STATE OF CALIFORNIA
CENTRAL COAST WATER BOARD
Received
FEB 2 4 2006
895 Aerovista Place, Ste. 101
San Luis Obispo, CA 93401-7906

February 21, 2006

RE: Proposed Cease & Desist Hearing, March 23, 2006,
for Certain Dischargers Within the Los Osos Prohibition Zone.

Submitted as an INTERESTED PARTY

Dear Sirs,

Since I live within the Los Osos Prohibition Zone, I am an "Interested Party" to the recent Cease and Desist order targeting Forty Five Random Citizens. The following are my comments for the public record:

I strongly object to the proposed plan to target 45 random citizens, and then require that the entire prohibition zone be issued the same Cease & Desist Orders for a few of the following reason:

1. Targeting forty RANDOM homes and requiring that they pump their septic tanks 6 x a year makes as much sense as someone attempting to "fix" an avian flu outbreak by finding 45 random ducks and shooting them. Nevermind that the ducks may come from a region that has no avian flu in it. Nope, forty-five *random* ducks will do the trick.

This is not "science," and has the unfortunate effect of making it clear that the RWQCB is not *serious* about solving water quality issues.

2. In the RWQCB's Spring 202 (Edition 1 of 4) information sheet, " Frequently Asked Questions . . " it states that the RWQCB's mission is "to preserve, enhance and restore the quality of California's water resources .." and then covers three issues with Los Osos:

(a) "Ground water (drinking water supply) has been so degraded by **nitrates** that many areas no longer meet State drinking water standards and use of the shallow portions of the aquifer is now limited . . ." (b) "In less adequately **drained** areas, surfacing wastewater remains ponded until it can soak back into the soil. " (c) "Furthermore, DNA testing of bacteria laden **seepage** into Morro Bay from the Los Osos shoreline (ground water seeps) has confirmed the largest source of bacteria is from humans." [whether from street drainage and/or adjacent septic tanks, the Kitts study couldn't and didn't say.) (Attachment A)

IF the RWQCB's handout is correct, the RWQCB's goal in Los Osos is to deal with these **three** items: Nitrates, drainage and seepage. Drainage and drainage seepage are out of the control of the individual homeowner. Fixing those problems lies with the CSD (repair roads and drainage ditches, etc.)

HOWEVER, after the informational meeting with the staff prosecution team on February 15, it's not at all clear that what they're after is a reduction of *nitrates.* We were told that the goal was a target reduction of 22% of all *wastewater* discharge at the tank level, the

theory being, I suppose, that that will reduce nitrates at the groundwater level. However, later statements indicated their real goal may be nitrate reduction. But that's still not clear.

Before this Board continues with this CDO process, it needs to establish just what its goal is: Nitrate load reduction? If so, by how much? (Right now, the latest water studies show that the average yearly nitrate load of all wells tested is 10.4. Since state limits are 10, is the Board requiring individual septic pumping in order to reduce the number back down to 10? Or reduce the 10.4 number by 22% If so, what studies show that pumping tanks 6 times a year actually accomplishes that nitrate load reduction? Also, if you're basing your 22% reduction on nitrates in the tank, how does that relate to the nitrate number in the soil at ground water level, to be found in the Los Osos Nitrogen Study data, listed as Prosecution Document #28? (Attachment B)

3. At that same February 15th meeting, RWQCB staff member Matt Thompson was asked about the impact of removing millions of gallons of wastewater from the watershed when the community is already in overdraft and he replied he didn't know what impact such removal would have and commented that *he was not aware of the overdraft situation.* If true, this means your staff is not aware of the Cleath & Associates latest water studies and so *are not ready to advise you on any plan involving water removal.* And if they're not clear just what their goal is (water removal or nitrate load reduction or what?) then they're not ready to proceed with advising this Board on this matter either.

Additionally, several other questions and comments made by staff indicate that they haven't really thought this plan through. For example, the staff report is requiring pumping OR an alternative (i.e. enhanced onsite systems, for example) but when I asked what the acceptable minimum parameters for an enhanced system's output were (i.e. proven target nitrate numbers, BODs, etc) *they didn't know and would have to look into creating those numbers and making them available to the public.*

That information should have *already* been in the proposal packet and that lack of information in a legal proceeding is simply unacceptable and once again indicates the haste with which this plan has been put into motion. Your staff is flying blind here. Considering the seriousness of this issue, that should be of grave concern to this Board.

4. According to "Septic Tank Septage Pumping Intervals," by T.R. Bounds, presented at the 1994 conference of the American Society of Agricultural Engineers in Atlanta, Georgia, ""Pumping tanks more often than necessary not only wastes money and resources, but it increases pressure on already overburdened septage receiving facilities. Those in charge of collections systems and on-site systems with septic tanks must have a logical basis for scheduling septage removal. " (p.2) And, "An arbitrarily short pumping interval may distort this operational cost by a factor of ten or twenty, causing it to appear prohibitive, or, at the very least, resulting in the expensive practice of **transporting septage composed primarily of water**." (p. 1) [emphasis mine.]And, "Suggestions or requirement that all septic tanks must be pumped every two, three or even five years are simply unsupported by scientific evidence. **The microbial activity that affects optimal**

decomposition takes up to three years to develop fully." (p. 13) [emphasis mine] (Attachment C)

In proposing an arbitrary pumping scheme, it's clear that you have not considered the collateral damage that can be done to septic systems. Your proposed pumping scheme may result in the law of unintended consequences – ie. making the tanks perform poorly due to lack of optimum bacteria functioning, thereby making the discharge situation worse, not better.

5. Picking forty five *random* homes further shows a complete lack of "science" or serious intent. So does requiring pumping the entire prohibition zone. Your staff has NOT made clear what the goal is: Nitrate reduction or waste*water* reduction. If it's nitrate reduction, you need to put an overlay of your own map of the location of the forty five targeted homes (on your website and included as your own Attachment 1) over the recent ground-water map prepared by CSD Engineer Rob Miller (which is in your own staff files). The various well-monitoring results as well as elevation/groundwater maps clearly show that your *random* CDO's have ignored whole, coherent areas of *high*-ground water sites, sites where pumping would yield real bang for the buck in reducing overall nitrates, while requiring pointless pumping from people located in *low*-ground water areas (30' – 50' to groundwater and so almost zero yield of nitrates) where the well data shows nitrate concentrations are either at State levels or only slightly elevated. This is a complete waste of time and resources and once again indicates a lack of serious purpose in scientifically reducing overall nitrate loads to the basin. (Attachment D & E)

6. According to an email response to my question from your Staff member, Matt Thompson, in answer to my questions concerning the numbers the CDO were using, apparently the supposed basis for this pumping scheme is based on an "guestimate" as to nitrate numbers in average tanks and, numbers based on water in the tank, not the nitrate levels in the soil column before it hits groundwater. Mr. Thompson states that "This is a simple calculation, [so] a study is not necessary." He also claims that this pumping will result in a 22% reduction in . . . what? The nitrate load to the basin? If so, Mr. Thompson's calculations don't take into consideration the known denitrification in the soil column, which can be found in your own documents (#27 & 28 of your Master Document List 1). So, to what does the 22% refer? Nitrates in the tank? Nitrates in the soil? At what depth, on average? (Attachment B)

Furthermore, IF the point of the CDOs is to reduce the nitrate load to the basin, then shouldn't the target number be a reduction for nitrogen in pounds throughout the prohibition zone and/or entire basin? If so, what is the relation between waste*water* in the tank and the final nitrogen loading in *pounds* in the basin? The CDO's don't say.

7. Shane Stoneman, Los Osos resident, wrote a February 14, 06 "Viewpoint" to the *Tribune*. He notes that he's one of the random targeted 45. He also notes that this forced pumping " . . . won't even help the water quality of the Bay, **since my home is on top of a hill at 225 feet above sea level."** [emphasis mine] If your concern is the nitrate load to

the groundwater and/or the septic tank seepage to the bay, what science on earth would target someone like Mr. Stoneman? (Attachment F)

There's the further issue of Sheep & Goats. Your unscientific "cookie cutter" order, makes no distinction between the nitrate output of someone living alone or the nitrate output by a family of 6. It makes no distinction between someone living 225 feet above sea level or a home located right on the bay. In short, the punishment does not fit the crime, the "solution" doesn't match the degree of discharge to the groundwater, thereby negating fair due process .

In fact, I can find no per capita / depth to groundwater/distance from the bay calculation in any of the material the public has been sent. Where is that information? This one-size-fits-all scheme wastes water and money, hangs sheep for goats, financially treats citizens unequally and gives you almost no bang for the communities' buck.

In fact, this plan further erodes the confidence that this community has that you're proceeding in a scientifically sound manner. Instead, this hastily concocted scheme that's clearly being invented on the fly only reinforces the suspicions that this whole plan is nothing but "politics."

This conclusion becomes especially clear when you look at the history of the RWQCB's actions against the newly formed CSD in 1999. *Even before the election and before they took office, the "Solutions Group" candidates had a RWQCB staff report in hand indicating that their ponding plans* ***wouldn't work and would not be approved by your staff and Board, yet the new CSD proceeded for two years to futz around with the Ponds while the RWQCB did nothing****. Not a single CDO was issued.* Yet in 2005's recall election, in an action that was nearly a duplicate of 1999, (i.e. stopping work on the "county plan") the CDOs were being prepared *before the election dust had settled.* Unlike the original CSD Board, the new board did not get two years. They didn't get two weeks. That smacks of politics, not science.

Instead of this hastily slapped together, unscientifically unsound scheme, I would urge your board to order your staff to sit down with the CSD staff to look at **coherent, *scientifically sound*** methods of mitigation that would achieve the same results BEFORE you proceed with this plan. We have been told that this process is underway even now. I would urge you to get your facts and goals settled BEFORE proceeding to involve individual members of the public. I would also urge your Board to actively work with State Assemblyman Sam Blakeslee on getting emergency legislation to create a basin-wide Septic Maintenance District. (Attachment G)

Furthermore, if your interest is in interim nitrate reduction of the basin (until the new sewer plant is built and running), I would urge your Board to require that your Staff certify acceptable enhanced on-site systems for interim use. For example, Dr. Alexander of Cayucos, has stated that he has a $4,000 unit that he claims will remove 98% of nitrates from septic discharges. He further claims that he has proven his tested results to the RWQCB staff's satisfaction. IF THAT IS TRUE, then Dr. Alexander's system would

be a *scientifically better* alternative for removing nitrates than your pumping scheme, but it would *not* be *financially better* UNLESS you waive your $900 a year "discharge" and testing fees. In short, IF Dr. Alexander's system actually works, the community would have a much better alternative, but ONLY if your Board made it financially viable.

So the choice again comes down to a simple question: Do you want the community to simply waste money and resources or do you want them to dramatically reduce the nitrate load of the basin while the new sewer plant is being built?

Your board can help speed that process or it can impede that process by throwing roadblocks in the way. Your decision on March 23 will indicate your real intent. Since we are all supposed to be working for Water QUALITY, I can only hope your decision will help that process, not hinder it.

Sincerely,

Ann Calhoun
1698 16th St.
Los Osos, CA 93402
email: churadogs@aol.com

c.c.designated CDO list.

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

Spring 2002 (Edition 1 of 4)
Central Coast Regional Water Quality Control Board

Who is the Regional Board and what is its mandate?

The Regional Water Quality Control Board is a State Agency composed of nine Governor appointed members with a mission to preserve, enhance and restore the quality of California's water resources for the benefit of present and future generations. There are nine Regional Boards statewide, plus the State Board (parent agency) in Sacramento. The Central Coast Region reaches from Santa Clara County to northern Ventura County and inland to the ridgeline of the coastal range.

The Regional Boards regulate discharges of waste in order to prevent degradation of water quality. For example, the Regional Board regulates industries including: wineries, dairies, quarries, power plants, as well as community wastewater systems, chemical spills, and cleanup sites such as the Unocal Guadalupe and Avila Beach sites. Also, staff at the Regional Board are involved in a variety of public education, assistance and regulatory programs to promote land use practices which will result in water quality protective agricultural use practices, erosion control, stormwater management, promoting conservation easements, etc.

Does Los Osos have a water quality problem?

Yes, the Los Osos Community does have a variety of water quality problems. Located on the southern edge of Morro Bay State and National Estuary, the community of Baywood Park/Los Osos has a population of approximately 15,000 people or about 5,000 individual lots served by septic systems. Many of the lots are too small for standard leachfield disposal (some lots are only 25 or 37.5 feet wide), therefore pits are used for waste disposal. In the most acutely problematic areas, disposal pits extend into shallow ground water leaving no soil column for further treatment of waste.

Inadequate treatment and disposal of wastewater in Los Osos impacts beneficial uses of surface and ground water in a number of ways. Ground water (drinking water supply) has been so degraded by nitrates that many areas no longer meet State drinking water standards and use of the shallow portions of the aquifer is now limited primarily to non-domestic (irrigation) supply. Because shallow ground water is so degraded, domestic supply is pumped primarily from the deeper portions of the aquifer. Pumping from the deeper zone increases the potential for seawater intrusion into the deeper zone.

Surfacing ground water, especially during the wet season, creates a public health threat by forcing wastewater to the ground surface. Surfacing water (ground water mixed with wastewater) flows and/or is pumped into roadside ditches and storm drains, which then flow into Morro Bay. In less adequately drained areas, surfacing wastewater remains ponded until it can soak back into the soil. This situation is hazardous to children who are tempted to play in these puddles. Increased bacteria in Morro Bay have contaminated shellfish and resulted in shellfish growing areas being downgraded by the State Department of Health Services. Furthermore, DNA testing of bacteria laden seepage into Morro Bay from the Los Osos shoreline (ground water seeps) has confirmed the largest source of bacteria is from humans. Continued use of septic systems in the community will only increase these problems.

Why can't Los Osos residents continue using their septic systems?

Los Osos is unique in many respects, but mainly because of its location adjacent to a beautiful, but environmentally sensitive, area such as the Morro Bay State and National

B

Prosecution Initial Document List **January 27, 2006**

Num	Submitted by	Document Description
15	Prosecution Staff	03-17-02 Memo regarding ground water network design, Attachment: Monitoring Plan TO: Gerhardt Hubner FROM: Bruce Buel
16	Prosecution Staff	08-13-01 Letter regarding proposal for nitrate monitoring program TO: Bruce Buel FROM: Spencer Harris, Cleath & Associates
17	Prosecution Staff	03-07-01 Wastewater Facilities Project Final Project Report BY: Montgomery Watson
18	Prosecution Staff	03-01-01 Final EIR for Los Osos CSD Wastewater Facilities (includes 11/00 Draft EIR) BY: Crawford, Multari & Clark Associates
19	Prosecution Staff	Dec. 2000 Urban Water Management Plan BY: John Wallace & Associates and Maddaus Water Management
20	Prosecution Staff	Time Schedule Order 00-131, to Los Osos Community Services District
21	Prosecution Staff	01-15-99 Letter regarding water quality issues in Los Osos TO: Sorrel Marks FROM: Gregory Thomas, Co. Public Heath Dpt.
22	Prosecution Staff	10-02-98 Letter regarding public notification of severity of sewage issues, Attachments: 9/2/98 letter to Robert van't Riet, 6/8/98 letter to Donald Burlingame TO: Susan Zepeda, Co. Health Agency FROM: Roger Briggs
23	Prosecution Staff	03-31-98 Public Notice urging public to take precautions to avoid contaminated water FROM: Co. Public Health Dept.
24	Prosecution Staff	Dec. 1995 Assessment of Nitrate Contamination in Ground Water Basins of the Central Coast Region, Preliminary Working Draft BY: California Regional Water Quality Control Board, Central Coast Region
25	Prosecution Staff	06-27-95 Letter regarding complaints of surfacing sewage TO: Bill Moylan FROM: Jerry LeMoine, Co. Health Dept.
26	Prosecution Staff	March 1995 Los Osos Wastewater Study Task F – Report on Sanitary Survey and Nitrate Source Study BY: Metcalf & Eddy, Inc.
27	Prosecution Staff	06-17-93 Letter regarding preliminary draft report for Los Osos Nitrogen Study TO: Percy Garcia FROM: William Leonard
28	Prosecution Staff	01-29-93 Memorandum regarding Baywood Park/Los Osos Sewer Project, Attachments: Los Osos Nitrogen Study data, Baywood Park Ground Water Study data, chronology, news clippings TO: Regional Board Members FROM: William Leonard
29	Prosecution Staff	01-19-84 SWRCB Resolution No. 84-13 considering amendment of the Central Coast Basin Plan by addition of prohibition of waste discharges in Los Osos
30	Prosecution Staff	01-04-84 SWRCB Staff Report for consideration of Basin Plan amendment prohibiting septic system discharges in Los Osos, Attachment: RWQCB Staff Report for Resolution No. 83-13
31	Prosecution Staff	09-27-83 Memorandum with attached documentation on Basin Plan Amendment, Resolution 83-13 (Los Osos discharge prohibition) TO: Walter Petit FROM: RWQCB, Central Coast Region
32	Prosecution Staff	09-16-83 Staff Report for Resolution No. 83-12, consideration of amendments to Water Quality Control Plan concerning individual/community disposal systems
33	Prosecution Staff	1983 Brown and Caldwell, Phase I Water Quality Management Study Vol. I and II
34	Prosecution Staff	INTERIM WATER QUALITY CONTROL PLAN for the CENTRAL COASTAL BASIN JUNE 1971, pp. 24, 51.

In My Documents. adobe-septic Pumping O Renci

This paper was first presented by Terry R. Bounds, P.E., at the 1994 conference of the American Society of Agricultural Engineers, in Atlanta, Georgia. This article may describe design criteria that was in effect at the time the article was written. FOR CURRENT DESIGN CRITERIA, call Orenco Systems, Inc. at 1-800-348-9843.

Septic Tank Septage Pumping Intervals

T.R. Bounds, P. E.*

Abstract

When a designer initiates an economic analysis of an effluent sewer—e.g. a septic tank effluent pump (STEP) collection system or a variable-grade collection system—or an on-site management district, the ability to predict tank pumping intervals is necessary for assigning a cost to that function. An arbitrarily short pumping interval may distort this operational cost by a factor of ten or twenty, causing it to appear prohibitive, or, at the very least, resulting in the expensive practice of transporting septage composed primarily of water. Pumping tanks more often than necessary not only wastes money and resources, but increases pressure on already overburdened septage receiving facilities.

In the 1970s effluent sewer systems were relatively rare, and operation and maintenance scheduling, including septic tank pumping intervals, were projected using information from U.S. Public Health Service studies published in 1955. During the 1980s, an eight-year audit of 450 watertight septic tanks in an effluent sewer system at Glide, Oregon, demonstrated respectable correlation with those Public Health Service studies, determining that 12 year pumping intervals predicted 30 years before, for an average size family with an adequately sized tank, were not unreasonably long. In 1991 Montesano, Washington, an effluent sewer community of 1,125 watertight septic tanks, found after monitoring 19% of their system that they too experience similar septage accumulation rates.

Based on the assumption that watertight tanks are an essential ingredient in any effluent sewer or managed on-site district, methods are presented to enable designers, regulators, and operations personnel to size tanks relative to occupancy loading, to achieve adequate hydraulic retention times for settlement of solids, to determine a tank's optimum effluent withdrawal level, and to predict septage pumping intervals.

Keywords

Septic tanks, Septage, Pumping, Interval, Frequency

Septic Tanks

There is a good reason why, in this age of advanced technology, the septic tank is still in use. It works. More than 45% of ultimate treatment can be accomplished in the septic tank. Its anoxic digestion can reduce solids as much as 80%. In short, the energy free septic tank is the most cost efficient primary treatment available for nonindustrial sewage. Eventually, however, a septic tank's undigested solids must be removed and disposed of. When is "eventually?" Opinions vary widely. Estimations based on guesswork or on traditional practices are frequently unreliable. Making accurate predictions of septage pumping intervals, however, is not only possible, it's often essential. When a designer undertakes an economic analysis of an effluent sewer—e.g. septic tank effluent pump (STEP) or variable-grade collection system—and when the manager of an on-site district establishes a maintenance budget, the ability to predict tank pumping intervals is imperative for assigning a cost to that function. An arbitrarily shortened pumping interval may inflate this operational cost causing it to appear prohibitive,

*T. R. Bounds, P.E., Vice President, Orenco Systems, Inc., Sutherlin, Oregon.

or, at the very least, resulting in the expensive practice of transporting septage that is mostly water. Pumping tanks more often than necessary not only wastes money and resources, but it increases pressure on already overburdened septage receiving facilities. Those in charge of collection systems and on-site systems with septic tanks must have a logical basis for scheduling septage removal.

Old-fashioned septic tanks, constructed without benefit of concrete design and with little or no reinforcing, are now outmoded. Design demands and progressive manufacturers are now able to supply sophisticated constructions that are engineered to be structurally sound and watertight. Leaky tanks, which turn many traditional on-site systems into nothing more than cesspools, are unacceptable in managed systems. Where ground water levels are high, leaky tanks allow infiltration that causes solids and greases to wash through the tank, eventually damaging pumps and, further, the disposal system. Where high ground water is not a problem, a leaky tank will exfiltrate, lowering the scum layer to the outlet level and discharging solids and grease. It follows, then, that for wastewater systems with septic tanks to be efficient and reliable, and for predictions of solids accumulations and pumping intervals to have validity, septic tanks must be watertight.

Calculations presented here enable designers, regulators, and operations personnel dealing with structurally-sound, watertight septic tanks to achieve adequate hydraulic retention times for settlement of solids, to determine a tank's optimum effluent withdrawal level, to predict septage pumping intervals, and to size tanks relative to occupancy loading.

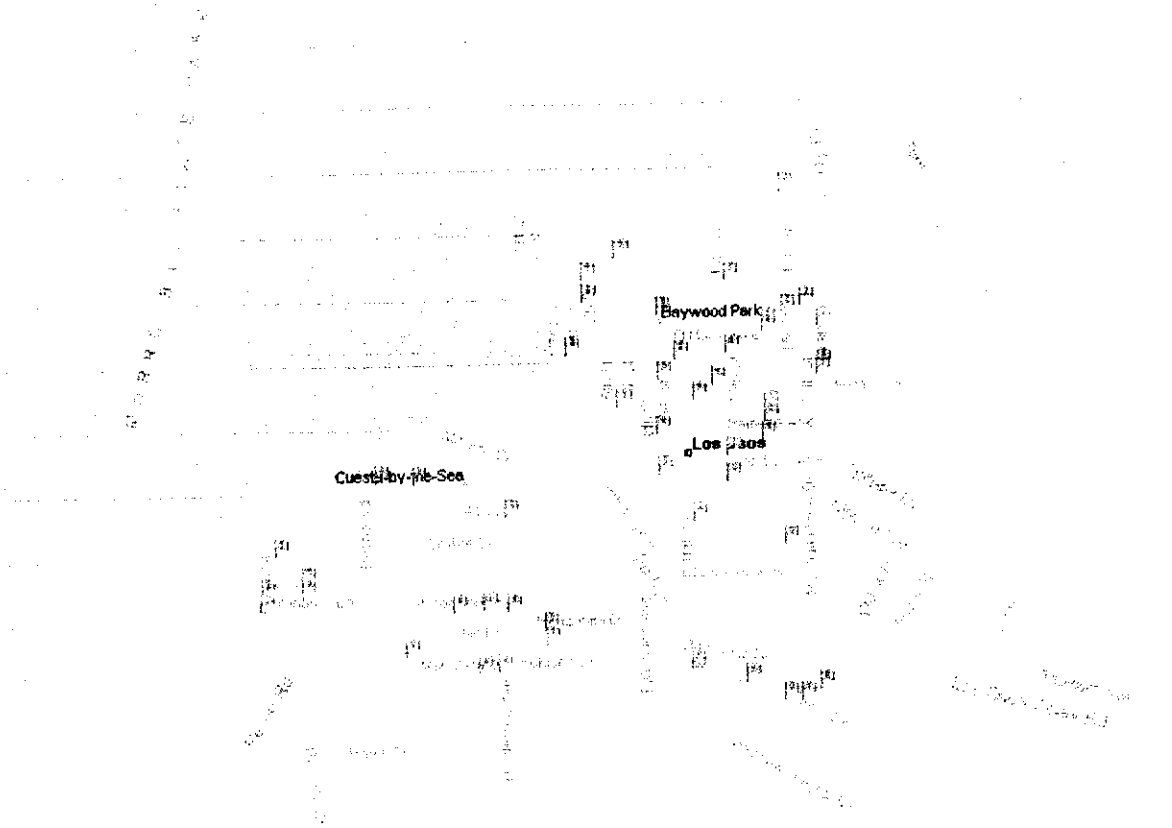
Defining the Tank

Figure 1 depicts a 1000 gallon concrete septic tank typical of the type used in on-site disposal systems, maintenance districts, and effluent sewers. The 1000 gallon designation is nominal and refers to the volume normally occupied by the tank's contents, not including reserve space. Total volume is actually 1200 gallons.

Wastewater flows for single-family dwellings typically range from 40 to 60 gallons per capita per day (gpcd); 50 gcpd is a commonly used design parameter and is the value used in calculations herein. The number of individuals (capita) is assumed to average three per dwelling.

ATTACHMENT 1

Prohibition Zone Property Owners and Tenants Receiving Cease and Desist Orders



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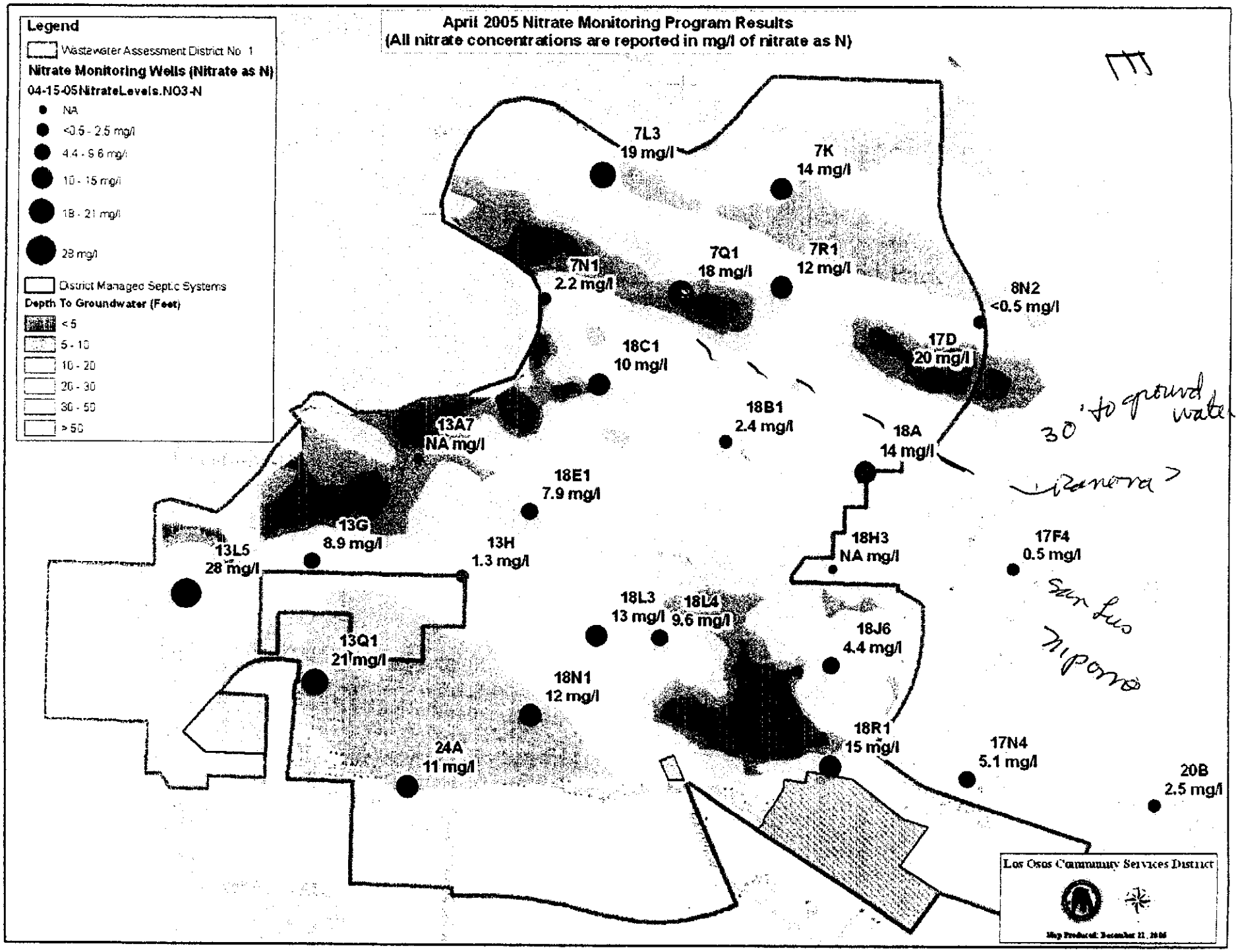
April 2005 Nitrate Monitoring Program Results
(All nitrate concentrations are reported in mg/l of nitrate as N)
Legend
Wastewater Assessment District No 1
Nitrate Monitoring Wells (Nitrate as N)
04-15-05NitrateLevels.NO3-N
NA
<0.5 - 2.5 mg/l
4.4 - 9.6 mg/l
10 - 15 mg/l
18 - 21 mg/l
28 mg/l
District Managed Septic Systems
Depth To Groundwater (Feet)
< 5
5 - 10
10 - 20
20 - 30
30 - 50
> 50
7L3
19 mg/l
7K
14 mg/l
7N1
2.2 mg/l
7Q1
18 mg/l
7R1
12 mg/l
8N2
<0.5 mg/l
17D
20 mg/l
18C1
10 mg/l
18B1
2.4 mg/l
18A
14 mg/l
13A7
NA mg/l
18E1
7.9 mg/l
13G
8.9 mg/l
13H
1.3 mg/l
13L5
28 mg/l
18H3
NA mg/l
17F4
0.5 mg/l
18L3
13 mg/l
18L4
9.6 mg/l
18J6
4.4 mg/l
13Q1
21 mg/l
18N1
12 mg/l
24A
11 mg/l
18R1
15 mg/l
17N4
5.1 mg/l
20B
2.5 mg/l
Los Osos Community Services District
Map Produced: December 22, 2006

VOICES
Letters and Commentary from the Central Coas
SANLUISOBISPO.COM
TUESDAY, FEBRUARY 14, 2006

End the blame game and dissolve the CSD

BY SHANE STONEMAN

It's hard to know who to be angry at these days, especially since everyone has a hidden agenda. I hear this a lot lately. There certainly are lots of interested parties in this sewer fiasco: fixed income retirees, developers, activist, realtors, renters, owners, the county, the state, the Community Services District members fighting to keep their jobs.

I guess I have one, too, but it's pretty simple — I want a sewer to be built so I can focus on raising my daughter in this town and provide a good home for her. This is becoming more difficult since my address has been targeted by the Regional Water Quality Control Board. It seems local government was unable to provide our town with what it needs and has pitted larger governments against me, in particular.

The water board enacted the prohibition zone (where my home is located) in 1988, when I was 15 years old. It is ironic that I will be punished for something that officials have had 18 years to fix. I'll get to pay to have my septic pumped once every two months, but I won't get a sewer. In fact, it won't even help the water quality of the Bay, since my home is on top of a hill at 225 feet above sea level. So for now, I get to be one of the 45 victims who'll pay penalties while my Move the Sewer neighbors and my Save the Dream neighbors can save this money or spend it as they see fit.

I ask myself, who are my friends in a situation like this? What can fix this situation? It seems that hooking up to a sewer is the only way out of this, but I already voted for that and lost. I voted for the sewer, not because I liked where it was being built, but because we need one to ensure our future. It also seemed like a smart move to protect our investment, as it definitely wasn't easy for us to buy into this community. My wife and I worked like crazy to save money, learn the real estate market and take out first and second loans to buy in the area we love and have lived in for more than 10 years. We are some of the many new parents and homeowners in Los Osos who want to see our town improve and say things like, "Hey, if we have to dig up all the streets for a sewer, then why not put the power lines underground at the same time? Maybe we could even have sidewalks and streetlights one day for the kids?"

I get to be one of the 45 victims who'll pay penalties while my Move the Sewer neighbors and my Save the Dream neighbors can save this money or spend it as they see fit.

When the recall won, I simply shrugged and sincerely hoped that the new CSD board members and their supporters were right and would find a better solution. It seems obvious now that Move the Sewer and the new CSD didn't understand that the state was very serious about the consequences of defaulting on a government loan.

Who will loan them money now? Why should I have faith in the new CSD members when it is their actions that have gotten me into this mess? When I brought up these questions at the first meeting at the pizza place, there was intimidating heckling by Move the Sewer supporters, many of whom hadn't received the cease and desist order, but were just there to make sure the gathering kept a pro-CSD slant all night. Gail McPherson assured me the CSD needed us (the initial 45 victims) to band together with them. She had a whole calendar full of meetings, workshops and legal-fund bake sales planned so the community can continue a path of litigation. That was the strategy. Once again, the lawyers win and no one else.

After watching the February CSD meeting, it's apparent that another strategy is to sell the Tri-W site before the county can take over the project. The CSD is looking for buyers. This is a chess game that they are playing, and though they can't see how their moves will turn out, they make moves against an opponent. Sounds like the same kind of dirty politics that the earlier CSD did when they started the project before the vote.

My wife and I both have to work to afford a house here and pay for daycare. The sewer bill will be an unhappy addition to our financial load. However, the idea that the CSD will be able to build a cheaper plant with its current credit status, litigation and lack of state and county support sounds more and more ludicrous every day.

I think the new CSD and its supporters have the best of intentions, and while I completely understand where they are coming from, their actions have lately made my quality of life worse. The CSD, in all its stages, has produced nothing but pain in the community. With this kind of history and outcome, I feel this local government is broken and/or cursed. I have signed the petition to dissolve the CSD and hand the project over to the county and I ask fellow citizens to do the same. The county will build the sewer, assess Los Osos property taxes only (not the whole county) and we can go back to living our lives.

Shane Stoneman lives in Los Osos and is one of 45 randomly selected property owners ordered to pump their septic tanks six times per year.

Newspaper of the Central Coast
THE TRIBUNE

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Victor Davis Hanson	Dan Walters/Phil Yost	David Brooks	Paul Krugman	Kathleen Parker	Ellen Goodman	Tom Friedman

G

EDITORIAL OPINION OF THE TRIBUNE

eptic district could trump pump plan

Los Osos maintenance district should be formed to order fees and inspections fairly

understandable that the regional er board is frustrated with Los Os- Just as a long-awaited sewer sys- was under construction last Sep- ber, three pro-sewer Community District board members were re- d a proposed midtown site for a eatment plant was killed.

nderstand the regulatory agency's on, but we don't agree with its tac- singling out 45 randomly chosen vners as test cases en route to get- remaining 5,000-plus households their septic tanks six times a year. r board Executive Officer Roger tells us that his agency thought ifferent methods other than a ran- mpling, "But our intent is to get to dy, so it doesn't matter who's first." elieve it does matter; it's a matter of s.

first 45 homeowners will be paying anywhere from $200 to $300 per pumping for a longer period of time than anyone else. Briggs counters that he expects that all of the residents within the water board's zone of prohibition will be pumping every two months by the end of this year. "Thus," he says, "the disparity shouldn't be that great."

This is all uncharted territory, though. Water board officials admit that they have no experience in executing more than 5,000 cease-and-desist orders in one lump sum, so the randomly chosen 45 is a case of on-the-job learning while the bugs are worked out.

And even if the kinks are ironed out in a timely manner, we can see the agency's actions being appealed to the regional water board's parent, the state Water Resources Control Board, and then on to the courts under the principles of due process and equal protection under the law. In other words, fairness.

When the regional board holds a hearing on the random 45 on March 23, we strongly suggest it hold the proposed pumping schedule in abeyance. The agency's point has been made and no one benefits by years of legal wrangling.

Nonetheless, something must to be done to begin stemming the pollution that poorly operating septic tanks have been wreaking havoc on the community's environment.

We strongly support the formation of a septic tank maintenance district as a stop-gap measure before a sewer system is built.

Such a district would charge all of the community's residents (even those homeowners outside the zone of prohibition) a monthly fee and place all septic systems on a regular inspection, maintenance and pumping schedule.

A hurdle to clear in creating a maintenance district, however, is that it requires enabling state legislation. The concept was considered in the past but dropped when it looked like a sewer system was coming on line.

We urge the Regional Water Quality Control Board to join forces with the Community Services District and work with Assemblyman Sam Blakeslee to expedite maintenance district legislation.

It's a move in the right direction — and it's fair.

Subj: **Interested Party e-copy of CDO letter 06.DOC**
Date: 2/22/2006 6:28:44 A.M. Pacific Standard Time
From: churadogs
To: Rbriggs@waterboards.ca.gov

As per the CDO info sheet, here's a Word copy of my written comments as an **Interested Party**. The information sheet did *not* make it clear *who* was supposed to receive an e-copy. The attachments I refer to are not available to me in e-form, but will accompany my paper copies.
Thank you

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