social Services Department, provided the following:

1. Summary of requirements in state law
  - Inventory
  - ID high risk and sensitive areas
  - ID O&M needs in high risk/sensitive areas
  - Find and assure prompt repair of failing septic systems
  - Develop strategy for data management
  - Facilitate education and outreach for septic system owners
  - Remind and encourage septic system owners to properly maintain systems
2. Brief history of Plan and Update process
  - 2008 plan process
  - 2014 plan update process
3. Summary of plan elements

The plan will be used to guide regulation of on-site sewage systems within Thurston County. It includes the following recommendations:

- Improve the county's inventory of on-site sewage systems and electronic data system.
- Amend county regulations that require sewage systems be evaluated when property they serve is sold or transferred.

- Establish sensitive areas and marine recovery areas where special on-site sewage system permit and management activities may be needed.
  - Enhance the county's on-site sewage education program.
  - Provide a strategy to fund on-site sewage system regulatory and oversight programs.
4. Outlined the public notification and outreach process and Hearing notification – three community meetings held; utilized county newsletter *Talking Trash*, published hearing notices twice each in the Nisqually Valley News, The Daily Olympian, and Tenino Independent, website, Twitter, Facebook, and email lists.
5. Changes to plan as from original proposal
- Tiered charge structure
6. Next steps
- June 29 briefing with the Thurston County Board of Health.
  - Formal action on the plan must take place at public meeting.
  - Additional ordinances needed to implement plan. Ordinances require public hearing.

Commissioner Blake asked several clarifying questions of Art Starry.

Written testimony was provided by the following people and a copy is attached to the minutes.

Citizen – Bonnie Blessing  
Citizen – Susan Davis  
Citizen – Anne Buck  
Citizen – Dan Keller  
Citizen – Bob Jacobs  
Citizen – Ti Heenan  
Citizen – Carol Carney  
Citizen – Dave Peeler  
Citizen – Nancy Connor  
Citizen – Donna Nickerson  
Citizen – Mike Cunningham  
Citizen – Jennifer Wilson  
Citizen – Dennis Patnaude  
Citizen – Wayde Schaible  
Citizen – Phyllis Farrell  
Citizen – Patricia Dickason  
Citizen – Erica Van Lierop  
Citizen – Pamela Martin  
Citizen – Jennifer Wilson  
Citizen – Russ Carpenter  
Citizen – Gina Rask  
Citizen – Elaine Dodd  
Citizen – Harry Blake

Citizen – Beverly Vines-Haines  
Citizen – Orlena Knechtek  
Citizen – Theresa Elliot (Voicemail comment.)  
City of Tumwater Water Resources – Dan Smith  
City of Olympia Wastewater Utility – Diane Utter  
City of Olympia Public Works – Rich Hoey

The following citizens provided written and oral testimony and a copy are attached to the minutes.

Citizen - Glen Morgan  
Citizen – Carolyn (Olsen) GiaMarco

Oral testimony from those who did not provide written testimony was as follows:

**Jon Pettitt** – Very essence of this program is to create a funding source. County is not providing any more service or new services. Want to spread this cost among everyone. Extreme way of raising revenue. Outlined discrepancies in the statistics in the Executive Summary. The summary eliminates and does not provide a whole lot of information that the Report contains. The report doesn't even show how many septic systems we really have. Noted the number of failures that are identified each year. Fraudulent process.

**Glen Morgan** – Provided written document of his testimony and it is attached to the minutes.

**Pat Gibbons** – Learned about the process through the paper. Septic system is treated and goes into the aquifer and the aquifer is replenished. Pay a fee and system paid for by owners, with no assistance. Views this as a tax and spend issue.

**Carolyn GiaMarco** – Provided written document of her testimony and it is attached to the minutes.

**Troy Oestreich** – If you believe that strongly in this program than find a way to fund it in the taxes you currently have in the tax base. Not sure about the science but for 20 years on an untreated water system that has never failed it's' tests. How bad is it? Stop tax increases. Find other resources. Reconsider this additional tax.

**Jim Steffens** – Proven fact a survey was done to find out what was contaminating Budd Inlet. They found that the fecal matter was from animals. Does not think that there is a real problem. No real problems or extra services. Just want to tax us more. Where will money go for what added services? What is the benefit?

**Kurt Snyder** – What I did not hear in that plan is any challenge to the State requirement for people who have healthy septic systems. Urge the planners to challenge the State on systems that are not hurting anything. Lot of people on budgets. Aquifer has improved and people are opposed to the fee. I'm not opposed to the fee if it is going to go for something but I think I have paid my fair share. I think I speak for a lot of people who have healthy septic systems. Some sort of an exemption. Were not polluting anything where we are.

**Linda Powell** – Opposes changes. Leave the structure as is.

**Scott Corvin** – Clearly money grab. Moved out to the County from the City. Paying a lot of taxes is part of living in Washington State. Does support a tiered system because I live in the Chehalis Basin and my water goes into that. I do support that it is a part of our property taxes because I do get to take that off my Federal Income Tax and is good for me as a citizen.

**Walter R Jorgenson** – Multi property owner in all three cities and the county and many of them on septic systems. Average cost for replacing a system is \$12,000. Implement your plan. I want all the advanced warning I can get that I might have a problem. I want to be a good neighbor and I would hate to be responsible for polluting somebody else's water. Sewer customers pay a hefty connection fee.

**Linda Hofstad** – Plan is excellent. The people who developed this plan were a broad spectrum of participants in an advisory process. They were appointed by the Board and worked very hard to understand the problems and look at the possible solutions. This plan will work when you adopt it and implement it. It will provide the protection you are looking for, protection of public health for the citizens of Thurston County. Sewage effluent does not always show up on top of the ground. Twenty-five percent of those surveyed along the Eld shoreline were failing. Those fifty plus were not surfacing on the ground. Cumulatively they were lowering the water quality of the inlet so that shellfish could not be harvested. It will protect water quality both surface and ground and it will protect homeowner investment. People want to do the right thing; they want to have good septic systems. They intend to do it, but our lives are busy and they forget. This system will setup a mechanism so that habits can be formed and systems can be well taken care of. I strongly encourage you to adopt this plan and you will show leadership in taking care of wastewater management to the other 11 Puget Sound counties.

**Denny Johnston** – Declined.

**Lynn Schneider** – The State requires that all counties must have a management plan to manage septic systems and a more stringent plan for counties along Puget Sound. All counties have to manage their septic systems. There are 53,000 owners and operators of septic systems in the County. There is 12 million gallons of sewage, the same amount that is going to LOTT that is going out into our environment. Septic systems work fabulously and do a good job. The thing is with only hundreds of failures it can make an impact, and there are likely more failures than that with 53,000 septic systems. That one system where effluent is going on to your property, that one person matters. It is important to have adequate staffing levels in the County so that problems that exist in the county can be addressed. When you go out and educate the public, even if you are not providing funding. There are grants for Staff members to do the management.

**Paul Mikoloski** – No public comment at last two public meetings and would like to see this change. Is very disempowering. Get involved in the issue. This marks the beginning of a very slippery slope in assuming the taxes for something we are not getting any services for. Don't get the same police response, don't get roads paved, no help for meth labs. We don't get many of the basic services but were expected to pay a tax that we don't get to vote on. This is not a fee but taxation without representation. We don't get to vote on it. We didn't move to the unincorporated areas to be treated

like a city. Freedom from government, codes, taxes. What is this doing to the rural poor, which is one out of two people living paycheck to paycheck? Lot of poor people who need your support and don't need another fee.

**Donna Weaver** – I wonder why the real estate industry has not been reached out to help pass the word about septic systems. Little effort has been made to educate the public through property sales. As a real estate broker, I am required to give out mandatory pamphlets. One more pamphlet on septic system maintenance would not be unreasonable. The methodology being used to create the tax on septic system owners is going to pay for workshops and salaries in the education program. We can educate people just as easily through our brochures. Real estate transfers could handle dealing with failing septic systems, identification of systems. I have a problem utilizing county staff to troubleshoot septic system problems. This is best left to the professionals.

**Diane Dondero** – I concur with Mr. Petit and Glenn and numerous other people here have already stated what I agree with. This fee, this program is all about the fee. You want me to pay a fee for operation renewal, to pay to mitigate for people who live on the shoreline, a pump report fee, a transfer fee for sale and shellfish protection. Not just one fee, but a fee every year to pay for the things that have nothing to do with my life or my septic.

**Adrienne Arias** – Agree with everyone who spoken about calling for the science and representative of personal experiences about things that have happened on their property. Hundreds and hundreds of people who might be saying if it isn't broke don't fix it. Report is out for view and there will be time to consider it. The report was done with taxpayer money but I want to appreciate and give credit where credit is due. Any time I have had any interaction with Director Starry it has been most informative, most cordial and appreciated. He answers the phone personally and I feel that his department have done the very best they could under the mandates coming down from the top and the reality of what is boiling up from the bottom. If there is anything, you people are the level that can protect your constituents from what's coming down from the top and to hear what is boiling up from the bottom and that's your place. He has carried out the mandates and is certainly worth looking at that it was revised in May 2016 that people should study it and get input from people from everything spoken on every level. Let's do something better.

**Wally Brown** – Got a call from a man who is developer and a builder who is in foreclosure, along with many others. He asked is this a good time to insert a program like this in Thurston County?

**Rachel Palmer** – Learned about this meeting today, not by newspaper, no notice in trash receipt, not by email that I signed up for, and not by the Facebook page. My family is pretty simple and I would ask that the County do the same thing. There is no reason to charge me more money for something that you have not provided in a very well manner. I feel like my family has not been respected. We formed our own education on how to take care of our septic system, how to take care of our well, our roof, our walls, our flooring. I learned how to take care of that child before it was born. I should not, as a property owner, be asked that I be taxed on how to take care of my system. I have not been informed about any classes. I learned from different resources. I have heard about a lot of topics here tonight most of them I would ask don't live above your means.

**Susie Kyle** – Would like to see us move into having more public discussion about these things. I would like to have a conversation about this instead of just fulfilling your legal requirements for having public input. I am in agreement with everyone who has voted against this plan and testified before me and I particularly like the woman who just spoke because we can take personal responsibility we don't need more government. I would like you to vote no.

**Sarah Jane Rivers** – I came to speak at another public forum. The fellow with the head of it said my comments were irrelevant. If my comments were irrelevant, than what about others who come to speak before bodies like this? Are we considered irrelevant? I think you better listen to the citizens of Thurston County. Look at some of the other Counties.

**Terry-Stanley Ballard** – It is funny that they cannot come up with a number 70,000 or 53,000 when I have had my system tested since 2008. There are fourteen citizens on this board. Is this a fee for Thurston County unincorporated or this a fee for Thurston County incorporated? You would think there would be more people here. This is a cash cow and a money grab. We should reduce our deficit. I do not support it.

**Gary Edwards** – My concern is that the county has allowed a disaster to happen. You'll see why I have issues with this plan. Earlier this year there was a septic system installed for a new residence that is under water and raw sewage is allowed to surface and run across a play field and into a lake. We have a Lake Lawrence Management District. A letter was sent to the County by Lake Lawrence Community Club, in January, regarding this problem. I question the true motive of what is going on here. We've notified the county that there is a problem system that exists. Nothing has been done about this. I think that you should be looking into existing problems that you are aware of rather than creating a new tax on everybody and claim that you are fixing the problem. I don't really think there is a problem that exists.

**Erica Marbet** – Hydrologists for the Squaxin Island Tribe, whose members harvest shellfish in inlets of Thurston County and who depend on the salmon fisheries sustained by freshwater streams and rivers in Thurston County. The nature of problems with septic systems is that they don't get better over time. A certain percentage of them fail as a rule. With a growing county, we will have more septic systems and so we will expect more failures. Nitrate and bacterial pollution damage aquatic life and make shellfish unsafe to harvest by everyone. For tribal members when they are unable to harvest that takes away their income and livelihood. The added expense proposed here will provide additional protection of the counties waterways from pollution results from septic systems. There is always is going to be some pollution from septic systems. This is a crucial and necessary government service. Part of living in the Puget Sound watershed is that we must accept, very carefully, ways to manage our resources. That includes proactive and proper management and education because the State of Washington is under a Treaty with Tribes in Puget Sound and has to uphold that. If a government does not provide a service and allows the pollution to occur then, in this case, it is to the detriment of Squaxin Island Tribal members. Of course, the citizens of Thurston County do not want to pay an additional fee and I understand that; and of course, they will say there is no added benefit, but I disagree. Furthermore, I see that using that reasoning is externalizing the expense of their waste on the environment and on other people. Which includes Squaxin Island Tribal members and fish and shellfish harvesters from the tribe.

**Wendy Steffensen** – Works for LOTT Clean Water Alliance. LOTT's mission is to protect water sources and we believe that ensuring effective and working septic systems will help in the goal of protecting water sources. LOTT does not run public water supplies.

No other testimony received.

Commissioner Romero asked, if there were any questions that could be clarified by Art Starry. Art identified that he will meet with Commissioners in a briefing to determine next steps.

Commissioner Blake asked several process questions regarding pumping of systems, identifying failures, and minor repairs.

## 2) **ADJOURNMENT**

The hearing on the Update of the OSS Management Plan was closed. A Board Briefing will be held to discuss this proposal further with Environmental Health Division staff.

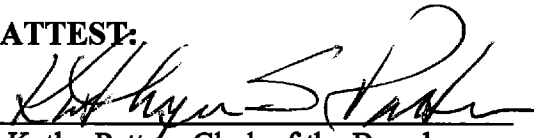
**BOARD OF HEALTH**  
**Thurston County, Washington**

  
BUD BLAKE, Chair

  
CATHY WOLFE, Vice-Chair

  
SANDRA ROMERO, Commissioner

ATTEST:

  
Kathy Patton, Clerk of the Board

Date: August 9, 2016

**Art Starry**

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**Subject:** FW: OSS comment

**From:** Bonnie Blessing [mailto:bonnie.blessing@gmail.com]  
**Sent:** Monday, May 16, 2016 8:08 AM  
**To:** Art Starry <starrya@co.thurston.wa.us>  
**Cc:** Jane Mountjoy-Venning <venninj@co.thurston.wa.us>  
**Subject:** Re: OSS comment

Thanks for all you do. Its probably an underappreciated plan.. However some level of county regulatory oversight is nice when neighbors plan to install septic near your own drinking water well in permeable soils.. This happened to a friend of mine. I think it was corrected and a better system installed due to some level of county septic permit process. This comment does not need to be added but it is so pertinent to your plan I believe.

On Mon, May 16, 2016 at 7:18 AM, Art Starry <[starrya@co.thurston.wa.us](mailto:starrya@co.thurston.wa.us)> wrote:

Good morning,

Thank you for your comments and questions. I'll add these to the record that goes to the Board of Health as they consider the plan.

As drafted the septic system management plan didn't specifically address the Salmon Creek basin and high ground water areas. It includes a recommendation to form a Special Areas Workgroup that would look at areas like these and make recommendations to the Board and Health Department on septic system permit standards and management strategies. If the plan goes forward we'll be sure to ask the workgroup to consider high ground water areas.

Thanks again for your comments and interest in this matter. Feel free to email or call if you have more questions or want to discuss the plan.

Sincerely,

Art Starry

Art Starry, R.S.  
Environmental Health Division Director  
Thurston County Public Health and Social Services  
412 Lilly Road NE  
Olympia, WA 98506  
(360) 867-2587 - phone  
(360) 867-2601 - fax  
[starrya@co.thurston.wa.us](mailto:starrya@co.thurston.wa.us)

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**From:** Bonnie Blessing [mailto:[bonnie.blessing@gmail.com](mailto:bonnie.blessing@gmail.com)]  
**Sent:** Sunday, May 15, 2016 7:55 PM  
**To:** Art Starry <[starrya@co.thurston.wa.us](mailto:starrya@co.thurston.wa.us)>  
**Subject:** OSS comment

OSS plan

Shouldn't the OSS plan include measures to guide sewage systems being installed in the high groundwater areas of south thurston, such as in the Black River and Salmon Creek drainages?

Wells are so very close to the septic systems in the Salmon Creek basin and other basins in Thurston County. Installation of septic systems in soils w/ high permeability is unhealthy when near a well.

Black lake water quality may be impaired by the septic systems draining to it but I don't see measures to improve septic systems. Lets hope the ALUM works.

What is the real source of the nutrients and fecal coliform? Can Thurston conduct real work (including but not limited to computer models) of nutrient sources?

Several flooded areas near septic are inhabited by rare wildlife aquatic species. Consider impacts on these organisms.

Best

Bonnie Blessing

June 7, 2016

Thurston County Board of Health  
2000 Lakeridge Drive SW  
Olympia, WA 98502

Subject: Comments on Proposed Thurston County Onsite Sewage System Management Plan

Dear Thurston County Board of Health,

I support the proposed Thurston County Onsite Sewage System Management Plan because I understand and appreciate that the County Board of Health has the responsibility to protect our health by managing sewage disposed of through septic systems. The existing 53,000 septic systems flush millions of gallons of sewage per day into the ground in this county, and pose a threat to us all if they are not working properly. As a rural, Black River watershed resident and septic owner, I believe that a comprehensive, county-wide septic management program is needed.

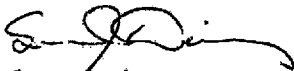
I support a single fee for every OSS rather than the multi-tiered approach for the following reasons:

1. A flat fee structure would be less costly to managing than a multi-tier system providing more of the money collected for doing actual septic system management activities,
2. It would allow flexibility to fund services that address specific needs wherever they are needed in the county; for example, rebates to owners who install septic tank risers and financial assistance to low income OSS owners for septic system maintenance could be offered county-wide not just in the marine recovery areas, there could be financial incentives offered to OSS owners in critical aquifer recharge areas for installing nitrogen-reducing systems as is recommended in the Scatter Creek Aquifer plan, and funds could be available to respond to potential septic-related water quality problems wherever they are identified.
3. Every septic owner benefits from keeping the ground water, lakes and river, and marine water clean, so we should all share equality in funding a septic management program.

I am in favor of replacing the existing four fees (operational certificate fee, pump report fee, time of transfer fee, and marine recovery fee) with one low annual charge to every septic owner through the property tax statement. It is equitable and fair compared to the current funding where you pay if pump or sell or if you have a newer alternative system or live in a certain watershed, while the majority of septic owners, especially those with the oldest systems, pay nothing.

As the county population continues to grow in the future, it seems crucial that there be a comprehensive plan in place to protect our health and water resources. I support and encourage the Thurston County Board of Health to adopt and implement the proposed Thurston County Onsite Sewage System Management Plan.

Sincerely,



Susan Davis  
7929 105<sup>th</sup> Ave SW  
Olympia, Washington 98512

cc: Art Starry, Environmental Health Division Director

**Art Starry**

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**From:** Anne Buck <culinaryexotica@gmail.com>  
**Sent:** Tuesday, June 14, 2016 11:03 AM  
**To:** Art Starry  
**Subject:** septic systems

I do want you to put the septic maintenance system in place even tho' the property owners will be charged. Anne Buck 3126 Cove Lan N.W. Olympia. Wa. 98502

**Art Starry**

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**From:** Kwhale2@aol.com  
**Sent:** Tuesday, June 14, 2016 11:38 AM  
**To:** Art Starry  
**Subject:** OSS Management Plan Update

One of the significant elements of the 2008 plan was:

- Performance management criteria and Indicators be developed and implemented to evaluate the effectiveness of the programs in the plan.

I have not seen this particular element of the plan displayed nor do I see that it was used in any fashion upon which to base the proposed changes. Absent this element the changes seem to be little more than a broad brush approach hopeful of snagging some problems but more directed at assuring more money for an ill-defined program and spreading the cost to those in the county who do not contribute to the problems (however defined) from those most likely causing the problem.

Absent this element I will encourage the County Commissioners to reject the planned change. Change without performance criteria is likely to accomplish little; witness the 2008 plan.

Dan Keller  
6909 Timberlake Dr SE  
Lacey

**Art Starry**

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**From:** JacobsOly@aol.com  
**Sent:** Tuesday, June 14, 2016 1:27 PM  
**To:** tcbocc  
**Cc:** Art Starry  
**Subject:** Comments on Septic Management Plan

Commissioners:

Please accept this email as my official comments on the proposed Septic Management Plan. I would prefer to address you in person this evening, but I need to attend another meeting at the same time.

It is a no-brainer that we need strong and effective regulation of septic systems in Thurston County, including a solid enforcement program.

There are two reasons I say this:

1. Drinking water. Every drop of drinking water in Thurston County comes from the ground, not from distant sources such as Seattle and New York have. Thus, we need to keep our groundwater clean for our own health and convenience. If we fail to do that, our health will be endangered and we will have to spend lots of money to obtain safe water for drinking, cooking, bathing, etc.
2. Our environment. We all treasure our rivers, streams, lakes, and Puget Sound. Effluent from improperly functioning septic systems can ruin all of those, with the resulting loss of recreational opportunities and iconic species such as salmon and orcas.

The effort and cost of assuring proper functioning of septic systems are well justified.

Please enact strong and effective regulations that will assure proper functioning of septic systems.

Bob Jacobs

352-1346

[jacobsoly@aol.com](mailto:jacobsoly@aol.com)

720 Governor Stevens Ave. SE  
Olympia, WA 98501

**Art Starry**

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**From:** Sherri Nehl  
**Sent:** Tuesday, June 14, 2016 1:39 PM  
**To:** Art Starry  
**Cc:** Jane Mountjoy-Venning  
**Subject:** FW: Septic fees

Forwarding comments received.

Thank you,  
Sherri

**Sherri W. Nehl**  
Assistant to Bud Blake,  
Thurston County Commissioner, District #3  
360-786-5414 (office)  
360-485-3394 (mobile)

**From:** Bud Blake  
**Sent:** Tuesday, June 14, 2016 11:56 AM  
**To:** Sherri Nehl <nehls@co.thurston.wa.us>  
**Subject:** FW: Septic fees

**From:** [webserver@co.thurston.wa.us](mailto:webserver@co.thurston.wa.us)  
**Sent:** Tuesday, June 14, 2016 11:56:14 AM (UTC-08:00) Pacific Time (US & Canada)  
**To:** Bud Blake  
**Subject:** Septic fees

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**Subject:** Septic fees

**Sender Name:** Ti. Heenan

**Sender Email:**

**Sent:** 6/14/2016 11:56:13 AM

**Sender Message:** Please do not pass any regulations or fees to septic owners this isn't fair and we pay enough in taxes already . This county is self destructive with all the regs your employees think up thanks Bud. you are the voice of reason until Jan 1

## Art Starry

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**From:** Sherri Nehl  
**Sent:** Tuesday, June 14, 2016 1:40 PM  
**To:** Art Starry  
**Cc:** Jane Mountjoy-Venning  
**Subject:** FW: Proposed yearly fees for septic tank usage

**Sherri W. Nehl**  
Assistant to Bud Blake,  
Thurston County Commissioner, District #3  
360-786-5414 (office)  
360-485-3394 (mobile)

**From:** Bud Blake  
**Sent:** Tuesday, June 14, 2016 1:21 PM  
**To:** Sherri Nehl <nehls@co.thurston.wa.us>  
**Subject:** FW: Proposed yearly fees for septic tank usage

**From:** [webserver@co.thurston.wa.us](mailto:webserver@co.thurston.wa.us)  
**Sent:** Tuesday, June 14, 2016 1:21:12 PM (UTC-08:00) Pacific Time (US & Canada)  
**To:** Bud Blake  
**Subject:** Proposed yearly fees for septic tank usage

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**Subject:** Proposed yearly fees for septic tank usage

**Sender Name:** Carol Carney

**Sender Email:** [cascadecritter@msn.com](mailto:cascadecritter@msn.com)

**Sent:** 6/14/2016 1:21:12 PM

**Sender Message:** I am not able to attend the meeting tonight regarding proposed annual charges for use of a septic tank. I live in Rochester, and am very opposed to these proposed fees. It is already cost prohibitive to maintain our rural properties, and septic tanks are the sole cost of the property owner, including any needed maintenance, pumping, etc. I feel it is criminal to charge use fees for something we have solely financed and solely maintained. Please put an end to this additional taxation without representation. Thank you. Carol Carney

**Art Starry**

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**From:** Dave Peeler <davepeeler@hotmail.com>  
**Sent:** Tuesday, June 14, 2016 2:46 PM  
**To:** Art Starry  
**Subject:** OSS Management Plan Update

Art,

I am unable to attend the public hearing tonight but wanted to submit the following comments on the county's proposal for managing on-site systems.

In general, on-site systems are a large and growing source of contaminants of our waters, including ground water, rivers and streams, and marine waters such as Puget Sound. Even properly functioning on-site systems can add to the pollutant load, as most are not designed to remove organic chemicals and other modern contaminants in our sewage.

In addition, most homeowners with on-site systems (myself among them) are generally oblivious to the condition or proper functioning of their systems. I strongly support the county's proposal to implement an OSS Plan that will provide for more timely inspections, pump outs and repairs. While the annual cost of the plan to individual owners is not very large, replacing a failing system can cost tens of thousands of dollars. As with automotive vehicles, it is far better to pay for regular, routine maintenance and inspections than to suffer from unexpected catastrophic failures.

Finally, the proposed plan will reap environmental benefits for our waters used for drinking, recreation and food sources. Our fish and wildlife will be better protected. And we will all benefit from cleaner water.

Dave Peeler

2504 Link CT SW, Olympia WA 98512  
360-866-3998



## Art Starry

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**From:** Nancy Conner <nancy@cityrealtyinc.net>  
**Sent:** Tuesday, June 14, 2016 3:17 PM  
**To:** Art Starry  
**Subject:** OSS Management Plan Update

I'm not able to attend the public meeting about the proposed changes, but would like to submit one concern about the proposal. In working with home buyers who purchase bank owned houses on septic systems, it's pretty clear to me that in almost all cases the bank "may" agree to pay for the septic to be pumped & inspected, but will seldom agree to pay for repairs that might be needed. (And in quite a few cases, the bank will not even pay for the pumping/inspection - especially if the buyer is an investor). My investor buyers do understand that they'll need to include septic repairs in their rehab budget, but if repairs are required before a time of transfer is issued, there will be instances where this will cause the sale to fail. If the buyer is obtaining a loan to purchase the property, the lender likely will require the time of transfer before closing... & at the same time the bank who is selling may prohibit the buyer from doing repairs prior to closing - even if the buyer is willing to. Classic Catch 22!

Can you consider possible solutions like either not making the repairs a condition of providing the time of transfer, or allowing the repairs to be completed within some designated time period if the seller (usually a bank) refuses to do the repairs & the buyer agrees to take them on? It would seem counterproductive to implement a requirement that keeps properties with failing septic systems sitting in limbo even longer, rather than facilitating the ability for willing buyers to take them on, make the repairs & improvements which will benefit the neighborhoods & property tax roll!

Thanks for your consideration of this!!

Nancy Conner, Managing Broker  
City Realty Inc  
360-701-1086  
Nancy@cityrealtyinc.net

Sent from my iPad

**Art Starry**

---

**From:** D.J.Nick@comcast.net  
**Sent:** Tuesday, June 14, 2016 4:01 PM  
**To:** Art Starry  
**Subject:** Public Comment for the hearing on the proposed On site Sewage management plan.

Dear Mr. Starry,

I will not be able to attend tonight's public hearing. Please accept the below points as my comments for this evening's public hearing on the proposed Thurston County On-site Sewage System Management Plan.

I appreciate the good work of the many individuals and departments in completion of the plan. The one area that should be changed is the funding source proposed to implement the plan. Landowners with On-site Sewage Systems should certainly pay a fee for the majority of the costs, however that tiered charge structure should also include conditions that tax the bad and credit the good. For example, added to the charge structure should be those homes that have a large (e.g., 150 feet or more) and healthy mature riparian area between the house and waterbody. Riparian areas significantly help filter nutrient releases from the septic system. Therefore the impact from the systems are much less than those systems that are close to the water body and/or have few trees and often is the case, grass turf which is often fertilized by the land owner.

Thank you for considering this comment.

Donna Nickerson  
6345 Murray Ct NW  
Olympia, WA 98502

surate with the services provided

urston County On-site Sewage System Management Plan

## Art Starry

---

**From:** Mike <mikecunningham@gmail.com>  
**Sent:** Tuesday, June 14, 2016 4:29 PM  
**To:** Art Starry  
**Subject:** OSS Management Plan Update

I just now found out about the septic system meeting and have not had time to read the full text and can not get to the hearing in time for the meeting tonight.

Should the plan include a tax on the residence, as my neighbors have told me, then I am against any such plan. Furthermore if the plan required us to have the septic system inspected every two years, like Pierce County does, then I am against it as well. We are drowning in tax already. I don't need or want the County taxing me to have someone look into my skeptic tank every other year.

Please count me as a no vote until such time that we can get more information.

Michael A Cunningham  
17910 158th Ave SE  
Yelm, WA 98597

**Kathy Patton**

---

**From:** Becca Pilcher  
**Sent:** Thursday, June 30, 2016 9:17 AM  
**To:** Kathy Patton  
**Subject:** FW: Septic system fees

**Categories:** PUBLIC HEARINGS

Hi Kathy,

I'm forwarding this comment in case you're still compiling them for the record.

Many thanks,  
Becca

**From:** webserver@co.thurston.wa.us [mailto:webserver@co.thurston.wa.us]  
**Sent:** Wednesday, June 29, 2016 8:37 AM  
**To:** Sandra Romero <romeros@co.thurston.wa.us>  
**Subject:** Septic system fees

\*\*\*\*\*

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\*\*\*\*\*

**Subject:** Septic system fees

**Sender Name:** Jennifer Wilson

**Sender Email:**

**Sent:** 6/29/2016 8:36:39 AM

**Sender Message:** Please follow King County's Example and throw out the septic fee. They listened to their constituents and made the right decision. You know how your constituents feel about this. Make the right choice.

Thurston County Commissioners

RECEIVED

JUN 17 2016

Sandra Romero  
Thurston County Commissioner  
2000 Lakeridge Dr. SW  
Olympia, WA 98502

DISTRICT 1  
DISTRICT 2  
DISTRICT 3

CLERK  
CLERK  
CLERK

5224 Gene Drive SE  
Olympia, WA 98513  
June 14, 2016

Dear Commissioner Romero,

I write to express my objection to the proposed septic fees that are being considered as part of the on-site-septic system management plan.

I see this plan as yet another attempt by the political class to regulate every aspect of our lives because "you know better". Hay, Washington DC does it, Olympia, Washington does it, is the Thurston County government falling behind in over regulating the subjects? That's not a typo—I feel more and more each day like a subject, not a citizen.

The proposed fees are yet another reason to transfer money from citizens to government and in the end "grow the government".

That Thurston County feels it needs more money to impose more regulations is a poor excuse for reducing my standard of living. I am retired and my ability to increase my income to meet additional costs imposed by your County Government does not exist, although I am sure you consider that to be my problem not yours. The proposed senior discount of 50% does not impress me.

And if the proposed fees are imposed against my will it will be my problem, and I know you understand that—until election time—at which time I assure you it will become your problem.

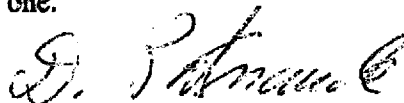
Here is how I see this proposal:

- I have a septic system. It was new in 1993 when we purchased this home. I have had the tank cleaned and the system inspected every 3 years, more frequent than necessary considering that only my wife and I live here and the design is for a 3-bedroom home.
- I do not need nor want your intrusion into my life.
- I take offense that you are now proposing to treat me as a problem and an ATM machine.
- If a citizen has records that prove proper maintenance of their septic system they should not be subject to additional inspections or fees.

Commissioner, please stay out of my life. Let me be a good citizen. Don't treat me as a potential criminal. Do not take any more of my retirement income to "grow" your government.

I can't understand why Mr. Trump has been able to do what he has done—until I consider how citizens are being treated by proposals like this one.

Dennis Patnaude



**Kathy Patton**

---

**From:** Robin Courts  
**Sent:** Wednesday, June 22, 2016 11:48 AM  
**To:** Kathy Patton  
**Subject:** FW: Septic tax

Hi again,

This person did not leave an email address, but I am forwarding on anyway.

Thanks!  
R

**From:** tcbocc  
**Sent:** Monday, June 20, 2016 7:34 AM  
**To:** Robin Courts <CourtsR@co.thurston.wa.us>; Robin Campbell <campber@co.thurston.wa.us>; Cliff Moore <mooredc@co.thurston.wa.us>; Cathy Wolfe <WolfeC@co.thurston.wa.us>; Vickie Larkin <LarkinV@co.thurston.wa.us>; Sandra Romero <romeros@co.thurston.wa.us>; Becca Pilcher <pilcher@co.thurston.wa.us>; Bud Blake <blakeb@co.thurston.wa.us>; Sherri Nehl <nehls@co.thurston.wa.us>  
**Subject:** FW: Septic tax

**From:** [webserver@co.thurston.wa.us](mailto:webserver@co.thurston.wa.us)  
**Sent:** Monday, June 20, 2016 7:33:22 AM (UTC-08:00) Pacific Time (US & Canada)  
**To:** tcbocc  
**Subject:** Septic tax

\*\*\*\*\*

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\*\*\*\*\*

**Subject:** Septic tax

**Sender Name:** Wayde schaible

**Sender Email:**

**Sent:** 6/20/2016 7:33:22 AM

**Sender Message:** I have lived and paid taxes my entire adult life in thurston county I cannot believe you have come up with another tax to try to get me to leave this county. I will continue to vote against anyone who votes more taxes in thurston county. All of us in the county are tired of new fees. I should be getting a fee from the county for dumping road water onto my property and flooding my front driveway from poor road maintenance I should also be getting reimbursed from the weed tax as the county has never sprayed the noxious weeds in the right of way in the 35 years I have paid a noxious weed tax. This septic tank tax is just more county oversight that we do not need. No septic tanks are failing. Stop this tax crap.. You will be voted out.

## Kathy Patton

---

**From:** Robin Courts  
**Sent:** Wednesday, June 22, 2016 11:46 AM  
**To:** Kathy Patton  
**Subject:** FW: Proposed County Septic Management Plan

Another comment...

Thanks!  
R

**From:** tcbocc  
**Sent:** Saturday, June 18, 2016 8:15 PM  
**To:** Robin Courts <CourtsR@co.thurston.wa.us>; Robin Campbell <campber@co.thurston.wa.us>; Cliff Moore <moorecl@co.thurston.wa.us>; Cathy Wolfe <WolfeC@co.thurston.wa.us>; Vickie Larkin <LarkinV@co.thurston.wa.us>; Sandra Romero <romeros@co.thurston.wa.us>; Becca Pilcher <pilcher@co.thurston.wa.us>; Bud Blake <blakeb@co.thurston.wa.us>; Sherri Nehl <nehls@co.thurston.wa.us>  
**Subject:** FW: Proposed County Septic Management Plan

**From:** [webserver@co.thurston.wa.us](mailto:webserver@co.thurston.wa.us)  
**Sent:** Saturday, June 18, 2016 8:14:49 PM (UTC-08:00) Pacific Time (US & Canada)  
**To:** tcbocc  
**Subject:** Proposed County Septic Management Plan

\*\*\*\*\*

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**Subject:** Proposed County Septic Management Plan

**Sender Name:** Phyllis Farrell

**Sender Email:** [phyllisfarrell681@hotmail.com](mailto:phyllisfarrell681@hotmail.com)

**Sent:** 6/18/2016 8:14:49 PM

**Sender Message:** > Dear Commissioners: > > The South Sound Sierra Club would like to support the Commissioners in updating the County's Septic management plan. > > We feel that it is necessary. in the near future, to go further and assure that septic systems within urban areas are phased out and these residents connected with waste treatment systems, we believe this is an essential step in the right direction. Having 53,000 individually operating and mostly unregulated septic systems discharging 12 million gallons of treated sewage a day into our ground water is unacceptable, and there is no time to waste. > > We find the estimated fees reasonable, and relief for extremely low income residents should not be difficult to provide. > > I regret that we were unable to attend the hearing on June 14, and hope you will take our comments into consideration. We greatly appreciate your efforts to protect our water quality. Respectfully, Phyllis Farrell, Chair, South Sound Sierra Club

## Kathy Patton

---

**From:** Robin Courts  
**Sent:** Wednesday, June 22, 2016 11:45 AM  
**To:** Kathy Patton  
**Subject:** FW: New management system for the County's 53,000 septic systems,

Hi Kathy,

The Board has received a couple of comment letters on the OSS plan I am forwarding your way.

I realize it may be after the fact (not sure if the deadline for comment has passed), but wanted to make sure you received them since the Board did.

Thanks!  
Robin

**From:** tcbocc  
**Sent:** Saturday, June 18, 2016 4:19 PM  
**To:** Robin Courts <CourtsR@co.thurston.wa.us>; Robin Campbell <campber@co.thurston.wa.us>; Cliff Moore <moorecl@co.thurston.wa.us>; Cathy Wolfe <WolfeC@co.thurston.wa.us>; Vickie Larkin <LarkinV@co.thurston.wa.us>; Sandra Romero <romeros@co.thurston.wa.us>; Becca Pilcher <pilcher@co.thurston.wa.us>; Bud Blake <blakeb@co.thurston.wa.us>; Sherri Nehl <nehl@co.thurston.wa.us>  
**Subject:** FW: New management system for the County's 53,000 septic systems,

**From:** [webserver@co.thurston.wa.us](mailto:webserver@co.thurston.wa.us)  
**Sent:** Saturday, June 18, 2016 4:18:34 PM (UTC-08:00) Pacific Time (US & Canada)  
**To:** tcbocc  
**Subject:** New management system for the County's 53,000 septic systems,

\*\*\*\*\*

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\*\*\*\*\*

**Subject:** New management system for the County's 53,000 septic systems,

**Sender Name:** Patricia Dickason

**Sender Email:**

**Sent:** 6/18/2016 4:18:34 PM

**Sender Message:** Dear Commissioners: The League of Women Voters of Thurston County has a long-standing commitment to protecting natural resources through comprehensive planning for infrastructure in urban, suburban and rural areas. We support the present proposed update of the septic maintenance and protection plan. We believe this proposal has been available for public review and comment for a period of time sufficient



to allow full participation, and that County staff and officials have been duly attentive to public input. While we believe it is necessary to go further and eliminate most of the on-site septic systems in urban areas, connecting these residences to sewage treatment systems, we believe the proposal at hand is a good and necessary first step, and should be adopted without delay. We understand that some County residents and groups have complained about the financial burden to citizens, but we feel the fee schedule proposed -- between \$22 and \$66 per year for each septic system -- should not be significant for most families. But perhaps for those families who are severely stressed financially, there could be a fund to alleviate this burden, small though it seems. Perhaps septic system owners could be asked if they would voluntarily pay an additional amount to establish a fund that could pay the fee for low income residents; higher income residents might not mind contributing a few dollars extra. Meanwhile, it is clear that we cannot continue allowing 53,000 individually operating septic systems (discharging 12 million gallons of sewage a day), many of which are leaking and failing, to continue without regulation, regular inspection, and better information and assistance to owners for responsible maintenance. Please adopt the proposal at hand as soon as possible. Thank you for your efforts to protect our waterways and our quality of life. /s/ Pat Dickason Pat Dickason, President League of Women Voters, Thurston County 360 753-7647/360 556-2905

**Kathy Patton**

---

**From:** webserver@co.thurston.wa.us  
**Sent:** Wednesday, June 15, 2016 7:45 AM  
**To:** tcbocc  
**Subject:** NO CRAP TAX!

\*\*\*\*\*

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\*\*\*\*\*

**Subject:** NO CRAP TAX!

**Sender Name:** Erica Van Lierop

**Sender Email:** ericavanlierop@gmail.com

**Sent:** 6/15/2016 7:44:58 AM

**Sender Message:** Enough is enough! Families are struggling to hold on to their homes and property and are TAXED OUT! We The People are watching!

**Kathy Patton**

---

**From:** webserver@co.thurston.wa.us  
**Sent:** Wednesday, June 15, 2016 4:49 PM  
**To:** tcbocc  
**Subject:** The Crap Tax

\*\*\*\*\*

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**Subject:** The Crap Tax

**Sender Name:** Pamela Martin

**Sender Email:** pjim61@gmail.com

**Sent:** 6/15/2016 4:48:44 PM

**Sender Message:** Who the Hell do you think you people are , have you all forgotten what your office is for or are your big heads getting in the way of your thinking. You want more money get it from the tribes. take some of the money that they have from not paying property tax and Business tax, stop letting them buying up the Grand Mound area so they don't have to pay taxes on it. Or how about taking some of the money they give you to support them and put it to good use, leave the working people alone. WE pay more then our share of taxes to the county . Take your holyier then tho attitude and go help Seattle, Oh thats right your not good enuff for them either. I for one will pass the word on what , money hungry, gluttons you are, you are taking Thurston county to the dogs that no one wants to live in,

## Kathy Patton

---

**From:** Becca Pilcher  
**Sent:** Thursday, June 30, 2016 9:17 AM  
**To:** Kathy Patton  
**Subject:** FW: Septic system fees

**Categories:** PUBLIC HEARINGS

Hi Kathy,

I'm forwarding this comment in case you're still compiling them for the record.

Many thanks,  
Becca

**From:** webserver@co.thurston.wa.us [mailto:webserver@co.thurston.wa.us]  
**Sent:** Wednesday, June 29, 2016 8:37 AM  
**To:** Sandra Romero <romeros@co.thurston.wa.us>  
**Subject:** Septic system fees

\*\*\*\*\*

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**Subject:** Septic system fees

**Sender Name:** Jennifer Wilson

**Sender Email:**

**Sent:** 6/29/2016 8:36:39 AM

**Sender Message:** Please follow King County's Example and throw out the septic fee. They listened to their constituents and made the right decision. You know how your constituents feel about this. Make the right choice.

**Kathy Patton**

---

**From:** webserver@co.thurston.wa.us  
**Sent:** Wednesday, June 15, 2016 5:32 PM  
**To:** tcbocc  
**Subject:** Crap tax

\*\*\*\*\*

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\*\*\*\*\*

**Subject:** Crap tax

**Sender Name:** Russ carpenter

**Sender Email:**

**Sent:** 6/15/2016 5:31:35 PM

**Sender Message:** We the tax payers of Thurston county are fed up with your bullshit tax schemes. We pay thousands of dollars for state of the art septic systems, then u want to tax us annually on top of that.BULLSHIT we will vote you out along with Cooper.I already pay 300\$ every three yrs. For a permit. If you think I will pay any additional monies toward your Bullshit crap tax your wrong. I will move out of the county with 1000's of other resdents that are doing the same. You people can kiss my ass!!

**Kathy Patton**

---

**From:** webserver@co.thurston.wa.us  
**Sent:** Thursday, June 16, 2016 8:25 AM  
**To:** tcbocc  
**Subject:** Crap tax

\*\*\*\*\*

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**Subject:** Crap tax

**Sender Name:** Gina Rask

**Sender Email:**

**Sent:** 6/16/2016 8:24:36 AM

**Sender Message:** This is a horrible plan. Just to take someone's money because you can. It's immoral. Vote NO.

**Kathy Patton**

---

**From:** webserver@co.thurston.wa.us  
**Sent:** Wednesday, June 15, 2016 6:09 PM  
**To:** tcbocc  
**Subject:** Crap Tax

\*\*\*\*\*

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**Subject:** Crap Tax

**Sender Name:** Elaine Dodd

**Sender Email:** redhedz95@yahoo.com

**Sent:** 6/15/2016 6:09:11 PM

**Sender Message:** After reading about this I am mad. We paid a small fortune to get our septic and mound system in, every few years we have to drain it and have it inspected to the tune of \$400 and now you have more tax put on us. I'm so sorry I voted for you. The govt here is taxing us to death and it has to stop. I have a septic system weith three tanks, it was just my husband and I, now just me...really..it needs to be pumped and now another tax?? I lived in an old house with one tank and raised 3 children and two adults, never had a problem and maybe pumped it out 4 times in 32 years. Go find the money elsewhere or maybe how about sticking to a budget, work with what you have like we do.

**Kathy Patton**

---

**From:** webserver@co.thurston.wa.us  
**Sent:** Friday, June 17, 2016 4:28 PM  
**To:** tcbocc  
**Subject:** Crap Tax

\*\*\*\*\*

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**Subject:** Crap Tax

**Sender Name:** Harry Blake

**Sender Email:**

**Sent:** 6/17/2016 4:27:35 PM

**Sender Message:** Please don't tax my crap... When the pump truck comes out I pay him plus tax .... he pays taxes and fees to dispose of the crap . That's enough tax on crap.



**Kathy Patton**

---

**From:** webserver@co.thurston.wa.us  
**Sent:** Saturday, June 18, 2016 10:21 AM  
**To:** tcbocc  
**Subject:** Crap tax

\*\*\*\*\*

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\*\*\*\*\*

**Subject:** Crap tax

**Sender Name:** Beverly Vines-Haines

**Sender Email:** Bevvh@live.com

**Sent:** 6/18/2016 10:20:59 AM

**Sender Message:** The Pocket Gopher fees and the Crap Tax proposal will serve to wake the sleeping giant which will sweep these dreadful punitive taxes and the politicians who support them away in a future vote. It might take a while to wake the giant but publicity and creative expose writing can work wonders. These truly serve to poke the bear! Beverly Vines-Haines

**Kathy Patton**

---

**From:** webserver@co.thurston.wa.us  
**Sent:** Wednesday, June 15, 2016 2:20 PM  
**To:** tcbocc  
**Subject:** Septic Tax

\*\*\*\*\*

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**Subject:** Septic Tax

**Sender Name:** Orlena Knechtek

**Sender Email:** Ocknechtek@yahoo.com

**Sent:** 6/15/2016 2:20:05 PM

**Sender Message:** This septic tax you are trying to impose on county residents is so absurd. If you want to go down in the history books as thurston county's most ignorant people than I guess you should go for it! To try and tax people water wells or septic a is crazy! You already get paid for permits for these to be installed. Skeptics have to pass an inspection before homes can be sold. Do you research, balance your budgets as you would your personal checkbook a. Quit trying to soak honest hard working people to pay for your stupid ideas that you don't even ask us about!!! Get your heads out of your butts and leave our "crap" alone. Everyone already knows that politics is get a bad name and in some cases the county is even worse. Why don't you put on your big people pants and hike them up instead of dragging all of us around with you!

## **Art Starry**

---

**From:** Sherri Nehl  
**Sent:** Tuesday, June 14, 2016 4:54 PM  
**To:** Art Starry  
**Cc:** Jane Mountjoy-Venning  
**Subject:** OSS comments

Hi Art and Jane,

Here is a comment Bud received via voicemail today, 6/14/2016 at 12:51pm

Theresa Elliot, Rochester resident  
Opposed to any new septic fees. Septic systems are part of our private property. Do not charge for the use of my own septic tank.  
273-7189

Thank you,

**Sherri W. Nehl**  
Commissioner Assistant to Bud Blake,  
Thurston County Commissioner, District #3  
2000 Lakeridge Dive SW  
Olympia, WA 98502  
360-786-5414 (office)  
360-485-3394 (mobile)

**Art Starry**

---

**Subject:** FW: COMING SOON! Public Hearing for Thurston County OSS Management Plan

**From:** Dan Smith [mailto:DESmith@ci.tumwater.wa.us]  
**Sent:** Tuesday, June 14, 2016 2:03 PM  
**To:** Art Starry <starrya@co.thurston.wa.us>  
**Subject:** RE: COMING SOON! Public Hearing for Thurston County OSS Management Plan

Art,

Unfortunately, I am unable to make the hearing this evening. However, as a member of the advisory group working with the County to develop updated plan recommendations, I fully support the plan and encourage the Board of Health to adopt it as written. County staff did an excellent job capturing the group discussion, and developing a plan that sets the stage for improving our watersheds, County operations and knowledge of the vast, privately-held infrastructure.

Collectively, the plan recommendations – if fully implemented – will further protect our County's sensitive natural resources and human health. Improving the education of property owners on maintenance and testing, and the impacts of failing to properly care for these systems, broaden our communities awareness. With a heightened awareness comes a greater willingness, ideally, to protect the resources we all depend.

Improving the County's inventory, assessing impacts in marine recovery and other sensitive, increasing efficiencies for tracking system health and online reporting for industry professionals are common sense recommendations that will help reduce confusion, better understand potential ground and surface water impacts and help the County reduce operational costs. And, yes, this expansion comes at a cost. County staff examined a number of fee structures, and have proposed a fair and equitable approach for properties across the County.

I thank the Board for the direction to initiate a plan update, and supporting the recommendations of the advisory committee. Much discussion was had during the meetings, and strong consensus was reached by the stakeholders committed to the process. I encourage the Board to adopt the plan as written.

Regards,  
Dan

*Dan Smith, Water Resources Program Manager  
City of Tumwater | 555 Israel Road SW | Tumwater, WA 98501  
Phone: (360)754-4140 | Fax: (360) 754-4142  
[Visit us on the Web!](#)*

**Art Starry**

---

**Subject:** FW: COMING SOON! Public Hearing for Thurston County OSS Management Plan

**From:** Diane Utter [mailto:dutter@ci.olympia.wa.us]  
**Sent:** Friday, June 10, 2016 11:52 AM  
**To:** Art Starry <starrya@co.thurston.wa.us>  
**Subject:** RE: COMING SOON! Public Hearing for Thurston County OSS Management Plan

Hi Art, I won't be able to be at the hearing Tuesday because I have an item on the agenda with our City Council that night. Below are my comments regarding the plan. Please pass them on to your board. Thanks.

*As a member of the committee who helped develop the OSS Management Plan Update, I wholeheartedly support the plan and specifically the new funding mechanism. I believe it makes sense for all OSS owners to help fund the programs needed, rather than just the owners who are having their systems pumped and inspected. The expanded funding will allow the County to interact with a greater number of OSS owners, improving the overall maintenance and condition of OSS. This is a huge win for the environment and public health. The benefit to residents in Olympia and its urban growth area, which is my customer base, will be noticeable. Thank you for considering my input.*

*-Diane*

*Diane Utter P.E., Water Resources Engineer  
City of Olympia Wastewater Utility, 360-753-8562*

*This email is considered a public document and may be subject to disclosure.*

**Art Starry**

---

**From:** Rich Hoey <rhoey@ci.olympia.wa.us>  
**Sent:** Monday, June 13, 2016 11:11 AM  
**To:** Art Starry  
**Cc:** Andy Haub  
**Subject:** OSS Management Plan Update

Dear Art,

The City of Olympia has a vital interest in the permitting, maintaining and monitoring of septic systems in our sewer service area. The City and Thurston County have a long partnership in this area. The proposed OSS Management Plan Update provides the funding and framework for increased septic monitoring and enforcement, where needed. The plan will benefit both the environment and public health in our region. The City of Olympia Public Works supports the plan.

If you have any questions, please feel free to contact me at 360-753-8495.

Best regards,  
Rich

\*\*\*\*\*

Rich Hoey, P.E.  
Public Works Director  
City of Olympia  
(360) 753-8495

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**Presented to Thurston County Commissioners - June 14, 2016**  
**Comments about Thurston County's "Crap Tax" (aka septic fee program)**  
**Public hearing**

**Current laws limit Board plans to expand its authority**

The Thurston County Proposed Septic Fee Ordinance recites that current laws mandate the Thurston County Health Department to monitor and regulate septic systems (WAC 246-272A) and to implement a septic system program management plan for public health protection (RCW 70.118A).

RCW 70.05.190 authorizes local boards of health to impose reasonable fees sufficient to pay for the actual costs of administration of the on-site sewage program management plan (section 1(a)) and expressly limits the services for which fees may be charged to the actual cost of issuing or renewing licenses or permits or other services authorized by the law and the state board of health (RCW 70.05.190, section 3 and RCW70.05.060(7)).

**Thurston County is seeking to expand its authority beyond what current law allows by amending RCW 70.05.190.**

Last year,, House Representatives Peterson, Fitzgibbon and Hunt sponsored HB 1715 which changes current statutory law by

1. eliminating the "actual costs" language in (1a) and (3)
2. expanding the Board's fee collecting authority to geographic areas outside the Puget Sound basin;
3. giving the Board discretion to replace statutory minimum standards requirements with Board standards promulgated in future administrative agency rules and putting the Board in charge of compliance reviews. (Note that Thurston County and local regulations can be more stringent than existing statutory standards.)

Although HB1715 did not pass in the legislative session in which it was introduced , it was reintroduced in its original form and is currently pending. The objectives and implementation measures in the Thurston County Proposal are vague and open-ended and can be used to justify amending other existing regulations and rules. If approved, the proposed OSS oversight responsibilities would require additional changes in existing law, which indicates that at best this proposed tax (fee) is premature, and at worst - illegal.

**Proposed Ordinance Impacts Septic Systems outside the scope of the Puget Sound basin:**

The proposed flat \$45 (for now) tax on septic systems exceeds the scope of the law by including systems located in the Chehalis watershed - including the Scatter Creek Watershed, which are explicitly excluded from the state laws being used to justify this ordinance in the first place.

Unless state law is changed, it is likely that a successful class action lawsuit initiated by the septic tank owners who live in the Chehalis basin would be launched, and judging from the poor quality of legal advice Thurston County has received over the past decade, the odds of the litigants prevailing are high. This is a poorly thought out ordinance.

**WAC 246-272-0015 (7) gives the local health officer the discretion to require the owner of the OSS to provide dedicated easements for inspections, maintenance and potential future expansion of the OSS.**

The Board could argue that effective OSS oversight requires mandatory easements to allow government officials to enter private property at will and without justification. The Board proposal would render this and other provisions of current law meaningless and expand the power of the government to further intrude on the rights of private property owners to control the uses of their property.

This will result in additional Federal litigation on 4th Amendment grounds and is unlikely, considering Thurston County's poor track record in court, to result in a positive outcome for Thurston County taxpayers.

A suggestion to specifically exclude any implication of easement or formalized access by any county employee without a court-issued warrant or specific written approval by the owner of the property would be a good fix to this concern if some variation of this proposal is passed in the future.

**The justifications for a sustainable funding source and increased "oversight" of privately owned OSS are disingenuous and based on specious assumptions**

One justification for imposing an annual fee on all OSS property owners, essentially an additional property tax, is to hire additional staff for Health Department and collaborating agencies.

This report contends that Thurston County currently does not have the capacity to perform inspections or to educate OSS owners.

Clearly, this is disingenuous because homeowners, not government, are obligated by law to have their onsite septic systems inspected, pumped and repaired at timely intervals. Private property OSS owners pay private sector septic tank professionals to provide these services.



Thurston County government should limit itself to tracking and enforcing the existing laws and regulations that govern the OSS on private property. Property conveyance records, permits for existing and new OSS, repair records and reports from septic tank companies are currently available for tracking and enforcement purposes.

Thurston County should not be in the business of monitoring maintenance of OSS on private property. Thurston County currently is part of the LOTT (Lacey, Olympia, Tumwater, Thurston) consortium which is theoretically responsible for keeping raw sewage out of area water bodies, properly maintaining the sewer system, and complying with federal and state environmental regulations that were enacted to ensure safe drinking and surface water in Thurston County. Of course, we all know that on occasion, LOTT dumps 1.5 million gallons of raw sewage into Budd Bay, and nobody is ever held responsible for these actions, but this is Thurston County. Instead of spending more time focused on the real sources of pollution, Thurston County is focused on the piggy banks of individual property owners with this proposed septic tax.

In reality, the actual water pollution from raw sewage discharges by King County, Seattle, and other municipal wastewater operations dwarfs the potential pollution from OSS on residential and commercial properties. Between 2006 and 2010, King County discharged approximately 900 million gallons of raw sewage annually from its sewer system. About 200 million gallons annually came from Seattle. The raw sewage contaminates the Puget Sound and continues to do so. Kitsap County has regular 500,000 gallon dumps of raw sewage into Puget Sound, and there are few plans to fix real pollution problems like this.

As the result of a lawsuit and years of negotiation with environmental regulators, Seattle and King County filed settlement agreements in the US District Court for Western Washington in 2013 to reduce their raw sewage discharges by 95-99% at a total cost of \$1.46 billion in mandated improvements to the sewer system and \$750,000 in fines. The settlement agreements with the city and county establish deadlines for installation of new drains to control the amount of raw sewage released in Seattle. The agreements also mandate the creation of a plan to manage wastewater in all weather conditions. The plan is subject to approval by state and federal environmental regulators. The agreements give the Environmental Protection Agency and state Department of Ecology oversight authority of the city and county efforts to keep raw sewage out of area water bodies. In Thurston County, LOTT is theoretically supposed to control the raw sewage they manage, but when they do dump it into Puget Sound, nobody is ever held accountable.

The Thurston County Commission is arguing that a sustained funding source is needed to educate homeowners on how to properly maintain their onsite septic systems. I would point out that there are many sources of information currently available to Thurston County property owners with on-site septic systems. Other counties do this in a cost-effective way with informational booklets, mailings and internet guidelines. It appears that Thurston County contemplates the need for personal visits to properties by local public health personnel in order

to educate property owners. This is pointless, wasteful, and will produce almost zero value for the millions of annual dollars collected with this septic tax.

**Other examples of justifications that are based on specious assumptions are listed below.**

**1. An estimated 53,000 septic systems were installed prior to "modern safety standards" and will "potentially result" in billions of gallons of insufficiently treated wastewater each year.**

The prediction of potential failures of septic tanks built before current standards contradicts evidence that a septic system, when properly maintained, can last decades. According to InspectAPedia.com, a steel tank will last about 15 to 20 years while a concrete tank can last about 40 years. Septic drain-fields that are well maintained are expected to last 20-50 years.

**2. An unknown number of failing septic systems in Thurston County contribute to surface and groundwater pollution in streams, lakes, aquifers and Puget Sound. According to Thurston County, there is significant information about geographic locations of failed and defective OSS that pollute marine waters, recovery sites, shellfish beds and Puget Sound.**

It should be pointed out that the definition of "failed" is vague. According to staff, a system could be considered "failed" because of missing paperwork, or a loose bolt somewhere. It is a phony, meaningless definition with no meaning and has been falsely tossed around with chicken-little style claims that septic systems are the cause of all the problems.

**These are just phony, unscientific claims used to justify a pre-determined outcome - a new septic tax.**

In the situations where there is fecal coliform problems discovered, Thurston County has actively chosen to avoid true science by using DNA-typing on the FC pollution. In nearly every case in the past 20 years when this testing has been done - the source of the majority pollution has been found to be wild animals, occasionally a small percentage of domestic animals, and rarely from actual human contamination. Since nobody has discovered a way to convince geese, birds, racoons, coyotes, rats, deer, bear, elk, and other wild animals to use human toilets, then this FC pollution still exists and is natural. The inconvenient problem with these facts is nobody has discovered a way to tax these animals. Instead it has become policy at Thurston County to deny reality. In true denial-of-science fashion, these DNA tests are no longer used.

**3. The Board contends that water pollution from defective septic systems, agriculture and other sources contaminate shellfish fishing areas, public water supplies, recreational waters and Puget Sound. Defective septic systems are lumped together with agriculture and unnamed other sources as if they present similar risks regardless of their geolocation. Clearly this is not the case.**

As noted above, there are far larger pollution problems created by municipal wastewater treatment discharges than by septic systems.

One additional example of this is the Scatter Creek Watershed itself, which despite a 300% increase of installed septic systems in this watershed, testing over the last three decades indicates that the water is cleaner today than it was 30 years ago. The septic systems are not failing, and when installed correctly, clearly work as designed.

**In light of the known high risk sources of water pollution, the Board's emphasis on "proactively" identifying problems before they occur is misplaced and unrealistic. WAC 246-272A-0015 requires county oversight to be commensurate with risks such as those listed as high priority areas in WAC246-272A-0015 (b)(i)-(ix).**

**The process is skewed to produce predetermined outcomes:**

One issue exposed in the development of this proposal is the fact that pre-determined outcomes (More money by any means possible) dictate the inevitable results and methodology used to get to this outcome.

Like many advisory committees, the committee to draft this proposal consisted of many people who either directly profit from this collection of tax dollars and structure, and there are very few people who represent the average impacted homeowner. This means that the people hurt the most by this proposed tax never had a say in the process until now. There were only a few people that actually represented homeowners, and only one or two of them were capable of standing up to staff's silly biased claims or the biases of the businesses and bureaucrats on the board who stood to profit from the pre-determined outcome.

This flawed process also ensures that no innovative approach to the legal obligations was even considered. At all. It never is when the pre-determined outcome is known years in advance.

For example, never was the option of "No Fee" even considered or referenced as an option. It was never even imagined, other than in passing dismissal. This is primarily because the object was to collect more taxes, not to achieve anything useful.

**Recommendations are made counter to best practices and science regarding septic systems, and are likely to make the environment worse, not better**

The frequency of septic pumping mandated by the OSS plan Thurston County is adopting is also very flawed and is primarily structured to benefit septic pumping businesses, but not help septic systems at all. There is no scientific reason to pump septic systems unless they actually need to be pumped, but this artificial time frame of pumping a system every three years is just not a necessity. Also, the mandated pumping every time the property is sold is already counter

to science. However, this mandated pumping actually stops the septic process and shocks the system into "restarting" every time. This means that, if anything, the septic process with frequent interruptions will not function as efficiently as it would without mandated interventions.

Another flaw in Thurston County's septic obsession has been the effort to deny the existence of gravity. Gravity feed systems fail far less than pressure pump systems, and they are also less expensive to maintain and install. However, Thurston County, in another typically strange approach to science, claims that gravity no longer works. Yet, gravity systems have been known to function perfectly for decades with little intervention necessary by a homeowner. The problem with gravity, of course, is that it is hard to tax or create pointless bureaucracy to monitor, so it had to be made illegal.

Nothing in this ordinance specifically addresses this flaw in the current septic design program in Thurston County, but it should.

#### **Flawed data presented to all the parties involved in the development of this program**

One of the shocking oversights in the production of this report is the fundamental mistake made by Thurston County staff from the beginning of this process about the total number of septic systems in Thurston County. Originally, staff proceeded under the belief that there were 72,000 systems in the county, and only recently, after all the final decisions were made, did they suddenly discover that only 53,000 existed. I'm glad that staff corrected their error in the end, but it means the first 7 years of data, assumptions, meetings, and decision making was based on data that was wildly out of date and inaccurate.

No effort to go back and review the flawed process based on false assumptions has been taken by staff or anyone else in Thurston County. Of course, this is because the goal is not truth or accuracy, but the object of collecting more money from property owners.

#### **Cash grab for \$2.4 million or more dollars per year.**

Unfortunately, the final reason to not pass this plan is the fact that it will change nothing. Not one septic system will be repaired nor detected that would not be repaired on their own. Nobody at Thurston County Department of Health is going to help anyone pump their tanks or make the world a better place. The individual property owner will be responsible for maintaining, repairing, and managing their own septic system (as they should and always have in the past), but now they will just have to fill out more forms, pay more money, and get nothing of value. While this has been typical for Thurston County, it need not be so in the future.

Of course, the other implication is that once this tax becomes part of the permanent taxes on property, just like the rain tax (storm water fees), it will plant a new seed that can grow to \$100 and \$150 and more over the years as the county needs more cash to expand.

## **Conclusion**

Option #1 Delay this decision. Two Commissioners are retiring. Let the new county commission decide if they want to pass the Crap Tax. It has taken 7 years or more to get to the poorly thought out process that we see today, waiting another 7 months won't change anything, but it will let people who are fully vested in the decision actually make it.

Option #2 Let the people decide. Since this is a tax increase, let the people decide if they want to pay it and get nothing for their money you squander.

Option #3 Just vote no. Let it go, and send it back to the drawing board with new people who actually are willing to use science, truth, and facts for a change. If that is too expensive - leave the staff at home, budget zero. Let citizens who live here develop an alternative plan on our own.

Best regards,

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**Proposed septic regulations:**

Where does protection of nature cease and personal liberties begin when logging companies & developers can come in and rape the eco-system and their neighbors land while individual private property owners are nickel and dimed into extinction. Allowing corporations to destroy and pillage our natural resources in the name of the common good. But it is not for the common good it is for the profit of the few these laws are instigated and approved. Current Thurston co septic laws work quite well in actually identifying problem septic systems and the few that actually do fail have been sufficiently identified and repaired. Yearly inspections and fees (which don't pay for those inspections) are totally unnecessary and outright theft of rural county resident's property. They are unnecessary, unwanted and unneeded to protect our waterways! It's a money grab and just one of many attempts to force those in rural communities out of their homes and into the cities. It is in direct violation of property rights under the Washington State constitution even to the extent of violating eminent domain laws set to protect the general public from the overreach of unelected government officials.

I was in the group that studied the issues of Henderson Inlet, I personally walked that sub-division and saw the problems and the repairs and restorations made. But that is in NO way a representation of the rest of the county in fact it is the result only of older septic systems and cesspools built before current regulations many years ago. It is reasonable to check those elderly systems built along waterways and in lowland, high water table areas. It is NOT reasonable to use that as an example of the need for regulation nor the condition of all septic systems elsewhere in the county.

The ultimate system for treating affluent is NOT sewer lines nor septic systems. It is following the example of nature which keeps solids and liquids separate, and dried or composted, and liquids filtered, ponded, aeriated, & cleaned with natural sunlight or Ultra-violet blue light to destroy pathogens before being allowed to reenter the water table thru the soil.

I tested the sound personally and I saw the results there also. It was obviously to me where the pollution of the sound itself is coming from. You can watch my video on you-tube about my findings.

[www.youtube.be/7PrsVcQ-5WY](http://www.youtube.be/7PrsVcQ-5WY)  
All rural Americans not just in Thurston Co. are being threatened not by the voice from the wilderness but by the voice of a government out of because of privatization. A cabin on a hill is not a tract home on an inlet draining directly into the sound. Out of the 50,000 septic tanks in the county repair companies only found 1 or 2 a year needing more than the fix of a broken pipe, or a crack repair.

I repeat myself these proposed violations of the federal and state property right laws of rural land owners are illegal and NOT in the best interests of the people of this county and state and will NOT have the desired effect of keeping our waterways clean and clear. Please do NOT approve this measure!

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