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Health Services

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General Fund	2017-2018 Actual	2018-2019 Adjusted	2019-2020 Requested	2019-2020 Recommended	Increase/ (Decrease)
Expenditures					
<i>Salaries & Benefits</i>	\$7,046,231	\$8,041,267	\$8,295,078	\$8,295,078	\$253,811
<i>Services & Supplies</i>	795,183	1,276,771	1,198,425	1,198,425	(78,346)
<i>Centrally-Budgeted Expenses</i>	245,755	354,092	507,874	507,874	153,782
<i>Total Expenditures</i>	\$8,087,169	\$9,672,130	\$10,001,377	\$10,001,377	\$329,247
<i>Expenditure Reimbursements</i>	(126,604)	(172,083)	(172,083)	(172,083)	0
<i>Total Appropriations</i>	\$7,960,565	\$9,500,047	\$9,829,294	\$9,829,294	\$329,247
Earned Revenues By Source					
<i>Aid From Other Governments</i>	\$114,403	\$410,065	\$439,005	\$439,005	\$28,940
<i>Charges For Services</i>	7,014,232	6,719,406	6,919,905	6,919,905	200,499
<i>Miscellaneous Revenues</i>	186,405	346,596	360,977	360,977	14,381
<i>Total Revenues</i>	\$7,315,040	\$7,476,067	\$7,719,887	\$7,719,887	\$243,820
Net County Cost	\$645,525	\$2,023,980	\$2,109,407	\$2,109,407	\$85,427
Staffing					
<i>Allocated Positions</i>	62.0	67.0	68.0	68.0	1.0
<i>Temporary (Full-Time Equivalent)</i>	1.5	1.5	3.0	3.0	1.5
<i>Total Staffing</i>	63.5	68.5	71.0	71.0	2.5

Purpose

The Environmental Health Department (EHD) provides services that protect and enhance public health, wellbeing, and safety through prevention, education, inspection, and enforcement of State and local environmental laws and regulations.

Board Strategic Priorities 2019-2020 through 2021-2022

The 2019-2020 recommended budget for EHD focuses on the implementation of the Board Strategic Priorities as adopted by the Board on April 9, 2019. The Board Strategic Priorities for fiscal years 2019-2020 through 2021-2022 are a continuation of the Board's original five key priorities established in 2015. The Board has updated and augmented the goals associated with these strategic priorities to reflect the Board's direction related to water issues, health, collaboration, and homelessness.

Ensure Fiscal Responsibility

EHD maintains a database that tracks all productive staff time and activities as well as all facility permit fees and hourly rate service revenues. This information is continuously being evaluated to ensure program performance is meeting mandated service levels and revenues are appropriate and sufficient to meet expected costs. This ongoing evaluation process is especially important as many EHD program requirements are constantly changing with the passage of new laws, regulations, and policies.

In 1990, the Board of Supervisors endorsed a policy of full cost recovery for EHD (B-90-620). EHD fees are evaluated annually and adjustments proposed in order to move towards full cost recovery for those services where a fee can be charged. These fee adjustments are meant to close the gap between program revenues and the cost of providing services in an incremental manner. Fee increases over the last several years have successfully closed this gap for most program categories and current data show only a few program categories remain with revenue shortages. These include the tank and facility fees for the Underground

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Storage Tank (UST) Program and the fee for Geotechnical Boring permits.

At the fee hearing conducted in June 2018, the Board provided direction on the methods used to calculate program fees, including directing staff to exclude training costs when determining fees for full cost recovery. EHD has implemented this directive for the fee adjustments to be considered in June 2019 and costs not recovered by fee revenue will be offset by the Department's General Fund allocation. The Board also indicated that an evaluation of the UST program activities should be conducted before significant fee increases are approved to keep program fees in line with other county UST fees. EHD implemented this directive as well, but found that many counties do not include all program costs in their fee calculations or have additional funding sources, such as realignment funds or unused rollover funds to subsidize the revenue gap. Some EHD activities have been modified to reduce overall UST program costs, including reducing sensor testing observations during inspections and discontinuing the compliance reviews required prior to the annual permit issuance for all tank facilities except enforcement cases. These actions reduce costs and still allow EHD to maintain sufficient oversight. In addition, a streamlined permit review has been implemented for minor UST repairs/modifications, decreasing the inspections performed and resulting in a fee reduction from \$456 to \$152.

In spite of the recent fee increases, the demand for UST plan reviews and inspections has increased significantly, due to mandated and voluntary tank system upgrades and new gas station tank installations.

For 2019-2020, fee increases are proposed for the UST program to achieve recovery for the annual routine inspection activities costs only. The remaining program activities, including answering phone calls and e-mails, meetings, mandated program training, and supervision, will continue to be offset using the Department's General Fund allocation. EHD will continue to monitor program activities and costs over the remainder of this fiscal year and may propose additional adjustments for the 2020-2021 budget, as necessary.

Geotechnical Boring permits are proposed to change from a permit fee to an hourly rate service basis. This is necessary as the number and depth of borings varies widely and the time required for any one permit can fluctuate significantly, making an equitable permit fee impracticable.

Promote Good Governance and Increase Organizational Capabilities

EHD provides services that protect public health and the environment in over 25 different program areas that affect

much of the community, including individuals, businesses, and other governmental agencies. As many of the activities overlap with activities of other agencies, partnering with these agencies has been a standard practice. The increased communication and coordination that comes with partnering with other agencies results in better services provided to the community. For example, EHD partners with local fire departments and districts to increase hazardous materials response capabilities, resulting in a more comprehensive response. EHD also works with Public Health Services on foodborne illness outbreaks, and with the Community Development Department (CDD) and Sheriff's Office (SO) on land-use projects, code enforcement, and cannabis-related issues.

Employee retention is a recurring issue for EHD as many recently trained staff leave for other agencies offering higher salaries, particularly those in the Bay Area, resulting in ongoing vacancies and significant training costs. Over the last three fiscal years, the Department has experienced almost 50% turnover of productive staff. As individuals leave and positions become vacant or are filled with less-experienced staff, mandated services are impacted and program efficiency decreases. In addition, retention of knowledgeable staff is paramount to future sustainability and succession objectives. To reduce overall training costs and to enhance productivity, EHD is utilizing the Environmental Health (EH) Assistant position as an entry level extra-help opportunity in addition to the EH Specialist Trainee position. EHD continues to work closely with the Human Resources Division to attract qualified candidates that want to live and work in the community.

EHD continues to work towards improving public and intergovernmental services through increased technology in the areas of on-line services, including public records access, automated data collection and reporting processes, and mapping and data sharing activities.

Improve Public Safety and Enhance Overall Criminal Justice System

EHD, through all established program areas, works diligently to improve public health and safety. EHD works collaboratively with the SO, Metropolitan Narcotics Task Force, and CDD's Code Enforcement staff to correct community safety issues like substandard and abandoned housing, illegal cannabis activity, surfacing sewage, and abandoned wells. This work fosters cleaner, safer, and healthier neighborhoods, and contributes to the community's overall quality of life.

As a regulatory agency, it is important to conduct enforcement activities in a way that is equitable, enhances economic activity, and promotes environmental justice. This is accomplished by providing the regulated community with

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opportunities for education and assistance and by ensuring a “level playing field,” where consistent and equal enforcement principles are applied. This balanced enforcement approach minimizes unfair economic advantages for violators at the expense of compliant businesses. In 2018-2019, EHD added an enforcement position to manage all enforcement cases for the Department and to establish appropriate and efficient enforcement processes, including those provided in recent amendments to the County Ordinance Code. These actions help promote consistency and fairness in the enforcement process, allow field staff to remain focused on their day-to-day duties, and lessen the Department’s dependence on the District Attorney’s Office resources for prosecution.

Promote Economic Development

EHD contributes to economic development efforts by providing local guidance and cleanup oversight on the redevelopment of properties with environmental issues or constituents of concern. Having an option to address these concerns locally allows for focused consideration and responsiveness and typically saves overall time and costs to reach target goals. EHD also assists new and expanding businesses by providing information and assistance needed to meet regulatory requirements. EHD offers local businesses three-to-four free classes a month in the areas of hazardous waste, hazardous materials, aboveground tanks, and underground tanks. These classes have high attendance rates and generate positive evaluation comments. In addition, EHD has timely permit review, issuance, inspection processes, and can accommodate most business time schedules.

EHD endorses a policy of excellence in customer service. This includes representing the County in the best possible way and by conducting activities in a fair, courteous, and respectful manner. This policy is incorporated into the Department’s Standards of Behavior and Standards of Conduct and Performance and is strictly enforced.

Stay Informed and Proactive in Dealing with Water Issues

Through various program activities, EHD performs a major role in the protection of the County’s water resources. EHD monitors water resource laws and regulations and works closely with State water agencies, Public Works, and County Counsel on these issues. Programs and responsibilities of EHD in the protection of local surface and groundwater include:

- Permitting of water well construction, installation, modification, destruction, and associated activities.

- Lead agency for local voluntary cleanups to ensure protection of public health and protect groundwater sources.
- Approval of potable water sources for development projects (private systems and small public water systems).
- Regulation of small drinking water systems as delegated by the State Water Resources Control Board.
- Regulation of discharges from on-site wastewater treatment systems in accordance with State policy and the Local Agency Management Plan.
- Prevention of waste discharges to surface and groundwaters of the County; and monitoring, documenting, collecting data, and overseeing cleanup and abatement activities.
- Notification of water and sewage compliance requirements to land use project applicants.

Major Budget Changes

Salaries & Employee Benefits

- \$52,751 Salary and benefits adjustments.
- \$269,228 Add an Environmental Health Program Coordinator and an Environmental Health Specialist Trainee.
- (\$107,549) Delete a vacant Hazardous Material Specialist position.
- \$58,810 Increase in extra-help.
- (\$19,429) Decrease in overtime costs.

Services & Supplies

- \$44,300 Increase in space planning and building safety costs.
- (\$50,000) Decrease in engineering and information technology consultant services.
- (\$30,746) Decrease in costs for travel and fleet services.
- (\$17,260) Decrease in software, clothing, laboratory, and instrument costs.
- (\$16,000) Decrease in utilities costs due to solar panel efficiency.

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Centrally-Budgeted Expenses

- \$18,711 Increase in data processing charges.
- \$133,735 Addition of Countywide Cost Allocation Plan charges.

Revenues

- \$200,499 Increase in annual permit and service request fees.
- \$29,235 Increase in use of Small Public Water System Program grant funds.
- \$14,381 Increase in reimbursement from Environmental Health Trust Fund.

Program Discussion

The 2019-2020 recommended budget for EHD totals \$10,001,377, which is an increase of \$329,247 from the 2018-2019 adjusted budget. This change mainly represents salary and benefits adjustments, the addition of two full-time positions and an increase in extra-help to address increasing workload, and the addition of Countywide Cost Allocation Plan charges, offset by the deletion of a vacant position, and reductions in budgeted overtime and consultant services.

A new Program Coordinator position will oversee several housing-related programs, including Substandard Housing, Unsafe Conditions, Nuisance Abatement, Employee Housing, Childhood Lead Prevention, Local Detention Facilities, Hotel Inspection Service, Drug Lab Cleanup, Cannabis Response, and Enforcement. In addition, this functional unit will also work on homelessness issues. From 2016-2017 to 2017-2018, the housing-related programs saw a nearly 40% increase in program activities. The additional position is needed to fully implement new regulatory requirements, new and more effective enforcement case processes, to process demolition cases, to prepare the new Board of Housing Appeals Annual Report, to review and update the Board of Housing Appeals policies and procedures, and to review and update related ordinance code provisions. Assembly Bill (AB) 1596 was recently introduced and if approved, would expand the methamphetamine drug lab cleanups to include property that is potentially contaminated by a fentanyl or other illicit drug lab activity. This action has the potential to further increase workload in this program area and the Department will continue to monitor this legislation.

In 2019-2020, EHD will continue to transition department information technology services to the Information Systems

Division (ISD). The collaboration with ISD has produced website upgrades and on-line access to public records. Over the next two to five years, ISD will be supporting EHD's transition to a new environmental health database. The partnership with ISD has initially shown some cost savings, but additional costs may be realized as the transition continues and additional services are needed. With ongoing access to ISD's substantial resources, EHD will be able to move forward in the future with new technology and applications to more fully support field staff and other partners, to better serve the public.

Retail Food Program

Under the California Retail Food Code (CalCode), EHD conducts routine, complaint, and plan review inspections at over 3,900 food facilities in the County. These inspections ensure that mandated food safety controls are in place to protect the public from foodborne illness exposure.

In 2018-2019, legislation was passed creating new requirements for food facilities which are currently being implemented by Food Program staff. New legislation includes:

- *AB 626-Microenterprise Home Kitchens*
- *AB 1219-Food Donations*
- *AB 1383-Food Recovery and Diversion*
- *AB 1884-Single-Use Plastic Straws*
- *AB 2178-Limited Service Charitable Food Operations*
- *AB 2524-Catering Operations*
- *SB 1192-Default Children's Meal Beverages*

AB 626 remains controversial as it allows potentially hazardous foods to be legally produced and sold from a home kitchen. Although the language is not well-defined, this law provides local jurisdictions the ability to "opt in" to the program, but does not allow the implementation of local zoning and land use provisions. Currently, AB 377 has been introduced to clarify the "opt in" provisions, but also adds additional requirements. After these provisions are clarified, EHD will prepare a report and seek direction from the Board of Supervisors on the potential for implementation in San Joaquin County. EHD will also be tracking AB 228, which would allow industrial hemp products or cannabidiol derived from industrial hemp to be added to food and beverages.

Site Mitigation/Local Voluntary Cleanups

EHD has been successful in promoting the development or redevelopment of contaminated sites utilizing the authority under Health and Safety Code Section 101480 for local voluntary cleanups. Using this authority, EHD is able to provide oversight for local projects in a responsive, expeditious and cost-effective manner, typically resulting in

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significant time and cost savings to property owners. AB 1500 was recently introduced to provide additional local authority to stop hazardous material releases and to conduct environmental investigations, among other things. In contrast, AB 432 was also recently introduced and proposes limiting local authority for cleanup projects unless certified by the State. EHD will monitor this legislation to determine potential impacts to the local cleanup program.

Cannabis Regulation

In November 2016, California voters approved Proposition 64, which legalized adult use of marijuana. These provisions became effective January 1, 2018. After working with representatives from affected County departments, amendments to the County Ordinance Code were developed to provide local regulation for the personal cultivation of cannabis and for specific commercial cannabis businesses. The amendments for commercial cannabis businesses are not effective at this time but may be reintroduced at a later date. EHD will continue to monitor the status of local cannabis provisions as it is anticipated that the licensing and inspection requirements would be implemented by EHD. Working closely with Metropolitan Narcotics Task Force staff, in 2018-2019, EHD responded to 35 cannabis grow-related substandard housing enforcement cases through March 2019, as compared to a total of 35 in 2017-2018, 6 in 2016-2017, and 4 in 2015-2016. This activity is consistent with Board direction for immediate and robust enforcement for illegal cannabis activities. Workload data will be used to support any additional resources that are needed in the future.

Housing Abatement Program

EHD routinely attends Neighborhood Community Center and Neighborhood Watch meetings and continues to work closely with CDD and SO to address multi-agency issues at problem sites. In 2018-2019, EHD is on pace to respond to over 600 complaints of substandard and unsecured buildings. A total of 87 new enforcement cases were initiated in 2017-2018, with an average ongoing caseload of 148 cases, while 85 new enforcement cases were initiated in just the first eight months of 2018-2019.

This Program recovers costs by billing property owners at the Board-approved hourly rate for staff time associated with returning properties to compliance. However, recovering these costs has been problematic, as many property owners are absent or do not pay invoices in a timely manner and costs must be recovered through property tax assessments or collections. As a result, this Program continues to rely significantly on the Department's General Fund allocation.

The following table indicates the amount of unpaid invoices referred for collection with property taxes.

Unpaid Invoices Referred for Collection with Property Taxes

Fiscal Year	Amount
2015-2016	\$15,678
2016-2017	\$98,447
2017-2018	\$49,803
2018-2019	\$25,515

Well Systems

During 2017-2018, the total number of well and pump permits decreased by over 10%. Permits for domestic wells were down by 37%, agricultural wells by 16% and geotechnical borings by 10%. In the first six months of 2018-2019, well permits are trending upward, with domestic well permits estimated up by 41%, agricultural wells up by 12%, and geotechnical borings up by 47%. Of the domestic well permits, 11 were issued in 2017-2018 to replace older wells that had gone dry. This rate of older well replacement is less than the average of approximately 26 well replacements being performed every year.

In 2018-2019, in response to the discovery of up to 20 domestic wells impacted by Tetrachloroethylene, a solvent formerly used in dry cleaning, EHD worked with the State and Regional Water Quality Control Board staff to obtain and implement a \$110,508 grant to install treatment systems on the impacted wells.

As the agency responsible for water well permitting, EHD is closely monitoring the activities related to the implementation of the Sustainable Groundwater Management Act and will adjust program resources and processes as needed. EHD is also following implementation activities relating to AB 685, referred to as Human Right to Water, enacted in 2012. This provision of Section 106.3 of the Water Code states that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. State agencies are to consider this policy when revising, adopting, or establishing policies, regulations, and grant criteria. The implementation of this policy is resulting in changes to several EHD programs, including the Well Systems, Small Public Water, and Land Use programs. The State has initiated a Human Right to Water Framework and is currently conducting a Statewide needs assessment. EHD will stay engaged in this issue to evaluate any future program changes or additional workload and to provide input as necessary.

In addition, a recent court decision found that local agencies that issue well permits have an obligation under the Public Trust Doctrine to conduct a surface water impact analysis for wells located near navigable waterways. There has also been a recent conflicting court decision relating to whether

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the issuance of a well permit is a ministerial or discretionary action. EHD is working with County Counsel to determine the impact these court decisions have on the Well Program.

Also, after decades, the California Well Standards are being updated by the Department of Water Resources and the State Water Resources Control Board. EHD will monitor the proposed new standards and will provide input through the California Conference of Directors of Environmental Health's Well Technical Advisory Committee.

Solid Waste Program

AB 1826 was passed on September 28, 2014, requiring businesses that generate organic wastes, including food waste and green waste, to separate and recycle these wastes. The law phases in the diversion and recycling of organic wastes through 2019. Currently, there is insufficient infrastructure in place to accommodate the diversion requirements according to the required schedule. It is expected that new solid waste facilities, especially composting facilities, will need to come on-line to accommodate the increase in organic waste diversion. This will require EHD Solid Waste staff to perform increased land use review and solid waste facility permitting, inspection, and complaint response activities. It is possible that EHD may also be tasked with monitoring and enforcing organics diversion requirements in food facilities and other EHD regulated businesses.

Without sufficient infrastructure, many jurisdictions are experiencing an increase in organic materials being applied to land as a soil amendment, including biosolids. Draft State regulations appear to limit local control of land application and may impact the ability to enforce San Joaquin County's existing ban on the land application of biosolids.

Small Public Water System Program

The Small Public Water System Program has been performed by EHD as the Local Primacy Agency (LPA) under delegation from the State Water Resources Control Board, Division of Drinking Water since before the 1970's. Over time, program requirements have incrementally grown and dedicated staffing is currently at 2.0 full-time equivalent positions; however, the funding has not kept pace with the increasing program requirements. Almost 25% of these water systems are in disadvantaged communities and many cannot afford to pay the fee increases needed for EHD to reach full cost recovery. Currently, EHD is utilizing a Small Public Water System grant in the amount of \$760,000, originally received from the State in 2014 to offset the revenue shortage. Adequate funding for this Program is an issue for most LPA counties and AB 402, the LPA Funding

Stabilization Program bill, has been recently introduced to provide an option for LPAs to receive State funding. This legislation is supported by the State and local agencies and will provide a funding option to allow this Program to stay at the local level.

Facility Needs

With recent increases in staffing, existing workspace within the EHD building has reached maximum capacity. The 2019-2020 recommended budget includes funding for space planning to evaluate current and future workspace needs, including exploring options to consolidate all departmental staff into one building. EHD is currently working with the General Services Department (GSD) to install barrier glass at the EHD front counter to address building security concerns. In 2019-2020, EHD will continue discussions with GSD regarding other building security needs and future facility space needs.

Fee Adjustments

Board Order B-90-620 endorses a policy of full cost recovery for EHD. As part of the budget process, and with the Board's policy objective as a target, all EHD fees were evaluated, and adjustments proposed as appropriate. The fee increases that have been approved over the last few years have successfully reduced the gap between most program category costs and revenues. However, there continues to be a significant revenue shortage in the UST Program. For 2019-2020, additional fee adjustments are proposed for the UST Program, with a 10% fee increase for the per-tank fee and a 44% increase for the facility fee.

Solid Waste Management Trust Fund

The Solid Waste Management Trust Fund (#13423) maintains reserves required to fund the continued inspection, monitoring, and oversight of inactive, closed disposal facilities. Fund balance as of March 31, 2019, was \$2,377,804.

Environmental Health Trust Fund

The Environmental Health Trust Fund (#13424) is used to reimburse costs of compliance training for business and agricultural communities; inspection, response, and enforcement activities; and equipment and resources relating to hazardous materials and hazardous waste programs. Trust revenue is derived from local and Statewide enforcement case fines and penalties. Fund balance as of March 31, 2019, was \$2,008,125. The 2019-2020 budget includes \$318,477 in transfers from the Environmental Health Trust Fund to reimburse eligible costs.

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Workload Data

	-----Actual-----			Est./Act. 2018-2019	Projected 2019-2020
	2015-2016	2016-2017	2017-2018		
Consumer Protection					
<i>Retail Food</i>	4,246	4,692	4,573	4,488	4,600
<i>Small Public Water Systems</i>	101	115	112	92	145
<i>Public Pools/Spas/Beaches</i>	654	683	912	1,040	1,124
<i>Dairy Facilities-Milk for Market</i>	454	428	611	614	604
Hazardous Substances Management					
<i>Hazardous Materials Business Plan/CalARP</i>	984	1,034	1,042	937	1,360
<i>Hazardous Waste Generators/ Tiered Permitting</i>	543	230	261	566	880
<i>Aboveground Tank Facilities</i>	54	11	23	149	183
<i>Underground Storage Facilities</i>	435	382	415	370	426
<i>Emergency Response Incidents</i>	231	237	311	260	260
Housing Programs					
<i>Substandard Housing Abatement Complaints/Enforcement Cases</i>	581	612	853	864	864
<i>Lead, Empl. Housing, Vectors, Jails</i>	80	89	172	154	165
Land-Use & Liquid Waste					
<i>Land-Use Applications & Technical Reports</i>	454	504	510	628	628
<i>Onsite Wastewater Permit/ Facilities/Septage Pumper</i>	577	701	660	737	761
Solid Waste					
<i>Solid Waste Facilities-Active and Closed</i>	398	413	411	410	424
<i>Medical Waste Facilities</i>	58	56	30	30	30
Groundwater Protection					
<i>Site Mitigation/Monitoring Well Permits</i>	247	278	329	301	331
<i>Well & Pump Permits</i>	1,020	1,138	1,012	1,230	1,260
Total Permits/Facility Inventory	11,117	11,603	12,237	12,870	14,045
Staff Hours	69,583	66,147	63,318	67,003	71,814

* Historical data and current/future estimates were revised to represent all routine activities, requests for service, and complaint inspections.