

# Frequently Asked Questions Regarding Water Quality Issues in the Los Osos Community

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Central Coast Regional Water Quality Control Board



## Exactly what is the Regional Board requiring in Los Osos?

There seems to be some confusion regarding what the Regional Board does and doesn't require from a wastewater project in Los Osos. First of all, the Regional Board does not specify what type of collection, treatment or disposal is included in the project. However, the Regional Board does set water quality objectives (parameters) and/or requirements that a wastewater project must meet in order to protect water quality, human health and the environment. In addition, the Regional Board is requiring resolution of the water quality problems in Los Osos. Stringent requirements are needed to restore Los Osos water quality. Therefore, only a few technologies and wastewater projects are capable of resolving the complex problems facing Los Osos in a dependable manner.

Much of the project is being financed by a low-interest State loan. Use of such loans is based upon demonstration to this Regional Board and the State Water Resource Control Board that a proposed project is technically, environmentally and financially sound. The project must meet water quality objectives and be a technically sound, proven and practical means of protecting and restoring surface and ground water quality throughout the Prohibition Discharge Zone. Otherwise, State loan funding is not available.

During the past two decades of project development, three separate and comprehensive alternatives evaluations have been conducted to assure that the project is the best and most cost-effective means of addressing the water quality problems. After the Coastal Commission in 1998 agreed with many Los Osos residents that Los Osos should have a Community Services District (CSD) and develop its own wastewater solution, the Regional Board allowed time for the CSD startup and the CSD's alternative evaluation. The CSD has developed an acceptable project and the Regional Board has adopted a Time Schedule Order (Enforcement Order with penalties of \$10,000 a day for each day of violation of the schedule) requiring compliance with an

implementation schedule. This is the community's project. There is no longer an option to start over again (the project planning phase) without significant penalties being imposed for failure to move forward in a timely manner.

## Does U.S. EPA support or oppose this Project?

The United States Environmental Protection Agency (U.S. EPA) strongly supports resolving water quality issues associated with septic system discharges in Los Osos. Similar to the Regional Board, U.S. EPA does not typically mandate a particular method for resolving the water quality problems. However, U.S. EPA supports (with staff and financial resources) the Comprehensive Conservation and Management Plan (CCMP) for Morro Bay National Estuary. A priority implementation action (NUTR-1) of the CCMP calls for the support of efforts by the CSD to increase and improve the level of wastewater treatment in the community of Los Osos.

Ms. Cheryl McGovern, U.S. EPA staff representative for the Morro Bay National Estuary Program recently stated: "While the U.S. EPA values the dissemination of information for on-site wastewater management options in general, we continue to support the construction of the centralized wastewater treatment facility as the fastest, most economical and environmentally protective solution to the Los Osos wastewater pollution problem."

In 1994, a staff member from the U.S. EPA Office of Research and Development, provided an evaluation of Los Osos wastewater conditions and treatment options (Kreissel Report) which states: "Without a doubt the densely populated sections of Los Osos, e.g., El Moro, Upland, Los Osos Village and Cuesta will require centralized wastewater collection owing to the fact that they cannot physically accommodate properly designed onsite systems, as required by more than 40 sets of state standards and the present standards of the San Luis Obispo County." He further summarized by stating that, "The non-

sewered option is not physically feasible due to lot size limitations in most of the presently developed lots of Los Osos and due to nitrogen removal limitations which fall short of the present RWQCB requirements." Unfortunately, Mr. Kreissel's report has been repeatedly mischaracterized by project opponents, leading to confusion on this issue.

### **There are suggestions by some that monitoring wells are the culprit?**

The Los Osos Community Services District recently developed a comprehensive ground water monitoring program to evaluate long-term trends of ground water quality. As part of its ground water protection efforts, the District evaluated the integrity of several wells, including the eleven most recently used for nitrate monitoring. This evaluation identified and recommended improvements to some of the wells (if they are to remain in use), and determined that none of the wells evaluated had significant potential for impacting ground water. The District is proceeding with improvements to those wells.

However, it is important to keep in mind related and significant factors that are impacting Los Osos' ground water basin. These factors include the basin's hydrogeology, relative contribution from individual pollutant sources, pollutant fate and transport and their relative concentrations. Any small amount of storm runoff, which could have entered a well, is insignificant when compared to the pollutant loading from approximately 5,000 septic systems within the community. Remember these septic systems discharge about one million gallons a day of partially treated wastewater.

### **What if the project is stopped?**

The Regional Board's requirements and the Time Schedule Order are for the community's governing entity (the CSD) regardless of specific members of the Board of Directors. In fact, one CSD Director is not a member of the same group initially elected to the CSD. Accordingly, requirements remain regardless of Director changes. Any resulting delays due to revising the project would be cause for enforcement of the Time Schedule Order. Such action would undoubtedly result in significant expense for the

CSD (penalties, legal representation and loss/repayment of \$2 million in Proposition 13 grant funds, and lost opportunity for future Proposition 13 funds). It is not clear whether the CSD could remain a viable governing entity if faced with such expenses.

In the event that responsibility for community services in Los Osos reverts to the County, the Regional Board maintains similar enforcement documents issued to assure the County will proceed with a wastewater project in a timely manner. As described, however, the community has already "been there, done that" with the County; desired and received the opportunity to have a community based project, and its time to proceed.

### **Summary**

We believe the community, through its locally elected Los Osos Community Services District, has been working hard to develop a technically sound and viable wastewater project. This project was developed after lengthy and comprehensive evaluation of wastewater technologies and alternatives. We encourage all community members to participate in development of the project to assure the result is a source of pride for the community.

### **For More Information**

If you have questions, please contact:  
  
Sorrel Marks, Project Manager at 549-3695 or Gerhard Hubner, Coastal Watershed Supervisor at 542-4647



**About the Central Coast Regional Water Quality Control Board:** Located in San Luis Obispo, we're part of the California Environmental Protection Agency (Cal/EPA). Our mission is to preserve, enhance, and restore the quality of the Central Coast Region's water resources for the benefit of present and future generations. You can contact us by telephone at (805)-549-3147. **Visit us on the web at:** [www.swrcb.ca.gov/rwqcb3/WMI/Index.html](http://www.swrcb.ca.gov/rwqcb3/WMI/Index.html)