

**APPENDIX A-30**

**Los Osos Baywood Park Individual and Community  
Sewage Disposal System Prohibition Area**

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION

RESOLUTION NO. 83-13

Revision and Amendment of Water Quality Control  
Plan by the Addition of a Prohibition of Waste  
Discharge from Individual Sewage Disposal  
Systems Within the Los Osos/Baywood Park Area,  
San Luis Obispo County

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 14, 1975; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of pollution and nuisance; and,

WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,

WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas (Section 13240 et seq.); and,

WHEREAS, Los Osos/Baywood Park is an unincorporated community, with a 1980 population of 10,933 persons located south of the City of Morro Bay, in San Luis Obispo County; and,

WHEREAS, current zoning will accommodate a population in excess of 27,000 people and an average residential lot size of about 6600 ft<sup>2</sup>; and,

WHEREAS, on-site soil absorption or evapotranspiration systems are the sole means of wastewater disposal in the Los Osos/Baywood Park area; and,

WHEREAS, the Los Osos/Baywood Park area soil permeability is rapid and there are substantial areas with high groundwater; and,

WHEREAS, the majority of lots are too small to provide adequate dispersion of individual sewage disposal system effluent; and,

- WHEREAS, the San Luis Obispo County Environmental Health Department has provided documentation concerning the problem of liquid waste disposal in the Los Osos/Baywood Park area; and,
- WHEREAS, the County of San Luis Obispo is preparing an environmental impact report (EIR) in accordance with the California Environmental Quality Act and a project report that identifies adverse environmental impacts from continued use of septic tanks in the Los Osos/Baywood Park area and discusses alternatives to existing wastewater management practices; and,
- WHEREAS, "Los Osos-Baywood Park/Phase I Water Quality Management Study" cites conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code; and,
- WHEREAS, chemical analyses of wells in Los Osos/Baywood Park indicates 38% of the shallow wells tested in the Phase I study, taking water from the Old Dune Sands deposits portion of the aquifer, contain nitrate concentrations which exceed State Health Department Drinking Water Standards of 45 milligrams per liter; and,
- WHEREAS, bacterial analyses of 42 wells tested in the Phase I study resulted in 26 wells indicating total coliform in violation of State Health Drinking Water Standards, and 2 wells indicating fecal coliform in violation of Basin Plan limits for groundwater; and,
- WHEREAS, surface water bacterial analyses tested in the Phase I study indicated total and fecal coliform levels exceeding Basin Plan recommended limits for water contact recreation (REC-1); and,
- WHEREAS, a letter from the California Health and Welfare Agency, Department of Health Services, states their concerns regarding the high nitrate levels in the waters of Los Osos/Baywood Park area, and recommends adequate measures be taken to correct the nitrate problems to bring the waters into compliance with California Drinking Water Standards; and,
- WHEREAS, a letter from the San Luis Obispo County Health Agency Director cites violation of the public health limit for nitrates and recommends elimination of shallow groundwater usage and adoption of a discharge prohibition; and,
- WHEREAS, the Regional Board is obligated to include a program of implementation for achieving water quality objectives in its Basin Plan; and,
- WHEREAS, present and anticipated future beneficial uses of Los Osos/Baywood Park creeks include recreation and aquatic habitat; and,

WHEREAS, Los Osos Basin groundwaters are suitable for agricultural, municipal, domestic, and industrial water supply; and,

WHEREAS, a Regional Board staff report finds beneficial uses of Los Osos ground and surface waters are adversely affected by individual sewage disposal system discharges, there appears to be a trend of increasing degradation, and public health is jeopardized by occurrences of surfacing effluent; and,

WHEREAS, drafts of proposed revisions and amendments of the Basin Plan, prohibiting discharges from Los Osos/Baywood Park individual sewage disposal systems, have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this prohibition area will not have a significant adverse effect on the environment; and,

WHEREAS, on September 16, 1983, in the San Luis Obispo City Council Chambers, 990 Palm Street, San Luis-Obispo, California, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from individual sewage disposal systems on water quality and public health; and,

WHEREAS, pursuant to Section 13280 of the California Water Code, the Regional Board finds that discharges of wastes from new and existing individual disposal systems which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; and will unreasonably degrade the quality of waters of the State; and,

WHEREAS, the Regional Board finds the aforesated conditions in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be amended as follows:

Page 5-66, after Item 7, following the legal description for Pasatiempo Pines (added by Resolution 83-09), insert the following prohibitions:

- "8. Discharges of waste from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area, and more particularly described as:

"Groundwater Prohibition Zone

(Legal description to be provided for area prescribed by Regional Board).

"Failure to comply with any of the compliance dates established by Resolution 83-13 will prompt a Regional Board hearing at the earliest possible date to consider adoption of an immediate prohibition of discharge from additional individual and community sewage disposal systems."

Discharges from individual or community systems within the prohibition area in excess of an additional 1150 housing units (or equivalent) are prohibited, commencing with the date of State Water Resources Control Board approval.

BE IT FURTHER RESOLVED, that the above area is consistent with the recommendations of the staff report as shown on "Attachment A."

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, first paragraph of Page 5-67 of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual or community sewage disposal systems shall be achieved according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
Begin Design	November 1, 1984
Complete Design	November 1, 1985
Obtain Construction Funding	December 1, 1985
Begin Construction	April 1, 1986
Complete Construction	November 1, 1988

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

BE IT FURTHER RESOLVED, the County will continue a monitoring program, approved by the Regional Board staff, that will monitor ground water quality within the prohibition boundaries as set forth in this resolution, and also a monitoring program which covers areas outside the prohibition boundaries but within the urban reserve line as shown in Attachment A.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

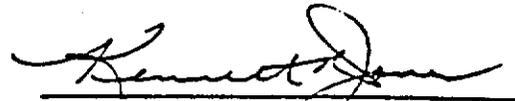
BE IT FURTHER RESOLVED, that the State Water Resources Control Board is hereby requested to amend forthwith the Clean Water Grant Project Priority List to recognize the necessary structural solution for Los Osos/Baywood Park as a Priority "A" project.

BE IT FURTHER RESOLVED, that if the Board holds a hearing and adopts an immediate prohibition as described above, the prohibition is effective as of the date the Regional Water Quality Control Board adopts a prohibition of discharge from additional individual and community sewage disposal systems.

BE IT FURTHER RESOLVED, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the above prohibition.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 16, 1983.

  
Executive Officer

