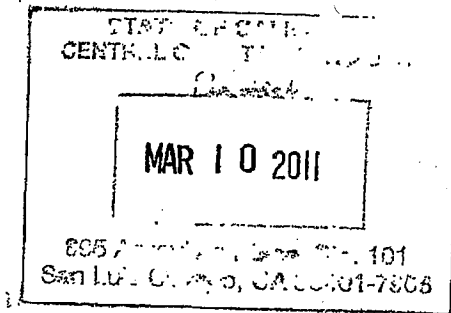




SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

March 09, 2011

Sorrell Marks
Sanitary Engineering Associate
Central Coast Waterboard
895 Aerovista Place Suite 101
San Luis Obispo, Ca. 93401-7906



RE: Comments on Basin Plan Revision

Ms. Marks:

Thank you for the opportunity to make comments on the latest draft of the Basin Plan. San Luis Obispo County has several serious concerns regarding the proposed plan. Many of the requirements will create a large financial burden on the part of the County and property owners for conformance.

1. Section VIII.D.2.a Disclosure and Compliance of Existing onsite Wastewater Systems (pg. 8, 4th paragraph)

This section requires prospective home owners to be informed of any pending enforcement action affecting parcels or houses they wish to buy. It would require the county to provide a system that electronically transfers information from the data base of the Building Department's computer to the Clerk's Office so that it is available for Title Searches. This requirement would cause expensive changes to the County's IT operating system, as both systems operate independently of each other. Further, it would be very difficult to have a system delineate between enforcement actions that have been abated and actions that are pending. As part of an individual's due diligence, a knowledgeable person is already aware to check Planning and Building Department records prior to buying property. ①

2. Section VIII.D.2.b. ONSITE WASTEWATER MANAGEMENT PLANS (pg 9-11)

Survey and Evaluation of Existing onsite Systems

This requirement will be extremely expensive and time consuming. Santa Barbara County paid a consultant to do a survey of just one area of their county. The cost of that survey was \$100,000.00 and created 102 pages of information, most of which was already known. If the County of San Luis Obispo were to survey the entire County, the cost could exceed \$500,000.00. This is the equivalent of five full time positions. The County is very concerned about your agency requiring the outlay of this large amount of money during this time of financial crisis. ②

We are already aware of the information a Survey and Evaluation will reveal. The bottom line would be that some septic systems were improperly placed, sized, and inspected in the past. We have already taken action to remedy those problems. We have hired a full time position to oversee septic system plan check and inspections. We have taken a stronger position toward adherence to Basin Plan recommendations, and we have put in place new County regulations governing Conventional and Alternative septic systems.

3. Section VIII.D.3.a Site Suitability (pg. 12-13, number 13 and 17.)

Prohibitions

13. This section limits buildings to one house per acre and seems to remove the term "favorable conditions" for building on ½ acre lots. This will limit the number of lots allowed to be built in rural areas and does not appear to be based on any specific data that documents problems with groundwater in areas where ½ acre lots have been allowed. The county has a number of subdivisions in Residential Suburban areas that are ½ acre in size, served by community water and on-site septic tanks. These subdivisions have performed well and have provided for a transition between urban sized lots in communities and larger rural lots. In addition, this change would severely limit where secondary dwellings could occur. County ordinances and state law encourage secondary dwellings as a way to provide for affordable housing for families. Secondary dwelling size is limited by ordinance to between 800 and 1,200 square feet, which acts to limit the number of occupants and bathrooms. There does not seem to be an issue with developing a functioning septic system for these secondary dwellings on lots smaller than two acres in size. (3)

17. This is another section that will limit building on approved lots. It is not a common practice to place septic systems on adjacent lots, but it is done occasionally. This practice is allowed by the California Plumbing Code. Currently when septic systems are placed on adjacent lots, the practice is accomplished with proper soil testing, placement, inspection, and proper documentation. In addition, the county requires deed restrictions so that future owners are aware of the situation. This should be allowed to continue.

4. Section VIII.D.3.b Onsite System Design (pg 13-14, number 4 and 21)

Recommendations

4. This section does not make sense and requires clarification. (4)

Prohibitions

21. This section again tries to limit housing to one lot per acre. Please see comment above for Section VIII.D.3.a Site Suitability, Prohibitions. (3)

Letter to RWQCB
March 09, 2011
Page 3

In summary, if the proposed Basin Plan is approved as is, it will substantially increase the County's operating costs and add to the cost of housing. Although it is very important to protect ground and surface waters of the State, it is equally important to provide reasonable regulations to achieve that end. This proposed Basin Plan asks for a substantial amount of protection yet does not offer any economic compensation for the costs of the regulation. It is important to balance protection with economic feasibility. (5)

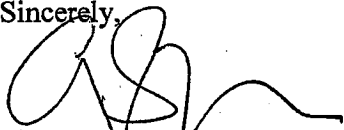
Section 13241 of the Porter Cologne Water Quality Control Act states in part:

Each regional board shall establish such water quality objectives in water quality control plans as in its judgment will ensure the reasonable protection of beneficial uses and the prevention of nuisance; however, it is recognized that it may be possible for the quality of the water to be changed to some degree without unreasonably affecting beneficial uses. Factors to be considered by a regional board in establishing water quality objectives shall include, but not be necessarily limited to, all of the following:

- (d) Economic considerations.*
- (e) The need for developing housing within the region.*

Thank you again for the opportunity to comment on the proposed draft. If you have any follow up questions, Barry Tolle would be happy to speak with you or meet with you. He can be contacted at (805) 781-5629 or btolle@co.slo.ca.us

Sincerely,



Cheryl Journey
Chief Building Official



Barry Tolle, REHS
Environmental Health Specialist



CITY OF ATASCADERO
PUBLIC WORKS DEPARTMENT
6907 El CAMINO REAL, ATASCADERO, CA 93422
Telephone (805) 461-5000 * Fax (805) 461-7612

March 25, 2011

Ms. Sorrel Marks
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

RE: Comments on Amendments to the Central Coast Water Quality Control Plan (Basin Plan) Onsite Wastewater Requirements

Dear Ms. Marks,

This letter is intended to reiterate past concerns and expresses the City's current comments on *Resolution No. R3-2011-0004; Amendment to the Water Quality Control Plan, Central Coast Basin, regarding onsite wastewater system implementation program (Amendments.)* While the City of Atascadero (City) appreciates the opportunity to comment on the Central Coast Regional Water Quality Control Board's (Water Board) revised 2008 and 2009 Onsite Wastewater Basin Plan Amendments, we must express our complete dismay with the inappropriateness of the proposed regulations.

The City has been permitting septic systems in the City of Atascadero since before 1983. The City has a robust set of municipal code requirements that are protective of water quality, while maintaining flexibility in design and construction. We believe our current requirements protect health, safety and state waters, are consistently applied, and have the least amount of economic impact on our residents while reasonably protecting local water quality. Hence, the Atascadero Mutual Water Company is on record saying that the City's drinking water aquifer is not impacted by the approximately 5,000 septic systems located in the City's 23 square mile jurisdiction. None-the-less, the City recognizes that periodic review of regulations is beneficial as long as additional bureaucracy is not unnecessarily created.

It appears, based on the City's review, that the proposed Amendments are slightly improved from the 2009 version. We appreciate the language changes that the Water Board has made to the Recommendation sections in the implementation program. The City believes it is very important to aim high while remaining flexible to reach goals. In that light, the City has the following comments:

The City Council at their March 22, 2011 meeting received a report on the status of the Basin Plan amendments proposed by the Water Board. They were very clear in their comments regarding the proposed regulations. The following summarizes their specific concerns:

- The City of Atascadero has worked diligently to develop Affordable Housing Programs pursuant to State Housing goals and regulations. The proposed 2-acre minimum parcel size for secondary units flies in the face of these efforts and is not based on reasonable science. Site suitability should be based on specific characteristics on a site by site basis. ①
- These regulations are not consistent with other Regional Board Basin Plans and unreasonably single out the Central Coast region, leading to higher construction costs and on-going management costs for dischargers and agencies alike. ②
- Our community values the protection of native trees. The proposed design criteria and dual leach field requirement will result in unnecessary site disturbance and potential native tree removal. ③
- Local agencies are in the midst of an unprecedented fiscal crisis. Delivering core services such as police, fire, road maintenance, and basic government administration are not being funded. These regulations simply cannot be implemented – there are no funds available for this type of over-regulation, to mitigate a problem that there is no evidence that it even exists. ④
- The enabling laws and water quality mandates that drive the Basin Plan process require consideration of potential economic impacts of proposed regulations. **The City contends that basic CEQA requirements with respect to the potential financial impacts on both local agencies and homeowners has not been adequately addressed.** ⑤

The following are specific comments regarding the latest staff report and attachments being considered at the May 5th Water Board hearing:

Draft Staff Report Attachment A

1. Page 4, Paragraph 3. We recommend that the word “discharger” be inserted prior to “compliance” to clarify who is being compelled to comply with the subject requirements. ⑥
2. Page 4, Paragraph 5. We recommend that Water Board staff re-evaluate the language in the last sentence of paragraph five, shown below.

“...Individual memoranda of understanding shall incorporate additional measures to be taken by the local governing jurisdiction to identify and address areas of degraded groundwater or surface water quality, where onsite wastewater systems are a potential source of pollution...” ⑦

The City believes that the above noted sentence should be modified so that flexibility can be maintained during MOU development, and requirements are not located outside of appropriate sections. The City recommends the following changes:

“...Individual memoranda of understanding **shall be developed in cooperation with local governing jurisdictions in order to protect surface and groundwater from onsite wastewater system discharges.** ~~shall incorporate additional measures to be taken by the local governing jurisdiction to identify and address areas of degraded groundwater or surface water quality, where onsite wastewater systems are a potential source of pollution...~~”

The California Water Code is very specific regarding who can be compelled to identify and address areas of degraded groundwater or surface water quality. The Water Board cannot compel an agency (Cities or Counties) or an individual, which does not own the land where the discharge occurs or generates the wastewater discharge, to investigate and or remedy groundwater or surface impacts thereupon. In addition, this requirement appears to be an unfunded mandate on agencies since it is the Water Board's responsibility to order discharger's to identify and abate conditions of pollution and nuisance. Lastly, this sentence is a requirement and does not belong in the section discussing the implementation program. (7)

The City recognizes that it is under no obligation to execute a Memorandum of Understanding with the Water Board. The City further understands that the review and approval service now provided by the City may revert back to the Water Board due to the fiscal infeasibility of program development and implementation. This is likely to have a negative impact on the Water Board's staff budget and the timely permitting of our citizen's onsite wastewater systems. However, Water Board staff has made it clear that they expect that local governing jurisdictions will continue to directly regulate most onsite wastewater systems (page 5, paragraph 2). We believe that the Basin Plan regulations cannot be reasonable implemented at any level given the staffing and fiscal constraints at both State and local levels. (7)

Lastly, the last portion of this sentence "potential source of pollution" is vague and it is unclear why this is included. Every onsite system currently installed could be considered a "potential source of pollution." The City does not believe that it is the Water Board staff's intent to have local jurisdictions investigate every installed onsite wastewater system. However, this requirement leaves the door open for exactly that to happen. This would be another unfunded State mandate that the City simply cannot afford. Re-iterating our earlier comment, the City is not responsible for investigating and or monitoring onsite wastewater discharges. (7)

3. Page 9, Recommendation 2. Recommendation 2 is vague and does not specify who should conduct a public education program. City staff recommend the following revision: (8)
 2. "...The Water Board should conduct public education programs to provide property owners with operation and maintenance guidelines..."
4. Page 11, Column 2, Paragraph 3. The City is unclear of what is meant by "local onsite governing jurisdictions." It appears that onsite wastewater system maintenance districts may be the term that was intended. The City requests that the Water Board define this term if left in the paragraph. In addition, this paragraph deals with septage disposal and it is unclear why it is included in Section VIII.D.3. CRITERIA FOR NEW SYSTEMS. (9)
5. Page 12, Column 2, Prohibition 13. The City re-iterates its objections to the Water Board's prohibition on second residential units on lots less than two acres. This prohibition is in conflict with sound science and state mandated housing requirements for second units. Please refer to our previous correspondence related to this requirement. (1)

6. Page 16 & 17, Recommendation 4 and Prohibition ⁵ 1. These two items appear to conflict. We recommend that you evaluate these two items to make the Water Board's intent clear. (10)

In summary, the proposed regulations included in the 2008, 2009 and 2011 amendments to the Basin Plan are unwarranted and completely infeasible to be applied to the region as a whole. The economic repercussions, during a time of unprecedented financial crisis both in the public and private sectors would have dire consequences on core health and safety programs for local agencies, and basic needs of struggling families. These are the wrong regulations at the wrong time, attempting to solve problems that don't exist in our community. (11)

We urge the Water Board to not approve these modifications, and work with local agencies to develop a feasible alternative to improve water quality and oversight in our region. Please call me at (805) 470-3180 should you have any questions.

Sincerely,

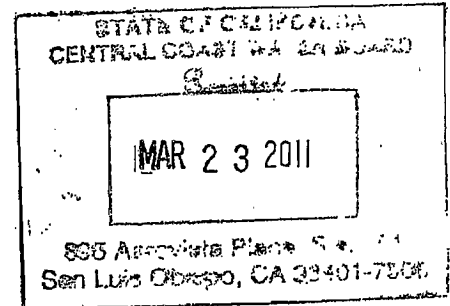


Russell S. Thompson, PE
Public Works Director/City Engineer

Cc: City Council
Wade McKinney, City Manager
David Athey, Deputy Director of Public Works
File



CITY OF ATASCADERO



March 21, 2011

The Honorable Jerry Brown
Governor, State of California
State Capitol, Suite 1173
Sacramento, CA 95814

RE: Resolution No. R3-2022-0004; Amendment to the Water Quality Control Plan, Central Coast Basin, Regarding On-site Wastewater System implementation Program

Dear Governor Brown:

It is with great frustration and disbelief that I am writing this letter to you regarding the latest proposed amendments to the Basin Plan. As you are aware, the RWQCBs and their mandates, specifically the Basin Plan, have a great deal of impact on the lives of both residents and builders alike in our community; not to mention the severe impacts on the City in meeting unfunded State mandates. These regulations could not come at a worse time.

The process to date has been unresponsive to our input and concerns, and appears out of touch with the specific circumstances in our community. We have over 5000 septic systems in our community, and process on average 4 to 6 failed system replacement permits per year (one tenth of one percent). Some of those failed systems were functional for over 50 years; hardly a statistical mandate for new regulations. ①

City staff has repeatedly filed Public Records Requests, asking for correspondence related to the State's comments and reasoning for remanding the 2009 amendments back to your staff. To date we have received a few emails, but not the State's comments – this is unacceptable, and violates the California Public Records Act. ①

The proposed amendments of Resolution 83-12 have wide ranging impacts and cost implications on residents and the City that have not been identified. Furthermore, the implementation plan, without cause, will create unfunded mandates the City of Atascadero simply cannot afford, namely: ②

- Development of groundwater and surface water investigations and remediation plan (*while there is no evidence of groundwater or surface water attributable to septic systems*).
- Increased septic system data management duties, on-going inspection, and code compliance activity on local governments
- Formation of on-site wastewater system management districts
- Development of an On-site Wastewater System Management Plan

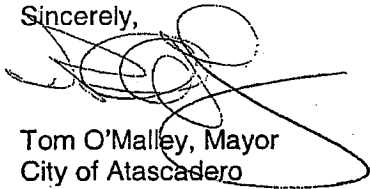
March 21, 2011
The Honorable Jerry Brown
Governor, State of California
Page 2

These are just a few of the problematic activities that will be forced on the City, and at what cost? Do we reduce Police and Fire Department budgets and personnel to fund these proposed regulations, and solve a groundwater quality problem that we believe does not exist?

During a recent trip to Sacramento I spoke personally with you about the effect of new regulations like these proposed. You assured me that the State must work with local government to streamline how we serve the public. We specifically talked about my experience on a Regional Water Board and that you were interested in how the State could reduce the impact on local government while ensuring good water quality. This is a prime example of regulations and legislation that are strangling our ability to serve the public. Money spent on this proposed program takes away from the tangible known problems of street maintenance, parks, public safety and economic development.

The current Basin Plan has been effectively implemented over the past 28 years. I strongly ask that you remove the unwarranted and financially devastating provisions mentioned above. Should you have any questions please contact the Atascadero City Manager at (805) 470-3400. (2)

Sincerely,



Tom O'Malley, Mayor
City of Atascadero

Cc: Atascadero City Council
Senator Sam Blakeslee
Assemblyman Katcho Achadjian
CCRWQCB Executive Officer Roger Briggs
City Manager Wade McKinney
Director of Public Works Russ Thompson

3D

From: Sorrel Marks [mailto:Smarks@waterboards.ca.gov]
Sent: Wednesday, February 23, 2011 1:40 PM
To: David Athey
Cc: Frances McChesney; Harvey Packard
Subject: Re: Basin Plan Amendments - Resolution R3-2011-0004

David: The Board's attorney is reviewing the internal correspondence to determine which are confidential, as soon as she determines that, I will forward the non-confidential ones to you. Sorrel

>>> David Athey <dathey@atascadero.org> 2/16/2011 4:29 PM >>>

Sorrel,

The Staff Report mentions that the State Water Board staff noted that revisions were necessary to further clarify the Basin Plan amendments. We are reviewing the information you sent and we would also like to review the State Boards correspondence (emails, notes, phone notes etc.) regarding the 2008 and 2009 Basin Plan amendments. Would you please forward the State Board's comments to me. If the State Board staff comments cannot be emailed, fax would be fine. My fax number is 470-3424. Please let me know if you have any questions.

Thank you,

David

David M. Athey, PE
Deputy Public Works Director
City of Atascadero

From: Frances McChesney
To: Sorrel Marks, dathey@atascadero.org
CC: Harvey Packard, rthompson@atascadero.org
Date: 3/1/2011 9:53 PM
Subject: RE: Basin Plan Amendments - Resolution R3-2011-0004

Hi David, I'm sorry that I have not had time to review the documents yet. I need to review them for attorney-client privilege and deliberative process. Given your note, I want to confirm what you are actually seeking. If you are seeking an official letter from the State Water Board, I don't think there is such a thing. There are some emails. If you want to let me know if you are looking for anything specific, I maybe be able to review them more quickly. I will be out of the office the rest of the week, traveling to Los Angeles for work, so most likely I won't be able to complete my review until next week.

Frances

Frances L. McChesney, Senior Staff Counsel
Office of the Chief Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor
Sacramento, CA 95814-2828
Phone: (916)341-5174
Facsimile: (916)341-5199
Email Address: fmcchesney@waterboards.ca.gov

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>>> David Athey <dathey@atascadero.org> 03/01/11 4:04 PM >>>
Sorrel,

Just checking in to see if Frances has made a determination on the correspondence. Could you let me know what the criteria is for determining if the correspondence is confidential. Thanks, I need to be able to explain this to the City Council.

David

David M. Athey, PE

Deputy Public Works Director

City of Atascadero

Sorrel Marks - Basin Plan Amendment re Onsite Implementation Program

From: Sorrel Marks
To: mtorgerson@atascadero.org
Date: 3/17/2011 11:32 AM
Subject: Basin Plan Amendment re Onsite Implementation Program
CC: Frances McChesney; Harvey Packard; Liz Haven; Michael Buckman; Paul Hann; Philip Wyels; Rik Rasmussen; Sallie Ashton; Shakoora Azimi-Gaylon

Marcia: On 2/16/11, I received an email request from David Athey, to which I responded (also by email) on 2/23/11. Frances McChesney (Water Board Attorney) also responded to David on 3/1/11 and transmitted the requested correspondence, those not subject to attorney/client or deliberative privilege, on 3/15/11 or thereabouts. The State Board itself did not send the 2008 and 2009 amendments back, rather State Board staff identified some areas that should be clarified and the Regional Board then withdrew the amendment from the State Board and is now reconsidering it in May. Emails from Michael Buckman (State Board staff) that explained the areas where clarity or changes were needed have been provided. In summary, we have responded to the request. If you are seeking some other records from the Central Coast Water Board, please clarify what records you are requesting. If such records exist, and are not subject to attorney/client or deliberative privilege, we will be happy to make them available to you.

I will be out of the office from 3/18 through 3/24, so any requests directed to me during that time may result in delay due to my absence. If you have questions or would like to discuss the proposed Basin Plan amendment or associated documents, I am normally available weekdays between 9am and 2pm. You may rest assured that the Central Coast Water Board takes all requests for public records seriously, including those received from the City of Atascadero.

Sincerely, Sorrel

>>> Marcia Torgerson <mtorgerson@atascadero.org> 3/16/2011 5:53 PM >>>
 Hello Ms. Ashton,

I hope that you can assist me in acquiring these documents. I received an email reply from the attached email to Ms. McChesney that she will be out of the office until next week. We originally requested these documents back on February 16, 2011 from Sorrel Marks of your offices and after some delay, was forwarded to Ms. McChesney in early March.

As I am the City Clerk for the City of Atascadero, I am very aware of the requirements of a public agency to comply with the Public Records Act, and am worried that Atascadero's request is not being taken seriously.

Please provide the documentation that I have requested in the email below.

Marcia McClure Torgerson, C.M.C. | Assistant to the City Manager/City Clerk
 6907 El Camino Real, Atascadero, CA 93422 | 805-470-3400 | FAX-805-470-3455 |
www.atascadero.org

From: Marcia Torgerson
Sent: Wednesday, March 16, 2011 5:39 PM
To: fmcchesney@waterboards.ca.gov
Subject: Public Records Request

Hello Ms. McChesney,

We spoke on Monday concerning a request for documentation from Atascadero City staff. Thank you for sending the emails you sent, however they did not include the information we were seeking. I have had a few discussions with staff and understand more clearly what they are looking for.

We would like to view any documentation that explains why the 2008 and 2009 amendments of the Regional Waterboard's Basin Plan were returned by the State to the Regional Board. We are seeking clarification as to what issues were in question by the State. I am assuming that the State returned the Regional Board's amendments with some explanation for their return.

I hope this helps your fulfillment of this Public Records Request. I hope that you are able to respond to this request in the 10-day window provided by the CA Public Records Act as we are going before our City Council on 3/22/11 and will surely be asked for this clarification of the State's reasoning.

Please contact me if you have any questions.

Marcia McClure Torgerson, C.M.C. | Assistant to the City Manager/City Clerk
6907 El Camino Real, Atascadero, CA 93422 | 805-470-3400 | FAX-805-470-3455 |
www.atascadero.org

Sorrel Marks - Comment Letter regarding Onsite Wastewater Systems

From: Jim Irving <jim@jimirving.com>
To: <smarks@waterboards.ca.gov>
Date: 3/23/2011 5:56 PM
Subject: Comment Letter regarding Onsite Wastewater Systems

March 23, 2011

Sorrell Marks
Sanitary Engineering Associate
Central Coast Waterboard
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

RE: Comments on Basin Plan Revision

Dear Ms. Marks,

Thank you for the opportunity to comment on the latest draft of the Basin Plan. As both a representative of the Realtor® Associations from Lompoc to Paso Robles, and as an individual property owner, there are many areas of concern in the latest draft.

1. Section VIII.D.2.a Disclosure & Compliance of existing systems.

Aside from the cost to the County to devise a system to transfer information from their records to the Title documents I am concerned about the practicality of such a recording. Frequently during a Buyer's review of a Preliminary Title Report we find liens and recordings against that property that have been corrected, or that don't even apply to the particular property. It can be difficult to remove such from the title and as a "cloud on title" can impede financing. Proper due diligence during a buyer's inspection period should be sufficient. ①

2. Section VIII.D.3.a Site Suitability

This section limits buildings to one house per acre. We have many areas within the County where "Secondary Dwellings" (limited in size) on one acre parcels are permitted. This section would require numerous revisions to the County's own Land Use Ordinance and Area Plans. Furthermore, with the increasing trend toward multi-generational living, this change could severely affect families that seek to combine generations. ②

3. Section VIII.D.3.e Onsite System Maintenance

Recommendations: 1. Inspection every two to five years. Can this be performed by the property owner, or do the regulations require someone else to perform this? This will add an additional and unnecessary expense to the homeowner unless it is left to the individual to monitor their own system. It seems logical that the person most affected by a failing system would be the one best suited to know whether or not their tank should be pumped. ③

6. Records of Maintenance shall be maintained and available upon request. This is an admirable idea but

fails in practicality. It is difficulty enough upon transfer of a property to have a Seller locate all of their appliance records, let alone such a Maintenance Log. If this is mandatory, by whom will it be enforced? (4)
And could the failure to locate or produce such a record restrict or delay a closing? How would this apply to foreclosed properties?

4. Section VIII.D.3.f Use Considerations

Recommendations. 1. Garbage grinders should not be used. How would this be enforced? (5)

Finally while I understand that these proposed regulations are to apply only to new construction, can we be assured that they will not be retroactively applied to a property owner who replaces his existing system for whatever reason? (6)

Please take these concerns under consideration when debating the final form of the Basin Plan. As I understand from the mandates of the Porter-Cologne Water Quality Control Act, each Regional Board must consider the economic effects of their decisions as well as the need for developing housing within that region. The regulations as currently drafted impose an unnecessary financial burden on homeowners, and will limit the flexibility needed to provide additional house as our population grows. (7)

Thank you for this opportunity to comment. Feel free to contact me should you have any questions about these comments. My contact information is listed below.

Sincerely,

Jim Irving
Chairman, California Association of Realtors® Region 31 Government Affairs Committee

805 -591-5203
Jim@JimIrving.com

Sorrel Marks - Septic regulations

From: "HEATHER RODA, BROKER" <heatherroda@gmail.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:11 AM
Subject: Septic regulations

Dear Region 3 Water Quality Board,

Note, please, my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community and several family members that own property between 1/2 and 2 acres. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

--

Heather Roda, Broker / Co-Owner
CHANDRA & HEATHER

PLATINUM PROPERTIES

Phone: 805.610.9270

Email: Heather@BuyPlatinumProperties.com

Fax: 1.866.591.9983

Office: 294 S. Main St. #B Templeton, CA 93465

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Sorrel Marks - Septic System Regulation

From: Sharon George <sharongeorge@charter.net>
To: <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:13 AM
Subject: Septic System Regulation

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

--

Sharon George
Equity Real Estate Professionals
Broker/ Owner
805.610.2025 cell
888.803.4241 fax
Lic.#01278260

Sorrel Marks - Proposed septic system regulation changes

From: Kyler Hamann <kylerrh@remax.net>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:14 AM
Subject: Proposed septic system regulation changes

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Kyler Hamann

8010 Santa Rosa Rd.

Atascadero, CA 93422

Sorrel Marks - New Septic Regulations

From: Dutch Nichols <dnichols@calinet.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:14 AM
Subject: New Septic Regulations

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,
Dutch Nichols

Dutch Nichols/Real Estate Broker

Santa Lucia Properties, Inc
7401 El Camino Real, Atascadero, CA 93422
(805) 466-8238 Desk/Voice Mail
(805) 441-7106 Cell
(805) 466-0474 Fax
dnichols@calinet.com
CA D.R.E. Lic#00551990

Sorrel Marks - septic systems

From: Sue Byrd <4suebyrd@gmail.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:20 AM
Subject: septic systems

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,
Sue Byrd

--
Sue Byrd
805 235 3699 cell
Dre license 01053695
York Real Estate, Inc
8895 Morro Road, Atascadero Ca

3K

Sorrel Marks - Proposed septic system regulation changes

From: <Roggozzer@aol.com>
To: <info3@waterboards.ca.gov>
Date: 3/24/2011 11:28 AM
Subject: Proposed septic system regulation changes
CC: <smarks@waterboards.ca.gov>

Subject: Proposed septic system regulation changes

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Roger M. Hanson
Loan Officer and Buyer's Specialist
NMLS # 271800
Greg Malik Real Estate Group, Inc.
NMLS # 237528
7450 Morro Road
Atascadero, CA 93422
Tel. (805) 466-2540 Ext. 16
Fax. (805) 466-2070

Sorrel Marks - Proposed septic system regulation changes

From: Mark McConnell <markmcconnell@tcsn.net>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:31 AM
Subject: Proposed septic system regulation changes

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Mark McConnell/Associate Broker
Re/Max Parkside Real Estate
711 12th Street
Paso Robles, Ca. 93446
805-674-0297 (cell)
805-591-5234 (direct)
805-239-3513 (fax)
www.agentmark.com

Sorrel Marks - Basin Plan

From: Mary Arnold <mary@santaluciaproperties.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:36 AM
Subject: Basin Plan

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, & a Realtor I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. These new regulations will cause a hardship not only on the property owners with added costs, but on city as an unfunded mandate by an appointed board, the Regional Water Control Board. We already have a stringent process that is required to replace any failed systems. If you look at the requirements to install new systems, again we are ahead of the game. Not certain as to why you feel the need to fix something that isn't broken. A mandated regulation such as you are proposing on all cities is unjust. The "One size fits all communities", definitely does not work. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Mary Arnold

Mary Arnold, Broker

Cell 805.748.9758

marnold@calinet.com

Santa Lucia Properties, Inc.

(An Association of Independent Brokers)

7401 El Camino Real

Atascadero, CA 93422

Fax 805.466.0474

Dir. 805.466.8747

DRE Lic 00641507

Sorrel Marks - Proposed septic system new regulations

From: Joanie Williams <joanie27@charter.net>
To: <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:44 AM
Subject: Proposed septic system new regulations

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values.

The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Sincerely,

Joanie Williams

1920 Traffic Way Atascadero, CA 93422

Sorrel Marks - septic systems

From: Beverly Booth <bevbooth2749@gmail.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:51 AM
Subject: septic systems

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,
Beverly Booth
10810 Escondido Rd.
Atascadero, CA 93422

Sorrel Marks - Proposed septic system regulation changes

From: Barbara McCormick <mccormickb@thegrid.net>
To: <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:55 AM
Subject: Proposed septic system regulation changes

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. I find that these new regulations will have an undue negative impact on the community of Atascadero. The City says they have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce the already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to the septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Barbara McCormick

32

Sorrel Marks - New Septic Regulations

From: Jeannie Malik <jeannie@gregmalikregroup.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 12:06 PM
Subject: New Septic Regulations

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Jeannie Malik

Marketing Manager
Greg Malik Real Estate Group
805-423-2813 Cell
805-466-2540 Office
jeannie@gregmalikregroup.com
www.GregMalik.com

3R

Sorrel Marks - Proposed septic regulation changes

From: Aaron Sherer <asherer@me.com>
To: "smarks@waterboards.ca.gov" <smarks@waterboards.ca.gov>
Date: 3/24/2011 12:07 PM
Subject: Proposed septic regulation changes

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems, and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Aaron Sherer
Sent from my iPhone

Sorrel Marks - Proposed septic system regulation changes

From: John Hawley <johnhhawley@gmail.com>
To: <info3@waterboards.ca.gov>
Date: 3/24/2011 1:57 PM
Subject: Proposed septic system regulation changes
CC: <smarks@waterboards.ca.gov>

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

--

John Hawley
Bishop Realty
john@pasorealty.com
License #01455434
Odyssey World Cafe
john@odysseyworldcafe.com
cell:805-610-7443
fax:805-237-7514

3T

Sorrel Marks - Septic Regulations

From: Cynthia Workman <cyndi.workman@gmail.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 2:06 PM
Subject: Septic Regulations

Dear Region 3 Water Quality Board,

I would like to register my disapproval of the proposed new septic regulations. As an Atascadero resident, I find that these new regulations will have a negative impact on my community. Of the approximately 5,000 septic systems in Atascadero we have an annual failure rate of only 4 to 6 systems per year. To greatly increase minimum parcel size for additional systems & require costly monitoring will negatively impact an already tenuous real estate market. Not to mention the extra costs to already strapped local governments. Please do what is best for our area and avoid making these significant changes to our septic regulations.

Sincerely,

Cynthia Workman

Sorrel Marks - Proposed septic system regulation changes

From: Hazel Boyd <hjboyd53@yahoo.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 2:36 PM
Subject: Proposed septic system regulation changes

Subject: Proposed septic system regulation changes

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record.

As an Atascadero resident and Realtor, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable.

To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation.

Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Hazel J. Boyd
10025 El Camino Real, #49
Atascadero, CA 93422
805-462-0221

3V

Sorrel Marks - Comment on Proposed septic system regulation changes

From: Timmymac <tim@santaluciaproperties.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 4:32 PM
Subject: Comment on Proposed septic system regulation changes

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Tim McCutcheon, Broker CRS
7401 El Camino Real
Atascadero Ca 93422
805-462-2450 Cell 805-441-6547
Tim@santaluciaproperties.com
Dre# 00836963

By the way, Do you know any one looking to buy or sell a home or investment property?

3W

Sorrel Marks - Subject: Proposed septic system regulation changes

From: gina salazar <gsenorita7@gmail.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/24/2011 10:31 PM
Subject: Subject: Proposed septic system regulation changes

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Sincerely,
Gina Salazar
Platinum Team Properties
294 S. Main St. Suite B
Templeton, CA 93465
(805)441-2267 cell
(866)250-3136 fax
gsenorita7@gmail.com
Lic.#01493481

3X

Sorrel Marks - Proposed septic system regulation changes

From: claude d <investmentpaso@hotmail.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/25/2011 10:18 AM
Subject: Proposed septic system regulation changes

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero resident, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Sorrel Marks - Atascadero septic issue

From: Sue Kretzu <suekretzu@hotmail.com>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/25/2011 12:59 PM
Subject: Atascadero septic issue

Dear Region 3 Water Quality Board,

Please put my disapproval of the proposed new septic regulations on the record. As an Atascadero property owner, I find that these new regulations will have an undue negative impact on my community. The City tells us that we have approximately 5,000 septic systems in Atascadero yet only an annual average failure rate of 4 to 6 of those systems. That's just a one-tenth of one percent failure rate! If only all things in life were that reliable. To greatly increase minimum parcel size for additional systems and require costly monitoring will further reduce our already seriously impacted real estate values. The real estate market fluctuates, but these new regulations will cause a permanent devaluation. Please do the right thing and avoid these significant and perpetual changes to our septic regulations that will cause unnecessary damage to our otherwise weakened local economy.

Respectfully submitted,

Sue Kretzu

Sue Kretzu, CDPE
license #01451523
REMAX Parkside Real Estate
711 12th St
Paso Robles, Ca 93446
(805) 591-5257 direct
(805) 441-8363 cell
email: suekretzu@remax.net

Oh, by the way...I'm never too busy for your referrals!

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Sorrel Marks - Atascadero Water issues

From: Terry Miles <terry@santaluciaproperties.com>
To: <smarks@waterboards.ca.gov>
Date: 3/24/2011 11:30 AM
Subject: Atascadero Water issues

Please do not impose the septic inspection requirements on the citizens of Atascadero. We are already overburdened with the economy in the real estate market depressed. Let home owners keep their homes without additional costs. With the cost of house in our area far above our pay schedules, don't reduce the minimum parcel size on secondary units. It is allowing extended family to live close together. As a real estate broker I am seeing more buyers wanting a place for their adult children or elderly parents to live independently but close by.

*Thank you,
Terry Miles*

*Terry Miles Broker
DRE #00945439
7401 El Camino Real
Atascadero, Ca 93422
Cell 805-423-7042
Office 805-466-5561
Fax 805-466-0474
Email tmiles@calinet.com*

3AA

From: Glenn Horn <d28player@gmail.com>
To: <smarks@waterboards.ca.gov>
Date: 3/25/2011 1:14 PM
Subject: Proposed septic system regulation changes

Sirs or Madame,

Please record my disapproval of the proposed new septic regulations. The new regulations will have a disastrous effect on our economy that is already going the wrong way. The statistics from the the City of Atascadero say that there are over 5,000 septic systems with approximately 4 to 6 failures per year. That is a failure rate of .00012 failure. Almost nothing has a failure rate that low. I wish regulatory agencies had a failure rate that low.

In order to follow the guidelines you propose to mandate, costly monitoring will be required of homeowners. In addition, new septic regulations will not improve the rate of septic system failures.

RWCB should use cost benefit analysis to structure your policy decisions. This is especially true if there is no real pressing need or impending crisis. Please do not institute a "one size fits all" rule over the entire region. If there is a problem in Santa Cruz, limit your scope to Santa Cruz. Blanket rules are almost never good or necessary and cause a lot of ill will toward the regulatory agency that did not do their homework, not to mention unnecessary expenses for the taxpayers that pay your stipend/salary.

Sincerely submitted,

Glenn Horn, Homeowner and Taxpayer
Atascadero, CA 93422

3BB

Sorrel Marks - atascadero septic

From: Sue Wigand <swigand@charter.net>
To: <info3@waterboards.ca.gov>, <smarks@waterboards.ca.gov>
Date: 3/25/2011 9:30 AM
Subject: atascadero septic

Member of the water board,

Please stop vilifying the citizens of Atascadero whose homes are on septic systems. The city water system is reliant upon on wells, and if septics were indeed a problem, we would have been made aware of it long ago. Our city or county governments would have been employing a gradual move away from the septics. But the draconian imposition of new requirements your board is about to act on is bound to further doom the already devastated real estate market here. Quit trying to 'fix' a problem that doesn't exist. If you feel the need to change requirements for new building, so be it, but to impose these changes on the existing infrastructure is to sound the death knell on our towns economy and future.

Just a truly concerned citizen,

Suzanne C Wigand

300

March 25, 2011

Hello Ms. Marks;

I completely disapprove of the proposed new septic regulations. You and I have not communicated in a while and it is disheartening to me that the Regional Water Quality Control Board continues to try to "fix" problems that do not exist.

I am attaching 2 letters that we wrote in September, 2008, regarding the attempt on the part of the RWQCB at that time to regulate this same situation.

Please read again these 2 letters that summarize our stance and protest of these unnecessary government regulations. If something has changed and I have missed it, please let me know so that I may be informed.

But, if there is no new information and if the RWQCB is just trying to revive the supposed "concern" about the septic systems in Atascadero, please let me know that also. ①

I am guessing that some new information has come to light to have so many people putting in so many hours of working on this. If so, what new "evidence" does the RWQCB have to support this new interest in our septic systems?

Have you finally done an Environmental Impact Report that shows that there actually is a problem with the existing systems and the water in Atascadero? Is there new scientific evidence showing that the 1983 Basin Plan needs to be re-written? Is there proof showing ②

that the 1983 Basin Plan has even been enforced? I asked that question in 2008 and, apparently, there was no proof. If there is no EIR, how do you know that that the new ③

regulations will not do more harm than good? ②

Here is a novel idea: is it possible that the existing septic systems are actually the best way for Atascadero to live in harmony with the environment and Mother Nature? Again, please read the attached letters to be reminded of the consequences of the proposed regulations (and these are just the ones that I, a layperson) can foresee.

I ask that the Regional Water Quality Control Board focus on problems that truly exist.

We, as property owners, are not going to stop protecting our private property rights. Our "pursuit of happiness" is guaranteed in the U. S. Constitution. It would be very progressive if our governing boards could help us do exactly that, instead of putting up unnecessary roadblocks.

Thank you very much.

Jolene Horn
Jolene Horn
3650 Falda Road
Atascadero, CA 93422

2008

I am very concerned about the Basin Plan, R3-2008-0005,3 that was voted on by the RWQCB on May 9 despite opposition stated by speakers. This ordinance limits the use of properties that have septic systems and, as we have been told by Grigger Jones and John Neal of the Atascadero Mutual Water Board, is not necessary because Atascadero does not have a problem with its water or septic systems. Also, our City does not need to fund an unnecessary department of oversight.

Steve Kahn was so concerned about this that he called Suzie Anderson, myself and Heather Moreno to meet with him, Jim Lewis and David Athey with the idea of planning a public workshop to inform citizens of what is being proposed. We then had a second meeting (Heather did not participate—by then she was a Planning Commissioner.) so Tim McKutcheon and Mary Arnold participated. I thought we were on our way to informing the public so that we could know how to voice our opinion before this is heard by the State Water Board in Sacramento on Nov. 18.

This was important enough to be the topic of the Empower Hour in July. Most of us in the audience were stunned by the presentation from the RWQCB and the fact that there was no scientific basis to it.

But the ball got dropped. Steve Kahn left the City on Sept. 12 and assured us that Wade McKinney would be the one to help us inform the public. At this point, the best that Mr. McKinney can do is put the item on The City Council meeting for Oct. 14.

My concern is that this is not going to give us enough time to make ourselves heard before this ordinance goes for approval on Nov. 18. From what I understand, we are fighting an uphill battle anyway. Normally, the State Water Board approves whatever has been passed by the Regional Water Quality Control Boards. After Nov. 18, the ordinance goes through a law review and then becomes law.

This ordinance is going to have a negative effect on our property values. If you are on septic, you will be able to do less with your property, thus making it worth less. And this includes 6 counties, not just Atascadero. This is a big deal and it is about to slide in under the radar. In my opinion, it is ideology and not science. And it is ideology that wants to further erode my private property rights.

2008

1 of 2

Our Regional Water Quality Control Board consists of 9 appointees by Governor Schwarzenegger. 2 of those have been vacant for some time. This Board covers 6 counties from Ventura County up to Monterey County and parts of San Benito County. In May of 2008, the 7 appointees voted to adopt their revision of our 1983 Basin Plan.

The RWQCB assigned the re-write of the 1983 Basin Plan to their staff. What are the qualifications of the staff members to create a law that will affect the people of 6 counties?

Where is the scientific proof that the 1983 Basin Plan needed to be re-written? Was it being enforced? Is there documentation showing that it wasn't working? Is there an analysis? Or, is this just ideology and not science at all?

Atascadero Mutual Water Company described the proposed changes of the Basin Plan in a Letter to the Editor dated June 11, 2008. It stated "Some of the proposed changes to the septic system regulations include; a revised definition of what constitutes a watercourse; increased setbacks of septic systems from waterways; more oversight of septic systems by local agencies; implementation of onsite wastewater management plans by local agencies; mandatory inspection and pumping of septic tanks on a regular basis; requirements for property owners to maintain records and documentation of inspections and pumping; prohibits septic systems for single-family homes on parcels of less than 1 acre, and homes with secondary units on parcels less than 2 acres; prohibits septic systems within the 25 year flood zone; prohibits onsite disposal of self-regenerating water softener brine.

The normal process for the Regional Water Quality Control Board is to have an Environmental Impact Report. Why is there no E.I.R. for this revised Basin Plan? How do we know it won't do more harm than good?

In a communication from Roger Briggs, Executive Officer of the RWQCB, to our City Staff, dated Oct. 27, 2008, Mr. Briggs attempts to correct what he calls "misinformation". He stated that "According to Atascadero Mutual Water Company there are no water quality problems caused by onsite systems; therefore, no onsite system management is needed." As a correction to this "misinformation", Mr. Briggs stated that "If monitoring data are available to demonstrate onsite system discharges do not result in surface or groundwater quality impacts, then please include such information in your management plan. However, it is not appropriate to assume there are no impacts if representative data that could characterize such impacts have not been collected." However, in that June 11 Letter to the Editor, John Neil, General Manager of the Atascadero Mutual Water Company, stated: "In light of the recent RWQCB action, Atascadero Mutual Water Company (AMWC) would like to take this opportunity to advise its customers that water produced from its 17 active wells along the Salinas River consistently meets all current water quality requirements for drinking water. Each year AMWC has nearly 1,000 water samples analyzed for various constituents, including nitrates. One source of nitrates is discharge from septic systems. The nitrate levels in the water samples taken by AMWC averages 7 parts-per-million (ppm), well below the Environmental Protection Agency's maximum contaminant level of 45 ppm.

Apparently, the RWQCB is not interested in the facts. Nor have they provided an E.I.R. which would give us further scientific evidence, like that offered by AMWC. These decisions resulting in laws that effect 6 counties worth of people need to be based on science, not ideology created in a vacuum by people who have no accountability to the public.

In addition, we have a State mandate for affordable housing. I believe that the newly

revised Basin Plan puts us in conflict with that State Mandate. I know that if I have a home on 1 acre on septic I will no longer be able to add a "granny unit" for our aging parents.

There has been lots of talk about smart-growth and infill in the cities of the affected counties. The newly revised plan would prevent infill in our city since so much of our central city area is on septic even though it is already zoned "multi-family".

What about property owners up in the hills on the Westside and on small lots on the east side—what do they do if their septic system fails and there is no room for a second system and sewer is not an option?

With no E.I.R., how do we know what the other effects will be?

The revised plan calls for more regular septic pumping, thus, more septage (the waste that is pumped out of the septic tanks). Currently, that septage is hauled to a treatment plant in Santa Maria. We are told that Santa Maria cannot take any more septage than it already is. That was not very well thought out.

So, will the Basin Plan result that Atascadero must build its own treatment plant for septage and not haul it to Santa Maria? How would we pay for that? Where is the E.I.R. to show how that is going to affect our wells? The citizens of Atascadero are dependent on our 17 community wells. Will the health of that well water be jeopardized? Again, did anybody think this through?

I encourage everyone to think about these things, ask questions, fill out the comment cards.

The Basin Plan revision was scheduled to be heard at the State Water Board (also an appointed body) this month. Quite often the State Water Board rubber stamps what they get from the Regional Boards. They are then reviewed by the state Office of Administrative Law and become our law. Just last week the State kicked this back to the Regional Board for clarification of language and public comment. We now have the opportunity to hold the Regional Water Quality Control Board accountable. It is in our best interest to do exactly that.