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December 16, 2005

State Water Resources Control Board
Office of Chief Counsel
Attn: Elizabeth Miller Jennings
Senior Staff Counsel
P.O. Box 100
Sacramento, CA 95812-0100

PETITION OF LOS OSOS COMMUNITY SERVICES DISTRICT (TIME SCHEDULE ORDER NO. 00-131 FOR ON-SITE DISPOSAL FACILITIES), CENTRAL COAST REGION:
REQUEST TO ACTIVATE PETITION HELD IN ABEYANCE BY FILING AMENDED PETITION FOR REVIEW
SWRCB/OCC FILE A-1337

Pursuant to Section 13320 of the California Water Code and Section 2050 of Title 23 of the California Code of regulations ("CCR"), the Los Osos Community Services District ("petitioner" or "District") petitioned the State Water Resources Control Board ("State Board") to review the final decision of the California Regional Water Quality Control Board, Central Coast Region ("Regional Board"), to adopt Order No. 00-131, a Time Schedule Order concerning the Los Osos Community Services District. The petition was filed in a timely manner on November 20, 2000. A copy of the final Order No. 00-131 was attached to that petition. Since that time, pursuant to the request of petitioner, the State Board has held this petition in abeyance. The petitioner now requests that the petition be activated and hereby files this Amended Petition for review that more fully

describes the issues and concerns of the petitioner and responds to the regulatory provisions that have changed since the filing on November 20, 2000.

1. NAME, ADDRESS, TELEPHONE NUMBER AND EMAIL ADDRESS OF PETITIONER

Los Osos Community Services District
Attn: Dan Bleskey, Interim General Manager
P.O. Box 6064
Los Osos, CA 93412
Telephone: (805) 528-9436
Email: dbleskey@losososcsd.org

2. THE SPECIFIC ACTION OR INACTION OF THE REGIONAL BOARD WHICH THE STATE BOARD IS REQUESTED TO REVIEW AND A COPY OF ANY ORDER OF THE REGIONAL BOARD WHICH IS REFERRED TO IN THE PETITION

Petitioner seeks review of Order No. 00-131, a Time Schedule Order concerning the Los Osos Community Services District. A copy of the final order is attached as Exhibit A.

3. THE DATE ON WHICH THE REGIONAL BOARD ACTED OR REFUSED TO ACT

The Regional Board acted on October 27, 2000.

4. A FULL AND COMPLETE STATEMENT OF THE REASONS THAT THE ACTION INAPPROPRIATE OR IMPROPER

- Petitioners were inappropriately held responsible for actions and delays that occurred prior to the creation of the District as a public entity.
- The unanticipated project delays were beyond the reasonable control of the District.
- The adoption by the Regional Board of a Time Schedule Order was an unreasonable and inappropriate use of a time schedule order.

- Order No. 00-131 inappropriately holds the District responsible for the entire prohibition area rather than just it's four service areas.
- The amount of penalty is not based on an amount reasonably necessary to achieve compliance.
- Based on the above reasons, adoption of Order No. 00-131 was an abuse of the Regional Board discretion and was arbitrary and capricious.

5. THE MANNER IN WHICH PETITIONER IS AGGRIEVED

The petitioner is the public entity responsible for compliance with Order No. 00-131 and the cease and desist orders on which the Time Schedule Order is based. If the petitioner does not comply with the provisions of the Order, they will be subject to substantial penalties in the amount of $10,000 per day for each day in which the violation of the time schedule occurs.

8. THE SPECIFIC ACTION BY THE STATE OR REGIONAL BOARD WHICH PETITIONER REQUESTS

The petitioner requests that the State Board dismiss and vacate Order No. 00-131.

7. A STATEMENT OF POINTS AND AUTHORITIES IN SUPPORT OF LEGAL ISSUES RAISED IN THE PETITION, INCLUDING CITATIONS TO DOCUMENTS OR THE TRANSCRIPT OF THE REGIONAL BOARD HEARING WHERE APPROPRIATE

A Statement of Points and Authorities is attached as Exhibit B, with references to documents and the transcript where appropriate.

8. A STATEMENT THAT THE PETITION HAS BEEN SENT TO THE REGIONAL BOARD

A copy of this amended petition and the attachments were sent to the Regional Board by email on December 16, 2005.

9. A STATEMENT THAT THE SUBSTANTIVE ISSUES AND OBJECTIONS RAISED IN THE PETITION AND AMENDED PETITION WERE RAISED BEFORE THE REGIONAL BOARD

The Petitioner raised the substantive issues and objections raised in this Amended

Petition before the Regional Board.

If you have any questions regarding this Amended Petition, please contact Gary J. Grimm at (510) 848-4140.

Dated: December 16, 2005

Respectfully submitted,

Gary J. Grimm
Attorney for Petitioner