

This article appeared in the Editorial section of the San Francisco Chronicle 2009/2/2 on page A – 14.

Score one for California's new political force: toilet power. An uprising in rural counties has obliged Sacramento to postpone a crackdown on that backcountry essential, the septic tank.

The piquant dispute has filled meeting halls from Redding to Riverside with near unanimous demands that state authorities back off plans to oversee the backyard mini-sewer systems. The proposal called for inspections every five years - at an expected cost of \$325 - backed by the nuclear option for broken systems: a requirement for a new septic set up including an underground box and leech lines that can cost upwards of \$25,000.

The regulations, based on a law passed in 2000, gained notice as the state Water Resources Control Board put the final touches on the package expected to take effect next January. But over the past two months an uprising took place as homeowners - and interest groups such as contractors, real estate agencies and property-rights groups - assailed the package.

The final straw was an overflow gathering in Santa Rosa last week that spilled out of the Wells Fargo Center and even backed up traffic onto nearby Highway 101. State water officials, pummeled in earlier meetings, canceled the session, and, days later, gave in. The year end deadline will be postponed indefinitely, it was announced.

Call it a victory for the owners of ranchettes, vacation homes and round-the-bend abodes. But it's an issue that won't -and shouldn't - go away. There are an estimated 1.2 million septic systems, and they are only inspected when first installed. After that, the tanks designed to process you-know-what are largely forgotten until they back up or leak badly. As California hunts for more clean water, it can't afford household pollution to contaminate supplies.

The starting point for the current fuss was a perennial problem on Surfrider Beach in Malibu. The ocean water there was often so tainted that public access was cut off, and the problem was traced back to nearby septic systems. The image of a fouled stretch of paradise led Sacramento to approve a statewide septic clean-up law.

But the crucial details were left to the state water agency, which has studied the matter for nearly a decade. Septic tanks, it turns out, are anything but simple. The now-postponed rules called for testing water wells and adding higher standards for systems near lakes or rivers. While the rules-writing ground away, a fresh problem popped up. The state's tanking economy made it much harder to sell the public on paying for inspections. The steam has built in other ways as county boards of supervisors tipped against the plan with some elected officials calling for a outright appeal.

Calling a halt could help both sides collect themselves. California needs to clean up its wastewater and it can't ignore the risks of faulty septic tanks. While city dwellers already pay for sewer hookups, those with septic lines don't.

But there needs to be assurances that new rules won't be punitive, unworkable or overly broad as government regulation expands. To judge from the public's mood, the balance between a problem and its solution hasn't been struck.