

Chapter 7: Development of the Management Program Recommendation

The La Pine National Demonstration Project work plan included a requirement to develop a maintenance program or entity. While the innovative systems field tested by the project were automatically considered to require an additional level of maintenance, the thousands of existing systems, many with pumps, have historically lacked the most basic preventative care. This paper will illustrate how the elements of a management program for onsite wastewater treatment systems were identified in Deschutes County, Oregon through a citizen-based consensus building process and how those recommendations translated into public policy and regulation.

Education Campaign

At the same time that the Operation and Maintenance Advisory Committee was in development, the project team began implementing an education program. The project team recognized a need for basic information for the public and certain professionals and that educational opportunities needed to occur or be created early and often. The activities undertaken in this program include:

- TV spots – the local network affiliate provided 2 minute spots called “Good Neighbor” segments on the morning news to cover a particular topic. These are free to local organizations that have a topic or event of general interest. Some of the innovative system installations and other project related events have also been the subject of televised news stories or radio spots.
- Newspaper articles – periodic newspaper articles have generated a good response from the public and has helped develop the project’s reputation.
- Realtor training program – the project team developed and presented a one hour training program during a regularly scheduled meeting of the Central Oregon Association of Realtors including information on how a septic system works, why it does what it does and why maintenance is important. Over fifty realtors attended the training session and responded very favorably to the material. Many of the evaluations recommended that all realtors should be required to take this type of training on septic systems. Since the original presentation to the Central Oregon Association of Realtors, this program has been presented to seven different regional realtor associations around the state of Oregon and at the annual statewide realtor association meeting.
- Handouts – new handouts were developed or existing handouts revised to accompany permits, certificates of satisfactory completion or provided over the counter. On-line counterparts to the handouts were published on the county web site.
- Direct mail – Deschutes County mailed a postcard to all property owners with sand filter or pressure distribution systems with tips and suggestions for proper operation and maintenance of their systems.

These educational activities occurred before and during the period when the Operation and Maintenance Advisory Committee met.

Advisory Committee Development

The La Pine Project Team brought together an advisory committee, appointed by both Oregon DEQ and the Deschutes County Board of Commissioners, to represent various aspects of the community affected by or dealing with onsite wastewater treatment systems. The advisory committee was charged with the development of a recommendation for a maintenance program as a function of the La Pine Demonstration Project for local or statewide implementation. The interests represented by the stakeholders are provided in Table 7-1.

Deschutes County and DEQ were represented at the meetings in a participatory but non-voting capacity. Both agencies provided staff and technical support to the committee and the La Pine Project coordinator facilitated the meetings. Several of the committee members served in more than one capacity or brought additional skills or knowledge to the process, for example, one of the La Pine Project participants is also a realtor, another is a Forest Service employee. Almost all of the members live in the study area and all work or have worked in the area.

The project team members felt that the members of the advisory committee needed to be given the charge for the committee’s work in a formal fashion. This charge came in the form of a joint letter of appointment signed by the Deschutes County Board of Commissioners and the Director of DEQ. This letter initiated the committee’s work with an “official seal” and helped impress upon the members the importance of their work.

Table 7-1. Operation and Maintenance Advisory Committee representation.

Representation	Number
Property owner/La Pine Project participant	4
DEQ licensed installer (2)	2
Onsite system service provider	1
DEQ licensed pumper	2
Realtor	2
Electric cooperative	1
Financial institution	1
Sewer district	1

The number of types of representation is greater than the number of actual participants because of overlapping professional activities and interests.

The committee’s charge was to recommend the structure of and an implementation plan for a management program for the proper operation and maintenance of onsite septic systems. Note that the committee was not charged with determining whether or not onsite systems should be used. Deschutes County undertook a significant public process several years prior to the beginning of the La Pine Project that worked through the issues pertaining to sewerage the unincorporated area of the county. During that process, the residents and other stakeholders of the area decided that sewerage was not the best solution for the community based on the costs associated with sewerage rural subdivisions, the engineering challenges of serving dispersed development, the economic status of many of the residents and the development pressures that would be created by establishing the urban level of service associated with centralized sewers. With this background, the committee began work from a similar standpoint to EPA’s report to Congress that onsite systems are a viable long-term option for the treatment and dispersal of residential wastewater given proper operation and maintenance.

Work Plan Development: February – March 2001

The first task that the committee undertook was to develop a work plan. The first meeting, organized by DEQ and Deschutes County, actually included a work plan outline but the committee decided to draft their own (contained in Appendix D). The result was a step-by-step plan for the process the committee was to follow including a committee charter, specific topics for discussion, and administrative procedures. Because of the large number of members that had little professional experience with onsite systems, the committee decided that fact-finding and education was one of the most important aspects of the process and so became one of the most significant time investments in the process.

The committee agreed to meet monthly and selected a chair to keep the committee in line with its stated process and agenda. DEQ provided staff support including meeting facilitation. Each meeting was advertised in local media outlets and by direct mail to a list of interested persons.

Fact Finding: April – September 2001

The committee spent six months obtaining information on how septic systems work (both the conventional and advanced treatment systems), the land use, environmental health and property sale processes in the county, the groundwater study and 3-dimensional model developed for south Deschutes County, and models and examples of existing maintenance programs from around the nation. This educational phase was a challenge to some of the persons involved in the process because it seemed an extraordinary amount of time to spend on very basic issues. However, this phase laid important groundwork for all the members involved because it allowed some basic misunderstandings, misinformation and mistrust to be introduced and addressed. For example, a couple of members of the committee were quite distrustful of government and did not believe that nitrates were a problem in the groundwater. At one of these members’ suggestion, a consulting soil scientist spoke to the committee about the limitations of the soil in the area to treat wastewater for nitrogen. Having this information come from someone who was seen as an impartial third party was a powerful way to overcome a portion of that distrust.

The other advantage that this extended fact finding provided was an opportunity for the committee members to become more familiar and comfortable with each other and the staff before having to jump into the more contentious topics of discussion. This comfort and familiarity did not eliminate disagreements, if anything, members of the

committee were more willing to bring up a dissenting point because they either overcame their initial reserve in dealing with strangers and/or they felt assured that they would be heard and their point considered during the process. An additional possible benefit

Fact Finding Topics

- Onsite system operation – first and foremost the committee recognized that they needed to have a solid working knowledge of onsite wastewater treatment systems. The committee members received training and information on the different components of an onsite system and how they function, what is involved in advanced treatment processes and a field trip to see actual systems in operation or under construction. During this discussion the committee also reviewed information provided by the county on local onsite system failures and typical causes.
- Current onsite system permit procedures – The onsite system permitting process followed in Deschutes County (established by statewide rule) eventually became the foundation for the recommended maintenance program. The committee started their review by developing a flow chart of the steps followed as properties worked their way through the permitting process (Figure 7-1). The current rule contains a provision for proper operation and maintenance of systems; however, there is no way to enforce the rule after the construction and installation phase of the system because the regulatory “hooks” disappear after the construction phase when the Certificate of Satisfactory Completion is issued. The permit process flow chart became an important starting point for discussions by the advisory committee because they had a visual tool to look at the existing system and identify those points at which maintenance actions could be inserted.
- Transferable Development Credit program – The committee reviewed information to date on Deschutes County’s program to transfer development rights out of the densely platted and unsewered areas in the south county region. The goal of this program is to reduce the impacts from residential development on the groundwater, wildlife, and reduce the density of the area by transferring development from the “sending area” to a planned development served by centralized sewer and water.
- Results of the Regional Problem Solving (RPS) Project – Although the committee was not charged to determine whether or not septic systems are appropriate for the area, the committee reviewed the work of the subcommittee formed under the RPS project to consider other waste treatment options besides onsite systems for southern Deschutes County.
- Onsite system permitting process – The licensed installers, pumpers and service providers participating in the advisory committee provided their insight on the current procedures for installation and O & M procedures.
- Land use constraints and issues – The Oregon land use rules have created a highly structured system that governs development in the state. The statewide land use planning goals affect a broad scope of disciplines. Goal 11, for example, prohibits the creation or expansion of sewer systems outside Urban Growth Boundaries or Urban Unincorporated Community Boundaries because of the growth pressures that typically accompany the creation or extension of these services.
- The 3-D model and groundwater study – A major task of the La Pine Project was to complete a detailed groundwater study of the La Pine Sub-basin and produce a three-dimensional groundwater and nutrient fate and transport model. The USGS personnel provided the committee with an update on the progress to date on these portions of the project in terms of findings of the groundwater investigation and early iterations of the model development.
- Property sales procedures – The two committee members who were realtors explained the types of requirements currently placed on property transactions. One process that the committee thought might be a good analogy for a possible time of sale inspection requirement is the requirement in the City of Bend and Deschutes County to have wood stoves inspected and removed or replaced if they are found to be substandard. This is an example of how the committee often found good models for concepts they were exploring outside the onsite field.
- Models of existing maintenance programs – The committee wanted to see if there were other maintenance programs operating in other parts of the country to determine how they were operating and if there were lessons learned. This is the point at which the committee also reviewed and discussed the various model programs described in the EPA’s voluntary guidelines for onsite system management (EPA, 2003)

The fact-finding portion of the committee work plan ended with a discussion of the pros and cons of having a maintenance program. This facilitated meeting included a brainstorming session to draw out all possible pros and cons imagined by the committee and staff. The facilitator then gave each participant six dots to use to vote for the pros and cons of most concern to them as individuals (Table 7-2). The group then discussed the items that received the most votes to come to a consensus on whether or not these represented the group’s thinking. This process at the end of the education/fact-finding phase helped bring the focus of the group back to the committee’s charge and to help highlight the main hopes and concerns that the committee members had about developing such a program.

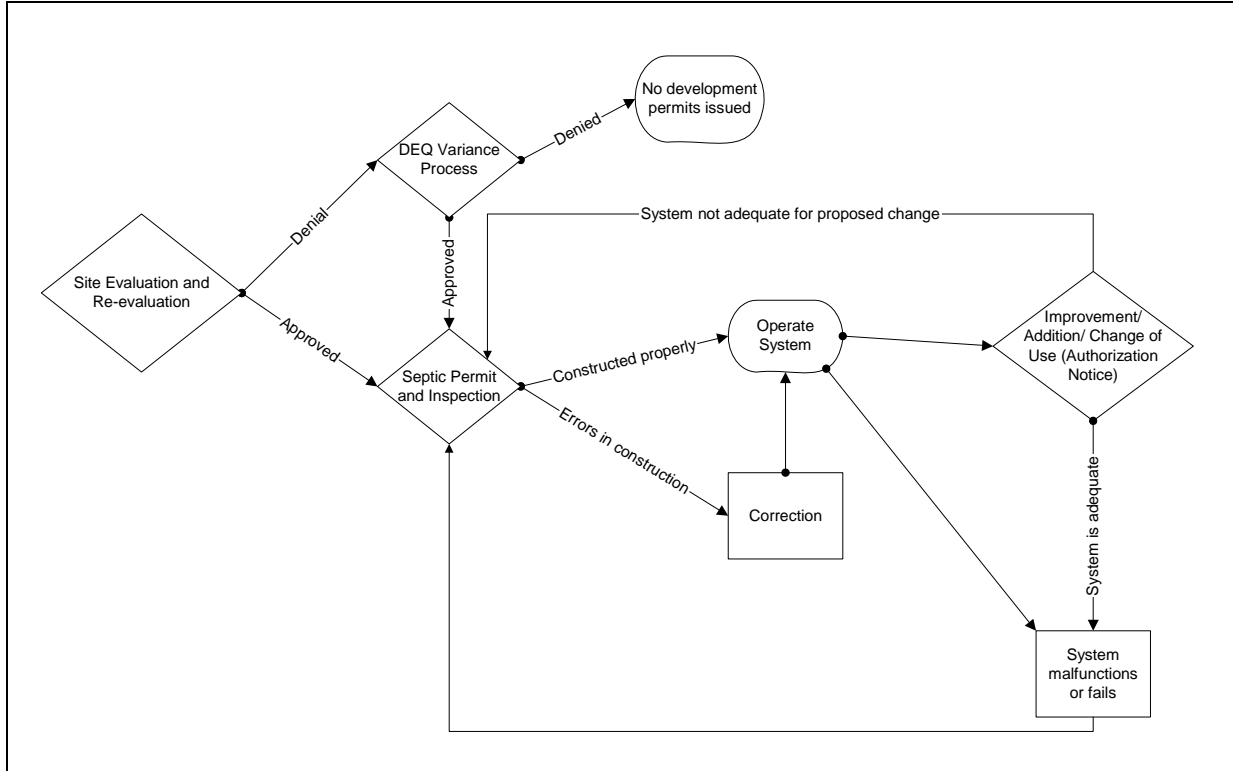


Figure 7-1. Existing permit process flow chart.

An interesting outcome of the multi-voting process is that the concept of better protection of the aquifer received the most votes on the pro side while protecting drinking water received none. Also, the concept of protecting the homeowner’s investment did not receive any votes. This outcome runs counter to “conventional wisdom” that would suggest that the concepts of protecting drinking water sources and financial investments would be an effective way to “sell” a maintenance program to the public because these types of issues tend to appeal to the layperson’s sense of selfish self-interest more than the more esoteric environmental protection arguments. A review of the list of attendees at this particular meeting reveals that those in attendance were dominated by persons who would either see an increase in their business activities if systems failed or who would continue to do business regardless of the status of the onsite system; the homeowner/local representation was largely missing at this meeting.

Regardless of the outcome of the multi-voting process, this activity served to return the committee’s focus to their charge after a wide ranging and diverse fact finding period.

Recommendation Development: October 2001 –April 2002

After the long educational process undertaken by the committee, the recommendation development process actually took a relatively short period and appeared, to the participants of being a fast process. The committee started by revisiting the county’s permit process and the property sale and land use processes and decided that these would be good tools to use to insert O&M steps and educational opportunities identified through the following discussions. The flow chart of the permitting process became the picture of the O&M program and the object around which future discussions revolved.

The committee defined what they believed to be the three primary players in the maintenance program, the relationships that would ideally develop between them, and the roles and responsibilities of each player. The players included the regulatory/permitting agency, the service provider (including maintenance providers, installers and pumpers) and the property owner (Figure 7-3).

Table 7-2. The results of the “pros and cons” brainstorming and multi-voting session.

Pros	Cons
Better protect aquifer (said twice) – 9	Is there science to justify it – 8
Forces education and community awareness – 8	Too many variables – 6
Improved public health for entire community – 7	How to ensure compliance – 6
Know system is working, know history – 7	Cost – 4
Reduces time in failure, prevents failure – 3	Added regulation – 4
Inspect whole system properly – 2	May need election – 2
Neutral party to preview problems – 1	Burden on property owner – 1
Ensures regular maintenance – 1	More regs – 1
Reduces cost of failure – 1	Lose property rights – 1
Increase life (of system?) – 0	Intrusive – 1
Protect drinking water – 0	Remembering to do it – 1
Maintenance during turnover – 0	Different systems have different maintenance – 1
Protect investment – 0	Responsibility shifts to maintenance entity, property owner not as careful – 1
Better system performance – 0	For profit, management abuse – 1
Authority to inspect – 0	Loss of control – 0
Proper repairs – 0	Government liability – 0
Fringe benefit, community improvement – 0	Monitor use of system – 0
Many different options – 0	Complexity increase liability – 0
Creates standards for inspections - 0	

The number following the item indicates the number of votes received.

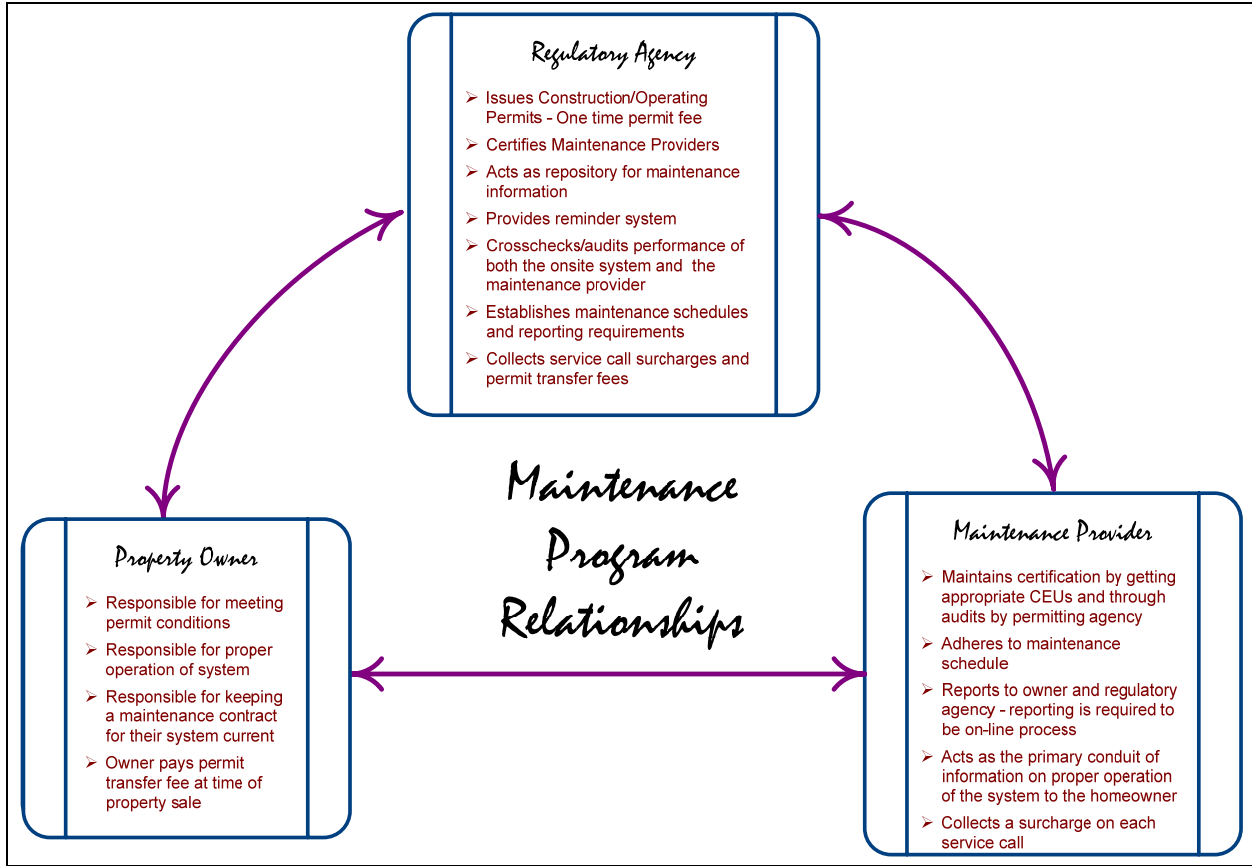


Figure 7-2. The primary players in the O&MAC maintenance program recommendation.

The regulatory authority lies with the state originally and a portion of that authority can be contracted to county jurisdictions. Therefore, this is a changing participant who may change depending on the type or size of permit, certification procedures, or enforcement action.

The committee envisioned the service provider to be a private entity and rejected the idea of a utility model relatively early because of concerns over the ability to establish a district in which a utility could operate. Some residents in the La Pine area had proposed, only a few years earlier, to incorporate a large portion of the study area in order to develop a local government seat. This vote failed and the committee was concerned that trying to establish a utility district would be met with the same resistance. The committee also believed that the service providers needed to be certified or otherwise have some kind of minimum specifications to operate in the profession. The committee viewed this as fulfilling a basic consumer protection function so that homeowners can more easily identify the pool of minimally qualified persons and have recourse if they turn out to be non-performers.

The homeowners in this scenario are ultimately responsible for the maintenance of their system. As such, the advisory committee believed that a large effort should be given to education and outreach efforts that would lay the foundation for increasing awareness over time of proper operation and maintenance activities for onsite systems. The ideas generated in the discussion of the roles and responsibilities of the homeowner included training and information transfer at the time of sale, realtor training, and recording permit conditions, including O&M requirements, in the chain of title for the property. It was at this point that the project staff developed the hour-long onsite system training program for realtors and began presenting it at realtor association meetings around the state.

The roles and responsibilities of each primary player in the process began to relate naturally to incentives and educational opportunities that the committee plugged into the permit process flow chart (Figure 7-4). The committee used the flow chart as the picture of the recommended program and supplemented the picture with a series of written recommended action items in the final product of this process.

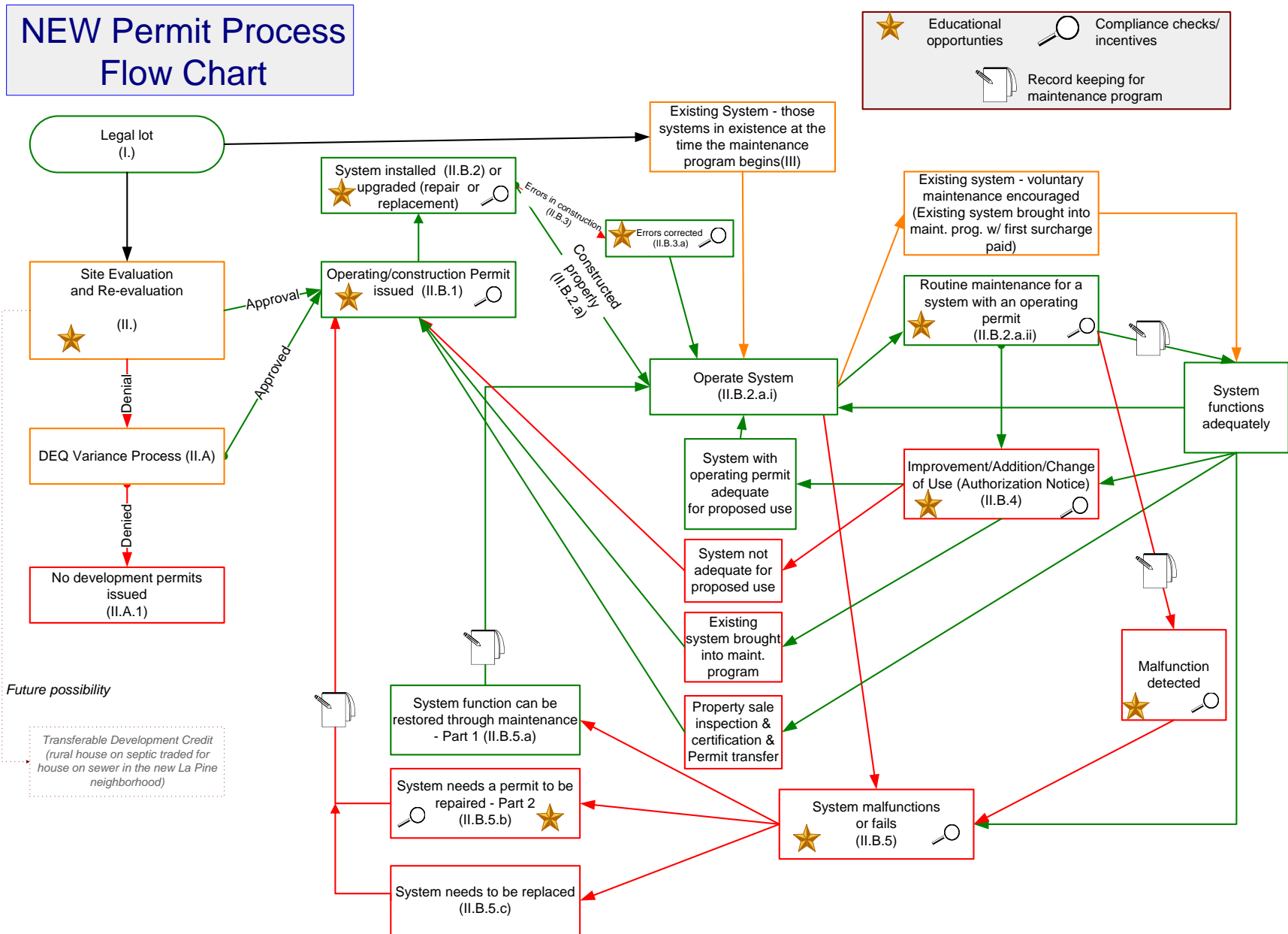


Figure 7-3. Recommended Maintenance Program Produced by the O&MAC

The recommendations

Recommendation #1

A combined construction and operating permit should be issued for all onsite systems.

The current permit issued for most onsite systems in Oregon is a construction permit that has no on-going requirements for proper operation and maintenance of the systems. The recommendation includes provisions for both construction and long-term system maintenance. The committee members were quite concerned that the cost of the permit would be exorbitant if the agency's oversight of the system's maintenance was included in the permit fee. The committee recommended that the permit fee cover only the installation of the system, as it currently does. Then, when the private maintenance providers perform service on systems, the committee proposed that the service provider would include a surcharge on their bill to the homeowner that is later remitted to the permitting agency with the report of the maintenance actions. This fee while low, should cover the agency's record keeping costs for the maintenance program and hopefully include a small additional amount that the agency can use to fund spot checks on the performance of the onsite system itself or periodically audit service providers. The committee expected that the maintenance requirements, and therefore the record-keeping surcharge, would be different for different systems and would relate to the complexity of the system.

The surcharge also provides a mechanism to create incentives for voluntary compliance with the maintenance program in that the service provider would normally submit the surcharge with the maintenance report. If the homeowner does not pay the service provider for the services rendered, and the report cannot be submitted without the surcharge, the homeowner would be the subject of enforcement actions taken in this situation. If the homeowner pays for service that is unacceptable or the service provider does not provide timely reports and pay the surcharge, the homeowner can lodge a complaint, that could reflect on the service provider's certification, with the permitting and/or certifying authority.

Recommendation #2

Existing systems should be brought into the O&M program as easily as possible.

Basically, the committee members agreed that existing systems (i.e. systems installed prior to the maintenance requirements going into effect) should not have to pay an additional fee just to be included in the maintenance program. The members felt this would create a disincentive to participate in the program. Instead the members recommended that one way that existing systems could be brought into the maintenance program is at time of property sale. There could be a small fee charged at this point to generate the record in the maintenance system record keeping system and/or to record the maintenance requirements on the chain of title of the property. The committee also recommended that there be a mandatory inspection or certification of the system at time of property sale by a certified maintenance provider or the permitting agency staff.

Another way that existing systems can be brought into the program is when the first service surcharge is collected. This approach would bring systems into the maintenance program in advance of property sale and could be stimulated by homeowner education and outreach programs. Also, over time systems would be brought as forced by necessity because anecdotal evidence from the study area suggests that existing systems come under maintenance contracts when they first start experiencing malfunctions or failures. In the event of failures, the permitting agency would initiate maintenance program involvement for those existing systems undergoing permitted repairs or replacements.

Recommendation #3

A computerized system for tracking maintenance activities should be developed and the information made accessible to the public.

The committee believed that the maintenance program should benefit as many different users as possible, including the property owner, the maintenance provider, the permitting agency, realtors, prospective property owners and installers. Also, given state of the art web applications, the committee believed that maintenance providers should

be able to report on-line via a secure log-on process. The accuracy of the reports (determined during periodic audits) would reflect on the maintenance provider's certification. The maintenance provider would also report directly to the homeowner and use this report as an opportunity for on-going homeowner education.

The surcharge on the maintenance providers' fees should cover the at least the costs of record keeping by the permitting agency. The committee envisioned that the surcharge should also allow the record-keeping agency to put a small portion of the fee towards performing periodic spot checks on the system performance and the maintenance provider's work. The committee members felt that it was important to be able to provide feedback to the service provider, the certification entity, the vendors of proprietary treatment devices, and homeowners.

Recommendation #4

A certification program for maintenance providers, installers and pumpers should be mandatory.

During the advisory committee discussions, installers and pumpers in Oregon were required to have a basic license in order to do business. The pre-requisites for the license were a \$2,500 bond and a completed application form. The committee believed that maintenance providers, pumpers and installers should have a basic educational requirement in order to do their job properly. This would help ensure that installers install systems that can be maintained and that service providers have a basic understanding of how onsite systems are supposed to work from a hydraulic and biologic standpoint. The vendors of proprietary treatment systems should have a separate certification module for their systems in order for installers or maintenance providers to have the right to work on that particular kind of system.

The advisory committee also supported a requirement for on-going minimum educational requirements in order to retain maintenance provider or installer certifications. Also, maintenance providers; pumpers and installers should be cross-trained in terms of the minimum requirements for the other certifications so that, for example, installers create systems that can be easily accessed and maintained for the long term. The cross training was an important issue to several members of the committee who worked with onsite systems because they had encountered systems that could not be maintained easily because of the manner in which they were installed. Also the committee felt that maintenance providers must have a solid understanding of onsite system processes so that they effectively evaluate system performance and are not just "going through the motions."

The committee agreed that homeowners should be able to service their own system, which they stated in the terms that there should not be a requirement that a third party performs maintenance. However, the homeowner would be required to obtain at least a basic certification and specific training to deal with their system. The committee understood that vendors of proprietary devices would have the discretion to designate their service providers.

Finally, the committee did not want to see a state agency (DEQ) in the business of certifying maintenance providers, installers and pumpers. They recommended that the training requirements should be set at the state level but the training should be provided by a third party.

Recommendation #5

The permitting agency should use a variety of methods to ensure compliance.

The advisory committee was especially interested in ensuring that the regulatory agency acted in as proactive a manner as possible to achieve compliance with the maintenance program requirements. Firstly the committee recommended that the permitting agency identify those ways that they could foster good working relationships with the maintenance providers to ensure that proper maintenance is performed and documented. One idea that the committee developed was to use on-line or web-based applications to make the reporting process as easy and streamlined as possible for the maintenance provider. This would require that the permitting agency provide the ability for electronic fee payments so that the surcharge could be submitted at the same time without an office visit.

The advisory committee also wanted to see the regulatory agency achieve homeowner compliance with the program by using discounted fees as incentives. For example, at time of sale the inspection or permit transfer fee could be significantly lower if the system's maintenance records were complete and up-to-date.

The committee members recognized that there are homeowners or service providers that will not always cooperate and so the regulatory agency will need tools to deal with non-compliance. Even so, the committee members tended

to recommend financial incentives or disincentives that could be use to promote compliance, such as varying the fee charged for record-keeping or some such approach.

Recommendation #6

Continuing education of homeowners should be provided. (Handouts, home show booths, earth day fairs, media coverage, etc.)

The advisory committee members agreed that basic education is essential to a successful maintenance program. They recommended that Deschutes County target existing pumped (pressure distribution and sand filter) systems with informational mailings to start the process. [Note: Deschutes County mailed a postcard to all property owners with pressure distribution and sand filter systems in 2002 to remind them of appropriate maintenance activities that could help protect their onsite system.]

During discussions about the septic permit process at the county, the committee found that the educational materials that accompany the certificate of satisfactory completion often never reaches the homeowner. This occurs, for example, in the case of speculation homes where the permit applicant is often the builder and not the actual resident of the house. The committee recommended that the county change their current practice to delay mailing the certificate of satisfactory completion and/or the educational materials until six months after the system is installed to try to reach the actual residents of the house.

The committee members recognized that educational efforts about proper operation and maintenance of onsite systems will have to be repeated and they recommended that Deschutes County's efforts continue for the long term on at most a five-year rotation of direct mailings to property owners.

The committee also believed that the maintenance providers could be an important link in the education process for homeowners in that they can provide direct feedback to the homeowners on how their systems are functioning and what actions the homeowners can take to protect their investment, not only in the systems itself but also in their payments to the maintenance provider. The maintenance provider is also seen as perhaps more effective in the role of educator because they are not affiliated with a government agency. The committee was concerned, however, that the maintenance provider might not be as forthright as possible because of fear of being fired by the homeowner. One aspect of the maintenance program that might help this situation is if the homeowner does fire the service provider, the service provider then would need to notify the permitting agency that the onsite system is no longer covered by a service contract which would put the homeowner in a potential enforcement situation. A similar scenario would ensue if the service provider adheres to a code of professional ethics where the relationship with the homeowner is severed if the system cannot be adequately maintained due to the homeowner's actions. Here again the service provider would report to the permitting agency that the system is no longer covered by a service contract.

Recommendation #7

Implementation of the O&M program should be coordinated and phased.

During the meetings when the committee was brainstorming the roles and responsibilities of each player in the maintenance program, the committee became concerned that different elements of the program could be implemented before others. This was an important issue for them because they could envision a situation where maintenance requirements were adopted but no certification program existed. In this scenario, the homeowner would have no assurance that the person soliciting their business for maintaining their system has the appropriate training or expertise. The committee recommended that the permitting agency start with educational programs during the period in which the rules could be adopted for certification of maintenance providers, installers and pumpers.

Implementation

The advisory committee presented their recommendations at a public meeting in May 2002. Present at the meeting was the Board of County Commissioners, the advisory committee members, agency staff and about 30 members of the public. Several members of the public present at the meeting began on quite a hostile note. The staff supporting the advisory committee process provided an introduction to the meeting but the committee members presented the

recommendations themselves. The committee members knew many of the hecklers personally or through business associations and responded quite firmly to the complaints or issues raised. One committee member responded to criticism by saying that the committee had looked at the issues the person was raising, discussed them thoroughly and came up with a solution that the members thought would be equitable and still achieve the goal. He added that he was their neighbor and would have to live under the same requirements but that he thought it was worthwhile and so he was willing to support a maintenance program for the area. An added benefit was having several members of the public stand up to say that they believed the committee did a good job. By the end of the meeting many of the openly hostile members of the audience were quieted and some voiced their opinion that perhaps they had jumped to conclusions.

The committee ended their presentation with a strong statement in support of their proposal:

“As a committee:

- *We met for 15 months in order to develop this recommendation*
- *We have evaluated programs and models from around the country*
- *We have taken local requirements and conditions into account*

As a committee, and as homeowners, we believe this is a reasonable approach to meeting the goal.”

The thoughtfulness of the proposal and the solidarity exhibited by the members impressed the Board of County Commissioners. They voiced their support for the idea of the maintenance program with the understanding that many of the details would still need to be worked out.

Following the public meeting, DEQ staff presented the proposal to a statewide advisory committee that was reviewing the onsite program rules with the goal of improving the rules where possible. During the summer 2003, the DEQ published draft rules revising many aspects of the onsite program in Oregon. The revisions included many of the core elements of the Operation and Maintenance Advisory committee recommendations such as certification of maintenance providers, pumpers and installers and requiring on-going proper operation and maintenance of active systems (i.e. systems that require pumps or other electrical components). The idea of a surcharge on the maintenance provider fee is also included in the draft rule to fund the program.

Conclusion

The process of developing a maintenance program for an element of residential life that is as personal as onsite wastewater treatment can be highly contentious or adversarial. Many of the cons for a maintenance program identified by the advisory committee relate to the personal nature of sewage; that maintenance is going to be intrusive and a burden to the property owners. It is somewhat ironic that many of the folks living in the rural areas of south Deschutes County chose that area because it does not have an urban level of control in terms of subdivision rules or the high density and yet they may be subject to a higher level of scrutiny in terms of wastewater management than their urban counterparts on municipal sewer. Any public process can become more robust and the product more defensible by being sensitive to these types of issues and including members with diverse viewpoints. For example, the members of the O&M advisory committee that were less that supportive of some of the maintenance program concepts in the beginning contributed some of the most thoughtful or insightful ideas to the process.

An important basis for any such public process is the information gathering stage. This committee went through an extensive self-education process that served them well in the recommendation development stage. One issue that we were not able to resolve to everyone’s satisfaction however was the issue of there being a scientific justification for a maintenance program. Committee members were convinced that there are financial justifications for a maintenance program and possible environmental gains from avoiding failing systems (i.e. catching malfunctions early) but staff supporting the process were not able to point to studies that maintenance in and of itself avoids a certain amount of pollution that would convince certain members of the scientific need for a maintenance program.

The La Pine Project Operation and Maintenance Advisory Committee was highly successful in their effort because of the time they were willing to commit to produce a recommendation the members could support overall.

Recommendation development synopsis

An essential element of any public process is public participation. Inviting the public to join the decision making process was essential to the integrity of La Pine Project process and was accomplished by issuing press releases for advisory committee meetings and mailing informational postcards to an established list of interested persons. Even if few or no persons took advantage of the opportunity it was essential that the opportunity existed or the elected officials faced with adopting an ordinance or rule could have questioned the validity of the process.

The advisory committee should include diverse interests and representation, including those that may be less supportive of some of the concepts under consideration because they may contribute the most thoughtful or insightful ideas to the process.

An extensive fact-finding or educational process for the members can result in increased solidarity within the group and increased investment in the process. The fact finding portion of the Operation & Maintenance Advisory Committee was self-designed by committee members and did not originate with the staff support or other county or state personnel. Lack of patience or a rushed time line during this period had the potential to de-rail the process because the committee included individuals that objected if they perceived information was covered too quickly or with insufficient detail. This tendency to object to the pace at which events progressed may have stemmed from a distrust of the source of the information or the suspicion that staff supporting the advisory committee had an underlying agenda for the process. A positive result of the extended fact-finding agenda was that members arrived at a consensus on a recommendation for an O&M program without significant argument or dissention among the group.

The most beneficial side effect of the extensive educational process was that committee members took ownership of the overall recommendation development process and the product. In this context, “ownership” meant a belief that the process was acceptable and the product was supported. When committee members presented the recommendations to the public and county commissioners, they defended the proposal to an initially hostile crowd and defended it so well that the audience’s mood significantly improved by the end of the public meeting.

Committee acceptance of the method and the product is the highest goal in a public participation process and, in this case, was facilitated by the project team’s commitment to allowing the educational/fact-finding portion to take as long as needed for members to feel comfortable with the subject. At the same time that members were becoming comfortable with the subject, they were also becoming comfortable with each other and began to work through each other’s statements and assumptions in a constructive manner. This sense of a team approach to the work at hand may not occur if the work agenda is pushed along too quickly. Additionally, the recommendation coming out of an abbreviated or hastened process may not truly reflect the consensus of the group because there was inadequate time for members to feel comfortable enough with the rest of the committee to adequately voice their opinions or concerns.

Recommendations produced by the Operation & Maintenance Advisory Committee were presented to the Board of County Commissioners and an advisory committee charged with reviewing and suggesting revisions to the statewide onsite rules. The long-term implementation or adoption of these recommendations extends beyond the scope of the La Pine Project and are not reported here.

References

US Environmental Protection Agency (EPA). 2003. *Voluntary National Guidelines for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems*. EPA 832-B-03-001. US Environmental Protection Agency, Cincinnati, OH.