



**California Special
Districts Association**
Districts Stronger Together

FLOOR ALERT – FILE ITEM # 322

LOCAL GOVERNMENT COALITION OPPOSES SB 1215 (HERTZBERG): SEPTIC TO SEWER SERVICE EXTENSIONS

The above listed statewide local government organizations must regrettably express our opposition to SB 1215 (Hertzberg), which grants new authority to the Water Boards to order local governments to extend sewer service to certain septic users in disadvantaged communities. The August 21 amendments did not adequately address local government concerns with the proposed approach outlined in the bill. As amended, the bill does the following:

- Gives broad new authority to the Water Boards to compel property owners who have functioning septic systems that aren't considered "inadequate" to connect to the sewer;
- Mandates a "standby charge" for residents who opt out of the service extension, even when there is no actual residential connection to the sewer system – this is legally questionable under Prop 218 and Prop 26;
- Excludes key sewer service providers from the process by failing to recognize the complicated nature of sewage collection and treatment systems, which are often jointly managed by multiple public agencies;
- Doesn't provide for due process for a local receiving sewer agency to contest the order for extension of service;
- Contains vague language relative to the types of local agency and residential costs that would be required to be considered in the Water Board's financing package.

Disadvantaged communities with failing septic systems should be provided the opportunity to connect to a sanitary sewer system, and the key impediments are proximity to an existing sewer system and cost. Unfortunately, the approach outlined in SB 1215 fails to solve these problems and doesn't represent a practical solution to realizing and achieving this worthy objective.

For these reasons, the local government organizations listed above urge your "NO" vote on SB 1215 on the Assembly Floor.

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