

**BRIAN D. CALL**

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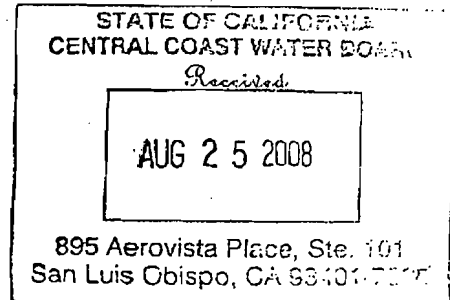
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Sean Flavin  
Of Counsel

August 22, 2008

Roger W. Briggs  
Executive Officer  
California Regional Water Quality Control Board  
Central Coast Region  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906

**By E-Mail**



Re: 192 San Remo Road, Carmel Highlands, Monterey County  
APN: 243-181-005  
Proposed Waiver of Waste Discharge Requirements for Alternative Onsite  
Wastewater Disposal System (Resolution R3-2008-0060)

Dear Mr. Briggs:

This will confirm that I represent Mary Whitney who resides at 195 San Remo Road. Ms. Whitney's residence utilizes the same private driveway that the applicant proposes for access to the property that is the subject of the above-referenced proposed waiver.

Ms. Whitney would oppose the proposed waiver of waste discharge requirements for alternative onsite wastewater disposal system (proposed Resolution R3-2008-0060) on the following grounds:

1. The alternative onsite wastewater disposal system is designed for a lot configuration that does not exist. The applicant's proposed lot line adjustment has been denied by the California Coastal Commission. It is not appropriate to grant a waiver in connection with a lot configuration (with property lines running north and south) when the current lot configuration provides for lot lines running east and west.
2. The development of any wastewater system on the subject property is in violation of Monterey County Board of Supervisors Ordinance No. 5093.
3. The proposed ultraviolet disinfection system is currently being reviewed by outside consultants. Ms. Whitney reserves the right to bring before the Board any deficiencies associated with the engineered system proposed by Andrew Brownstone of BioSphere Consulting on behalf of the applicant.

Item No. 27 Attachment No. 9  
WDR Moeller Residence  
192 San Remo Rd.  
R3-2008-0060  
December 4-5 2008 Meeting

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4. The geotechnical investigation report prepared by Richard Dante of Soils Surveys, Inc. is currently being reviewed by outside consultants for Ms. Whitney. Ms. Whitney reserves the right to address any geotechnical concerns associated with the geotechnical investigation report prepared on behalf of the applicant.

5. The proposed engineered wastewater disposal system will require ongoing inspection, maintenance and repair. There is no guarantee that any proprietary system utilized by the applicant will be inspected, maintained and repaired in a manner sufficient to continue to meet or exceed applicable Basin Plan numeric criteria.

Ms. Whitney reserves the right to address any further concerns which may arise with respect to the proposed waiver at the meeting to be held on October 16 and 17, 2008.

Very truly yours,



Brian D. Call

BDC/djv

cc: Matthew Keeling (by e-mail)  
Burton Chadwick (by e-mail)  
Richard LeWarne, County of Monterey  
Andrew Brownstone, BioSphere Consulting  
Liz González, County of Monterey  
Pamela Silkwood, Esq.  
Mary Agnese De La Roza  
William Daniels, Esq.  
Leland and Judith Lewis  
Misaki Olson  
Jonathan Bailey P.E., CPESC, Stevens, Ferrone & Bailey Engineering Co., Inc.