

Assessment of Undocumented Sewage Disposal Systems

(C. Rittiman & Associates draft policy version ; March 2026)

Intent and Benefit

The intent of this policy is to allow property owners the continued use of an existing system that was installed prior to County septic system permitting requirements, when it is reasonable certain that it will operate satisfactorily, protect public health, and not harm the environment. The benefit is that property owners are allowed the continued use of certain existing sewage systems, thus reducing the overall cost of a development project, This policy is intended to clarify references to the “Discovery” of a system and to help facilitate the remodel or expansion of an existing use as outlined in **companion policies**.

Background

On June 26th 1973, the Mendocino County Board of Supervisors adopted Ordinance 1107, setting the minimum standards for the installation of septic systems, including the issuance of official septic permits. Septic systems standards were set to design standards outlined within the Basin Plan. All systems that were in operation prior to that effective date of the ordinance (January 1, 1974) were “ grandfathered in” without formal documentation. These legal, pre-ordinance systems shall be referred to as “ pre-74” systems for the purpose of this policy. Previously there has been no official guidance in this area and there may have been variation between Environmental Health staff as to how such a pre-74situation was handled. This policy will bring greater consistency to the issue of changes in use relating to pre-74 septic systems. These will be referred to as Undocumented Systems. This term is not to be applied to post-74 systems that were constructed without the benefit of a permit.

Statement of the Problem

Numerous septic systems were installed throughout the County, prior to the adoption of the Basin Plan permitting requirements, and are still in use. Although systems that were installed pre-74 may still function properly, there may be no documentation on record that describes their configuration. Environmental Health staff have expressed concern regarding approving building permits, relating to existing pre-74 uses, which propose a continued use of undocumented sewage systems. In addition, Stakeholders have expressed concern regarding the inconsistent application of Environmental Health review relating to the continued use of old undocumented sewage systems. The questions/problems are: because the system is pre-74, does that indicate EH staff must accept it is suitable for continued use? Must EH staff find it acceptable to support an expansion of use (**this is outlined in detail as part of the Bedroom Addition Policy**)? What criteria are to be used to determine a systems suitability for continued use, without an expansion?

Policy Implementation

Continued use of an existing pre-74 undocumented system may be authorized, provided no apparent public health or environmental hazards have resulted from such use. Modifications to an existing residence with a pre-74 undocumented septic system that do not cause an increase in wastewater flows (such as, but not limited to; interior remodel, electrical upgrade, addition of convenience bathroom, addition of un-conditioned dwelling space, addition of non bedroom living space) may be approved without further changes to a septic system. The system must be documented in writing, as being operational and appropriate to its vintage. A Qualified Individual may conduct this determination, using industry standards as the performance metric; (i.e. system identification and a system flow test, similar to a 'point of sale' inspection). **A development which is found to be post '74 and no permit for the disposal system exists, is not part of this policy; any post '74 development is understood to be expected to have a septic permit associated with it, or must have its disposal system demonstrated to meet LAMP (Basin Plan) criteria.**

A building which was served by the pre-74 undocumented system which, burned down, was demolished or removed within the last 12 months, will be considered existing use for purposes of this policy, if the wastewater flows of the re-built structure is equal to or less than that of the structure being replaced. Residences and out buildings destroyed in a declared disaster, that are found to be previously supported by pre-74 septic systems, may be allowed 3 years (from the disaster) to comply with the purpose of this policy, if the County Board of Supervisors approves such an extension.

For scenarios (which do not increase wastewater flows) the following discovery and documentation, at a minimum, shall apply:

- 1) The Assessors records, and or Building Department records, shall be used to confirm that the development existed pre-74. In the case of mobile homes which are licensed by the State, records demonstrating the delivery date of the unit to the site must be provided.
- 2) The Assessors records shall be used to confirm the acknowledged pre-code number of bedrooms within the residence. The historic use of 'closets' as representing a bedroom, will be applied. EH staff shall not use the current Bedroom Definition Policy to retro- actively review the floor plans of pre-code structures.
- 3) A site map, to scale, shall be provided which depicts the septic tank, leachfield and their locations, in relationship to the existing structures, wells (on-site and neighboring) and property lines.
- 4) The leachfield configuration shall be identified, including; trench depth, number of trenches, length of trenches and trench dimensions (total depth of trench, trench width and depth of gravel below pipe flow line).

For scenarios (which do not increase wastewater flows) the following additional requirements and recommendations, shall apply:

- 1) Risers and an effluent filter shall be retro-fitted on/within the existing septic tank, if possible. This is a recommended improvement.
- 2) The septic tank shall be inspected for structural integrity and the presence of an inlet sanitary tee or baffle. Its construction material shall also be noted.
- 3) The solid accumulation in the septic tank shall be measured by a septic tank pumper or Qualified Individual, and pumped if necessary. This condition can be waived if the tank is on a regular inspection schedule and documentation of the tank inspection within 5 years can be provided.
- 4) Soil conditions in the area of the leachfield shall be described (either with a excavator/backhoe or alternately with one augered boring). The soil conditions are for **informational** purposes only and will not be used to review pre-code systems under LAMP expectations, for a project which does not increase wastewater flows.
- 5) A replacement area shall be identified. Soil profile descriptions within the replacement area shall be provided (either with a excavator/backhoe or alternately with three augered borings). A summary of the replacement area specifications shall be provided, including demonstration of how the replacement area shall be placed on the site, as demonstrated on a scaled site map. **Repair code standards shall be used for the identification of the replacement area, for a project which does not increase wastewater flows.** No laboratory analyses of soil samples is required for this replacement area identification.

EH staff analyses of the provided information shall confirm the following:

- the existing use is pre-74
- the pre-74 acknowledged number of bedrooms
- the system is working properly; as evidenced by a flow test
- the system consists of a leachfield configuration appropriate for the vintage (i.e. 60 feet of leachline per bedroom or 40 feet per bedroom in sandy soils; which was the common sizing practice in pre-74 scenarios.
- the system consists of construction materials which are appropriate for the vintage; i.e concrete tank, concrete d-box, leachpipe material and drain rock available pre-74.

If the analyses of the information finds that the system is not performing properly or consists of modern (post-74) construction materials, then a Site Evaluation Report, adhering to repair standards within the LAMP, shall be submitted to EHD for review.