



California Regional Water Quality Control Board

Central Coast Region



Terry Tamminen
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401
Phone (805) 549-3147 • FAX (805) 543-0397

Arnold Schwarzenegger
Governor

December 5, 2003

Honorable Abel Maldonado
Assemblymember, 33rd District
1302 Marsh Street
San Luis Obispo, CA 93401

Dear Assemblyman Maldonado:

BECK RESIDENCE ANNUAL FEE FOR WASTE DISCHARGE REQUIREMENTS

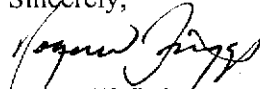
This letter is to address an email from Teresa Beck of Los Osos, which you recently forwarded to us.

Teresa and Peter Beck own a home in Los Osos, which was built after implementation of the discharge prohibition. Waste discharges from the residence were exempted from the prohibition based upon unique circumstances surrounding the Beck's (original owner's) project including; permit timing, proposed nitrogen reducing treatment system, commitment to ongoing maintenance and repairs, compliance with waste discharge requirements, payment of annual fees, and connection to the community sewer as soon as it becomes available. Exemption to the discharge prohibition is contained in the Waste Discharge Requirements. All Waste Discharge Requirements also include an annual fee (not a penalty). Due to state-wide efforts to make such regulatory programs self-supporting, annual fees have risen substantially over the past few years (from \$200 in 2001 to \$872 this year).

In response to the Beck's complaint about last year's annual fee, we provided the attached letter indicating that once construction of the community-wide system begins, we may be willing to recommend to the Regional Board that Waste Discharge Requirements be rescinded for those facilities where the total assessment has been paid and a commitment made to hook up to the community sewer. We hope to be able to make such a recommendation by the Spring of 2004. We are also in the process of evaluating alternative mechanisms for assuring ongoing compliance and timely connection to the sewer system which would not include associated annual fees. Also, we have submitted a request to the State Water Resources Control Board to cancel this year's invoice on the basis that the Waste Discharge Requirements will be rescinded shortly.

If you have further questions regarding this issue or the Los Osos community wastewater project, please call Sorrel Marks at 549-3695 or Gerhardt Hubner at 542-4647.

Sincerely,


Roger W. Briggs
Executive Officer

Attachment: March 21, 2003 letter to Peter and Teresa Beck

c: Teresa & Peter Beck, 14315 Third Avenue NW, Seattle, WA 98177
S:/wb/coastal watershed/staff/sorrel/los osos WDR/beck-maldonado.ltr

File: Beck Residence

California Environmental Protection Agency



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EO REPORT ATTACHMENT NO. 4
FEBRUARY 6, 2004 MEETING
REG. BD. LTR DTD 12-5-03 TO
ASSEMBLYMAN ABEL MALDONADO



California Regional Water Quality Control Board

Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

March 21, 2003

Peter and Teresa Beck
14315 3rd Avenue
Seattle, WA 98177

Dear Mr. and Ms. Beck:

ANNUAL FEE FOR WASTE DISCHARGE REQUIREMENTS

This letter is to address your recent protest and request for review of annual fees for Waste Discharge Requirements Order No. 01-97 regulating your wastewater disposal system. We appreciate that you have paid the annual fee and provide the following information to assist you in understanding the circumstances regarding construction of your home at 1190 7th Street in Los Osos and regulation of the associated waste discharge.

As indicated in the Staff Report for the July 13, 2001 Regional Board meeting (attached), the residence at 1190 7th Street is located with the Los Osos discharge prohibition area and was constructed after the prohibition went into effect in 1988. Waste discharges from the residence were exempted from the prohibition based upon unique circumstances surrounding the Bock's (original owner's) project including: permit timing, proposed nitrogen reducing treatment system, commitment to ongoing maintenance and repairs, compliance with waste discharge requirements, payment of annual fees, and connection to the community sewer as soon as it becomes available. Mr. Bock was granted an exemption and allowed to build his residence, whereas all of the other lot owners in the prohibition zone were not.

However, once construction of the community-wide system begins, we may be willing to recommend to the Regional Board that Waste Discharge Requirements be rescinded for those facilities where the total assessment has been paid and a commitment made to hook up to the community sewer. We hope to be able to make such a recommendation by the Spring of 2004. Until that time, your annual fee of \$400 will continue to be billed to you directly.

If you have questions, please call Sorrel Marks at 549-3695 or Gerhardt Hubner at 542-4647.

Sincerely,

Roger W. Briggs
Executive Officer

S:/wb/coastal/staff/sorrel/lososos-general/beck.ltr
File: Beck Residence
Task: 436-12

California Environmental Protection Agency



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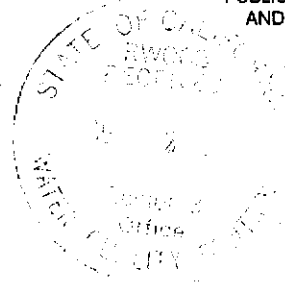
STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0033
(916) 319-2033

DISTRICT OFFICE
1302 MARSH STREET
SAN LUIS OBISPO, CA 93401
(805) 549-3381
(805) 549-3400 FAX

Assembly California Legislature

ABEL MALDONADO
ASSEMBLYMEMBER, THIRTY-THIRD DISTRICT

COMMITTEES:
Vice-Chairman, AGRICULTURE
MEMBER:
APPROPRIATIONS
BUSINESS AND PROFESSIONS
PUBLIC EMPLOYEES, RETIREMENT
AND SOCIAL SECURITY



November 26, 2003

Mr. Roger Briggs, Executive Officer
Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Ste. 101
San Luis Obispo, CA 93401

Dear Mr. Briggs:

Enclosed is a copy of an email I received from one of my constituents, Teresa Beck of Los Osos, regarding an annual penalty for a wastewater discharge system.

I would appreciate your input on this matter. Please direct your response to me at my San Luis Obispo District Office.

Thank you in advance for your assistance.

Sincerely,

A handwritten signature in black ink that reads 'Abel'.

ABEL MALDONADO
Assembly Member

AM:cr

Enclosure

Assemblymember Maldonado Constituent Mailbox

From: teresabeck1@comcast.net
Sent: Tuesday, November 18, 2003 5:24 PM
To: assemblymember.maldonado@assembly.ca.gov
Subject: Republican Website - Concern Form 93412

First Name: Teresa
Last Name: Beck
Address1: 1190 7th Street
Address2:
City, State: Los Osos, CA
Zip Code: 93412
eMail: teresabeck1@comcast.net
Subscribe: YES
Comments:
Dear Abel:

I am a home owner in Los Osos but I currently live in Seattle. My father, Robert Staller, of Morro Creek Ranch, in Morro Bay, said that I should write to you regarding a piece of legislation or a Resolution No. 2003-0064 from the State Water Resource Control Board. Without any notification to us, a resolution was passed (once a year, I guess) to remove the maximum limit on an annual fee that the SWRCB can impose and increase fees on a penalty imposed regarding waste water discharge.

We, the Beck's, bought a home in Los Osos in 2001, built by the Bock's in 1995 after the building moratorium. The purchase disclosure had a penalty fee of \$200.00 per year imposed on the house due to the house being built after the moratorium using an experimental waste water discharge system that became inoperable. The house is on a standard septic system but a fine was agreed upon by the board and the Bock's of \$200.00 per year which would supposedly end when the house is connected to the sewer system. We never have paid \$200.00 because right after the purchase, the fee was increased to \$400.00. We paid with a letter in protest and the response from the California Regional Water Quality Control Board, Central Coast Region was interesting as we feel that as new home owners we are being penalized for decisions made between the Regional Board and the previous owners...as follows..."Mr. Bock was granted an exemption and allowed to build his residence, whereas all the other lot owners in the prohibition zone were not....until that time, your annual fee of \$400 will continue to be billed to you directly". Signed Gerhart Hubner for Roger Briggs.

Well we just recieved the new bill and it is now \$872.00 based on a new resolution passed this October.

Per this new resolution #6 was amended to remove the maximum limit on an annual fee that the SWRCB can impose and #7 all fee levels must be increased to generate fee Revenue appropriated in the State Budget Act....

Well my father doesn't think this is even legal and I don't want to get into lawsuits if I don't have to so my father said you were the next step to see what can be done about this.

It doesn't seem fair at all that my home is being penalized to support some \$6.8 million fund???

Please help us in anyway you can regarding this terrible piece of legislation that is effecting us. We just recieved this notification and the deadline to pay is December 7 or else penalties apply.

Thank you so much.

Peter and Teresa Beck

Our address in Seattle is:
14315 3rd Avenue NW
Seattle, Wa 98177
206-440-1297