CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863 FAX (831) 427-4877
www.coastal.ca.gov

W8

CENTRAL COAST DISTRICT (SANTA CRUZ) DEPUTY DIRECTOR'S REPORT

For the

July Meeting of the California Coastal Commission

MEMORANDUM Date: July 11, 2007

TO: Commissioners and Interested Parties

FROM: Charles Lester, Central Coast District Deputy Director

SUBJECT: ***Deputy Director's Report***

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the July 11, 2007 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the Central Coast District.

REGULAR WAIVERS

1. 3-06-008-W Chris Shake (Monterey, Monterey County)
2. 3-07-014-W Pacific Gas & Electric Company, Attn: Linda Wright (Oceano, San Luis Obispo County)
3. 3-07-026-W Coastal San Luis Resource Conservation District, Attn: Julie Thomas (Arroyo Grande & Oceano, San Luis Obispo County)

DE MINIMIS WAIVERS

1. 3-07-018-W California Department Of Parks & Recreation - Monterey District, Attn: Ken Gray (Fort Ord, Monterey County)
2. 3-07-021-W Seaside Basin Watermaster, Attn: Dewey Evans (Fort Ord, Monterey County)

TOTAL OF 5 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF REGULAR WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

Applicant	*Project Description*	*Project Location*
3-06-008-W Chris Shake	Install four replacement fender pilings consisting of steel pipes filled with concrete.	Wharf No. 1, Concession 96, Monterey (Monterey County)
3-07-014-W Pacific Gas & Electric Company, Attn: Linda Wright	Upgrade existing below standard power lines (approximately 11,000 linear feet of line) and replace associated power line poles (49 poles).	Various road rights-of-ways and a portion of the levee along Arroyo Grande Creek, Oceano (San Luis Obispo County)
3-07-026-W Coastal San Luis Resource Conservation District, Attn: Julie Thomas	Minor hand thinning of lower branches of woody vegetation (primarily willows) located between the levee and the active flow meander of the creek along an approximate 0.15 mile reach of the creek in order to increase channel capacity for flood control purposes.	Arroyo Grande Creek, from the South San Luis Sanitation Plant upstream to approximately 1000 ft. north of confluence with Los Berros Creek; Los Berros Creek from confluence east to Century Lane, Arroyo Grande & Oceano (San Luis Obispo County)

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

Applicant	*Project Description*	*Project Location*
3-07-018-W California Department Of Parks & Recreation - Monterey District, Attn: Ken Gray	Authorize the demolition of fifteen (15) abandoned buildings associated with the coastal firing range on the future site of Fort Ord Dunes State Park.	Fort Ord Dunes State Park (seaward of Highway 1, area of the former Fort Ord Military Reservation, west of Highway 1), Fort Ord (Monterey County)
3-07-021-W Seaside Basin Watermaster, Attn: Dewey Evans	Construction of four monitoring wells and ongoing monitoring of water quality for detecting seawater intrusion in the Seaside Groundwater Basin.	Fort Ord Dunes State Park (unincorporated between Seaside & Marina), Fort Ord (Monterey County)

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NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER

DATE: June 26, 2007

TO: Chris Shake

FROM: Peter M. Douglas, Executive Director

SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver Number 3-06-008-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13252 of the California Code of Regulations.

APPLICANT: Chris Shake

LOCATION: Wharf No. 1, Concession 96, Monterey (Monterey County) (APN(s) 800-004-804, 860-000-283)

DESCRIPTION: Install four replacement fender pilings consisting of steel pipes filled with concrete.

RATIONALE: The proposed development incorporates the type of best management practices typically required by the Commission with respect to such piling work, including comprehensive containment measures and specific construction and post-construction requirements, such as jetting the pilings into place with use of a flexible skirt to reduce turbidity, etc. Based on these commitments on the part of the applicant, the impact of the development should be insignificant on coastal resources and coastal access.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, July 11, 2007, in San Luis Obispo . If three Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: STEVE MONOWITZ
District Manager
BY DAN CARL

cc: Local Planning Dept.
West Coast Divers, Inc., Attn: Paul Stokes

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NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER

DATE: June 26, 2007

TO: Pacific Gas & Electric Company, Attn: Linda Wright

FROM: Peter M. Douglas, Executive Director

SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver Number 3-07-014-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13252 of the California Code of Regulations.

APPLICANT: Pacific Gas & Electric Company, Attn: Linda Wright

LOCATION: Various road rights-of-ways and a portion of the levee along Arroyo Grande Creek, Oceano (San Luis Obispo County)

DESCRIPTION: Upgrade existing below standard power lines (approximately 11,000 linear feet of line) and replace associated power line poles (49 poles).

RATIONALE: The proposed project involves the replacement of existing power poles and lines in need of repair, maintenance, and safety upgrade. The replacement poles will be approximately five feet taller than the existing poles in order to prevent sag in the power lines and to protect raptors (by increasing the separation between the top board of the pole (where raptors may land) and the power lines themselves). Construction will take place primarily within existing road right-of-ways and will be of limited duration. The project include comprehensive best management practices to avoid coastal resource impacts. For these reasons, the impact of the proposed development on coastal resources and coastal access is insignificant.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, July 11, 2007, in San Luis Obispo . If three Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: STEVE MONOWITZ
District Manager
By DAN CARL

cc: Local Planning Dept.

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NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER

DATE: June 26, 2007

TO: Coastal San Luis Resource Conservation District, Attn: Julie Thomas

FROM: Peter M. Douglas, Executive Director

SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver Number 3-07-026-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13252 of the California Code of Regulations.

APPLICANT: **Coastal San Luis Resource Conservation District, Attn: Julie Thomas**

LOCATION: Arroyo Grande Creek, from the South San Luis Sanitation Plant upstream to approximately 1000 ft. north of confluence with Los Berros Creek; Los Berros Creek from confluence east to Century Lane, Arroyo Grande & Oceano (San Luis Obispo County) (APN(s) 061-091-20, 061-161-12, 061-161-11, 061-161-10, 061-161-08, 061-261-06, 061-321-01, 061-261-07, 061-061-29)

DESCRIPTION: Minor hand thinning of lower branches of woody vegetation (primarily willows) located between the levee and the active flow meander of the creek along an approximate 0.15 mile reach of the creek in order to increase channel capacity for flood control purposes.

RATIONALE: Arroyo Grande Creek is both a significant natural resource area and a channel that serves a flood control function. The applicant has been attempting to balance these sometime competing objectives over the years, and is currently in the middle of developing a long-term and comprehensive management plan designed to do just that; the plan is expected to be complete in approximately three years. In the meantime, the applicant has pursued minor vegetation thinning projects for limited stretches of the Creek that are designed to increase flood control capacity while preserving and enhancing habitat.

The applicant estimates that the maximum capacity for Arroyo Grande Creek is for an approximate 4.6-year flood event, significantly less than flood control standards applied in other cases (e.g., where such standards are oftentimes measured in much larger increments, such as 100-year flood protection). The proposed project would slightly increase Arroyo Grande Creek flood capacity to an approximate 7.3-year flood event. The proposed project is roughly the same as two similar seasonal projects authorized by the Coastal Commission in each of the last two years.

The proposed project, like the preceding two projects previously authorized by the Commission, has been designed to avoid adverse impacts to coastal resources by limiting the overall areal extent of vegetation thinning, and limiting such activities to California Conservation Corps crews using hand tools only. Only the lower branches would be thinned (up to a height of 6 feet) with all root balls left intact to enable resprouting. The crews will also remove all invasive exotic species. No heavy machinery will be allowed to enter the channel and the use of herbicides is prohibited. The project includes biological surveys prior to thinning activities (and protective buffers and protocols for species found consistent with CDFG and USFWS requirements), and biological

monitoring for the duration of the project to ensure these activities do not disrupt any occupied habitat areas.

Therefore, the impact to coastal resources will be insignificant within the meaning of California Code of Regulations Section 13252(e).

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, July 11, 2007, in San Luis Obispo . If three Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: STEVE MONOWITZ
District Manager
BY DAN CARL

cc: Local Planning Dept.

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CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877

NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER

DATE: June 26, 2007

TO: California Department of Parks & Recreation - Monterey District
Attn: Ken Gray

FROM: Peter M. Douglas, Executive Director

SUBJECT: Waiver of Coastal Development Permit
Waiver De Minimis Number 3-07-018-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: California Department of Parks & Recreation - Monterey District

LOCATION: Fort Ord Dunes State Park, seaward of Highway 1 (area of the former Fort Ord Military Reservation, west of Highway 1), Fort Ord (Monterey County) (APNs 031-021-001, 031-021-003, 031-031-001, 031-031-004, 203-031-012, 031-041-006, 031-041-007, 031-051-001)

DESCRIPTION: Demolition of fifteen (15) abandoned structures/buildings associated with the former Fort Ord firing range at Fort Ord Dunes State Park.

RATIONALE: The proposed demolitions include adequate construction best management practices to ensure that such activities will not adversely effect coastal resources or public access to the shoreline. The removal of the subject structures will enhance the coastal viewshed and will further State Parks' efforts in establishing Fort Ord Dunes State Park. Habitat restoration of the demolition sites will occur as part of the larger ongoing restoration efforts at Fort Ord Dunes State Park. As such, the proposed development is consistent with the policies of Chapter 3 of the Coastal Act.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, July 11, 2007, in San Luis Obispo. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: STEVE MONOWITZ
District Manager

cc: Carl Holm, Monterey County Planning and Building Inspection Department

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NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER

DATE: June 26, 2007

TO: Seaside Basin Watermaster, Attn: Dewey Evans, CEO

FROM: Peter M. Douglas, Executive Director

SUBJECT: Waiver of Coastal Development Permit
Waiver De Minimis Number 3-07-021-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: Seaside Basin Watermaster, Attn: Dewey Evans, CEO

LOCATION: Fort Ord Dunes State Park (unincorporated area between Seaside & Marina, seaward of Highway 1), Fort Ord (Monterey County) (APNs 031-031-004, 031-041-006, 031-041-007, 031-051-001)

DESCRIPTION: Construction of four monitoring wells and ongoing monitoring for the purpose of detecting seawater intrusion in the Seaside Groundwater Basin.

RATIONALE: The proposed seawater intrusion monitoring wells will not adversely effect coastal resources or public access to the shoreline. The wells would be located in Fort Ord Dunes State Park in existing paved areas that are accessed by existing roadways, and comprehensive construction measures to protect coastal resources are included as part of the proposed project. State Parks has not fully completed its planning for the park but has indicated that they will make use of many of the existing paved areas for future trails and related park infrastructure. The monitoring wells do not require significant access or ongoing attention, and their siting will not prejudice ongoing and more specific planning for the park in that respect. As such, the proposed development is consistent with the policies of Chapter 3 of the Coastal Act.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, July 11, 2007, in San Luis Obispo. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: STEVE MONOWITZ
District Manager

cc: Carl Holm, Monterey County Planning and Building Inspection Department
Denise Duffy & Associates, Attn: Alison Imamura or Denise Duffy

STATE OF CALIFORNIA – THE RESOURCES AGENCY

Arnold Schwarzenegger, *Governor*

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Memorandum

July 10, 2007

To: Commissioners and Interested Parties

From: Charles Lester, Deputy Director, Central Coast District

Re: *Additional Information for Commission Meeting Wednesday, July 11, 2007*

Chevron Site Rules – Former Avila Tank Farm

The following rules were developed to minimize potential hazards at the site and must be observed by all visitors:

1. All motor vehicles must stay on the main roads of the site at all times and maintain a speed of 10 MPH or less at all times.

2. Beware of physical hazards such as uneven ground, cliff embankments, and objects that can result in trips and falls.

3. Appropriate shoes are to be worn if walking on the site. Flip flops, shoes with high heels or open toes are not considered appropriate for conditions.

4. Visitors may not leave the site roads in a motor vehicle or by foot.

5. Do not cross fences or enter barricaded areas of the site.

6. Beware of potential biological hazards such as: Insects (wasp, bees, ticks, spiders ect.), dogs/coyotes, snakes, and poisonous plants (poison oak).

7. Drugs, alcohol, and firearms prohibited at the site.

8. All visitors must obey all posted signs at the site.

9. No cameras allowed at the site without Chevron approval.

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W10a

Prepared July 10, 2007 (for July 11, 2007 hearing)

To: Coastal Commissioners and Interested Persons

From: Charles Lester, District Director
Steve Monowitz, District Manager 7/10/07
Jonathan Bishop, Coastal Program Analyst

Subject: STAFF REPORT ADDENDUM for W10a SLO-MAJ-1-06 Part 1 (Cambria and San Simeon Acres Community Plans).

As described in the June 21, 2007 staff report, San Luis Obispo County proposes to amend its Local Coastal Program by incorporating the Cambria and San Simeon Acres Community Plans into the North Coast Area Plan (NCAP) segment of the Land Use Plan (LUP).

Since the staff report was completed, the County of San Luis Obispo and other interested parties have suggested changes to the recommendations. In response to these comments, staff has revised a number of the suggested modifications and has supplemented the staff recommendation with additional findings where necessary. The changes are shown below as follows (new text shown with double underlines; deletions are shown with ~~double strike-throughs~~):

I. Changes to Suggested Modifications

1) Suggested Modification 44 - Proposed standard 4.E. West Village should be deleted because revised standard 3 already prohibits development in all FH areas. Standard 4.E. in its entirety is redundant. However, the element of standard 4.E requiring Phase I of the Cambria Flood Mitigation Project to be implemented consistent with the protection of coastal streams has been retained and added to standard 3, as shown below:

> 3. Flood Hazards (FH). New development shall comply with Coastal Plan Policies for Hazards and the Flood Hazard provisions of the Coastal Zone Land Use Ordinance, and shall be reviewed for its relation to the Cambria Flood Mitigation Project. ~~Approval of~~ No new or expanded development, except necessary public services and public access trails, shall ~~be contingent upon a finding that the proposed development will not interfere with~~ occur within Flood Hazard areas until the County has implementati~~on~~ed Phase 1 of the Cambria Flood Mitigation Project in a manner that is consistent with the protection of the coastal stream.

4. Santa Rosa Creek (FH). The following standards affect all land use categories in and adjacent to Santa Rosa Creek, as shown on Figure 7-2.

...

~~E. West Village. No new development except necessary public services shall be approved until the County has certified and implemented Phase I of the Cambria Flood Mitigation Project in a manner that is consistent with the protection of the coastal stream.~~

2) Suggested Modifications 53 and 65 regarding shoreline development - Suggested modification 53 (Cambria Communitywide standard 14.B) and modification 65 (San Simeon Acres Village Communitywide standard 2.B) should be revised to reflect that the 50 percent threshold for alterations or additions to existing non-conforming developments is to be applied on a cumulative basis. This is to ensure that multiple additions, each less than 50% but cumulatively greater than 50%, abide by the intent of the standard.

B. Bluff Setbacks. The bluff setback is to be determined by the engineering geology analysis required in A.1. above adequate to withstand bluff erosion and wave action for a period of 100 years. In no case shall bluff setbacks be less than 25 feet. Alteration or additions to existing non-conforming development that equals or exceeds 50 percent of the size of the existing structure, on a cumulative basis beginning July 11, 2007, shall not be authorized unless the entire structure is brought into conformance with this setback requirement and all other policies and standards of the LCP. On parcels with legally established shoreline protective devices, the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design, condition, and routine repair and maintenance that maintain the seawall's approved design life. Expansion and/or other alteration to the seawall shall not be factored into setback calculations.

3) Suggested Modification 58 – 11a South Cambria (43 acres) maintain RS to RL land use category change. 11b South Cambria (32 acres) change to OS as previously suggested.

#~~11a and~~ 11b) South Cambria – Change ~~both~~ to OS

4) Modify Cambria Urban Area Communitywide Standard 10 (submittal pg. 7-18) as follows:

10. Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest.

A. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials ~~should~~ shall be used to mimic or enhance naturally occurring vegetation. Materials ~~should~~ shall be propagated from native stock taken from an area within a 50-mile radius of San Simeon Acres to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings.

B. Prohibited Plant Materials. Non-native, invasive, fire prone, and water intensive (e.g., turf grass) landscaping shall be prohibited on the entire site. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building.

5) Add new Cambria Communitywide Standard 15 and San Simeon Acres Village Communitywide Standard 14 as follows:

Cambria Standard 15 & San Simeon Acres Standard 14. Conversions of Existing Overnight Accommodations. The conversion of existing overnight accommodations available to the general public to any form of private residential use (e.g., condo-hotels, limited use/fractional ownership hotels, private ownership of individual units, etc.) is prohibited.

6) Add new San Simeon Acres Village Communitywide Standard 15 as follows:

15. Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest.

A. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from native stock taken from an area within a 50-mile radius of San Simeon Acres to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings.

B. Prohibited Plant Materials. Non-native, invasive, fire prone, and water intensive (e.g., turf grass) landscaping shall be prohibited on the entire site. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building.

II. Supplemental Findings

1) Modify Findings for Proposed Land Use Changes on South Cambria parcels pgs. 52-53:

South Cambria: a. RS to RL (43 ac); b. RS to AG (32 ac)

It should be noted that the 32-acre parcel has already been designated Open Space (OS) by the County under a previous LCP amendment (SLO-MAJ-1-04 Part 2). Thus, the suggested modifications correct the submittal's inconsistency with LCP amendment SLO-MAJ-1-04 Part 2, by designating the 32-acre parcel as Open Space (OS). The 43-acre property is directly adjacent to this parcel, is part of the same forest stand. A review of aerial photos shows a dense forest canopy and overall connectivity with adjacent forested open space parcels. The County's request to change the land use designation of the 43 acre parcel from Residential Suburban (RS) to Rural Lands (RL) allows for ~~has the potential to increase the amount of~~ residential development in this sensitive habitat area, inconsistent with Section 30240(a). Based on the sensitive Monterey pine forest resource on the ground and the location of the properties outside of the urban service boundary line, the most appropriate land use designation is Open Space (OS). However, residential uses are not allowable in the OS land use category which, as described by the LCP's Framework for Planning, is applied to lands in public fee ownership, or private lands where an open space agreement or easement has been executed between the property owner and the County. Given the underlying private ownership the proposed redesignation of this property to Rural Lands (RL) is appropriate in this case. Any future development proposed on these properties will need to comply with all relevant LCP standards, including those that require protection of Environmentally Sensitive Habitat Areas (ESHA). For example, subdivisions of these lots are prohibited and every effort must be made to site and design allowable developments in the least environmentally sensitive portions of the property in order to maximize resource protection.

~~For these reasons, the recommendation is to place the 43-acre property into open space (OS), consistent with the actions taken by the Commission on the neighboring property. With this modification, and recognition of the previous land use changes already certified by the Coastal Commission with the 32-acre parcel, the proposed change can be found consistent with the Coastal Act.~~

2) Add the following as paragraph 2 on page 51 of the staff report regarding priority uses:

The Coastal Act establishes visitor-serving uses, including overnight accommodations as higher priority land uses than residential land uses. It also establishes a preference for lower-cost visitor-serving accommodations. Because condo-hotels or other limited use/fractional ownership hotels are quasi-residential and may not be subject to length-of-stay or other timing restrictions for the owner of the units, concerns are raised about the extent to which these types of developments actually constitute visitor-serving land uses. In addition, these projects generally do not offer accommodations that can be considered lower-cost, raising questions about the adequacy of the supply of lower-cost vaster-serving accommodations in the Coastal Zone.

To ensure that the existing stock of overnight visitor-serving accommodations in Cambria and San Simeon Acres are protected and lower-cost opportunities are preserved, a new communitywide standard

is suggested that would prohibit existing overnight visitor-serving accommodations available to the general public to be converted to any form of private residential use (e.g. condo-hotels, limited use/fractional ownership hotels, individual ownership of units, etc.).

III. Response to Correspondence from Mr. Greg Berge

Mr. Greg Berge owns property within Cambria that he has been unable to develop because he has not been able to obtain wastewater treatment or domestic water service form the Cambria Community Services District. In addition to the letter from Mr. Berge and associated attachments included as Exhibit I to the staff report, Mr. Berge submitted another letter with multiple attachments following the release of the staff report, which is included within the Central Coast Deputy Director's Report.

In summary, Mr. Berge asserts that the assessments that have been levied against his property for water and sewer improvements guarantees his right to such services, and that "any build out reduction that eliminated the right to sewer and/or water will constitute a breach of the implied contract of the compulsory levies, and will force a taking of the property or properties" (page 2, of July 5, 2007 letter). Accordingly, Mr. Berge also asserts that "the desalination plant must be sized to accommodate the project buildout to accommodate the sizing and water requirements to meet the sewerage requirements of the 11,000 lots as assessed under the benefited use".

Although the correspondence and attachments submitted by Mr. Berge do not identify the specific components of the Cambria Community Plan that he objects to, it appears that he is concerned that the Plan will reduce allowable levels of buildout, and/or limit the allowable capacity of a future water project, in a manner that will prevent him from developing his property. Components of the LCP and the staff recommendation relevant to these concerns include the Buildout Reduction Program contained on page 4-17 of the Plan, and suggested modifications number 46 and 48 to Cambria Development standards contained on pages 23 – 25 of the staff report.

The findings contained on pages 40 – 52 of the staff report identify the Coastal Act policies relevant to this issue, and detail the basis for suggested modifications to the water supply and wastewater treatment provisions of the plan. As stated on page 45 of the staff report, "Although current planning assumes a more limited buildout scenario for the community, the actual capacity of the any future water supply is not yet established." Rather than establishing a capacity limit, the suggested modifications incorporate performance standards for a future water supply project to ensure that it is designed and constructed consistent with LCP and Coastal Act requirements.

Nothing within either the plan submittal or the suggested modifications prohibit the CCSD from providing water and sewer service to Mr. Berge in the future, provided that such services are established consistent with Coastal Act and LCP requirements, as well as relevant prior Coastal Development Permits (e.g., CDP 132-18 and 132-30, as amended by CDP Amendment 428-10, regarding the Cambria

Wastewater Treatment Plant). Thus, neither the Cambria development standards of the LCP as submitted, or as recommended for modification result in the taking of private property.

The Buildout Reduction Program proposed by the Cambria Community Services District and referenced by Cambria Land Use Program 5 on page 4-17 of the submittal similarly does not contain any mandatory requirements that would deprive a private property owner of a reasonable economic use based on a legitimate economic backed expectation. Rather, this program focuses on encouraging voluntary mergers, and the retirement of vacant lots through acquisition. The use of such measures to reduce buildout potential in a manner that is more protective of coastal resources has been a long-standing recommendation of the Coastal Commission, and will not result in any violation of the Constitutional takings provision.

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CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

W10b

Prepared July 10, 2007 (for July 11, 2007 hearing)

To: Coastal Commissioners and Interested Persons

From: Charles Lester, District Director
Steve Monowitz, District Manager 7/10/07
Jonathan Bishop, Coastal Program Analyst

Subject: STAFF REPORT ADDENDUM for W10b SLO-MAJ-1-06 Part 2 (Fiscalini Ranch Amendment)

Since the completion of the staff report on June 28, 2007, the County of San Luis Obispo and other interested parties have suggested changes to the recommendations regarding allowable uses on the Fiscalini Ranch. In response to these comments, staff has revised the suggested modifications and clarified that the existing Public Utility Facilities category would allow for the relocation of the CCSD's existing pump station. The change is shown below as follows (new text shown with double underlines):

I. Changes to Suggested Modifications

13. Fiscalini Ranch. The following standards apply to the area designated on Figure 7-5 as Fiscalini Ranch.

A. Limitation on Use

1. **Recreation Land Use Category.** Uses shall be limited to Outdoor Sports & Recreation, Passive Recreation, Crop Production & Grazing, Communications Facilities, Coastal Accessways, Public Assembly & Entertainment, Temporary Events, One Caretaker Residence, Residential Accessory Use, Fisheries & Game Preserves, Water Wells & Impoundments, existing Public Utility Facilities (including relocation of the existing pump station), and Pipelines & Transmission Lines. Utilities shall be installed underground rather than by the use of poles and overhead lights.

RECEIVED
JUL 05 2007
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

Date and time of communication: JUNE 6th 3PM

Location of communication: S.L.O CO. GOV. CENTER
(If communication was sent by mail or facsimile, indicate the means of transmission.)

Identity of person(s) initiating communication: GREG BERGE & MIKE ERICKSON
JOHN ELEHRAT

Identity of person(s) receiving communication: Commissioner ACHADJIAN

Name or description of project: SLO LCP CAMBRIA SAN SIMEON ACRES
Major amendment No. 1-06

Description of content of communication:
(If communication included written material, attach a copy of the complete text of the written material.)

Received from MR BERGE a 171 page document addressed to Senior staff of CCC.
3 Main focus of our meeting was a Concern for having water allocation waiting list by Cambria Community Service district and another one by County SLO Board of Supervisors

7-5-07
Date

Signature of Commissioner

If communication occurred seven (7) or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven (7) days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven (7) days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

APPENDIX 2

W10a

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

Date and time of communication: 6/27/07

Location of communication: (If communication was sent by mail or facsimile, indicate the means of transmission.) Wed - Cambria LCP

Identity of person(s) initiating communication: Darby Robinson

Identity of person(s) receiving communication: PAT KRUER

Name or description of project: Cambria LCP

Description of content of communication: (If communication included written material, attach a copy of the complete text of the written material.)

United Lot Owners of Cambria are supportive of plan as written and staff recomendations. Concern is a small group to modify language on growth permanent cap. We are not supporting that permanent growth cap.

6/26/07
Date

Signature of Commissioner

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

APPENDIX 2

W10a

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

Date and time of communication: JUNE 25th 4:00 PM

Location of communication: COUNTY GOV. CENTER
(If communication was sent by mail or facsimile, indicate the means of transmission.)

Identity of person(s) initiating communication: DAVID SANSONE & BOB HATHER / PROPERTY OWNERS
JEFF FERBER, RRM DESIGN

Identity of person(s) receiving communication: KATCHO ACHADJIAN / JOHN EUPHRAT
County Staff

Name or description of project: W-10 CAMBRIA LCP SLO MAJ 1-06

Description of content of communication:
(If communication included written material, attach a copy of the complete text of the written material.)

WATER ALLOCATION
20 UNITS PER ACRE VERSUS 2.0 EDU PER ACRE
CONCERNS ABOUT NO MIXED USES IN COMMERCIAL/RETAIL ZONE
EAST SIDE HWY 1 / NEEDS FOR SOME FORM OF MIXED USE
INTRODUCTION TO A MAP (ATTACHED) PREPARED BY RRM DESIGN
JEFF FERBER
LOCATION OF PROPERTIES AT ISSUE

6-27-07
Date

Signature of Commissioner

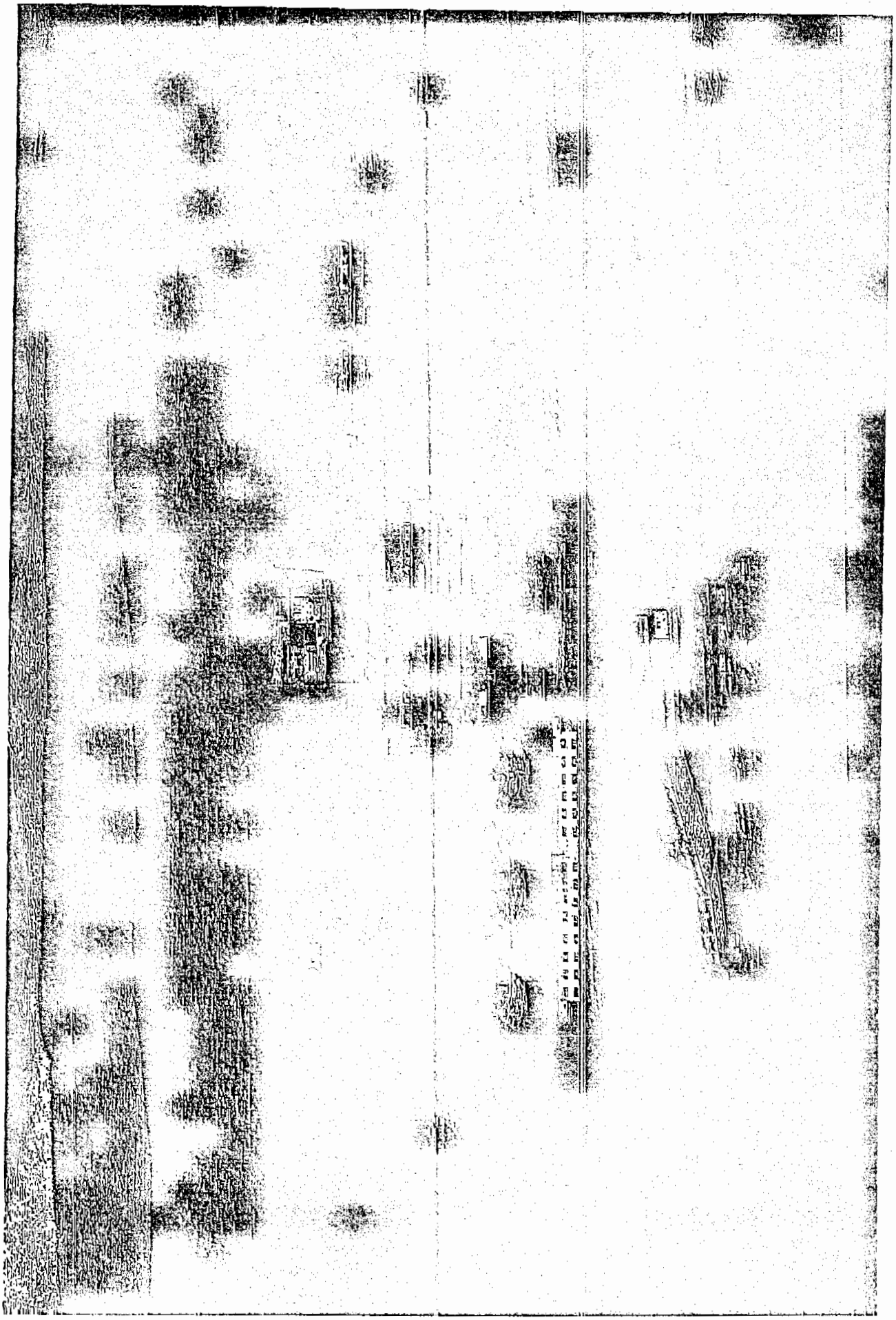
If communication occurred seven (7) or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director **within** seven (7) days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

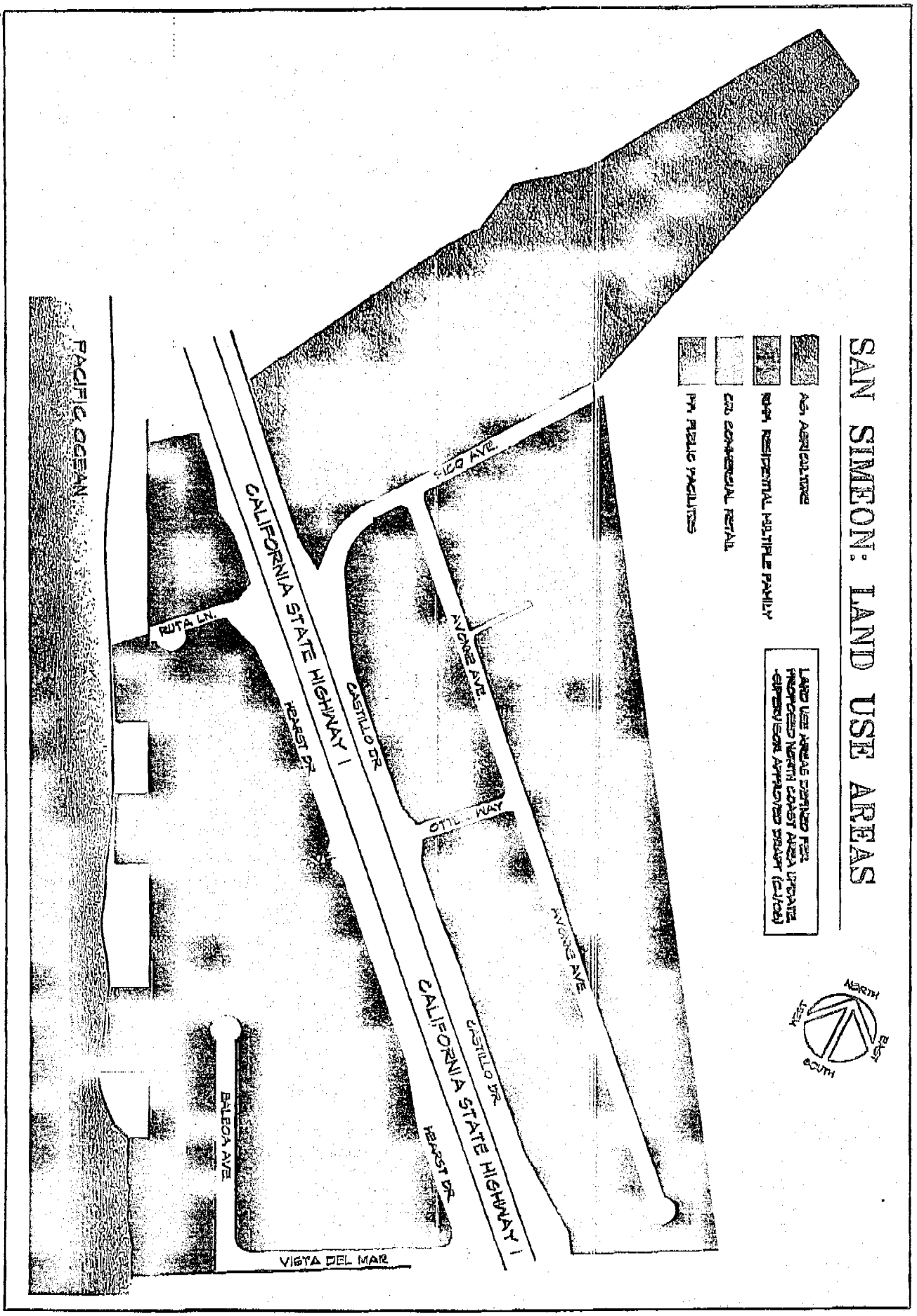
If communication occurred within seven (7) days of the hearing, **complete** this form, provide the information **orally** on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

APPENDIX 2

SAN SIMEON: EXISTING DEVELOPMENT
AG AGRICULTURE
PF PUBLIC FACILITIES
IMPROVED PARCEL
UNDEVELOPED PARCEL
UNIMPROVED PARCEL
NORTH
EAST
WEST
SOUTH
AVONNE AVE.
CASTILLO DR.
CALIFORNIA STATE HIGHWAY 1
HEARST DR.
VISTA DEL MAR
BALBOA AVE
PICO AVE
VISTA LN
PACIFIC OCEAN

SAN SIMEON: EXISTING DEVELOPMENT
AG AGRICULTURE
PF PUBLIC FACILITIES
IMPROVED PARCEL
UNIMPROVED PARCEL
UNDEVELOPED PARCEL
CALIFORNIA STATE HIGHWAY 1
CASTILLO DR
AVENIDA DEL MAR
VISTA DEL MAR
BALBOA AVE
PACIFIC OCEAN




SAN SIMEON: LAND USE AREAS
AG AGRICULTURE
RMF RESIDENTIAL MULTIPLE FAMILY
CR COMMERCIAL RETAIL
PF PUBLIC FACILITIES
LAND USE AREAS DEFINED PER PROPOSED NORTH COAST AREA UPDATE -SUPERVISOR APPROVED DRAFT (6/1/06)
NORTH
WEST
EAST
SOUTH
CALIFORNIA STATE HIGHWAY 1
CASTILLO DR
AVONNE AVE
HEARST DR
SLOO AVE
OTTO WAY
BALBOA AVE
VISTA DEL MAR
PACIFIC OCEAN

Parks, Recreation & Open Space Commission
POST OFFICE BOX 541 · CAMBRIA · CALIFORNIA 93428 · (805) 927-6223

July 6, 2007

California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

VIA FACSIMILE: (831) 427-4877

Subject: Cambria San Simeon Acres Community Plans; allowed uses Fiscalini Ranch Preserve

Dear Coastal Commissioners and Commission Staff:

At its meeting of July 3, 2007, the Cambria Community Services District (CCSD) Parks, Recreation and Open Space (PROS) Commission, voted unanimously to support two allowable uses for the Fiscalini Ranch Preserve.

Outdoor Sports and Recreation
PROS strongly supports the utilization of 25 acres of the East Ranch area for a community park which would provide public, athletic, mixed use field space for youth and adult sports. The community park is proposed in response to identified community recreational needs and existing deficiencies of active recreational activities. This endeavor is consistent with the County General Plan, Parks and Recreation Element, and the Cambria Parks and Recreation Plan.

Communications Facilities on the Ranch
In addition to providing funding for ranch management by the Friends of the Fiscalini Ranch Preserve, the proposed communications facility would address a very critical cell phone coverage need in this community. Cambria has a large elderly population, many of whom are unable to place or receive cell phone calls due to lack of coverage in many areas of the community. This health and safety issue has a great deal of local support.

We appreciate the opportunity to comment on these issues and urge support of these uses on the ranch by the Coastal Commission.

Respectfully Submitted,

Michael Thompson

Michael Thompson, Chair
Cambria Parks, Recreation and Open Space Commission

W10a
W10b

June 20, 2007

California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

RE: AGENDA ITEMS W10a and W10b

Dear Commissioners,

I urge you to uphold the intent of the Local Coastal Plan and deny the CELL PHONE TOWER which our CCSD desperately wants to build on the saved open space. It's not just a cell tower -- there will be five buildings and a road to service this structure. This intrusion will just pave the way for more and more. Our CCSD wants the monthly money this would bring in and has failed to inform the public of the extent of this project by saying it's JUST a cell tower and NOT discussing the rest of the project with us. I had to do research to find out the extent of the entire project. Please do not let the fire (fear) department influence you. They are pushing and pushing to destroy this area by using fear tactics and are doing a good job of it.

PLEASE DO NOT allow the redesignation of the Fiscalini Ranch for urban use. The Fiscalini Ranch was saved by all of us for open space, passive recreation and that is the understanding we all had when we plunked down our dollars and worked to save our land from urban intrusion. Soccer and baseball are sports played in areas with lots of flat land which we have little of. There are sports fields at our local high school and a football field that gets little use. We have a park where small soccer games are played. We are not a town that uses large fields as our population of children dwindles. The county has bribed our CCSD with a "gift" of $500,000 to change the open space into "functional" urban use. They are desperately trying to pull urbanites into our town to spend their money after their soccer games. PLEASE SAY NO to the urban intrusion in a designated sensitive area. Do not let business interests and the inability of our CCSD to be frugal influence you -- please listen to the original intent of the Local Coastal Plan to save our open space for passive sports and animal habitat. SOCCER FIELDS WILL RUN THE WILDLIFE OFF.

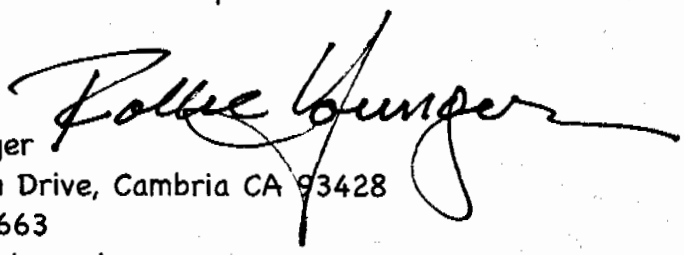
Also, have you seen the streetlights that have been "forced" down our throats by the county in a most illegal way? 39 of them in less than 7/10ths of a mile on our designated "sensitive community" Main Street. This light pollution invades the Santa Rosa Creek and will light up the valley. Even more lights are planned in the future. **No environmental studies.** A group of people are suing the county, but I think it's a Coastal Commission matter because they have violated all the documents in place -- Local Coastal Plan Requirements for environmental studies, Cambria Development Plan requirements that the night sky not be intruded upon, no public appeal process becauses there were no finished plans to look at when the county

issued itself a CDP and so, no reason to appeal at that time -- it was just mentioned as a concept in the CDP.

What is happening here is just a reflection of what is happening in this country -- overturning the laws and intentions which could save this earth for both people and other creatures, flora and fauna. PLEASE UPHOLD THE INTENT OF THE LOCAL COASTAL PLAN BY DENYING THE CHANGES REQUESTED BY THIS COUNTY. This county is NOT working to keep the spirit of the law -- they are getting grants to pay their wages and other expenses and forcing development on us when we don't want it. They are bullies who wish to change the rules of the game so much that we, the people, will never be able to stop them. DO NOT LET THEM AMEND THE LOCAL COASTAL PLAN and please admonish them to take out the absolutely insane number of lights they have put in -- it's just nuts and they evaded the intent of the Local Coastal Plan to protect nature from urban intrusion. Why? Because they got more grant money and because they outmaneuvered us by going around the intent of the environmental laws in place.

We place our trust in the Coastal Commission which was formed to protect the land and its people from the capricious and cavalier attitude of local agencies.

Sincerely,



Rollie Younger
2159 Wilton Drive, Cambria CA 93428
805/927-2663
rolliey@charter.net
Past NCAC representive

CAMBRIA COMMUNITY SERVICES DISTRICT

W10a
W10b

July 5, 2007

Subject: San Luis Obispo County Local Coastal Program Major Amendment No. 1-06
Agenda Item W10a (Part 1) Cambria Community Plan
Agenda Item W10b (Part 2) Fiscalini Ranch

Honorable Coastal Commissioners:

The Cambria Community Services District is a rate and tax supported public agency that provides water, sewer, recreation, fire protection, and trash collection to the urbanized area of Cambria. The Cambria Community Plan Update greatly impacts the cost and the way that the CCSD provides utilities and services.

The CCSD has worked productively with the County and Coastal Commission staffs to resolve many issues and only a few remain. We respectfully request four modifications to the proposed Plan.

This brochure will set forth our requested amendments and briefly state our reasons for requesting these changes.

The four remaining areas of concern are:

1. In stream flow studies of Santa Rosa and San Simeon Creeks.
2. Supplemental water project/desalination standards.
3. Rezone of CCSD property from MFR to PF.
4. Uses on the Fiscalini Ranch Preserve.

Thank you for your consideration.

Sincerely yours,

Board of Directors
Cambria Community Services District

1. IN STREAM FLOW STUDIES OF SANTA ROSA AND SAN SIMEON CREEKS.

The CCSD requests a one-word addition to the staff recommended language. As written the "supplemental water standards," states any major water supply project will require an in stream flow study for both Santa Rosa and San Simeon Creeks. This study is to insure adequate in stream flows necessary to support sensitive species and other riparian/wetland habitats, underlying groundwater aquifers and agricultural resources.

An in stream flow study is required for any public works project related to water supply that costs over $100,000. This could include pipeline repair, valve replacement, meter replacement, water conservation upgrades, well repair, fireplug replacements, recycled water facilities, water storage tanks, supplemental water projects, etc. The requirement for this study will make it impossible to do needed repairs, replacements, and water conservation projects.

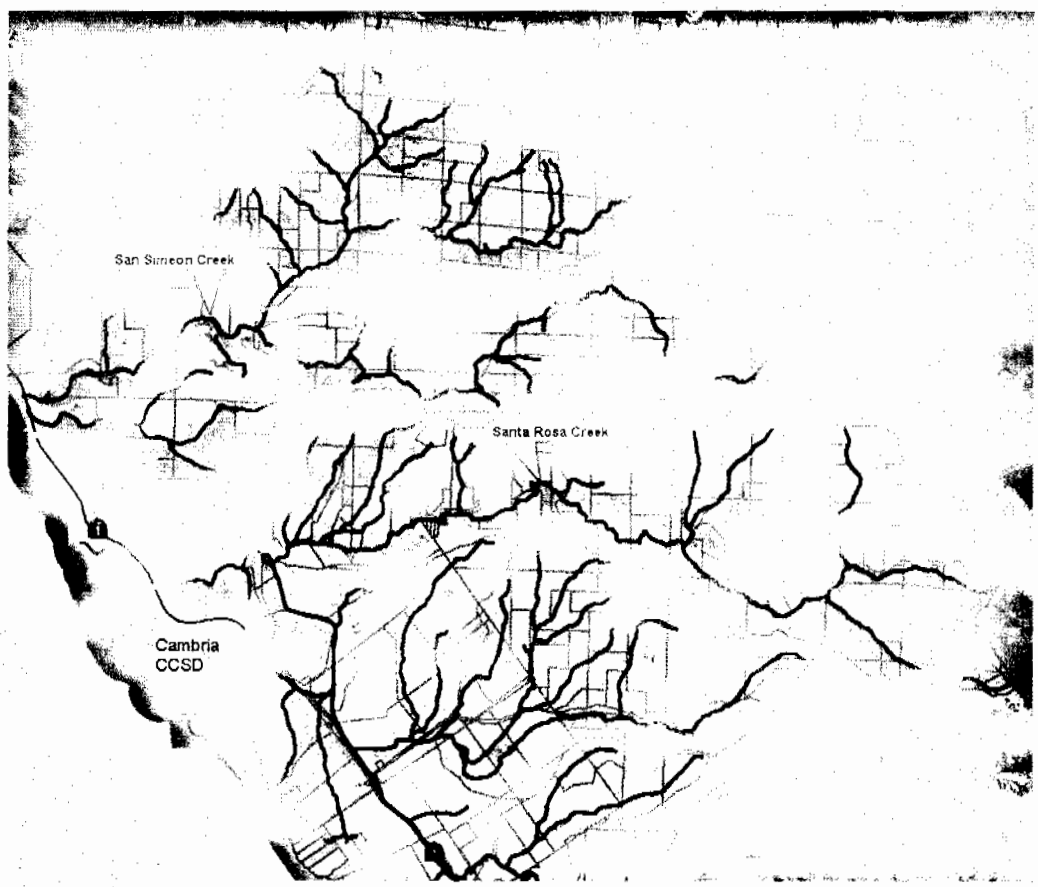
This blanket requirement for an in stream flow study is duplicative and not necessary to protect the creeks because the CEQA review for every CCSD project would identify all of the environmental impacts to the creeks which would then be mitigated.

Each creek is many miles long with hundreds of upstream water users. (See map). This study could require a hydrological and ecological evaluation of miles of creek that the CCSD has no legal right to access. This study would be impossible due to the extraordinary cost, lack of access to private property to obtain data, and due to the fact that the creeks do not flow year round.

Even if this study could be completed it would not be useful. For example, most of the water users are agricultural users. To quantify the water use of today's crops and project the future crops is impossible because the crops and the area planted changes each year. In fact, agricultural uses could increase for any season thus causing decreasing flows and ever-increasing degradation of the creek habitat.

The required in stream flow study would not be relevant to many projects. This study would be required for many projects that have no impact whatsoever on the creeks, for example, pipeline and tank replacements. In addition, it is not relevant to the proposed desalination project because desalination will leave hundreds of acre-feet of water in the creeks. The desalination plant will actually protect the creeks by mitigating any ongoing degradation of the creek flow caused by the increase of upstream agricultural uses.

Though the CCSD would like to have "subsection b" deleted entirely in the alternative, we request that the requirement be modified by the addition of one word "**additional.**" This would mean that a study would be required only if a major water supply project draws **additional** water from the creeks.



REQUESTED AMENDMENT

AGENDA ITEM 10Wa, MOD 48: PG. 23- 24, CCC STAFF REPORT. Prepared June 21, 2007 (for July 11, 2007 hearing):

Pg. 7-16 Limitation on Development. Add new Community wide Standard 3 as follows:

3. Supplemental Water Supply Standards. Any major public works water supply project to support new development within the CCSD service area shall be subject to the following approval standards and findings:

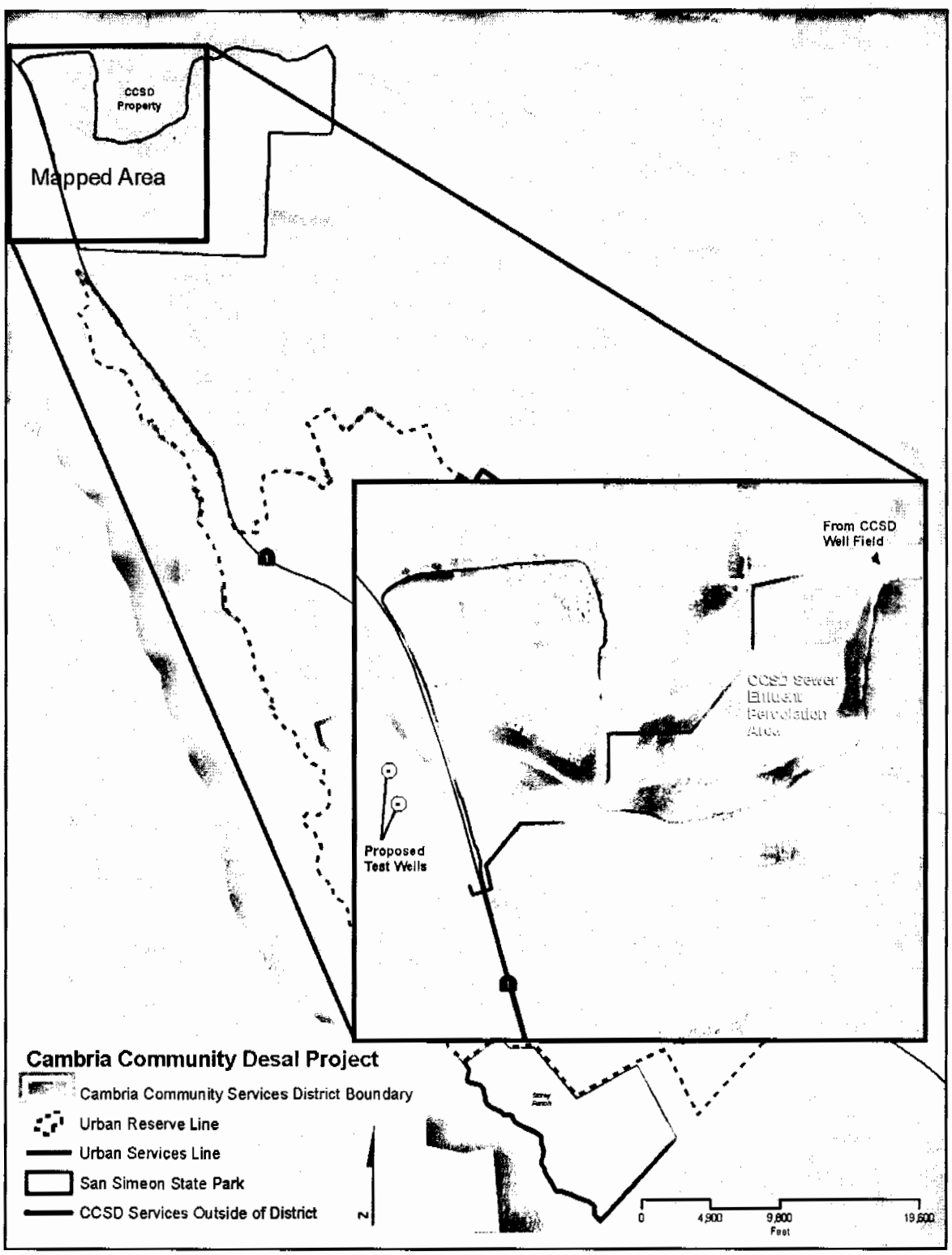
....

b. Creek Withdrawals. The project shall assure that additional CCSD water withdrawals from Santa Rosa and San Simeon Creeks will be sufficiently limited to protect:

(1) adequate in stream flows necessary to support sensitive species and other riparian/wetland habitats;

(2) underlying groundwater aquifers; and

(3) agricultural resources.


CCSD Property
Mapped Area
From CCSD Well Field
Proposed Test Wells
Cambria Community Desal Project
Cambria Community Services District Boundary
Urban Reserve Line
Urban Services Line
San Simeon State Park
CCSD Services Outside of District
N
0
4,900
9,800
19,600
Feet

2. SUPPLEMENTAL WATER PROJECT/DESALINATION STANDARDS.

This update deals significantly with desalination standards. As such we are requesting a modification that will provide the CCSD an opportunity to evaluate all the potential sites for desalination facilities. The North Coast Rural Standards of the LCP state that in the recreational land use category, "New structures are to be located a minimum of 50 feet from the high tide line or the upper edge of defined bluffs, whichever is greater." This provision of the LCP is being interpreted to possibly stop our subterranean well intakes and permanent subterranean pipelines in the beach at the mouth of San Simeon Creek.

The CCSD is planning to use the preferred environmental method of extracting seawater, subterranean well intakes. The desalination plant site is also planned at the most environmentally superior site, where the Coastal Commission previously permitted it, in the middle of the CCSD Sewer Effluent Percolation Area. (See photo).

This standard may prohibit the CCSD's ability to use the preferred method of extracting seawater and the preferred previously permitted site.

Though we do not believe subterranean well intakes or subterranean pipelines are "structures" that interfere with recreational uses, we are requesting that the language be added to clarify the intent of this standard.

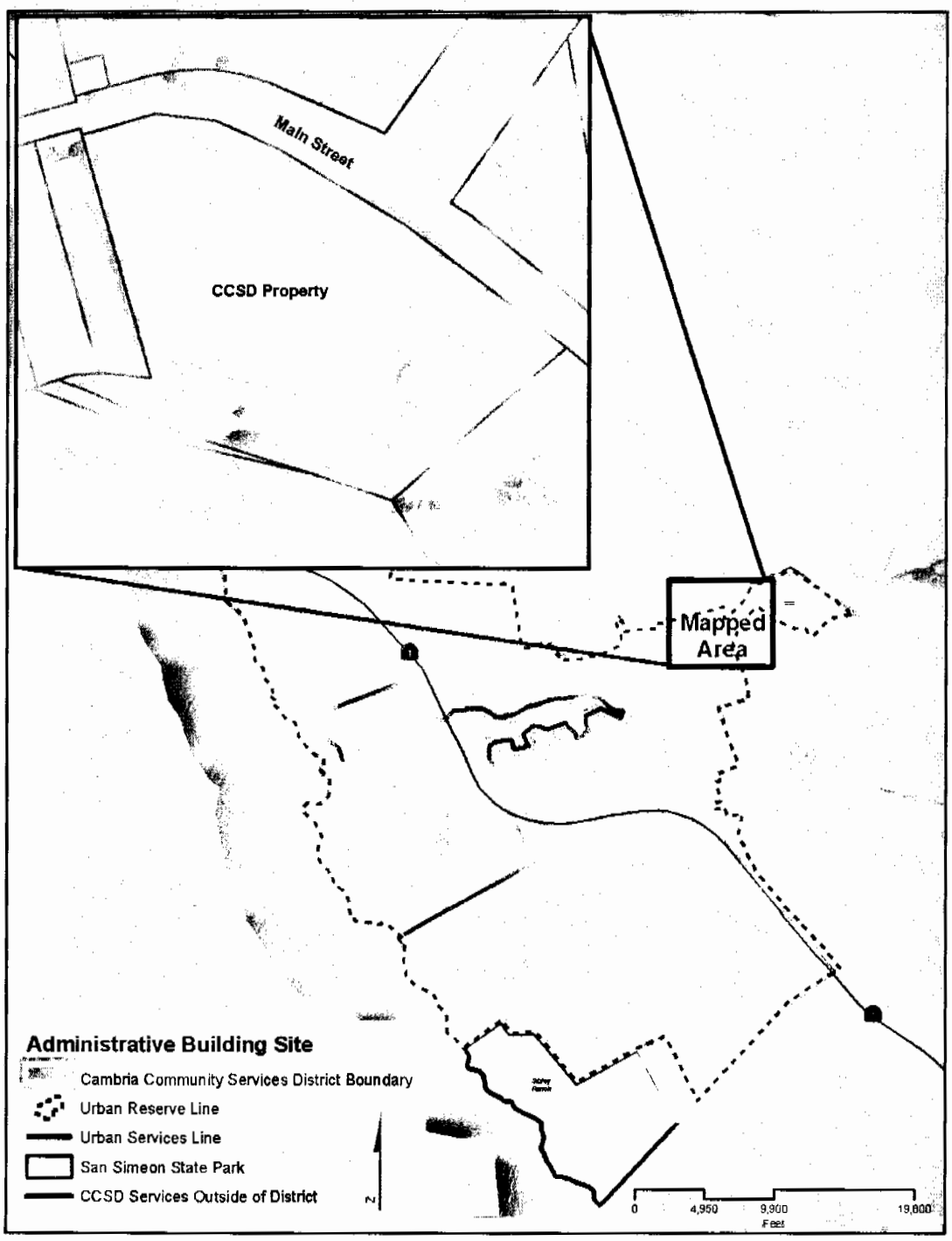
REQUESTED AMENDMENT

AGENDA ITEM 10Wa, Proposed MOD 75 (NEW):

ADD TO Pg. 7-5 A. North Coast Rural Area Standards: Revise Recreation Standard 6, Setbacks to clarify what is subject to this standard.

Recreation

> 6. Setbacks - Coastal. New structures are to be located a minimum of 50 feet from the high tide line or the upper edge of defined bluffs, whichever is greater. Where a geology report prepared in accordance with the CZLUO recommends a lesser setback, new structures may be placed to not less than 25 feet of the defined shoreline bluff; provided that the reduced setback shall not interfere with the obtaining or maintenance of coastal access of a minimum width of ten feet (10') as required in the Local Coastal Program. Sub-surface feedwater intakes and subterranean pipelines for intake and brine discharge are not subject to this setback requirement.


Main Street
CCSD Property
Mapped Area
Administrative Building Site
Cambria Community Services District Boundary
Urban Reserve Line
Urban Services Line
San Simeon State Park
CCSD Services Outside of District
N
0
4,950
9,900
19,800
Feet

3. REZONE OF CCSD PROPERTY FROM MFR (MULTI FAMILY RESIDENTIAL) TO PF (PUBLIC FACILITY).

Every County and Coastal Commission version of the Cambria Plan has designated a CCSD owned 7.8 acre parcel at the east end of Mains Street rezoned from MFR to PF until, without notice or discussion with the CCSD, this was changed in the June 29, 2007 staff report. This staff report recommends denial of the zone change.

The CCSD acquired the site to reduce build out potential. The CCSD plans to the site for an administration building and a five acres passive recreation park. It is not intended as a "Town Hall" as identified at page 53 of the CCC staff report. Sixty percent (60%) of this creek side land is currently encumbered with a private open space easement that limit the site's use to passive recreation and an office building on a small portion of the site. If this site is not rezoned to PF this site cannot be used for these purposes.

The rezone from MFR to PF is warranted because:

1. Cambria already has more undeveloped MFR land than it will have water to serve.
2. This creek side site will not develop into affordable housing. For example, prior to acquisition by the CCSD this site had four upscale freestanding houses approved for construction – not affordable housing.
3. Leaving this parcel in public use will mean a reduction of a potential of over one hundred multifamily units on this site.
4. An administration building is a commercial use that Public Resources Code Section 30250 states should be contiguous with existing developed areas.

The staff report cites on page 53, Public Resources code Section 30250 as a basis to deny this rezone request stating this law requires the concentration of residential development. We do not disagree with that interpretation but Section 30250 also states commercial development, such as an office building, should be located next to developed areas.

If this zoning is not changed this parcel would have to be sold for development by the CCSD to finance the purchase of other land for a new administration building. This five-acre creek side park would be lost and property could be developed into many high priced condominiums units.

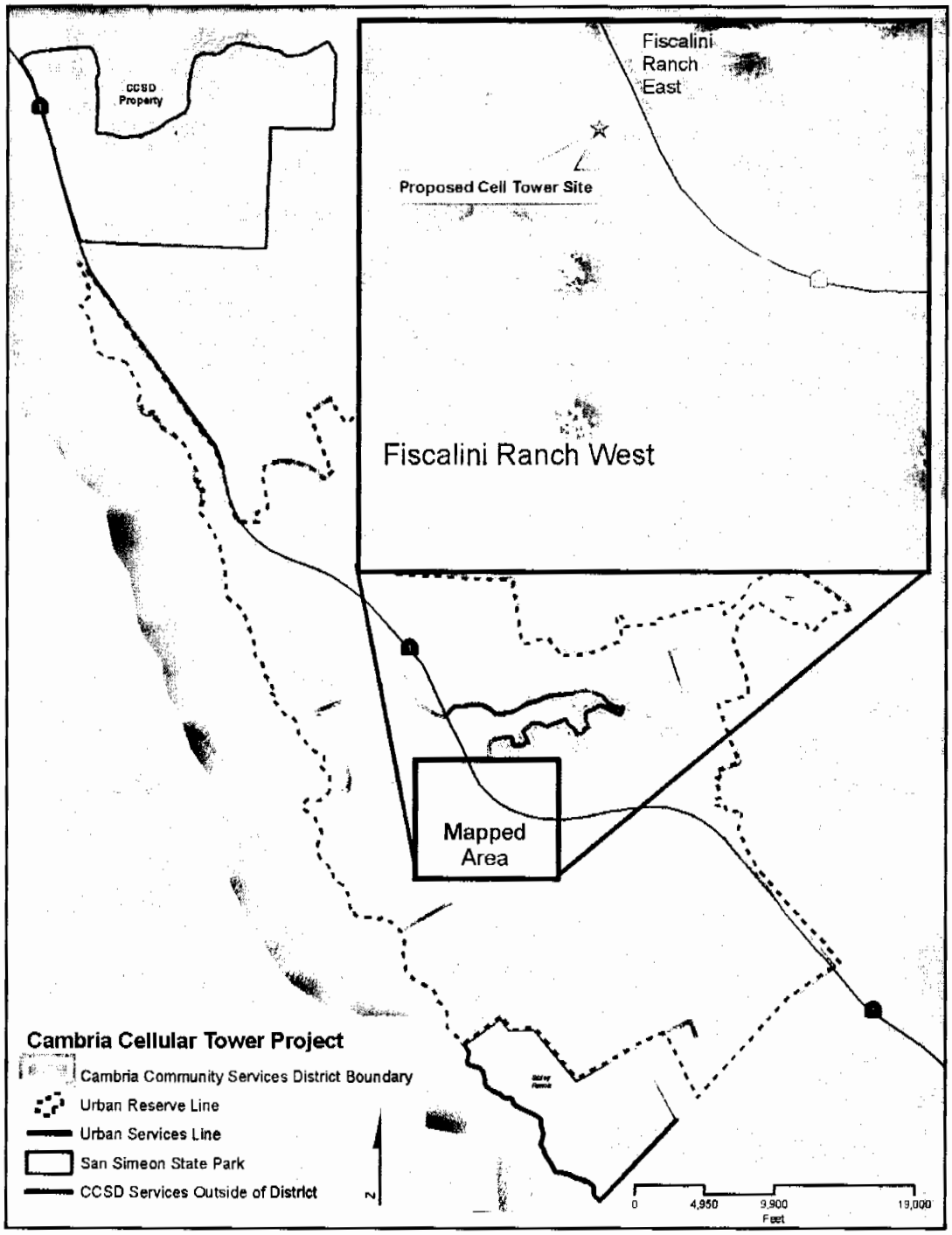
REQUESTED AMENDMENT

AGENDA ITEM 10Wa, MOD 60: PG. 29, CCC STAFF REPORT. Prepared June 21, 2007 (for July 11, 2007 hearing):

A2. SUGGESTED MODIFICATIONS TO CAMBRIA LAND USE CATEGORY MAP 8

....

Deleted: #15) CCSD/Bahringer – To remain MFR.


CCSD Property
Fiscalini Ranch East
Proposed Cell Tower Site
Fiscalini Ranch West
Mapped Area
Cambria Cellular Tower Project
Cambria Community Services District Boundary
Urban Reserve Line
Urban Services Line
San Simeon State Park
CCSD Services Outside of District
N
0
4,950
9,900
19,000
Feet

4. USES ON THE FISCALINI RANCH PRESERVE.

Coastal Commission staff amended this section to assist the CCSD in its future operations but one clarification is requested for the CCSD existing pump station. The proposed language permits it but does not mention whether it can be relocated on the site. The CCSD plans on relocating its pump station to an environmentally superior location on the same Recreational zoned site. This will move it away from Santa Rosa Creek, protect it from flooding, and because it will have to undergo permitting it will be much more aesthetically pleasing than the old facility. We ask that "Pump Stations" be added as a permitted use.

Public safety is our main concern regarding the request to add "One Communication Facility site" which was deleted as a permitted use for the Fiscalini Ranch Preserve. As proposed by Coastal Commission staff the LCP would prohibit a cell tower site, which has been planned for over eight years. It is on the County Planning Commission agenda for July 26, 2007. This site is identified in the photo of the Ranch.

Cell phone coverage in Cambria is non-existent or woefully inadequate. Our visitor and residents cannot call 911 regarding emergencies at the beach or the Fiscalini Ranch. In a recent incident teams searching for a lost alzheimer's patient could not communicate with each other or call for help which delayed the rescue.

The proposed site is located in a forested area not readily accessible or visible. The proposed powers look like the surrounding trees and the County's permitting will eliminate any impacts of this site. The CCSD makes no income from the lease of this site, which goes to the Friends of the Fiscalini Ranch Preserve to help preserve the Ranch.

REQUESTED AMENDMENT

AGENDA ITEM 10 Wb, PG. 4, CCC STAFF REPORT, Prepared June 21, 2007 (for July 11, 2007 hearing):

13. Fiscalini Ranch. The following standards apply to the area designated on Figure 7 – 5 as Fiscalini Ranch.

A. Limitation on Use

1. Recreation Land Use Category. Uses shall be limited to Outdoor Sports & Recreation, Passive Recreation, Crop Production & Grazing, Communication Facilities, Coastal Accessways, Public Assembly & Entertainment, Temporary Events, One Caretaker Residence, Residential Accessory Use, Fisheries & Game Preserves, Water Wells & Impoundments, Existing Public Utility Facilities, Pump Stations, Pipelines & Transmission Lines. Utilities shall be installed underground rather than the use of poles and overhead lights.

2. Open Space Land Use Category. Uses shall be limited to Passive Recreation, Crop Production & Grazing (grazing only), , Existing Water Wells & Impoundments, existing Public Utility Facilities and existing Pipelines and Transmission Lines.

Friends of the Fiscalini Ranch Preserve

Friends of the Fiscalini Ranch Preserve

A Chapter of Small Wilderness Area Preservation

Post Office Box 1664 Cambria , California 93428 805.927.2856

RECEIVED

JUL 06 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

July 1, 2007

Dear Steve Kram,

Next week your commission will be addressing land use amendments on the Fiscalini Ranch Preserve in Cambria. This is an issue near and dear to many in Cambria, especially those on the board of Friends of the Fiscalini Ranch Preserve (FFRP) since we are the conservation easement holders and designated managers of the property.

The purchase of this property was a wonderfully exciting event and most of us, myself included, were involved from the time we fought development in 1995, during the purchase in 2000 through today in assisting with management and monitoring use by the public. It is with this background that we approach our request.

Funds for the Fiscalini Ranch Preserve purchase came primarily from the State Coastal Conservancy (SCC), with smaller amounts coming from other public agencies and private sources. This accomplishment was considered an amazing feat for a community the size of Cambria. Although there was broad support and funding for the purchase of the Ranch there was no endowment for its care. Grants for trails, invasive weed eradication and other special projects are available but not grants for ongoing care.

Following the purchase and during the months of writing the Management Plans and Conservation Easement in conjunction with the SCC, American Land Conservancy, Cambria Community Services District (CCSD), County Supervisor and others, we understood that no management funds would be available so when the prospect of a cell facility was introduced, it was agreed by all involved that a cell facility should be an allowed use in order to provide management funds.

FFRP was approved as the Conservation Easement Holder and Management Entity and a memorandum of understanding was signed between the CCSD and FFRP, passing the cell lease funds to FFRP for management activities. For over four years FFRP has done all of the follow up work through the planning process and four different cell companies and contacts on this project. CCSD has been passing along the lease monies to FFRP for management activities

In addition, the Cambria community needs better cell phone reception. Everyone with a cell phone, visitors, community members and emergency personnel, all can agree on this aspect of the project. A cell phone failure when someone's health or safety is at stake would be unbearable. Much of Cambria is not covered for cell service in the event of such an emergency.

Because we have followed this project so closely we believe that this will be a good project for the community as well as benefiting Ranch management activities. Placing it on the Ranch makes good sense visually. The monopines will be hidden among the trees on the ridge top and according to the visual analysis will have no significant visual impact. A single monopine on a barren hilltop is a strange looking thing. In the middle of a forest it is hardly noticeable. A tower in a neighborhood or business district would have a much greater visual impact. The site for this facility was chosen for minimal impact to the surrounding forest and is located far from any neighbors.

We understand that no portion of this facility could be visible from the Pacific Ocean, designated trails, Highway 1 or other public highways and that the proposal could not impact sensitive resource areas or terrestrial habitats.

Therefore, I urge you to change the language in the Cambria and San Simeon Community Plan to state that one cell facility, only one, be allowed on the Fiscalini Ranch Preserve with the income going to Friends of the Fiscalini Ranch Preserve, or their successor non-profit, for management activities.

We worked hard as a community to preserve over 400 acres. Now we would like to use 4500 SQUARE FEET to make Cambria a safer place to live as well as provide an income that will help maintain this open space. Please allow the Ranch to help Cambria.

Thank You,

Alese Bell

Alese Bell,

Chair, FFRP

Please come and visit our beautiful Ranch if you can.

W10a

RECEIVED
JUL 0 6 2007
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

July 5, 2007

Mr. Charles Lester, Senior Deputy Director
Mr. Steve Monowitz, District Manager
California Coastal Commission
Central Coast District Office
725 Front Street
Suite No. 300
Santa Cruz, CA 95060-4508

Subject: San Luis Obispo County Local Coastal Program Major Amendment No. 1-06 (Part 1) Cambria and San Simeon Acres Community Plans.

Dear Sirs:

I am submitting this letter to add to our existing exhibits and submittal dated April 8, 2007, provided to the California Coastal Commission at the original hearing slated for and postponed at Santa Barbara, California.

We have also submitted the revised package to Mr.K.H. Achadjian in a scheduled meeting with him on June 6, 2007.

We submit as part of our exhibits, Order No 77-23 from the California Regional Water Quality Control Board to the Cambria Community Services District relating to the terms and conditions of their Waste Discharge Requirements of the new Sewer Treatment facility located on Heath Lane, Cambria, California.

Order No. 77-23 was amended by the Central Coast Regional Board on July 11, 1980, which established new conditions from the original order of March 18, 1977 which ordered the Cambria Community Services District to comply with provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, as well as provisions of the Federal Water Pollution Control Act.

On May 10, 1974, the Central Coast Water Board adopted Waste Discharge Order No. 74-65, which established discharge requirements for the Cambria County Water District, which was the local sewer and water service for the unincorporated area of Cambria, California at that time, which was prior to the formation of the Cambria Community Services District in 1976.

On March 14, 1975, the Central Coast Water Board adopted the Water Quality Control Plan for the Central Coast Basin (Basin Plan) establishing water quality objectives for sub-basins within the Region. Order 77-23 implemented that plan, adopted by the Board.

This is of great importance as the Commission goes forward with the approval process of the local community plans, particularly as it applies to build-out reduction in Cambria, California.

It is our view that the Central Basin Plan prohibits individual septic system discharge permits for substandard lots located within the basin plan jurisdictional boundaries. As such, connection to sewer is mandatory requirement by the State of California for all substandard lots where sewer is available and operational.

Pursuant to the Assessment Districts Nos. 1 and 2 of the Cambria Community Services District, all tax assessed properties subject to compulsory levies confirmed by the County of San Luis Obispo Board of Supervisors under the Streets and Highways Code, which established the improvement districts for sewer and water improvements, have an "equal right" to the benefits associated with the original assessment, which was not subject to reassessment, and went full term under the bond administered by the Auditor-Controller of San Luis Obispo County.

Simply stated, the project plan of the Sewer Treatment public facilities is the Urban Service Line of the Cambria Community Services District currently, and all lots that were tax assessed that existed as subdivided lots, are required to connect to sewer and to be served by water in order to operate the sewerage system.

Any build-out reduction that eliminated the right to sewer and/or water will constitute a breach of the implied contract of the compulsory levies, and will force a taking of the property or properties.

I do not think that the proposed 4650 or 6130 build out scenarios are constitutional or in compliance with State law or Federal law pursuant to the constraints of the Central Basin Plan and Policies of the Central Coast Regional Water Quality Control Board. Porter-Cologne Act, and the Federal Water Pollution Control Act.

Submitted this 5th day of July, 2007,

Gregg Allen Berge
40735 Pocona Place
Murrieta, CA 92562

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102-A Laurel Lane
San Luis Obispo, California 93401

ORDER NO. 77-23
NPDES NO. CA0048615
(Amended July 11, 1980)

WASTE DISCHARGE REQUIREMENTS
FOR
CAMBRIA COMMUNITY SERVICES DISTRICT
SAN LUIS OBISPO COUNTY

The California Regional Water Quality Control Board, Central Coast Region (hereafter Board), finds that:

1. The Cambria Community Services District (hereafter discharger or District) submitted a Report of Waste Discharge dated December 14, 1976.

2. The District discharges a daily flow volume of up to 0.50 million gallons (MG), (1900 m^3), of treated wastewater to either a land area, an intermittant stream, or both.

3. Location of the discharge is in the West ½ of Section 9, T27S, R8E, MD B&M, and as shown on Attachment "A" included with this Order.

4. The discharge will normally be sprayed onto a 51-acre land area shown on Attachment "A". Excess wasteflows that cannot be spray-irrigated will be pumped to a 15 MG (45 ac/ft) effluent holding reservoir. Effluent within the reservoir will either be redistributed to the land area or discharged through an aggregate filter to Van Gordon Creek at Discharge Point 001.

5. The District submitted an amended Report of Waste Discharge dated December 7, 1979. The Report explained plans to relocate the effluent holding reservoir to the area shown on Attachment "A". The Report was considered complete after a supplemental EIR was prepared and submitted on March 24, 1980. The EIR includes mitigating measures to reduce potential adverse impacts on water quality.

6. The District's community water supply well-field is located within the San Simeon Creek watershed upstream of the discharge. Discharge areas will be managed to sustain underflow to the lagoon at the mouth of San Simeon Creek and to prevent sea-water intrusion.

7. Existing treatment facilities have a projected design capacity of 1.0 million gallons per day (mgd). Treatment processes include flow equilization, grit removal, two 0.5 MGD contact stabilization treatment systems, two 0.3 MG holding ponds, and chlorine disinfection. Effluent will be pumped to the discharge area. Sludge will be aerobically digested, dewatered, and discharged to a land disposal area.

8. Investigation of the soil characteristics within the land discharge area indicated wide variation in permeability. Permeabilities generally decrease with depth and distance from surface waters.

9. Soils within the land discharge area south of the county road are predominately clays and silts. Depth to groundwater generally ranges between 4 and 15 feet.

10. Present and anticipated beneficial uses of surface waters within the San Simeon Creek watershed include:

a. Municipal and domestic supply;
b. Agricultural supply;
c. Industrial service supply;
d. Groundwater recharge;
e. Water contact recreation;
f. Non-water contact recreation;
g. Wildlife habitat;
h. Cold fresh-water habitat;
i. Warm fresh-water habitat;
j. Fish migration; and,
k. Fish spawning.

11. Present and anticipated beneficial uses of groundwaters recharged by the discharge include:

a. Domestic supply and
b. Agricultural supply.

12. On May 10, 1974, the Board adopted Order No. 74-65 establishing waste discharge requirements for Cambria County Water District.

13. On March 14, 1975, the Board adopted a Water Quality Control Plan for the Central Coastal Basin (Basin Plan) establishing water quality objectives for sub-basins within the Region. This Order implements that Plan.

14. The Board, on January 18, 1977, and May 28, 1980, notified the discharger and interested agencies and persons of its intent to revise waste discharge requirements for the discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.

15. The Board, in a public meeting on March 18, 1977, heard and considered all comments pertaining to the discharge.

16. The Board, in a public meeting on July 11, 1980, heard and considered all comments pertaining to the proposed amendment of Order No. 77-23.

IT IS HEREBY ORDERED, the Cambria Community Services District, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Federal Water Pollution Control Act and regulations and guidelines adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. The discharge of untreated, partially treated, or undisinfected wastewater to surface waters is prohibited.

2. The discharge of waste sludge to surface waters or drainageways is prohibited.

3. Discharge to surface waters is prohibited unless there is surface water continuity between San Simeon Creek and the Pacific Ocean.

B. Effluent Limitations

1. The maximum daily volume discharged shall not exceed 0.5 million gallons, (1900 m^3/day).

2. Effluent discharged to land areas, including effluent spray mists, shall be confined within the designated reclamation areas as shown on Attachment "A".

3. Effluent discharged to surface waters shall occur only at Discharge Point 001 as shown on Attachment "A".

4. Effluent discharged either to land areas or from Discharge Point 001 shall not exceed the following limits:

Constitutent	Units	Mean	Maximum
Chemical Oxygen Demand	mg/l	50	100
Settleable Solids	ml/l	0.1	0.3
Total Filtrable Residue (Total Dissolved Solids)	mg/l	Water Supply + 300	700
Sodium	mg/l	Water Supply + 70	125
Chloride	mg/l	Water Supply + 70	125
Sulfate	mg/l	- - -	100
Boron	mg/l	0.5	1.0
Grease and Oil	mg/l	10	20

5. Effluent discharged either to the land areas or from Discharge Point 001 shall not have a pH of less than 6.5 nor greater than 8.3.

6. Effluent discharged to the holding reservoir shall be continucusly disinfected so that at some point in the treatment process the median number of coliform organisms does not exceed 2.2 per 100 milliliters, as determined from the last seven (7) days for which analyses have been completed, and the maximum number of coliform organisms does not exceed 2400 per 100 milliliters.

7. Effluent discharged either to land areas or from Discharge Point 001 shall not have a dissolved oxygen concentration of less than 2.0 mg/l.

8. Effluent discharged from Point 001 shall not exceed the following limits:

Constituent	Units	Mean	Maximum
Biochemical Oxygen Demand	mg/l	20	40
Total Nonfiltrable Residue (Suspended Solids)	mg/l	30	60
Turbidity	NTU	50	75
Toxicity Concentration	tu	0.59	0.87

9. Effluent discharged from Point 001 shall not have a measurable chlorine residual.

10. Discharge to land areas shall not exceed the following limits:

Constituent	Units	Mean	Maximum
Biochemical Oxygen Demand	mg/l	30	90
Total Nonfiltrable Residue (Suspended Solids)	mg/l	40	100

11. The mass emission rate of the discharge during any 24-hour period shall not exceed the Maximum Allowable Daily Mass Emission Rate. A Maximum Allowable Daily Mass Emission Rate for each constituent listed in Effluent Limitation Nos. 4., 8., and 10., above, shall be calculated from the total waste flow occurring each specific day (unless flow exceeds the maximum allowable, in which case the flow value shall be 0.5 mgd) and the maximum concentration specified in Effluent Limitation Nos. 4., 9., or 10.

12. Reclamation areas shall be managed so as to prevent effluent from ponding.

13. Effluent spray areas and the effluent holding reservoir shall be located at least 100 feet from any domestic water well.

14. Use of reclaimed water shall be in conformance with the reclamation criteria established in Title 22, Division 4, (Chapter 3), of the California Administriative Code. Uses not addressed in Title 22 and all specific areas of use are subject to prior approval by the Executive Officer.

15. The discharge shall not contain biostimulatory substances in concentrations that promote aquatic growths that cause nuisance or adversely affect beneficial uses.

16. The discharge shall not contain pesticides in excess of the limiting concentrations set forth in the California Water Quality and Monitoring Regulations, California Administrative Code, Title 22, Article 4, Section 64435 or as prescribed in Chapter 4 of the Basin Plan.

17. The discharge shall not contain concentrations of radionuclides in excess of the limits specified in the California Administrative Code, Title 22, California Domestic Water Quality and Monitoring Regulations, Article 5, Section 64443, Table 5 or as prescribed in Chapter 4 of the Basin Plan.

18. The discharge shall not contain substances in concentrations which are toxic to, or which produce detrimental physiological responses in human, plant, or animal (particularly fish or aquatic) life.

19. The discharge shall not contain floating material including solids, liquids, foams, and scum which cause nuisance or adversely affect beneficial uses.

20. The discharge shall not contain taste or odor producing substances that cause nuisance or that adversely affect beneficial uses.

21. All accumulated sludge, salts, or solid residues shall be disposed of in a manner approved by the Executive Officer.

22. The discharge shall not cause a pollution as defined in Section 13050(l) of the California Water Code.

23. Neither the treatment nor the discharge shall cause a nuisance as defined in Section 13050(m) of the California Water Code.

C. Receiving Water Limitations

1. The discharge shall not cause the following limits to be exceeded in Van Gordon Creek or San Simeon Creek:

Constituent	Maximum mg/l (Unless Otherwise Noted)
Aluminum	7.5
Arsenic	0.05
Beryllium	0.15
Cadmium	0.01
Chromium	0.05
Cobalt	0.075
Copper	0.3
Cyanide	0.2
Fluoride	1.5
Iron	7.5
Lead	0.005
Lithium	0.113
Manganese	0.3
Mercury	0.002
Molybdenum	0.015
Nickel	0.3
Selenium	0.01
Valadium	0.15
Zinc	2.0
M.B.A.S.	0.2

Constituent	Maximum mg/l (Unless Otherwise Noted)
Phenols	0.001
Polychlorinated Byphenyls	0.0003
Unionized Ammonia (NH_3 as N)	0.025
Total Nitrogen*	0.5
Total Phosphorous*	0.05
Algal Biomass	20% above background levels as determined from pre-discharge monitoring
Turbidity (NTU)	20% above background levels as determined from pre-discharge monitoring

*Not required if algal biomass and turbidity levels are met.

2. The discharge shall not cause the nitrate nitrogen (NO_3 as N) level of groundwater underlying effluent irrigation areas to exceed 10.0 mg/l.

3. The discharge shall not cause the dissolved oxygen concentration of Van Gordon Creek to be depressed below 5.0 mg/l, nor cause the dissolved oxygen concentration of San Simeon Creek to be depressed below 7.0 mg/l.

4. The discharge shall not cause surface waters to be greater than 15 units or 10 percent above natural background color, whichever is greater.

5. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Federal Water Pollution Control Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Federal Water Pollution Control Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.

D. Provisions

1. The discharger shall comply with the "Monitoring and Reporting Program" as specified by the Executive Officer.

2. Mean and median constituent levels shall be determined from all samples collected during a reporting period. Mean constituent levels of samples collected once during a reporting period shall be determined from results of the last three reporting periods.

3. All facilities used for the transport or treatment of waste shall be protected against overflow, or flooding or washout from a storm or flood having a predicted frequency of once in 100 years.

4. The public shall be excluded from both the holding reservoir and land discharge areas.

5. Supervisors, foreman and operators of the wastewater treatment facilities shall be appropriately certified by the State Water Resources Control Board as specified in the California Administrative Code, Title 23, Chapter 3, Subchapter 14.

6. The discharger shall comply with all items of the attached "Standard Provisions and Reporting Requirements" dated July 8, 1977.

7. When a violation of any constituent in this Order is noted, the discharger shall resample that constituent promptly and/or determine the cause of the violation.

8. The discharger shall implement and enforce a source control program approved by the Executive Officer.

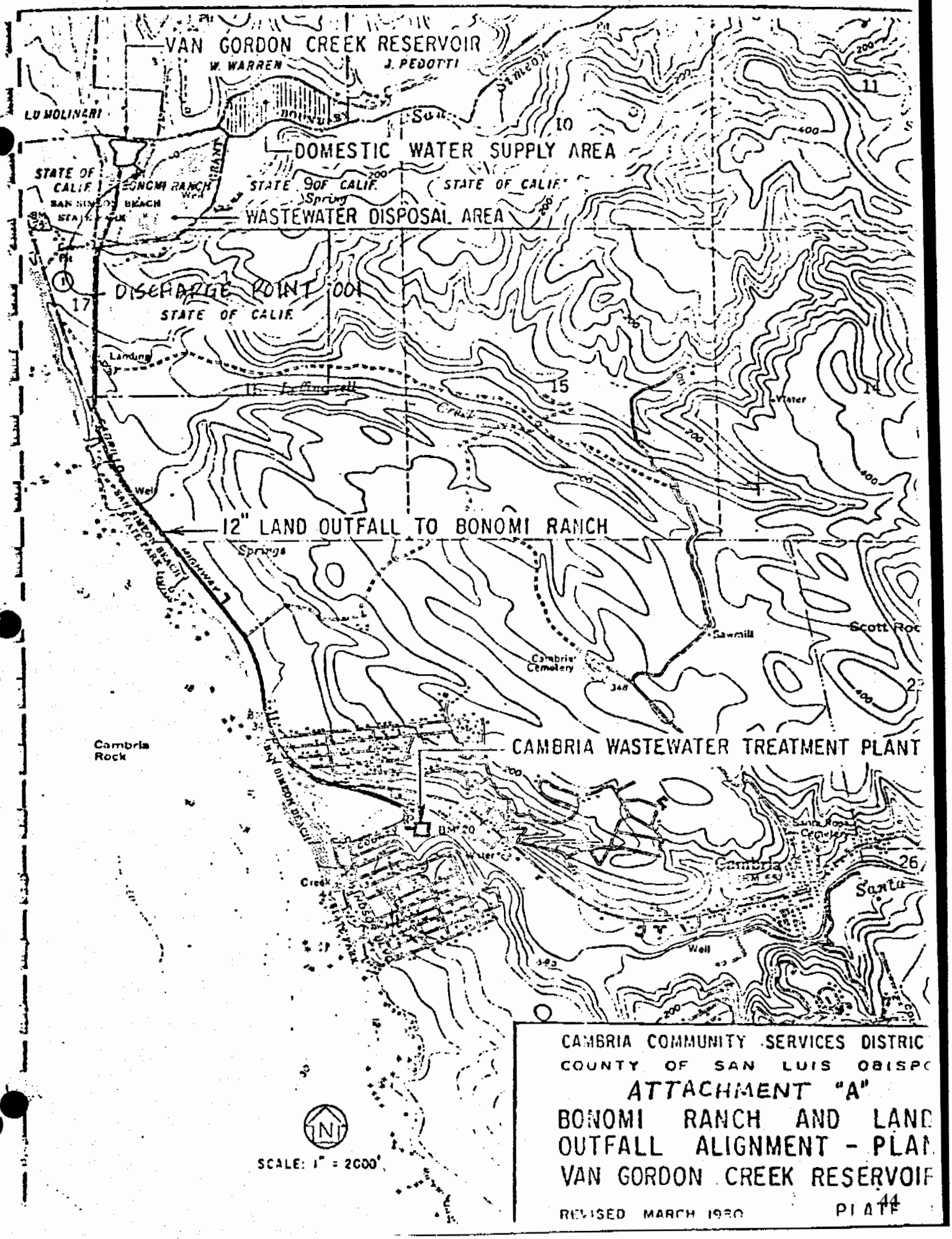
9. This Order expires on March 18, 1982, and the Cambria Community Services District must file a Report of Waste Discharge in accordance with Title 23, California Administrative Code, not later than 180 days in advance of such date as application for issuance of new waste discharge requirements.

10. This Order does not alleviate the responsibility to obtain other necessary local, state, and federal permits to construct facilities necessary for compliance with this Order, nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.

This Order shall serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Federal Water Pollution Control Act, or amendments thereto, and shall take effect March 28, 1977.

I, KENNETH R. JONES, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on March 18, 1977, and amended on July 11, 1980.

Executive Officer



CAMBRIA COMMUNITY SERVICES DISTRIC
COUNTY OF SAN LUIS OBISPC

ATTACHMENT "A"

BONOMI RANCH AND LAND
OUTFALL ALIGNMENT - PLAN
VAN GORDON CREEK RESERVOIR

REVISED MARCH 1980

PLATE

April 8, 2007

Mr. Charles Lester, Senior Deputy Director
Mr. Steve Monowitz, District Manager
California Coastal Commission
Central Coast District Office
725 Front Street
Suite No. 300
Santa Cruz, CA 95060-4508

Subject: San Luis Obispo County Local Coastal Program Major Amendment No. 1-06 (Part 1) Cambria and San Simeon Acres Community Plans.

Dear Sirs:

Let this letter serve as our formal request to the California Coastal Commission to deny the certification of the above referenced major amendment to the certified Local Coastal Plan adopted in September, 1988 based upon the fact that its findings are not consistent with the Coastal Act of 1976 as found in the Public Resources Code.

It is our strong belief that the proposed Major Amendment No. 1-06 is not consistent with Sections 30250, 30254, and 30412 of the Public Resources Code pursuant to the Coastal Act of 1976.

While we applaud the efforts of the various local, county, and state agencies in there pursuit of limiting growth within the Cambria and San Simeon areas, we feel a citizen's right to water owned by the state of California, and his equal right to sewer is being all but trampled on in the pursuit of an environmental agenda.

Section 30250 of the Coastal Act limits development to already developed areas that have public service capacity to accommodate such growth. The community of Cambria has been designated an urbanizing area based upon the established urban service line and urban reserve line approved by the special district, County of San Luis Obispo, and various state agencies.

Section 30250 requires that *"new residential, commercial, or industrial development, except as otherwise provided in this division, "shall" be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*

Section 30412 of the Public Resources Code requires that:

In addition to Section 13142.5 of the Water Code, this section shall apply to the commission and the State Water Resources Control Board and the California regional water quality control boards.

(a) The State Water Resources Control Board and the California regional water quality control board are the state agencies with primary responsibility for the coordination and control of water quality. The State Water Resources Control Board has primary responsibility for the administration of water rights pursuant to applicable law. The commission shall assure that proposed development and local coastal programs shall not frustrate this section. The commission shall not except provided in subdivision (c), modify, adopt conditions, or take any action in conflict with any determination by the State Water Resources Control Board or any California regional water quality control board in matters relating to water quality or the administration or water rights. Except as provided in this section, nothing herein shall be interpreted in any way either as prohibiting or limiting the commission, local government, or port governing body from exercising the regulatory controls over development pursuant to this division in a manner necessary to carry out this division.

(b) Any development within the coastal zone or outside the coastal zone which provides service to any area within the coastal zone that constitutes a treatment work shall be reviewed by the commission and any permit issues, if any, shall be determinative only with respect to the following aspects of the development:

1.) The siting and visual appearance of treatment works within the coastal zone.

2.) The geographic limits of service areas within the coastal zone which are to be served by particular treatment works and the timing of the use of capacity of treatment works for those service areas to allow for phasing of development and use of facilities consistent with this division

3.) Development projections which determine the sizing of treatment works for providing service within the coastal zone.

The Commission shall make these determinations in accordance with the policies of this division and shall make its final determination on a permit application for a treatment work prior to the final funding of such treatment works. Except as specifically provided in this subdivision, the decisions of the State Water Resources Control Board relative to the construction of treatment works shall be final and binding upon the commission.

A proposed buildout reduction plan has become a divisive issue that is polarizing the community between the haves and the have-nots. As we now are going on to the seventeenth year of discussion as to a proposed new water source, the situation in Cambria is now becoming another Los Osos sewer problem. A problem that must be solved, has a complete viable answer, but politically cannot be solved. It is so sad to know that there is no real problem at all. The answer lies in the past, not the present.

Let me explain in as simple terms as to the required direction that must be taken.

In 1967, the San Luis Obispo County Health Officer, George Harper, made a determination that all the existing individual private septic systems serving the existing homes on sub-standard lots were creating a threat to the local ground water basin and water quality for the Cambria area.

Mr. Harper instituted a construction moratorium against any new development until such time as a new sewer treatment plant was built and operational.

In 1969, the state of California Legislature passed the Porter-Cologne Water Quality Control Act, which created the nine Regional Water Quality Control Boards (Regional Boards) which acting in concert became the "principal state agencies with the primary responsibility for the coordination and control of water quality. In1991, the Boards were brought together with five other State environmental protection agencies under the newly crafted California Environmental Protection Agency Cal/EPA)

The State Board is generally responsible for setting statewide water quality policy and considering petitions contesting Regional Board actions. The State Board is also solely responsible for allocation of surface water rights.

Within the State Board, the Division of Water Quality is responsible for providing the statewide perspective on a wide range of water quality planning and regulatory functions, including regulation of activities affecting wetlands under Federal Clean Water Act and State Porter-Cologne Act programs. The Division of Water Rights may also at times be involved in regulating discharges to wetlands as they pertain to regulation of water storage or hydroelectric facilities.

The nine Regional Boards are each semi-autonomous and comprised of nine Board members appointed by the Governor. Regional boundaries are based on and consistent with State watersheds. Each Regional Board makes water quality planning and regulatory decisions for its region. These decisions include issuing State waste discharge requirements (discharge permits) or recommending Clean Water Act certification for activities affecting wetlands and other water bodies.

The State Board and the Regional Boards promulgate and enforce narrative and numeric water quality standards in order to protect water quality. Also, the Regional Boards adopt and the State Board approves Water Quality Control Plans (Basin Plans). Basin Plans identify (designate) legally-binding beneficial uses of water for water bodies, including wetlands, assign water quality objectives (criteria) to protect those uses, and establish appropriate implementation programs.

The State Board and the Regional Boards regulate discharges of harmful substances to surface waters including wetlands under the Federal Clean Water Act (CWA) and the California Porter-Cologne Act (Porter Cologne).

Discharges to dry land are regulated under Porter-Cologne. For discharges to most wetlands the Regional Boards have the lead permitting role and decide which regulatory instrument to use.

The Porter-Cologne Act establishes a comprehensive program for the protection of water quality and beneficial uses of water. It applies to surface waters (including wetlands), groundwater, and point and non-point of pollution. The Regional Boards regulate discharges under Porter-Cologne primarily through the issuance of waste discharge requirements. Porter-Cologne provides several means of enforcement, including cease and desists orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecution.

On February 14, 1969, the Central Coast Regional Quality Control Board adopted Resolution No. 69-1 Policy Statement Regarding Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coastal Region. Section 13052(e) of the California Water Code requires each regional board "shall" formulate and adopt long-range plans and policies with respect to water pollution control and water quality control within the region to conformity with the policies set forth in Chapter 1 (commencing at Section 13000) and any water quality control policy adopted at any time by the state board and pursuant to Section 13052(d) of the State Water Code "request enforcement of laws concerning water pollution or nuisance by appropriate federal, state, and local agencies and whereas within the context of this policy the term "urbanizing area" refers to areas subject to rapid and/or concentrated development and subdivision areas of less concentrated development with individual parcels of land less than 2.5 acres.

The Regional Board cited in there adoption that they had evidence that many past, present and potential water pollution problems in the region result from the practice of serving new residential subdivisions and other urbanizing areas with individual septic tanks and leaching systems or with small, community sewerage systems that fail to provide satisfactory service.

The Central Board resolved that city and county governments were requested to prohibit the use of individual private septic systems (septic tanks and leaching systems) for any area where the continued use of septic takes constitutes a public health hazard, existing or threatened condition of water pollution or nuisance.

Pursuant to Section 13242 of the State Water Code, the Central Coast Regional Board issued a resolution requiring that individual private septic systems on substandard lots (less than 20000 square feet in land area) will not and shall not be permitted.

The implementing action which enforces this basin plan policy is regulated and enforced by the County of San Luis Obispo through Section 19.20.222 of Title 19 where the use of a private, on-site sewage disposal system is allowed only within the rural area of the county and within urban and village areas where no community sewage collection,

treatment and disposal systems exist. Section 19.20.222 (a) of Title 19 states that these "regulations are enacted in part to implement the requirements of the "Water Quality Control Plan, Central Coastal Basin" adopted by the California Regional Water Quality Control Board.

On July 6, 1972, the California State Water Resources Control Board adopted the State Policy for Water Quality Control to assure a comprehensive statewide program of water quality control, which formally set forth principles and guidelines essential to meet the states goals for water quality control. We have provided the commission with a copy in this submittal.

The purpose of all this background information is found in Section VIII.D.3.f of the Central Coast Basin Plan which requires that community systems for Sewer Treatment Works Plants should be designed and maintained to accommodate build-out populations, particularly when public funds are being used for construction and maintenance.

In the instant of the Heath Lane Treatment Works Facility of the Cambria Community Services District, that public works facility was built pursuant to Improvement Bonds of Assessment District 1 and 2 of the Cambria County Water District and the County of San Luis Obispo and came on line in 1977, after all approvals, including the California Coastal Commission.

Pursuant to Section VIII.D3.i, of the Central Basin Plan and Policies, individual private septic systems are not allowed or encouraged for lot sizes, dwelling densities or site conditions causing detrimental impacts to water quality or in any area where continued use of on-site systems constitutes a public health hazard, an existing or threatened condition of water pollution or nuisance.

The Cambria Community Services District operates the Heath Lane Waste Water Treatment Plant as part of the Estero Bay Hydrologic Unit of the Central Basin Plan and is operating under a waste discharge permit issued and updated regularly by the Central Board located in San Luis Obispo, California. Implementation of the Plan is the responsibility of the Cambria Community Services District and the County of San Luis Obispo.

The treatment works plant was designed and constructed by the County of San Luis Obispo under a Joint Power Agreement with the Cambria County Water District with funding coming from Assessment Districts 1 and 2 under compulsory levies confirmed by the Board of Supervisors of the County of San Luis Obispo.

Additional funding was provided through the Federal, State, and EPA Grants and matching funds from the water district. The Assessment Districts 1 and 2 were fully funded in 1971 and 1976, prior to the formation of the Cambria Community Services District in December of 1976.

The public sewer treatment plant in Cambria was fully permitted by the State Water Resources Board, along with applicable state and federal agencies with complete review and approval of the Coastal Commission pursuant to Section 30412 of the Public Resources Code.

Pursuant to the requirements of Section 30412, the California Coastal Commission had the right to determine siting and visual appearance of the treatment works facility, review and establish the limits of service area within the coastal zone of the plant, set a time table for timing and use of capacity of the treatment works facility to be used by the public, and to allow for phasing of development and use of facilities consistent with this division of the PRC. The commission was allowed to determine development projections which determine the sizing of the treatment works facility for providing service within the coastal zone.

The California Coastal Commission at that time was required ("shall make") its final determinations in accordance with the policies of this division (Section 30412) and shall makes its final determination on a permit application for a treatment work prior to the final approval by the State Water Resources Control Board for the funding of such treatment works and the decisions of the State Water Resources Control Board relative to the construction of the treatment works shall be final and binding upon the commission.

Clearly the Heath Lane treatment works was designed, permitted, and built, and is in operation today and has been expanded.

Clearly the urban service line and urban reserve line relating to the treatment works facility has been established and codified in the Municipal Code of the CCSD, LCP, and related Maps.

Clearly the assessment districts were confirmed and assessed against all the properties to be benefited by the public improvement as tax assessed. It is widely known that over 11,000 lots were assessed and are defined as the project plan area to benefited by the public sewerage facilities.

Clearly any and all wastewater that is not served by individual private septic systems must be treated by the public community sewerage treatment facility and all those parties who are vested members of Assessment Districts 1 and 2 have equal rights to th epublic sewer as codified in the CCSD Municipal Code.

Clearly since the State Regional Water Control Board has eliminated any right to a private individual disposal septic system for any substandard lot located in an existing urbanized area served by an operational public treatment works facility through regulations of the Basin Plan, any property owner located within the boundaries of the CCSD service line relating to the treatment works facility must hookup to sewer.

Clearly any water distributed, provided or sold by the CCSD through the facilities built and/or expanded by funds created by the assessment districts, must be treated by the public treatment works facilities operated by the district, and discharged under the waste discharge permit issued by the State Board.

Clearly the public sewer system operates by gravity flow of water provided through district water lines and sewer lines that transport waste waters to be treated at the public sewer treatment works facility.

And most importantly, that the public treatment works facility permit required that the facility be sized to accommodate the projected buildout plan relating to the assessment districts required beneficial use and method of assessment calculated as permitted by the State Water Resources Control Board and the California Coastal Commisison.

And clearly, clearly, clearly, any future water source, such as a desalinization plant will have to the water generated, treated at the public sewer treatment plant that "shall, must, will," serve the required buildout as permitted and determined by the State Water Resources Control Board and California Coastal Commission in the 70's.

That is why the desalination plant must be sized to accommodate the project buildout to accommodate the sizing and water requirements to meet the sewerage requirements of the 11,000 lots as assessed under the benefited use.

Anything else will constitute a taking under the provisions of the Central Basin Plan and Policies as set forth by the State Regional Water Quality Control Board. This is why the new water source must meet the original project buildout and not any proposed buildout reduction. You can't turn back time and change what is already mandated and assessed.

Any reduction will cause the California Coastal Commission and the State Regional Board liable for the economic loss of those owners who are denied sewer and water access.

Remember, sewer works on water, and water must be treated and as Clint Eastwood once said, DO YOU FEEL LUCKY TODAY. It's a 500 million dollar question that I don't think the State of California wants to answer.

Submitted this 9th day of April, 2007,

Gregg Allen Berge-Assessment District No. 2 of the Cambria County Water District fully vested without reassessment.

P.S. The EPA Bond had the condition of 125 and is paid in full. The CCC does not have the right to keep enforcing the 125 annual limit on sewer connections because the bonds have been paid in full and the condition is no longer enforceable by the EPA.

cc: K.H. Katcho Achadjian
John Euphrat
Roger Briggs / Harvey Packard.

13050. As used in this division:

(a) "State board" means the State Water Resources Control Board.

(b) "Regional board" means any California regional water quality control board for a region as specified in Section 13200.

(c) "Person" includes any city, county, district, the state, and the United States, to the extent authorized by federal law.

(d) "Waste" includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.

(e) "Waters of the state" means any surface water or groundwater, including saline waters, within the boundaries of the state.

(f) "Beneficial uses" of the waters of the state that may be protected against quality degradation include, but are not limited to, domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.

(g) "Quality of the water" refers to chemical, physical, biological, bacteriological, radiological, and other properties and characteristics of water which affect its use.

(h) "Water quality objectives" means the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area.

(i) "Water quality control" means the regulation of any activity or factor which may affect the quality of the waters of the state and includes the prevention and correction of water pollution and nuisance.

(j) "Water quality control plan" consists of a designation or establishment for the waters within a specified area of all of the following:

(1) Beneficial uses to be protected.

(2) Water quality objectives.

(3) A program of implementation needed for achieving water quality objectives.

(k) "Contamination" means an impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. "Contamination" includes any equivalent effect resulting from the disposal of waste, whether or not waters of the state are affected.

(l) (1) "Pollution" means an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either of the following:

(A) The waters for beneficial uses.

(B) Facilities which serve these beneficial uses.

(2) "Pollution" may include "contamination."

(m) "Nuisance" means anything which meets all of the following requirements:

(1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

(2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

(3) Occurs during, or as a result of, the treatment or disposal of wastes.

(n) "Recycled water" means water which, as a result of treatment

of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefor considered a valuable resource.

(o) "Citizen or domiciliary" of the state includes a foreign corporation having substantial business contacts in the state or which is subject to service of process in this state.

(p) (1) "Hazardous substance" means either of the following:

(A) For discharge to surface waters, any substance determined to be a hazardous substance pursuant to Section 311(b)(2) of the Federal Water Pollution Control Act (33 U.S.C. Sec. 1251 et seq.).

(B) For discharge to groundwater, any substance listed as a hazardous waste or hazardous material pursuant to Section 25140 of the Health and Safety Code, without regard to whether the substance is intended to be used, reused, or discarded, except that "hazardous substance" does not include any substance excluded from Section 311 (b)(2) of the Federal Water Pollution Control Act because it is within the scope of Section 311(a)(1) of that act.

(2) "Hazardous substance" does not include any of the following:

(A) Nontoxic, nonflammable, and noncorrosive stormwater runoff drained from underground vaults, chambers, or manholes into gutters or storm sewers.

(B) Any pesticide which is applied for agricultural purposes or is applied in accordance with a cooperative agreement authorized by Section 116180 of the Health and Safety Code, and is not discharged accidentally or for purposes of disposal, the application of which is in compliance with all applicable state and federal laws and regulations.

(C) Any discharge to surface water of a quantity less than a reportable quantity as determined by regulations issued pursuant to Section 311(b)(4) of the Federal Water Pollution Control Act.

(D) Any discharge to land which results, or probably will result, in a discharge to groundwater if the amount of the discharge to land is less than a reportable quantity, as determined by regulations adopted pursuant to Section 13271, for substances listed as hazardous pursuant to Section 25140 of the Health and Safety Code. No discharge shall be deemed a discharge of a reportable quantity until regulations set a reportable quantity for the substance discharged.

(q) (1) "Mining waste" means all solid, semisolid, and liquid waste materials from the extraction, beneficiation, and processing of ores and minerals. Mining waste includes, but is not limited to, soil, waste rock, and overburden, as defined in Section 2732 of the Public Resources Code, and tailings, slag, and other processed waste materials, including cementitious materials that are managed at the cement manufacturing facility where the materials were generated.

(2) For the purposes of this subdivision, "cementitious material" means cement, cement kiln dust, clinker, and clinker dust.

(r) "Master recycling permit" means a permit issued to a supplier or a distributor, or both, of recycled water, that includes waste discharge requirements prescribed pursuant to Section 13263 and water recycling requirements prescribed pursuant to Section 13523.1.

WATER CODE
SECTION 13240-13247

13240. Each regional board shall formulate and adopt water quality control plans for all areas within the region. Such plans shall conform to the policies set forth in Chapter 1 (commencing with Section 13000) of this division and any state policy for water quality control. During the process of formulating such plans the regional boards shall consult with and consider the recommendations of affected state and local agencies. Such plans shall be periodically reviewed and may be revised.

13241. Each regional board shall establish such water quality objectives in water quality control plans as in its judgment will ensure the reasonable protection of beneficial uses and the prevention of nuisance; however, it is recognized that it may be possible for the quality of water to be changed to some degree without unreasonably affecting beneficial uses. Factors to be considered by a regional board in establishing water quality objectives shall include, but not necessarily be limited to, all of the following:

(a) Past, present, and probable future beneficial uses of water.

(b) Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.

(c) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.

(d) Economic considerations.

(e) The need for developing housing within the region.

(f) The need to develop and use recycled water.

13242. The program of implementation for achieving water quality objectives shall include, but not be limited to:

(a) A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.

(b) A time schedule for the actions to be taken.

(c) A description of surveillance to be undertaken to determine compliance with objectives.

13243. A regional board, in a water quality control plan or in waste discharge requirements, may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted.

13244. The regional boards shall not adopt any water quality control plan unless a public hearing is first held, after the giving of notice of such hearing by publication in the affected county or counties pursuant to Section 6061 of the Government Code. When the

plan proposes to prohibit discharges of waste pursuant to Section 13243, similar notice shall be given by publication pursuant to Section 6061.3 of the Government Code.

13245. A water quality control plan, or a revision thereof adopted by a regional board, shall not become effective unless and until it is approved by the state board. The state board may approve such plan, or return it to the regional board for further consideration and resubmission to the state board. Upon resubmission the state board may either approve or, after a public hearing in the affected region, revise and approve such plan.

13245.5. Guidelines adopted by a regional board shall not become effective unless and until approved by the state board.

13246. (a) The state board shall act upon any water quality control plan not later than 60 days from the date the regional board submitted the plan to the state board, or 90 days from the date of resubmission of the plan.

(b) When the state board is acting upon a water quality control plan that is being amended solely for an action related to a regional board's total maximum daily load submittal, not including submittals related to listing, the state board shall not exceed the 60-day timeline, inclusive of the time spent sending the submittal back to the regional board, unless one of the following circumstances exists:

(1) The proposed amendment is for an exceedingly complex total maximum daily load. In order to determine if a total maximum daily load is exceedingly complex, the state board may consider a number of factors including, but not limited to, the volume of the record, the number of pollutants included, the number of dischargers and land uses involved, and the size of the watershed. The reason or reasons that any total maximum daily load is determined to be exceedingly complex shall be provided by the state board to the regional board in writing.

(2) The submittal by the regional board is clearly incomplete.

13247. State offices, departments, and boards, in carrying out activities which may affect water quality, shall comply with water quality control plans approved or adopted by the state board unless otherwise directed or authorized by statute, in which case they shall indicate to the regional boards in writing their authority for not complying with such plans.

30250. (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

13280. A determination that discharge of waste from existing or new individual disposal systems or from community collection and disposal systems which utilize subsurface disposal should not be permitted shall be supported by substantial evidence in the record that discharge of waste from such disposal systems will result in violation of water quality objectives, will impair present or future beneficial uses of water, will cause pollution, nuisance, or contamination, or will unreasonably degrade the quality of any waters of the state.

13142.5. In addition to any other policies established pursuant to this division, the policies of the state with respect to water quality as it relates to the coastal marine environment are that:

(a) Wastewater discharges shall be treated to protect present and future beneficial uses, and, where feasible, to restore past beneficial uses of the receiving waters. Highest priority shall be given to improving or eliminating discharges that adversely affect any of the following:

(1) Wetlands, estuaries, and other biologically sensitive sites.

(2) Areas important for water contact sports.

(3) Areas that produce shellfish for human consumption.

(4) Ocean areas subject to massive waste discharge.

Ocean chemistry and mixing processes, marine life conditions, other present or proposed outfalls in the vicinity, and relevant aspects of areawide waste treatment management plans and programs, but not of convenience to the discharger, shall for the purposes of this section, be considered in determining the effects of such discharges. Toxic and hard-to-treat substances should be pretreated at the source if such substances would be incompatible with effective and economical treatment in municipal treatment plants.

(b) For each new or expanded coastal powerplant or other industrial installation using seawater for cooling, heating, or industrial processing, the best available site, design, technology, and mitigation measures feasible shall be used to minimize the intake and mortality of all forms of marine life.

(c) Where otherwise permitted, new warmed or cooled water discharges into coastal wetlands or into areas of special biological importance, including marine reserves and kelp beds, shall not significantly alter the overall ecological balance of the receiving area.

(d) Independent baseline studies of the existing marine system should be conducted in the area that could be affected by a new or expanded industrial facility using seawater in advance of the carrying out of the development.

(e) (1) Adequately treated recycled water should, where feasible, be made available to supplement existing surface and underground supplies and to assist in meeting future water requirements of the coastal zone, and consideration, in statewide programs of financial assistance for water pollution or water quality control, shall be given to providing optimum water recycling and use of recycled water.

(2) If recycled water is available for industrial use, any discharge to waters in the coastal zone, including the San Francisco Bay, after industrial use, may be authorized if all of the following conditions are met:

(A) The discharge will not unreasonably affect beneficial uses.

(B) The discharge is consistent with applicable water quality control plans and state policy for water quality control.

(C) The use of recycled water is consistent with Chapter 7 (commencing with Section 13500).

(D) The discharge is consistent with all applicable requirements of Chapter 5.5 (commencing with Section 13370).

(E) The discharge is to the same general receiving water location as that to which the wastewater would be discharged if not reused.

(3) Any requirement imposed pursuant to Section 13263 or 13377 shall be adjusted to reflect a credit for waste present in the recycled water before reuse. The credit shall be limited to the difference between the amount of waste present in the nonrecycled water supply otherwise available to the industry and the amount of waste present in the recycled water.

30412. (a) In addition to Section 13142.5 of the Water Code, this section shall apply to the commission and the State Water Resources Control Board and the California regional water quality control boards.

(b) The State Water Resources Control Board and the California regional water quality control boards are the state agencies with primary responsibility for the coordination and control of water quality. The State Water Resources Control Board has primary responsibility for the administration of water rights pursuant to applicable law. The commission shall assure that proposed development and local coastal programs shall not frustrate this section. The commission shall not, except as provided in subdivision (c), modify, adopt conditions, or take any action in conflict with any determination by the State Water Resources Control Board or any California regional water quality control board in matters relating to water quality or the administration of water rights.

Except as provided in this section, nothing herein shall be interpreted in any way either as prohibiting or limiting the commission, local government, or port governing body from exercising the regulatory controls over development pursuant to this division in a manner necessary to carry out this division.

(c) Any development within the coastal zone or outside the coastal zone which provides service to any area within the coastal zone that constitutes a treatment work shall be reviewed by the commission and any permit it issues, if any, shall be determinative only with respect to the following aspects of the development:

(1) The siting and visual appearance of treatment works within the coastal zone.

(2) The geographic limits of service areas within the coastal zone which are to be served by particular treatment works and the timing of the use of capacity of treatment works for those service areas to allow for phasing of development and use of facilities consistent with this division.

(3) Development projections which determine the sizing of treatment works for providing service within the coastal zone.

The commission shall make these determinations in accordance with the policies of this division and shall make its final determination on a permit application for a treatment work prior to the final approval by the State Water Resources Control Board for the funding of such treatment works. Except as specifically provided in this subdivision, the decisions of the State Water Resources Control Board relative to the construction of treatment works shall be final and binding upon the commission.

(d) The commission shall provide or require reservations of sites for the construction of treatment works and points of discharge within the coastal zone adequate for the protection of coastal resources consistent with the provisions of this division.

(e) Nothing in this section shall require the State Water Resources Control Board to fund or certify for funding, any specific treatment works within the coastal zone or to prohibit the State Water Resources Control Board or any California regional water quality control board from requiring a higher degree of treatment at any existing treatment works.

(4) If the amount of waste in the discharge exceeds prescribed requirements because the amount of waste in the recycled water is in excess of that agreed to be furnished by the supplier to the discharger, no enforcement action shall be taken against the discharger unless both of the following statements apply:

(A) The supplier of the recycled water fails to correct the problem within 30 days after the cause of the problem is identified, or within any greater period of time agreed to by the appropriate regional board.

(B) The discharger continues to receive the recycled water from the supplier.

(f) This section shall not apply to industrial discharges into publicly owned treatment works.

Title 19 BUILDINGS AND CONSTRUCTION

Chapter 19.20 CONSTRUCTION STANDARDS

19.20.222 Private sewage disposal systems.

The use of a private, on-site sewage disposal system is allowed only within the rural areas of the county and within urban and village areas where no community sewage collection, treatment and disposal systems exist. Private sewage disposal systems shall be designed and constructed as provided by this section, in addition to satisfying all applicable requirements of the Uniform Plumbing Code. In the event of any conflict between the provisions of this section and the Uniform Plumbing Code, the most restrictive shall prevail.

(a) Legislative Findings. These regulations are enacted in part to implement the requirements of the "Water Quality Control Plan, Central Coastal Basin," adopted by the California Regional Water Quality Control Board. To the extent that these regulations change applicable provisions of the California Health and Safety Code and California Code of Regulations as they would otherwise apply to local construction, the board of supervisors finds that the changes herein are necessary because of local geological and topographic conditions which involve limitations on the capability of soils in the unincorporated areas of San Luis Obispo County to effectively handle sewage effluent disposal from private sewage disposal systems. Such limitations include high groundwater, soils with poor percolation capability and steep slopes.

(b) General Requirements.

(1) Percolation Tests. Percolation tests may be required by the building official pursuant to Section I4 of the Uniform Plumbing Code.

(2) Minimum Site Area with Well. As required by the land use ordinance, Title 22 of this code, or the coastal zone land use ordinance, Title 23 of this code, an existing parcel that contains a water well may be approved for a private sewage disposal system only if the parcel is one acre or larger. A parcel smaller than one acre may use a private sewage disposal system only where the well serving the parcel is a public water supply or is located on another parcel that is one acre or larger. The minimum site area for a new parcel where a well and septic system are both proposed is determined by the land use ordinance, Title 22 of this code, and the coastal zone land use ordinance, Title 23 of this code.

(3) Minimum Site Area in Reservoir Watershed. Within any domestic reservoir watershed shown on Figure 19.20A or within any other reservoir watershed, all private sewage disposal systems shall be located on individual parcels of at least two and one-half acres or within subdivisions with a maximum density of two and one-half acres or more per dwelling unit. No land within a horizontal distance of two hundred feet from a reservoir, as determined by the spillway elevation, shall qualify for computing parcel size or density, or for septic system sitting.

(c) Septic Tank and Leach Area Systems. On-site sewage disposal systems that utilize a buried tank for the processing of solids, and leaching areas, trenches or seepage pits for the disposal of liquid waste through soil infiltration shall be located, designed and constructed in accordance with all of the following standards:

(1) Minimum Site Characteristics. Septic tank and leach area systems shall be used only where the proposed site can maintain subsurface disposal, and satisfy the following standards on a continuous basis, unless an exception is approved as set forth in subsection (d) of this section.

(A) Subsurface Geology. The proposed site for a soil absorption disposal area shall be free from soils or formations containing continuous channels, cracks or fractures, unless a setback distance of at least two hundred fifty feet to any domestic water supply well or surface water is assured.

(B) Site Flooding. No sewage disposal system shall be allowed within an area subject to inundation by a ten-year flood.

(C) Minimum Percolation Required. A percolation rate from zero to thirty minutes per inch of fall is sufficient to permit the use of leaching systems. Such systems shall not be used where percolation rates are slower than one hundred twenty minutes/inch unless the parcel is at least two acres. Such systems shall not be used where soil percolation rates are slower than sixty minutes/inch unless the effluent application rate is 0.1 gallon per day/square foot or less, using a minimum flow rate of three hundred seventy-five gpd/dwelling unit, or as provided by Uniform Plumbing Code Table I3 for commercial uses. Percolation rates of more than thirty minutes per inch of fall may be approved only where the system is designed and certified to have been installed as designed by a design engineer.
(D) Site Slope. Septic tanks or leaching systems installed on slopes twenty percent or more shall be designed and installation certified by a registered engineer. Design shall minimize grading disruption associated with access for installation and maintenance. No soil absorption sewage disposal area shall be located where the natural slope is thirty percent or greater.
(E) Separation from Impermeable Strata. A minimum distance of ten feet shall be maintained from the bottom of leaching systems to impermeable strata. This distance shall be verified by test borings pursuant to the Uniform Plumbing Code where required by the building official.
(F) Groundwater Separation. Depth from the bottom of the leach area to usable groundwater (including usable perched groundwater) shall be as follows, based upon the percolation rate found at the site:

Percolation Rate (minutes per inch)	Minimum Distance to Groundwater (in feet)
Less than 1 min./in.	50*
1—4	20*
5—29	8
30+	5

* Unless a minimum horizontal separation of two hundred fifty feet between the disposal area and any domestic water supply well or surface water is assured, in which case minimum groundwater separation shall be twenty feet when the percolation rate is less than one minute/inch, and eight feet when the percolation rate is one to four minutes/inch.

The building official may require a piezometer test or other appropriate documentation to verify the groundwater separation required by this section.
(2) System Location. A private sewage disposal system shall be located on the parcel it serves. Soil absorption disposal systems, including but not limited to leach areas and seepage pits, shall be located in accordance with the setbacks in the following table, except that where disposal system location is proposed with less groundwater separation than required by subsection (c)(1)(F) or (c)(3)(B) of this section, the increased setbacks required by these subsections shall be provided.

Setback from	Distance (in feet)
Domestic water supply wells in unconfined aquifer	100
Watercourse where geologic conditions permit water migration	100
Springs, natural or any part of manmade spring	100
Reservoir, spillway elevation	200
Public water supply wells	200

(3) Seepage Pit Standards. The following standards apply only to seepage pit disposal facilities, in addition to all other applicable standards of this section:
(A) Soil Particle Size. Seepage pits shall be used only where soils or formations at the pit location contain less than sixty percent clay (a soil particle less than two microns in size) in the percolation zone used for seepage calculation, unless the parcel is at least two acres.
(B) Groundwater Separation. Seepage pits shall be used only where distances between pit bottom and

usable groundwater (including perched groundwater) is equal to or greater than the following minimum separations, based upon the soil type found at the site:

Soil Type	Minimum Distance to Groundwater (in feet)
Gravels	50*
Gravels with few fines	20*
Other	10

* Unless a minimum horizontal separation of two hundred fifty feet between the disposal area and any domestic water supply well or surface water is assured, in which case minimum groundwater separation shall be twenty feet when the soil type is gravels and ten feet when the soil type is gravels with few fines.

The building inspector may require a piezometer test or other appropriate documentation to verify the groundwater separation required by this section.

(4) System Design and Sizing.

(A) Replacement Area Required. Individual systems on new land divisions, and commercial, institutional, and sanitary industrial systems shall be designed and constructed to either reserve sufficient site area for dual leach fields (one hundred percent replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation. Installation of dual leach fields will be required if site access for installation of the expansion area could be limited after initial site development.

(B) Nonresidential Systems. Commercial, institutional, or sanitary industrial systems shall be designed based upon the daily peak flow estimate for the proposed use.

(C) Residential Systems. A minimum leaching area of one hundred twenty-five square feet per bedroom shall be provided for sewage disposal systems serving residential uses.

(5) Replacement of Failed Private Sewage Disposal Systems. Where an existing private sewage disposal system has failed and a replaced system cannot be installed to meet the criteria of this section, the building official may approve a replacement system that meets all of the following minimum standards and is designed to satisfy as many of the other requirements of this section as possible:

(A) The system is designed by a registered engineer.

(B) The proposed system is approved by the county health department.

(C) The installation of the approved system is inspected and certified to be installed as designed by the design engineer.

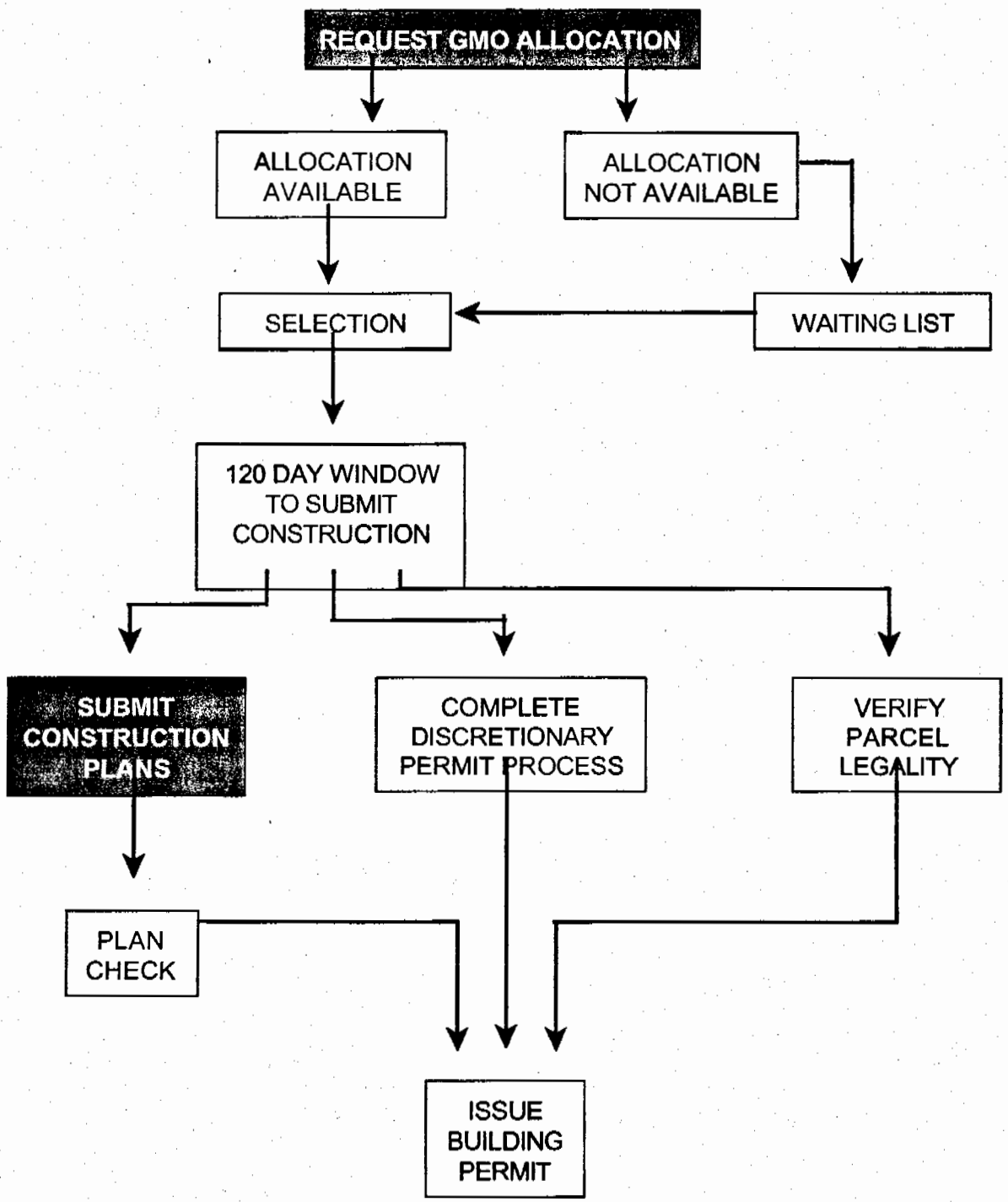
(d) Use of Nonstandard Engineered Systems. Systems proposed under Section 1(h), Appendix I of the Uniform Plumbing Code, including mound and evapotranspiration systems shall be designed as provided by the "Water Quality Control Plan, Central Coastal Basin," adopted and as amended by the California Regional Water Quality Control Board, by an engineer or sanitarian registered by the state competent in sanitary engineering, and shall be approved by the building official and the director of environmental health.

(e) Relief from Standards. Any applicant for a permit to install, repair or replace a private sewage disposal system who is aggrieved by the administration of the requirements of this section by the chief building official may appeal the matter to the board of construction appeals as provided in Section 19.01.140. In cases where an exception is requested to any provision of this section that prohibits use of a private sewage disposal system under specified conditions, no exception granted by the board of construction appeals shall be effective unless the California Regional Water Quality Control Board has also approved an exemption to basin plan prohibitions for the proposed exception. (Ord. 3067 § 26, 2005; Ord. 2433 § 27, 1989; Ord. 2351 §§ 14—16, 1988; Ord. 2275 § 2 (part), 1986)

<< previous | next >>

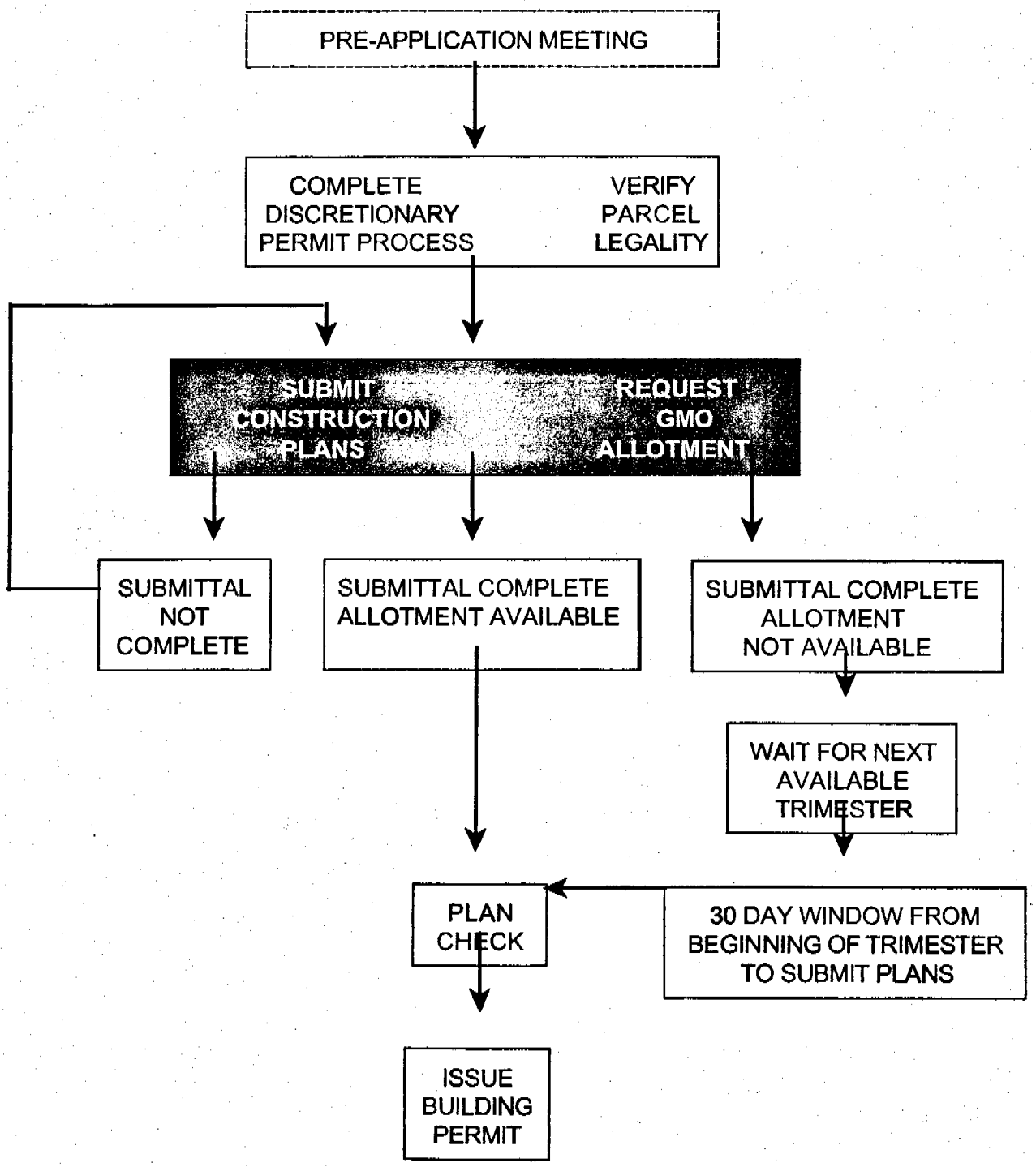
Growth Management Allocation / Building Permit Process

Prior to June 3, 2003



Growth Management Allotment / Building Permit Process

June 3, 2003



APPENDIX A-1

State Policy for Water Quality Control (1972)

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

STATE POLICY FOR WATER QUALITY CONTROL

I. FOREWORD

To assure a comprehensive statewide program of water quality control, the California Legislature by its adoption of the Porter-Cologne Water Quality Control Act in 1969 set forth the following statewide policy:

> The people of the state have a primary interest in the conservation, control, and utilization of the water resources, and the quality of all the waters shall be protected for use and enjoyment.
>
> Activities and factors which may affect the quality of the waters shall be regulated to attain the highest water quality which is reasonable, considering all demands being made and to be made on those waters and the total values involved, beneficial and detrimental, economic and social, tangible and intangible.
>
> The health, safety, and welfare of the people requires that there be a statewide program for the control of the quality of all the waters of the state. The state must be prepared to exercise its full power and jurisdiction to protect the quality of waters from degradation.
>
> The waters of the state are increasingly influenced by interbasin water development projects and other statewide considerations. Factors of precipitation, topography, population, recreation, agriculture, industry, and economic development vary from region to region. The statewide program for water quality control can be most effectively administered regionally, within a framework of statewide coordination and policy.

To carry out this policy, the Legislature established the State Water Resources Control Board and nine California Regional Water Quality Control Boards as the principal state agencies with primary responsibilities for the coordination and control of water quality. The State Board is required pursuant to legislative directives set forth in the California Water Code (Division 7, Chapter 3, Article 3, Sections 13140 Ibid) to formulate and adopt state policy for water quality control consisting of all or any of the following:

Adopted by the State Water Resources Control Board by motion of July 6, 1972.

Water quality principles and guidelines for long-range resource planning, including groundwater and surface water management programs and control and use of reclaimed water.

Water quality objectives at key locations for planning and operation of water resource development projects and for water quality control activities.

Other principles and guidelines deemed essential by the State Board for water quality control.

II. GENERAL PRINCIPLES

The State Water Resources Control Board hereby finds and declares that protection of the quality of the waters of the State for use and enjoyment by the people of the State requires implementation of water resources management programs which will conform to the following general principles:

1. Water rights and water quality control decisions must assure protection of available fresh water and marine water resources for maximum beneficial use.

2. Municipal, agricultural, and industrial wastewaters must be considered as a potential integral part of the total available fresh water resource.

3. Coordinated management of water supplies and wastewaters on a regional basis must be promoted to achieve efficient utilization of water.

4. Efficient wastewater management is dependent upon a balanced program of source control of environmentally hazardous substances[1/], treatment of wastewaters, reuse of reclaimed water, and proper disposal of effluents and residuals.

5. Substances not amenable to removal by treatment systems presently available or planned for the immediate future must be prevented from entering sewer systems

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1/ Those substances which are harmful or potentially harmful even in extremely small concentration to man, animals, or plants because of biological concentration, acute or chronic toxicity, or other phenomenon.

II. 5. (continued)

in quantities which would be harmful to the aquatic environment, adversely affect beneficial uses of water, or affect treatment plant operation. Persons responsible for the management of waste collection, treatment, and disposal systems must actively pursue the implementation of their objective of source control for environmentally hazardous substances. Such substances must be disposed of such that environmental damage does not result.

6. Wastewater treatment systems must provide sufficient removal of environmentally hazardous substances which cannot be controlled at the source to assure against adverse effects on beneficial uses and aquatic communities.

7. Wastewater collection and treatment facilities must be consolidated in all cases where feasible and desirable to implement sound water quality management programs based upon long-range economic and water quality benefits to an entire basin.

8. Institutional and financial programs for implementation of consolidated wastewater management systems must be tailored to serve each particular area in an equitable manner.

9. Wastewater reclamation and reuse systems which assure maximum benefit from available fresh water resources shall be encouraged. Reclamation systems must be an appropriate integral part of the long-range solution to the water resources needs of an area and incorporate provisions for salinity control and disposal of nonreclaimable residues.

10. Wastewater management systems must be designed and operated to achieve maximum long-term benefit from the funds expended.

11. Water quality control must be based upon latest scientific findings. Criteria must be continually refined as additional knowledge becomes available.

12. Monitoring programs must be provided to determine the effects of discharges on all beneficial water uses including effects on aquatic life and its diversity and seasonal fluctuations.

III. PROGRAM OF IMPLEMENTATION

Water quality control plans and waste discharge requirements hereafter adopted by the State and Regional Boards under Division 7 of the California Water Code shall conform to this policy.

This policy and subsequent State plans will guide the regulatory, planning, and financial assistance programs of the State and Regional Boards. Specifically, they will (1) supersede any regional water quality control plans for the same waters to the extent of any conflict, (2) provide a basis for establishing or revising waste discharge requirements when such action is indicated, and (3) provide general guidance for the development of basin plans.

Water quality control plans adopted by the State Board will include minimum requirements for effluent quality and may specifically define the maximum constituent levels acceptable for discharge to various waters of the State. The minimum effluent requirements will allow discretion in the application of the latest available technology in the design and operation of wastewater treatment systems. Any treatment system which provides secondary treatment, as defined by the specific minimum requirements for effluent quality, will be considered as providing the minimum acceptable level of treatment. Advanced treatment systems will be required where necessary to meet water quality objectives.

Departures from this policy and water quality control plans adopted by the State Board may be desirable for certain individual cases. Exceptions to the specific provisions may be permitted within the broad framework of well established goals and water quality objectives.

APPENDIX A-13

Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coast Region

CENTRAL COASTAL REGIONAL WATER QUALITY CONTROL BOARD

RESOLUTION NO. 69 - 1

ADOPTING POLICY STATEMENT REGARDING SEWERAGE FACILITIES AND SEPTIC TANKS IN URBANIZING AREAS IN THE CENTRAL COASTAL REGION.

WHEREAS, Section 13052(e) of the California Water Code states that each regional board, with respect to its region, shall:

> "Formulate and adopt long-range plans and policies with respect to water pollution control and water quality control within the region to conformity with the policies set forth in Chapter 1 (commencing at Section 13000) and any water quality control policy adopted at any time by the state board."; and,

WHEREAS, Section 13052(a) of the California Water Code states that each regional board, with respect to its region, shall:

> "Obtain coordinated action in water quality control and in the abatement, prevention and control of water pollution and nuisance by means of formal or informal meetings of the persons involved."; and,

WHEREAS, Section 13052(d) of the California Water Code states that each regional board, with respect to its region, shall:

> "Request enforcement of laws concerning water pollution or nuisance by appropriate federal, state and local agencies."; and,

WHEREAS, Section 13052(c) of the California Water Code states that each regional board, with respect to its region, shall:

> "Require any state or local agency to inspect and report on any technical factors involved in water pollution or nuisance."; and,

WHEREAS, within the context of this policy the term "urbanizing areas" refers to areas subject to rapid and/or concentrated development and subdivision areas of less concentrated development with individual parcels of land less than 2.5 acres; and,

WHEREAS, this board has evidence that many past, present and potential water pollution problems in the region result from the practice of serving new residential subdivisions and other urbanizing areas with individual septic tanks and leaching systems or with small, community sewerage systems that fail to provide satisfactory service; and,

WHEREAS, this board has observed that water pollution problems do not develop where local government recognizes the potential for such problems well in advance and takes steps to prevent them; and,

WHEREAS, after adequate notice, public hearings were held to receive testimony from all persons present and desiring to be heard concerning this matter; and,

WHEREAS, the board has reviewed the testimony received at the public hearings and the written statements from interested persons; now therefore, be it

RESOLVED, that it is the policy of this Board that city and county governments are requested to:

1. Prohibit the use of septic tanks and leaching systems for sewage disposal:

   a. For any subdivision of land which comes under the provisions of the Subdivision Map Act of California unless the subdivider clearly demonstrates to the satisfaction of the governing body having jurisdiction that the use of septic tanks will be in the best public interest and that the beneficial uses of water of the state will not be adversely affected;

   b. For any area where minimum lot sizes, dwelling densities, construction standards, percolation rates and minimum physiographic conditions have not been established by county ordinance; and

   c. For any other area where the continued use of septic tanks constitutes a public health hazard, or existing or threatened condition of water pollution or nuisance.

2. Prohibit the development of any subdivision, trailer park, or similar development that will use its own community system for the disposal of sewage unless:

   a. The subdivision, trailer park, or similar development is within or has access to a pre-existing governmental entity (city or district) that has authority to and has stated its intent to assume responsibility for the planning, construction, operation, and maintenance of the sewerage system or has authority to and has stated its intent to review plans and construction and assume operation and maintenance of the sewerage system upon certification by the appropriate health officer that the system is failing; and,

b. The governmental entity (county, city or district) has developed a master plan for sewerage, pursuant to Section 65300, et seq. of the California Government Code, which includes the subdivision, trailer park, or similar development; and, be it further

RESOLVED, that this Board intends:

1. To continue to observe the progress made by local government in the Central Coastal Region toward prevention of water pollution and nuisance problems which may result from individual sewage disposal systems and from small community sewerage systems; and,

2. To seek enforcement action if and when it appears to the Board that such action is needed to prevent water pollution, nuisance or contamination because of inadequate control of development in urbanizing areas by local government; and be it further

RESOLVED, that this Board instructs its Executive Officer to transmit this resolution to all interested parties, including but not limited to the governing body of each city and county and to appropriate districts in the Central Coastal Region, and urges each body to give its full support to the policy enunciated above; and be it further

RESOLVED, that this Board requests each agency which has power to regulate the types of development that are covered by this resolution to make copies of this resolution available to all persons proposing such developments at the earliest practicable time so that each will be advised of the policy of the Regional Board in this matter.

Adopted by the Central Coastal Regional Water Quality Control Board on February 14, 1969.

Bertram H. Mudgett

BERTRAM H. MUDGETT, Chairman

ATTEST:

Kenneth R. Jones

KENNETH R. JONES, Executive Officer

APPENDIX A-24

Interpretation of Minimum Parcel Size Requirements for On-Site Sewage Systems

REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

1102-A Laurel Lane
San Luis Obispo, CA 93401

RESOLUTION NO. 91-04

INTERPRETATION OF BASIN PLAN'S MINIMUM PARCEL SIZE FOR ON-SITE SEWAGE SYSTEMS

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), finds that:

WHEREAS:

1. The Water Quality Control Plan for the Central Coastal Region (Basin Plan) contains the following language: "For new land divisions, lot sizes less than one acre should not be permitted." The Basin Plan allows on-site sewage disposal systems for parcel sizes not less that one-half acre when conditions are particularly favorable.

2. The Basin Plan is not specific as to gross or net area when referring to parcel size.

3. When this Basin Plan criterion was adopted by the Board, lot sizes required for on-site disposal systems were calculated by including building area, landscape area, driveway area, pool area, disposal area (including expansion area), and drainage area. Lot size calculations did not include streets, curbs, sidewalks, commons, or green belts.

4. There are environmental benefits to cluster subdivisions where dwellings are clustered and open space areas dedicated so long as densities do not exceed safe soil loading rates.

5. Lot sizes may be safely reduced in very favorable soil areas with fast percolation rates and minimal slopes. Staff calculations show percolation rates less than five minutes per inch and slopes less than five degrees can be suitable for on-site sewage disposal systems under very favorable conditions.

NOW, THEREFORE BE IT RESOLVED:

1. For new land divisions, the Regional Water Quality Control Board considers all one acre and one-half acre parcels to be gross area (i.e., including streets, curbs, sidewalks, commons, or green belts.)

2. For new land divisions, the one-half acre area requirement may be reduced to 20,000 square feet net area under very favorable site conditions as certified by the County Environmental Health Officer. Such conditions include, but are not limited to, slope less than five percent and percolation rates faster than five minutes per inch. Approval of the 20,000 square feet net lot size must be obtained in writing from the Regional Board's Executive Officer after certification by the County's Environmental Health Officer.

I, WILLIAM R. LEONARD, Executive Officer, 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 May 10, 1991.

Executive Officer

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STATE OF CALIFORNIA

PETE WILSON, Governor

JAMES M. STROCK, Secretary, Environmental Protection Agency

State Water Resources Control Board

John P. Caffrey, Chair
Marc Del Piero, Vice Chair
James M. Stubchaer, Member
Mary Jane Forster, Member
John W. Brown, Member

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California Regional Water Quality Control Board
Central Coast Region

Melanie A. Mayer Gideon, Chair	Public Member
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Janet K. Beautz	County Government Member
C. Charles Evans	Water Supply Member
Harold Fairly	Municipal Government Member
A. Milo Ferini	Irrigated Agriculture Member
Russell M. Jeffries	Water Quality Member
William H. Newman, Ph.D.	Recreation, Fish, or Wildlife Member

This report was prepared under the direction of:

Roger W. Briggs, Executive Officer
Paul R. Jagger, Assistant Executive Officer
Michael J. Thomas, Acting Chief, Planning Unit

by

Angela G. Carpenter, Sanitary Engineering Associate
Nancy J. King, Student Assistant
Irene Montoya, Office Technician

Special Thanks to:

Bob W. Hurford, Water Resources Control Engineer
Tom Kukol, Sanitary Engineering Associate
Rachael Beerman, Student Assistant
Bret Heenan, Student Assistant
Ellaine Taraya, Student Assistant
David Wheeldon, Student Assistant

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Chapter 1. Introduction

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I. FUNCTION OF THE WATER QUALITY CONTROL PLAN (BASIN PLAN)

The objective of this Water Quality Control Plan for the Central Coastal Basin, or Basin Plan is to show how the quality of the surface and ground waters in the Central Coast Region should be managed to provide the highest water quality reasonably possible. Water uses and water benefits vary. Water quality is an important factor in determining use and benefit. For example, drinking water has to be of higher quality than the water used to irrigate pastures. Both are legitimate uses, but the quality requirements for irrigation are different from those for domestic use. The plan recognizes such variations.

This Basin Plan lists the various water uses (Beneficial Uses, Chapter Two). Second, it describes the water quality which must be maintained to allow those uses (Water Quality Objectives, Chapter Three). Federal terminology is somewhat different, in that beneficial uses and water quality objectives are combined and the combination is called Water Quality Standards. Chapter Four, the Implementation Plan, then describes the programs, projects, and other actions which are necessary to achieve the standards established in this plan. Chapter Five, Plans and Policies, summarizes State Water Resources Control Board (State Board) and Regional Water Quality Control Board (Regional Board) plans and policies to protect water quality. Chapter Six describes statewide surveillance and monitoring programs as well as regional surveillance and monitoring programs.

The Regional Board implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose waste discharges can affect water quality. These requirements can be either State Waste Discharge Requirements for discharges to land, or federally delegated National Pollutant Discharge Elimination System (NPDES) permits for discharges to surface water. Methods of treatment are not specified. When such discharges are managed so that: 1) they meet these requirements; 2) water quality objectives are met; and, 3) beneficial uses are protected, water quality is controlled.

The Basin Plan is also implemented by encouraging water users to improve the quality of their water supplies, particularly where the wastewater they discharge is likely to be reused. Public works or other projects which can affect water quality are reviewed and their impacts identified. Proposals which implement or help achieve the goals of the Basin Plan are supported; the Regional Board makes water quality control recommendations for other projects.

II. LEGAL BASIS AND AUTHORITY

California's Porter-Cologne Water Quality Control Act (1969), which became Division Seven ("Water Quality") of the State Water Code, establishes the responsibilities and authorities of the nine Regional Water Quality Control Boards (previously called Water Pollution Control Boards) and the State Water Resources Control Board (SWRCB). The Porter-Cologne Act names these Boards "... the principal State agencies with primary responsibility for the coordination and control of water

quality" (Section 13001). Each Regional Board is directed to "...formulate and adopt water quality control plans for all areas within the region." A water quality control plan for the waters of an area is defined as having three components: beneficial uses which are to be protected, water quality objectives which protect those uses, and an implementation plan which accomplishes those objectives (Section 13050). Further, "such plans shall be periodically reviewed and may be revised" (13240). The federal Clean Water Act (Public Law 92-500, as amended) provides for the delegation of certain responsibilities in water quality control and water quality planning to the states. Where the Environmental Protection Agency (EPA) and the SWRCB have agreed to such delegation, the Regional Boards implement portions of the Clean Water Act, such as the NPDES program and toxic substance control programs.

The Porter-Cologne and Clean Water Acts also describe how enforcement of waste discharge regulations is to be carried out. Enforcement tools available to the Regional Board range from simple letters to the discharger, through formal Regional Board order, and direct penalty assessments, to judicial abatement for civil and/or criminal penalties. Legally noticed public hearings are required for most actions, but some enforcement actions (e.g., Cleanup or Abatement Orders) have been delegated to staff to allow for a quicker response than regularly scheduled Regional Board meetings can provide.

III. THE CENTRAL COASTAL REGION

One of nine Regional Water Quality Control Boards in California, the Central Coast Regional Board has jurisdiction over a 300-mile long by 40-mile wide section of the State's central coast. Its geographic area encompasses all of Santa Cruz, San Benito, Monterey, San Luis Obispo, and Santa Barbara Counties as well as the southern one-third of Santa Clara County, and small portions of San Mateo, Kern, and Ventura Counties. Included in the region are urban areas such as the Monterey Peninsula and the Santa Barbara coastal plain; prime agricultural lands as the Salinas, Santa Maria, and Lompoc Valleys; National Forest lands, extremely wet areas like the Santa Cruz mountains; and arid areas like the Carrizo Plain. Figure 1-1 shows the Central Coast Regional boundary. Some physical characteristics of the Region are listed below:

CENTRAL COAST REGION[1]

CHARACTERISTICS	NUMBER	MEASURE
Area of Region	-	11,274 square miles
Streams	Unknown	2,360 miles
Lakes	99	25,040 acres
Ground Water Basins	53	3,559 square miles
Mainland Coast	-	378 miles
Wetlands and Estuaries	59	8,387 acres
Areas of Special Biological Significance	9	235,825 acres

1 Water Quality Assessment for Water Years 1986 and 1987, Water Quality Monitoring Report No. 88-1 Water Quality, Division of Water Quality, State Water Resources Control Board, July, 1988.

Topographic features are dominated by a rugged seacoast and three parallel ranges of the Southern Coast Mountains. Ridges and peaks of these mountains, the Diablo, Gabilan, and Santa Lucia Ranges, reach to 5,800 feet. Between these ranges are the broad valleys of the San Benito and Salinas Rivers. These Southern Coast Ranges abut the west to east trending Santa Ynez Mountains of the Transverse Ranges that parallel the southern exposed terraces of the Santa Barbara Coast.

This coastal area includes urbanized and agricultural areas along Monterey Bay, the rugged Big Sur Coast, Morro Bay with its famous rock, the sandy clam beds of Pismo Beach, and a varied coastline south to Point Conception and eastward along the terraces and recreational beaches which line the Santa Barbara Channel. The inland valleys and cities reflect an agricultural, oil, and tourism economy, as well as the early history of California expressed in the architectural styles of the famous Spanish missions which are found throughout this region.

The trend of the mountain ranges, relative to onshore air mass movement, imparts a marked climatic contrast between seacoast, exposed summits, and interior basins. Variations in terrain, climate, and vegetation account for a multitude of different landscapes. Seacliffs, sea stacks, white beaches, cypress groves, and redwood forests along the coastal strand contrast with the dry interior landscape of small sagebrush, short grass, and low chaparral.

In times past, the beaches and ocean waters offshore have been prolific producers of clams, crustaceans, and important sport and commercial fish. Past fishing practices and disruption of habitat have reduced fishery resources; protective controls are now in effect. Terrestrial wildlife includes a wide range of valley and upland species including the more common raccoon, quail, bear, and deer. Rare, endangered, or unique species include various shore birds, the Morro Bay Kangaroo rat, the European boar, and the California condor. The Sespe Condor Range serves as a sanctuary for this impressive bird.

Historically, the economic and cultural activities in the basin have been agrarian. Livestock grazing persists, but it has been combined with hay cultivation in the valleys. Irrigation, with pumped local ground water, is very significant in intermountain valleys throughout the basin. Mild winters result in long growing seasons and continuous cultivation of many vegetable crops in parts of this basin.

While agriculture and related food processing activities are major industries in the region, oil production, tourism, and manufacturing contribute heavily to its economy. The northern part of the region has experienced a significant influx of electronic manufacturing industry, and the southern part is being heavily influenced by expanded offshore oil exploration and production.

The Central Coast Region has three times the volume of average annual precipitation (12,090,000 acre-feet) as the Los Angeles Region, but one-seventh the population (1.2 million versus 8 million). The North Coast Region receives 52 million acre-feet of precipitation on the average with a population of 460,000. These three regions demonstrate the range of California's water and population distribution imbalance:

Region	Annual Average Precipitation (Ac. Ft.) per Person
North Coast	113.0
Central Coast	9.9
Los Angeles	0.56

Although this table shows the Central Coast is somewhat in the middle of the State's water-versus-population distribution, the region is considered arid for the most part. An exception is the Santa Cruz mountain area with its relatively high average precipitation.

Total population of the region is estimated to be 1.22 million people. San Luis Obispo County continues to grow more rapidly than other large counties in the region. The population of San Luis Obispo County has doubled since 1970:

CENTRAL COAST REGION POPULATION

County	1970	1988
Santa Cruz	124,000	225,400
Santa Clara (South)	29,000	65,800
San Benito	18,000	34,100
Monterey	249,000	346,100
San Luis Obispo	107,000	204,300
Santa Barbara	265,000	345,000
Total[1]	792,000	1,220,700

[1]Table does not include relatively small populations of portions of Ventura, Kern, and San Mateo Counties that are within the Central Coast Region.

Adequate quality water for many beneficial uses in the Central Coastal Basin is in short supply. Water rationing for domestic purposes is seriously considered and sometimes implemented during water shortages. The use of water by the human population and its activities is increasing in the basin. Water mining and seawater intrusion have resulted in some locations.

Consequently, the competition for waters of adequate quality will become more intense in the future.

Water quality problems most frequently encountered in the Central Coastal Basin pertain to excessive salinity or hardness of local ground waters. Ground water basins containing 1000 mg/l Total Dissolved Solids (TDS) or higher are found near Hollister, the Lower Forebay of the Salinas Sub-basin, the Carrizo Plain, the Santa Maria and Cuyama Valleys, San Antonio Creek Valley, Lompoc and Santa Rita Basins of the Santa Ynez River Valley, and Goleta and Santa Barbara. The Carrizo Plain ground waters are most highly mineralized --- averaging over 5,000 mg/l TDS. Increasing nitrate concentrations is a growing problem in the Salinas River Basin, Los Osos Creek Basin, the Santa Maria Valley, and near Arroyo Grande. Surface water problems are less frequently evident, although bacteriological contamination of coastal waters has been a problem in Morro Bay and South Santa Barbara County. Eutrophication occurs in Pajaro River and Llagas Creek, Salinas River below Spreckels, and in the lower reaches of San Luis Obispo Creek. Some streams in the basin are naturally highly mineralized and contribute to the excessive salinity of local ground waters; examples include Pancho Rico Creek in the Salinas River Sub-basin, and the Cuyama River in the Santa Maria Sub-basin. Both surface waters contain in excess of 1000 mg/l TDS.

IV. THE REGIONAL BOARD

The Regional Board consists of nine members appointed by the Governor to serve staggered four-year terms. Members must reside or maintain a place of business within the Region and must be associated with or have special knowledge of specific activities related to the control of water quality. Members of the Regional Board conduct their business at regular meetings and public hearings at which public participation is encouraged.

All duties and responsibilities of the Regional Board are directed at providing reasonable protection and enhancement of the quality of all waters in the Region, both surface and underground. The programs by which these duties and responsibilities are carried out include:

- Preparing new or revised policies addressing region-wide water quality concerns;
- Adopting, monitoring compliance with, and enforcing waste discharge requirements and NPDES permits;
- Providing recommendations to the State Board on financial assistance programs, proposals for water diversion, budget development, and other statewide programs and policies;
- Coordinating with other public agencies which are concerned with water quality control; and
- Informing and involving the public on water quality issues.

V. HISTORY OF BASIN PLANNING AND THE BASIN PLAN

Prior to 1970, the Regional Board did not have an active water quality planning function. Water quality problems in surface streams and ground water were responded to by setting controls on discharges. Those discharge controls generally consisted of limiting the allowable increases in TDS concentrations and certain other parameters. Normally, the only additional requirement specified by the Regional Board was that the discharge could not create a nuisance or pollution.

At the request of the federal Water Quality Administration, predecessor to the EPA (and successor to the federal Water Pollution Control Administration), the so-called 1967 Standards were developed and published. These standards applied to coastal and estuarine waters .

By 1970, the Regional Board was actively involved in the formulation of plans to meet established water quality objectives. The federal Clean Water Act and the Porter-Cologne Act, requiring basinwide planning in order to qualify for state and federal funding, plus the National Pollution Discharge Elimination System (NPDES), which empowers the states to set discharge standards, placed new tools in the hands of the Regional Boards and encouraged the development of new approaches to water quality management.

The first single plan for this Region was the 1971 Interim Water Quality Control Plan. It represented significant progress in that the 1967 Standards were incorporated and standards were designated for fresh water streams as well.

Following adoption of the 1971 Interim Plan, the State Board developed and adopted the Ocean Plan and the Thermal Plan. The Regional Board expanded objectives for municipal and domestic water supplies. Chemical objectives for the San Lorenzo River Sub-basin were made more stringent. Incorporation of these State Board plans and Regional Board revisions produced the Revised Interim Water Quality Control Plan of 1973.

Work then began in earnest on a complete Water Quality Control Plan, the 1975 Basin Plan, which has been the foundation of the Regional Board's planning operations since its adoption in 1975. Basin Plans were being developed statewide at that time under the direction of the State Water Resources Control Board (SWRCB). In this region, the prime contractors for basin planning were Brown and Caldwell Consulting Engineers; Water Resources Engineers, Inc.; and Yoder, Trottner, Orlob and Associates. Water quality objectives were based largely on existing water quality.

After adoption of the 1975 Basin Plan, some thirty-eight amendments were made to the Basin Plan. Management of those amendments became cumbersome and led to the need for a Basin Plan reprint which included all current amendments. This document is intended to fulfill that need.

VI. TRIENNIAL REVIEW AND BASIN PLAN AMENDMENT PROCEDURE

The federal Clean Water Act (Section 303(c)) requires states to hold public hearings for review of water quality standards at least once every three years. Water quality standards consist of beneficial use designations and water quality criteria (objectives) necessary to protect those uses. The Porter-Cologne Water Quality Control Act requires the entire Basin Plan to be reviewed periodically. While a major part of the review process consists of identifying potential problems, an important part of the review is the reaffirmation of those portions of the plan where no potential problems are identified.

At the conclusion of the triennial review public hearing, Regional Board staff prepares a priority list of potential problems to the Basin Plan that may result in amendments. Placing a potential problem on the priority list will only require the Regional Board staff to investigate the need for an amendment. It does not necessarily mean a revision of the water quality control plan will be made.

Other items completed after the public hearing include:

- Detailed workplans of each issue;
- Regional Board identification of issues that can be completed within existing resource allocations over a three-year period; and
- List of issues requiring additional resources to complete.

Once the triennial review process is complete, Regional Board staff begin investigating the issues in order of rank. After each investigation, staff determines the need for a Basin Plan amendment.

Basin Plan amendments can also occur for issues not identified during the triennial review. Amendments can occur for urgent issues to reflect new legislation.

Basin Plan amendment hearings are advertised in the public notice section of a newspaper circulated in areas affected by the amendment. Persons interested in a particular issue can also notify the Regional Board staff of their interest in being notified of hearings on that topic.

Basin Plan amendments do not become effective until approved by the State Board. Surface water standards also require the approval of the Environmental Protection Agency to become effective.

VI.A. CONTINUING PLANNING

The Basin Plan is a flexible tool which must be reviewed and revised regularly for it to adapt to changing conditions. "Continuing planning" allows this to occur. The following section prioritizes Regional Board tasks and resources. This

ranked list is referred to as the "Triennial Review List" and is shown in Table 1-1.

Items listed were ranked in order of priority by the Regional Board on May 6, 1988 and July 8, 1988. Each item is followed by an estimate of staff time needed to complete the item (actual time and duration). For those items requiring contract funding, estimated contract needs are identified following the description of each item. Resolution of these items may result in future Basin Plan amendments.

Chapter 2. Present and Potential Beneficial Uses

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State policy for water quality control in California is directed toward achieving the highest water quality consistent with maximum benefit to the people of the State. Therefore, all water resources must be protected from pollution and nuisance that may occur as a result of waste discharges.

Establishing the beneficial uses to be protected in the Central Coastal Basin is a cornerstone of this comprehensive plan. Once uses are recognized, compatible water quality standards can be established as well as the level of treatment necessary to maintain the standards and ensure the continuance of the beneficial uses. This chapter will examine and identify historical, present, and potential beneficial uses in the Basin.

The remainder of this chapter summarizes current beneficial uses, describes anticipated future water demands characterizing future or potential water users, and lists the present and potential beneficial uses in tabular form.

I. PRESENT AND POTENTIAL BENEFICIAL USES

Beneficial uses are presented for inland surface waters by 13 sub-basins in Table 2-1. Beneficial uses for inland surface waters are arranged by hydrologic unit on pages II-2 through II-15. A map of the hydrologic units is shown in Figure 2-1 on page II-16. Beneficial uses are regarded as existing whether the water body is perennial or ephemeral, or the flow is intermittent or continuous. Beneficial uses of coastal waters are shown in Table 2-2 on page II-17.

Surface water bodies within the Region that do not have beneficial uses designated for them in Table 2-1 are assigned the following designations:

- Municipal and Domestic Water Supply
- Protection of both recreation and aquatic life.

Municipal and Domestic Water Supply is designated in accordance with the provisions of State Water Resources Control Board Resolution 88-63 is by reference, a part of this Plan. (A copy of this resolution is located in the Appendix). These MUN designations in no way affect the presence or absence of other beneficial use designations in these water bodies.

Ground water throughout the Central Coastal Basin, except for that found in the Soda Lake Sub-basin, is suitable for agricultural water supply, municipal and domestic water supply, and industrial use. Ground water basins are listed in Table 2-3. A map showing these ground water basins is displayed in Figure 2-2 on page II-19.

II. BENEFICIAL USE DEFINITIONS

Beneficial uses for surface and ground waters are divided into the twenty standard categories listed below. One of the principal purposes of this standardization is to facilitate establishment of both qualitative and numerical water quality objectives that will be compatible on a statewide basis.

Municipal and Domestic Supply (MUN)
Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply. According to State Board Resolution No. 88-63, "Sources of Drinking Water Policy" all surface waters are considered suitable, or potentially suitable, for municipal or domestic water supply except where:

a. TDS exceeds 3000 mg/l (5000 uS/cm electrical conductivity);
b. Contamination exists, that cannot reasonably be treated for domestic use;
c. The source is not sufficient to supply an average sustained yield of 200 gallons per day;

d. The water is in collection or treatment systems of municipal or industrial wastewaters, process waters, mining wastewaters, or storm water runoff; and;
e. The water is in systems for conveying or holding agricultural drainage waters.

Agricultural Supply (AGR)
Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.

Industrial Process Supply (PROC)
Uses of water for industrial activities that depend primarily on water quality (i.e., waters used for manufacturing, food processing, etc.).

Industrial Service Supply (IND)
Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well repressurization.

Ground Water Recharge (GWR)
Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers. Ground water recharge includes recharge of surface water underflow.

Freshwater Replenishment (FRSH)
Uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity) which includes a water body that supplies water to a different type of water body, such as, streams that supply reservoirs and lakes, or estuaries; or reservoirs and lakes that supply streams. This includes only immediate upstream water bodies and not their tributaries.

Navigation (NAV)
Uses of water for shipping, travel, or other transportation by private, military, or commercial vessels. This Board interprets NAV as, "Any stream, lake, arm of the sea, or other natural body of water that is actually navigable and that, by itself, or by its connections with other waters, for a period long enough to be of commercial value, is of sufficient capacity to float watercraft for the purposes of commerce, trade, transportation, and including pleasure; or any waters that have been declared navigable by the Congress of the United States" and/or the California State Lands Commission.

Hydropower Generation (POW)
Uses of water for hydropower generation.

Water Contact Recreation (REC-1)
Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or use of natural hot springs.

Non-Contact Water Recreation (REC-2)
Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.

Commercial and Sport Fishing (COMM)
Uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes.

Aquaculture (AQUA)
Uses of water for aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes.

Warm Fresh Water Habitat (WARM)
Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Cold Fresh Water Habitat (COLD)
Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic

habitats, vegetation, fish or wildlife, including invertebrates.

Inland Saline Water Habitat (SAL)
Uses of water that support inland saline water ecosystems including, but not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates. Soda Lake is a saline habitat typical of desert lakes in inland sinks.

Estuarine Habitat (EST)
Uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds). An estuary is generally described as a semi-enclosed body of water having a free connection with the open sea, at least part of the year and within which the seawater is diluted at least seasonally with fresh water drained from the land. Included are water bodies which would naturally fit the definition if not controlled by tidegates or other such devices.

Marine Habitat (MAR)
Uses of water that support marine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds).

Wildlife Habitat (WILD)
Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

Preservation of Biological Habitats of Special Significance (BIOL)
Uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special protection.

Rare, Threatened, or Endangered Species (RARE)
Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.

Migration of Aquatic Organisms (MIGR)
Uses of water that support habitats necessary for migration or other temporary activities by aquatic organisms, such as anadromous fish.

Spawning, Reproduction, and/or Early Development (SPWN)
Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish.

Shellfish Harvesting (SHELL)
Uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters, and mussels) for human consumption, commercial, or sport purposes. This includes waters that have in the past, or may in the future, contain significant shellfisheries.

Areas of Special Biological Significance (ASBS)
are those areas designated by the State Water Resources Control Board as requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable.

The following areas have been designated Areas of Special Biological Significance in the Central Coastal Basin:

1. Ano Nuevo Point and Island, San Mateo County
2. Pacific Grove Marine Gardens Fish Refuge and Hopkins Marine Life Refuge, Monterey County
3. Point Lobos Ecological Reserve, Monterey County
4. Carmel Bay, Monterey County
5. Julia Pfeiffer Burns Underwater Park, Monterey County
6. Ocean area surrounding the mouth of Salmon Creek, Monterey County

7. Channel Islands, Santa Barbara County - San Miguel, Santa Rosa, Santa Cruz

An ASBS designation implies the following requirements:

Discharge of elevated temperature wastes in a manner that would alter water quality conditions from those occurring naturally will be prohibited.

Discharge of discrete, point source sewage or industrial process wastes in a manner that would alter water quality conditions from those occurring naturally will be prohibited.

Discharge of waste from nonpoint sources, including but not limited to storm water runoff, silt, and urban runoff, will be controlled to the extent practicable. In control programs for waste from nonpoint sources, Regional Boards will give high priority to areas tributary to ASBS.

Further information concerning ASBS areas can be found by reviewing Regional Board Policies in Chapter Five.

Chapter 4. Implementation Plan

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A program of implementation to protect beneficial uses and to achieve water quality objectives is an integral component of this Basin Plan. The program of implementation is required to include, but is not limited to:

- A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.
- A time schedule for the actions to be taken.
- A description of surveillance to be undertaken to determine compliance with objectives.

Additional surveillance activities to determine compliance with objectives are described in Chapter Six, "Surveillance and Monitoring".

This chapter includes discussions of:

- Regional Water Quality Control Board Goals;
- General Control Actions and Related Issues;
- Waste Discharge Regulation;
- Hazardous Waste Compliance Issues; and
- Nonpoint Source Measures.

Detailed descriptions of waterbodies with their specific water quality problems and recommended control actions are included in the Region's Water Quality Assessment database and Fact Sheets.

This chapter is organized in the following manner:

I. Regional Water Quality Control Board Goals
II. General Control Actions and Related Issues
III. Control Actions under State Board Authority
IV. Control Actions to be Implemented by Other Agencies with Water Quality or Related Authority
V. Control Actions under Regional Board Authority
   A. Waste Discharge Restrictions
      1. Water Quality Certification
      2. National Pollutant Discharge Elimination System
      3. Waste Discharge Requirements
      4. Waivers
      5. Prohibitions and Prohibition Exemptions
      6. Enforcement Actions
      7. Best Management Practices
      8. Compliance Schedules
   B. Nonpoint Source Program
VI. Waste Discharge Program Implementation
   A. Effluent Limits
      1. Stream Disposal
      2. Estuarine Disposal
      3. Ocean Disposal
      4. Land Disposal
      5. Reclamation and Reuse
      6. Pretreatment Programs
      7. Sludge Treatment
   B. Municipal Wastewater Management Plans (arranged by hydrologic subarea)
   C. Industrial Wastewater Management
   D. Solid Waste Management
   E. Storm Water Management
   F. Bay Protection and Toxic Cleanup Program
   G. Military Installations
   H. Spills, Leaks, Investigations, and Cleanup Program
   I. Underground Tank Storage Tank Program

I. REGIONAL WATER QUALITY CONTROL BOARD GOALS

To insure that the water resources of the Central Coastal Basin are preserved for future generations of Californians, the California Regional Water Quality Control Board, Central Coast Region, determined it was desirable to establish certain planning goals. These goals pertain to utilization of the basin's water resources and guidelines for control of waste discharges, as follows:

1. Protect and enhance all basin waters, surface and underground, fresh and saline, for present and anticipated beneficial uses, including aquatic environmental values.

2. The quality of all surface waters shall allow unrestricted recreational use.

3. Manage municipal and industrial wastewater disposal as part of an integrated system of fresh water supplies to achieve maximum benefit of fresh water resources for present and future beneficial uses and to achieve harmony with the natural environment.

4 Achieve maximum effective use of fresh waters through reclamation and recycling.

5. Continually improve waste treatment systems and processes to assure consistent high quality effluent based on best economically achievable technology.

6. Reduce and prevent accelerated (man-caused) erosion to the level necessary to restore and protect beneficial uses of receiving waters now significantly impaired or threatened with impairment by sediment.

II. GENERAL CONTROL ACTIONS AND RELATED ISSUES

The Regional Water Quality Control Board (Regional Board) regulates the sources of water quality related problems which could result in actual or potential impairment or degradation of beneficial uses or degradations of water quality. The Regional Board regulates both point and nonpoint source discharge activities. A point source discharge generally originates from a single identifiable source, while a nonpoint source discharge comes from diffuse sources. To regulate the point and nonpoint sources, control actions are required for effective water quality protection and management. Such control actions are set forth for implementation by the State Water Resources Control Board (State Board), by other agencies with water quality or related authority, and by the Regional Board.

III. CONTROL ACTIONS UNDER STATE WATER RESOURCES CONTROL BOARD AUTHORITY

The State Board has adopted several water quality plans and policies which complement or may supersede portions of the Water Quality Control Plan. These plans and policies may include specific control measures. See Chapter Five, "Plans and Policies" for summaries of the most significant State Board plans and policies which affect the Central Coast Region.

IV. CONTROL ACTIONS TO BE IMPLEMENTED BY OTHER AGENCIES WITH WATER QUALITY OR RELATED AUTHORITY

Water quality Management Plans prepared under Section 208 of the federal Water Pollution Water Control Act (Clean Water Act) have been prepared by various public agencies. These Section 208 plans, as well as other plans adopted by federal, State, and local agencies, may affect the Regional Board's water quality management and control activities. A summary of relevant water quality management plans is included in Chapter Five, "Plans and Policies".

V. CONTROL ACTIONS UNDER REGIONAL BOARD AUTHORITY

Control measures implemented by the Regional Board must provide for the attainment of this Basin Plan's beneficial uses and water quality objectives. These uses and objectives can be found in Chapters Two and Three, respectively. In addition the control measures must be consistent with State Board and Regional Board plans, policies, agreements, prohibitions, guidance, and other restrictions and requirements contained within this document.

To prevent water quality problems, waste discharge restrictions are often used. The waste discharge restrictions can be implemented through Water Quality Certification, National Pollutant Discharge Elimination System (NPDES) permits, waste discharge requirements/permits (WDRs), discharge prohibitions, enforcement actions, and/or "Best Management Practices".

V.A. WASTE DISCHARGE RESTRICTIONS

V.A.1. WATER QUALITY CERTIFICATION

Clean Water Act Section 401 Water Quality Certification gives the State extremely broad authority to review proposed federal activities in and/or affecting the Region's waters. The Regional Board can recommend to the State Board that it grant, deny, or condition certification of federal permits or licenses that may result in a discharge to "waters of the United States".

V.A.2. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

NPDES permits are issued to regulate discharges of waste from point sources to "waters of the United States" including discharges of storm waters from urban separate storm sewer systems and certain categories of industrial activity. Waters of the United States are surface waters such as rivers, intermittent streams, dry stream beds, lakes, bays, estuaries, oceans, etc. The permits are authorized by Section 402 of the Clean Water Act and Section 13370 of the California Porter-Cologne Water Quality Control Act. The permit content and the issuance process are contained in 40 Code of Federal Regulations Part 122 and Chapter 9 of the California Code of Regulations. Regional Water Boards are authorized to take a variety of enforcement actions to obtain compliance with an NPDES permit. Enforcement actions the Regional Board may take are described below.

The U.S. Environmental Protection Agency (U.S. EPA) has approved the State's program to regulate discharges of waste water from point sources to "waters of the United States". The State , through the Regional Water Boards, issues the NPDES permits, reviews discharger self-monitoring reports, performs independent compliance checking, and takes enforcement actions as needed.

NPDES permits are required to prescribe conditions of discharge which will ensure protection of beneficial uses of the receiving water. The Regional Board uses this Basin Plan, the Ocean Plan, and water quality control policies adopted by the State Board to develop permits for specific types of discharges or uses of waste water.

In addition to regulating discharges of waste water to surface waters, NPDES permits also require municipal sewage treatment systems to conduct pretreatment programs if their design capacity is greater than five million gallons per day. Smaller municipal treatment systems may be required to conduct pretreatment programs if there are significant industrial users of their systems. The pretreatment programs must comply with 40 Code of Federal Regulations Part 403. The pretreatment program is further described under separate heading in the "Waste Discharge Regulation" Section further in this chapter.

V.A.3. WASTE DISCHARGE REQUIREMENTS (WDRs)

The California Porter-Cologne Water Quality Control Act authorizes Regional Boards to regulate discharges to protect ground and surface water quality. Regional Boards issue WDRs in accordance with Section 13263 of the California Porter-Cologne Water Quality Control Act. Regional Boards are required to review WDRs periodically based on the complexity and threat to water quality. WDRs seek to protect the beneficial uses of ground and surface water. Regional Boards issue WDRs, review self-monitoring reports submitted by the discharger, perform independent compliance checking, and take necessary enforcement action. The California Porter-Cologne Water Quality Control Act authorizes Regional Boards to issue enforcement actions (see below) ranging from orders requiring relatively simple corrective action to monetary penalties in order to obtain compliance with WDRs.

V.A.4. WAIVERS

Regional Boards may waive issuance of WDRs pursuant to California Porter-Cologne Water Quality Control Act Section 13269 if the Regional Board determines that such waiver is in the public interest. The requirement to submit a Report of Waste Discharge can also be waived. WDRs can be waived for a specific discharge or types of discharges. A waiver of WDRs is conditional and may be terminated at any time by the Regional Board. Regional Boards may delegate their power to waive WDRs to the Regional Board Executive Officer in accordance with policies adopted by the Regional Board and approved by the State Board. The Regional Board's general policy regarding waivers is described in Chapter Five, "Plans and Policies". Regional Boards may not waive NPDES permits.

V.A.5. PROHIBITIONS AND PROHIBITION EXEMPTIONS

The Regional Board can prohibit specific types of discharges to certain areas (California Porter-Cologne Water Quality Control Act Section 13243). These discharge prohibitions may be revised, rescinded, or adopted as necessary. Discharge prohibitions are described in pertinent sections of Chapter Four, "Implementation Plan" and Chapter Five, "Plans and Policies" in the Regional Board Discharge Prohibition Section. Prohibitions can be found by referring to the Table of Contents.

V.A.6. ENFORCEMENT ACTION

To facilitate water quality problem remediation or Basin Plan violation remediation, the Regional Board can use different types of enforcement measures. These measures can include:

Notice of Violation

A Notice of Violation is a letter formally advising the discharger that the facility is in noncompliance and that additional enforcement actions may be necessary, if appropriate actions are not taken.

Time Schedule

A Time Schedule (California Porter-Cologne Water Quality Control Act Section 13300) is a time schedule for specific actions a discharger shall take to correct or prevent violations of requirements. A Time Schedule is issued by the Regional Board for situations in which the Regional Board is reasonably confident that the problem will be corrected.

Cleanup or Abatement Order

A Cleanup or Abatement Order (California Porter-Cologne Water Quality Control Act Section 13304) is an order requiring a

discharger to clean up a waste or abate its effects or, in the case of a threatened pollution or nuisance, take other necessary remedial action. A Cleanup or Abatement Order can be issued by the Regional Board or by the Regional Board Executive Officer. Cleanup or Abatement Orders are issued for situations when action is needed to correct a problem caused by regulated or unregulated discharges which are creating or threatening to create a condition of pollution or nuisance. A Cleanup or Abatement Order is also used by the Regional Board to establish the acceptable level of cleanup.

Cease and Desist Order

A Cease and Desist Order (California Porter-Cologne Water Quality Control Act Section 13301) is an order requiring a discharger to comply with Waste Discharge Requirements or prohibitions according to a time schedule. If the violation is threatening water quality, a Cease and Desist Order can be used to require appropriate remedial or preventative action. A Cease and Desist Order is issued by the Regional Board when violations of requirements or prohibitions are threatened, are occurring, or have occurred and probably will continue in the future. Issuance of a Cease and Desist Order requires a public hearing.

Administrative Civil Liabilities

Administrative Civil Liabilities (monetary liabilities or fines) may also be imposed administratively by the Regional Board after a public hearing.

State Attorney General Referral

State Attorney General referral is used under certain circumstances. Enforcement actions may be referred to either the General or District Attorney.

V.A.7. BEST MANAGEMENT PRACTICES

Property owners, managers, or other dischargers may implement "Best Management Practices" to protect water quality. (Implementation and enforcement of Best Management Practices are discussed below under the "Nonpoint Source Measures" section of this chapter). The term "Best Management Practices" is used in reference to control measures for nonpoint source water pollutants and is analogous to the terms "Best Available Technology/Best Control Technology" used for control of point source pollutants. The U.S. EPA (40 Code of Federal Regulations Section 103.2[m]) defines Best Management Practices as follows:

> "Methods, measures, or practices selected by an agency to meet its nonpoint source control needs. Best Management Practices include, but are not limited to structural and nonstructural controls and operation and maintenance procedures. Best Management Practices can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters."

U.S. EPA regulations (40 Code of Federal Regulations Section 103.6[b][4][i]) provide that Basin Plans:

> "...shall describe the regulatory and nonregulatory programs, activities, and Best Management Practices which the agency has selected as the means to control nonpoint source pollution where necessary to protect or achieve approved water uses. Economic, institutional, and technical factors shall be considered in a continuing process of identifying control needs and evaluating and modifying the Best Management Practices as necessary to achieve water quality goals."

Best Management Practices fall into two general categories:

1. Source controls which prevent a discharge or threatened discharge.

These may include measures such as recycling of used motor oil, fencing stream banks to prevent livestock entry, fertilizer management, street cleaning, revegetation and other erosion controls, and limits on total impervious surface coverage. Because the effectiveness of Best Management Practices is often uncertain, source control is generally preferable to treatment. It is also often less expensive.

2. Treatment controls which remove pollutants from a discharge before it reaches surface or ground waters.

Examples include infiltration facilities, oil/water separators, and constructed wetlands.

Several important points about Best Management Practices must be emphasized;

- Best Management Practices are not officially considered "best" practices for use in California unless they have been certified by the State Board.

- The use of Best Management Practices does not necessarily ensure compliance with effluent limitations or with receiving water objectives. Because nonpoint source control has been a priority only since the 1970's, the long-term effectiveness of some Best Management Practices has not yet been documented. Some source control Best Management Practices (e.g., waste motor oil recycling) may be 100 percent effective if implemented properly. Monitoring and evaluation of Best Management Practice effectiveness is an important part of nonpoint source control programs.

- The selection of individual Best Management Practices must take into account specific site conditions (e.g., depth to ground water, quality of runoff, infiltration rates). Not all Best Management Practices are applicable at every location. High ground water levels may preclude the use of runoff infiltration facilities, while steep slopes may limit the use of wet ponds.

- To be effective, most Best Management Practices must be implemented on a long term basis. Structural Best Management Practices (e.g., wet ponds and infiltration trenches) require periodic maintenance, and may eventually require replacement.

- The "state-of-the-art" for Best Management Practices design and implementation is expected to change over time. The State planning process will include periodic review and update of Best Management Practices certifications.

General information on recommended nonpoint source management practices is provided under different water quality problem categories throughout this chapter. For detailed information on the design, implementation, and effectiveness of specific Best Management Practices, the reader should consult the appropriate Best Management Practices Handbook for the project type or location.

V.A.8. COMPLIANCE SCHEDULES

The California Porter-Cologne Water Quality Control Act (Section 13242[b]) requires a Basin Plan's implementation program for achieving water quality objectives to include a "time schedule for the actions to be taken". Regional Board prohibitions are effective upon adoption, unless specifically mentioned otherwise. The Regional Board issues discharge permits. Each includes an effective date. (Often compliance is effective upon Regional Board adoption). Waste discharge permits for construction projects generally require implementation of Best Management Practices during and immediately after construction. Long-term maintenance of permanent Best Management Practices is expected. Regional Board enforcement orders for specific problems also generally include compliance schedules.

The 1975 Basin Plans included recommendations that specific studies be carried out by specific dates on community wastewater collection and treatment facilities needs in certain areas of the Central Coast Region. These plans also recommended that some communities construct specific facilities by the given dates. Most of these schedules were not met. Because expected year-to-year changes in availability of and priorities for funding will ensure that long term schedules are unrealistic, this Basin Plan does not include such recommendations. Priorities are set on a short term basis for studies through the State Board's use of the Clean Water Strategy ranking system various grant programs, and for facilities construction through the State Board Division of Clean Water Programs needs assessment process for loans and grants. Once funding is allocated, completion schedules are set through the contract process.

V.B. NONPOINT SOURCE PROGRAM

Nonpoint source pollution has been identified as a major cause of water pollution throughout the United States, and the California Central Coast Region is no exception. Nonpoint sources of water pollution are generally defined as sources which are diffuse (spread out over a large area). These sources are not as easily regulated or controlled as are point sources. Nonpoint source pollution is caused by land use activities or anthropomorphic activities. Deposition of pollutants may occur in lakes, rivers, wetlands, coastal waters, or ground waters.

In order to address the nonpoint source pollution problem nationwide, the U.S. Congress incorporated Section 319 into the 1987 amendments to the Clean Water Act. By amending the Clean Water Act, Congress shifted the federal emphasis from

nonpoint source pollution planning and problem identification to a new nonpoint source action program. Section 319 of the federal Clean Water Act required each state to develop a State Nonpoint Source Management Program describing the measures the State would take to address nonpoint sources of pollution. In November 1988, the State Water Resources Control Board adopted a Nonpoint Source Management Plan which outlined steps to initiate the systematic management of nonpoint sources in California. For effective management of nonpoint sources the Management Plan required:

- An explicit long-term commitment by the State Board and Regional Boards;
- More effective coordination of existing State Board and Regional Board nonpoint source related programs;
- Greater use of Regional Board regulatory authority coupled with nonregulatory Regional Board programs;
- Stronger links between the local, State, and federal agencies which have authority to manage nonpoint sources; and
- Development of new funding sources.

The 1988 State Board Nonpoint Source Management Plan advocates three approaches for addressing nonpoint source management:

1. Voluntary implementation of Best Management Practices

Property owners or managers may volunteer to implement Best Management Practices. Implementation could occur for economic reasons and/or through awareness of environmental benefits.

2. Enforcement of Best Management Practices

Although the California Porter-Cologne Water Quality Control Act constrains Regional Boards from specifying the manner of compliance with water quality standards, there are two ways in which Regional Boards can use their regulatory authorities to encourage implementation of Best Management Practices.

First, the Regional Board may encourage Best Management Practices by waiving adoption of waste discharge requirements on condition that discharges comply with Best Management Practices. Alternatively, the Regional Board may enforce Best Management Practices indirectly by entering into management agency agreements with other agencies which have the authority to enforce Best Management Practices.

The Regional Board will generally refrain from imposing effluent requirements on discharges that are implementing Best Management Practices in accordance with a waiver of waste discharger requirements, and approved Management Agency Agreements, or other State or Regional Board formal action.

3. Adoption of Effluent Limitations

The Regional Board can adopt and enforce requirements on the nature of any proposed or existing waste discharge, including discharges from nonpoint sources. Although the Regional Board is precluded from specifying the manner of compliance with waste discharge limitations, in appropriate cases, limitations may be set at a level which, in practice, requires implementation of Best Management Practices.

Not all of the categories of nonpoint source pollution follow this three-tiered approach. For example, silviculture activities on non-federal lands are administered by the California Department of Forestry. The State Board has entered into a Management Agency Agreement with California Department of Forestry which allows the Regional Boards to review and inspect timber harvest plans and operations for implementation of Best Management Practices for protection of water quality.

The Regional Board approach to addressing or regulating categories of nonpoint source pollution is discussed in various sections throughout this chapter.

VI. WASTE DISCHARGE PROGRAM IMPLEMENTATION

Water Quality Control Plans to regulate wasteloads in the Central Coastal Basin have been developed to insure protection of

beneficial uses of water described in Chapter Two, as well as water quality objectives described in Chapter Three.

VI.A. EFFLUENT LIMITS

Effluent limitations for disposal of wastes are based on water quality objectives for the area of effluent disposal and applicable State and federal policies and effluent limits. Water quality objectives and policies are based on beneficial uses established for receiving waters. Decisions in treatment process selection are discussed for four general disposal modes considered: stream disposal, estuarine disposal, ocean disposal, and land disposal. There is no discussion provided for disposal to lakes or confined sloughs since these water bodies are protected by discharge prohibitions. Separate discussions of treatment for wastewater reclamation and reuse and sludge processing and disposal are also provided.

Management Principles and Regional Board Policies contained in Chapter Five should be reviewed for further information concerning discharge to surface waters.

VI.A.1. STREAM DISPOSAL

Most streams in the Central Coastal Basin are ephemeral in character. During summer months, there is little or no flow in stream channels. In several instances, flow during the dry season is composed of irrigation runoff or, in a very few cases, wastewater treatment plant effluent. Usually, these flows infiltrate into the stream bed a short distance downstream of discharges. In such instances, the concept of receiving water assimilative capacity has little meaning. Disposal of wastewater in ephemeral streams must be accomplished in a manner that safeguards public health and prevents nuisance conditions. Where possible, discharges should be beneficial as stream flow augmentation. When recharge of a useful ground water basin occurs through stream channel recharge, impacts on ground water quality must be considered.

There are a few streams in the basin which flow on a year-round basis and support an inland fishery. Disposal of wastewater to such streams requires that essentially all oxygen demanding substances and toxicity be removed.

Principal factors governing treatment process selection for stream disposal are federal effluent limits, State public health regulations, and water quality requirements for beneficial use protection. As a minimum, secondary treatment, as defined by the Environmental Protection Agency (EPA), is required in all cases. Where rapid percolation occurs, conventional secondary treatment is currently adequate. EPA guidelines for best practicable treatment would also apply in these cases. Where water contact recreational use is to be protected, the California Department of Health Services (DOHS) recommends coagulation, filtration, and disinfection providing a median coliform MPN of 2.2/100 ml. Detoxification is required where fishery protection is a concern. Detoxification would include effluent limits for identified toxicants, pursuant to Section 307 of the federal Water Pollution Control Act. Source control of specific toxicants may be necessary to comply with the Act.

VI.A.2. ESTUARINE DISPOSAL

Water quality objectives applying to estuaries are contained in Chapter Three.

Receiving waters considered estuaries are one of two groups: (1) shallow waters of an open bay, and (2) confined tidal estuaries or lagoons. Flushing action is usually present in a shallow open bay and natural dispersion and dilution is available on a limited scale. In confined waters, flushing action is limited or nonexistent except during high stream inflow or storms. Since these shorelines frequently are heavily developed and waters are extensively used, requirements for wastewater disposal into such areas are the most stringent of any for marine receiving waters. The "Water Quality Control Policy for Enclosed Bays and Estuaries of California," adopted by the State Water Resources Control Board, prohibits discharge of waste to most enclosed bays and estuaries in the State, unless the discharge will enhance water quality.

Water quality objectives in Chapter Three prevent discharges that could raise natural nutrient levels to an extent that nuisance algal blooms or other aquatic growths occur. Excessive eutrophication in coastal estuaries of California often is characterized by floating and stranded mats of green marine seaweeds Enteromorpha and Ulva. These algae generally grow on mud or other substrates in estuarine water and can produce nuisance conditions along shorelines. These algae have a high sulfur content and emit foul smelling hydrogen sulfide and mercaptans during decomposition. Caution should be given in determining control measures for estuaries, as many of the seasonal algal growths that occur on mud flats are natural and may not be significantly affected by waste discharges in the watershed. Where eutrophication problems are apparent, secondary treatment with denitrification, or phosphorus removal and disinfection should be provided prior to discharge.

VI.A.3. OCEAN DISPOSAL

Water quality objectives applicable to ocean waters are contained in Chapter Three.

Federal guidelines for secondary treatment apply to ocean discharges. The State Water Resources Control Board's Water Quality Control Plan for Ocean Waters of California (Ocean Plan) establishes effluent limits achievable by alternative processes, such as advanced primary treatment. The Ocean Plan contains water quality objectives, requirements for effluent quality and management of waste discharges, and discharge prohibitions (including Areas of Special Biological Significance). Effluent quality requirements establish limitations for grease and oil, solids, turbidity, pH, and toxicity. Limits are also established for heavy metals, chlorine residual, various chlorinated pesticides, PCBs, toxaphene and radioactivity outside the zone of initial dilution.

For municipal discharges, the Clean Water Act allows waiver of secondary treatment standards on a case-by-case basis. Secondary treatment waivers are further discussed as they apply to specific discharges in the following section on Municipal Wastewater Management. If full secondary treatment is required but funding is inadequate, treatment levels should be achieved through staged construction. Ocean Plan objectives can be achieved as an interim measure. Secondary treatment must be added later if a waiver is not issued, or if receiving water monitoring indicates additional treatment is necessary to protect ocean waters. Industrial wastewater management is discussed later in this chapter.

VI.A.4. LAND DISPOSAL

To protect ground water resources, the Regional Board allows few waste discharges to land. Those that are permitted are closely regulated under existing laws and regulations to maintain and to protect ground water quality and beneficial uses.

Disposal of waste to land in the Central Coast Region is regulated by California Code of Regulations, Title 23, Chapter 15; the federal Resource Conservation and Recovery Act; the Toxic Pits Cleanup Act; the Porter-Cologne Water Quality Control Act; and State Health Department Regulations. Types of land disposal operations being regulated by the Central Coast Region include landfills, surface impoundments, septage and sludge disposal, mining operations, confined animal facilities, and some oil field exploration and production facilities.

California Code of Regulations, Title 23, Chapter 15

All land disposal operations are regulated by Chapter 15. Formerly called Subchapter 15. This is the most significant regulation used by the Regional Board in regulating hazardous and nonhazardous waste treatment, storage, and disposal. These regulations include very specific siting, construction, monitoring, and closure requirements for all existing and new waste treatment, storage, and disposal facilities. Chapter 15 requires operators to provide assurances of financial responsibility for initiating and completing corrective action for all known or reasonably foreseeable releases from waste management units. Detailed technical criteria are provided for establishing water quality protection programs, and corrective action programs are mandated for releases from waste management units.

Resource Conservation and Recovery Act

The State implements Resource Conservation and Recovery Act's Subtitle C (Hazardous Waste Regulations for Treatment, Storage, and Disposal) through the Department of Toxic Substances Control and the Regional Boards. In August 1992, the U.S. EPA formally delegated the Act program implementation authority to Department of Toxic Substances Control. As described above, regulation of hazardous waste discharges is also included in California Code of Regulations, Title 23, Chapter 15. (Chapter 15 monitoring requirements were also amended in August 1991 so as to be equivalent to Act requirements). These will be implemented through the adoption of Waste Discharge Requirements for hazardous waste sites covered by the Act. The discharge requirements will then become part of a State Resource Conservation and Recovery Act permit issued by Department of Toxic Substances Control.

Federal regulations required by Resource Conservation and Recovery Act Subtitle D have been adopted for Municipal Solid Waste landfills (40 Code of Federal Regulations Parts 257 & 258). The California Integrated Waste Management Board is the State lead agency for Subtitle D implementation. The State Board and the California Integrated Waste Management Board received U.S. EPA State program approval. Delegation of authority for the State Board to implement Subtitle I (Underground Storage Tanks) will occur after U.S. EPA approval of the State's program application. (The Underground StorageTank Section is discussed later in this chapter).

Toxic Pits Cleanup Act

The Toxic Pits Cleanup Act of 1984 required all impoundments containing liquid hazardous wastes or free liquids containing hazardous waste be retrofitted with a liner/leachate collection system, or dried out by July 1, 1988. Impoundments "dried out" were closed to remove all contaminants and/or to stabilize any residual contamination.

VI.A.4.a. WASTEWATER DISPOSAL

Principal factors affecting treatment process selection for land disposal are the nature of soils and ground waters in the disposal areas and, where irrigation is involved, the nature of crops. Wastewater characteristics of particular concern are total salt content, nitrate, boron, pathogenic organisms, and toxic chemicals. Where percolation alone is considered, the nature of underlying ground waters is of particular concern. Treatment processes should be tailored to insure that local ground waters are not degraded.

Nitrate removal is required in many cases where percolation is to usable ground water basins. Percolation basins operated in alternating wet and dry cycles can provide significant nitrogen removal through nitrification/denitrification processes in the soil column. Finer textured soils are more effective than coarse soils. Nitrate removal would not necessarily be required, and secondary treatment may be adequate where recharge is for other purposes such

as prevention of seawater intrusion or where soil percolation constraints do not require further treatment. Monitoring in the immediate vicinity of the disposal site is required in either case. Where the need for nitrate removal is not clear, removal could be considered at a possible future stage depending on monitoring results. Where well controlled irrigation is practiced, nitrate problems in the dry season will be controlled. Vegetative uptake will utilize soluble nitrates which would otherwise move into ground water under a percolation operation. Demineralization techniques or source control of total dissolved solids may be necessary in some inland areas where ground waters have been or may be degraded. Presence of excessive salinity, boron, or sodium could be a basis for rejection of crop irrigation with effluent.

State Health Department regulations, described in Title 22 of the California Code of Regulations, stipulate disinfection levels required for specific crops. In some cases, such as pasture for milking animals, the California Code of Regulations requires oxidation with disinfection to a median number of coliform organisms of 23 MPN/100 ml. Environmental Protection Agency guidelines for secondary treatment do not apply to land disposal cases. However, municipal treatment facilities must provide effective solids removal and some soluble organics removal for percolation bed operations and for reduction of nuisance in wastewater effluent irrigation operations. Disinfection requirements are dictated by the disposal method. Oxidation ponds may be cost-effective in some remote locations and may be equivalent to secondary treatment.

VI.A.5. RECLAMATION AND REUSE

Water shortages in California are resulting in increased demand for reclamation. Reclamation and reuse is encouraged where feasible and beneficial. Where practicable, land disposal by spray irrigation shall be accomplished by proper reclamation techniques rather than by over-irrigation. This will aid water shortages and maximize nutrient removal.

Treatment process selection for reclamation of wastewater is dependent upon the intended reuse. Where irrigation reuse or ground water recharge is intended, treatment requirements will depend on conditions described under land disposal. Clearly, the nature of the crop to be irrigated, soil percolation, and water characteristics are important considerations. Title 22 of the California Code of Regulations provides wastewater reclamation criteria to regulate specific uses of reclaimed water. Where reuse is extended to water contact recreation, secondary treatment with coagulation, filtration, and disinfection is required. Where golf course irrigation is practiced, this level of treatment minus coagulation and filtration may be adequate. More stringent measures may be necessary with increased risk of public exposure (for example, residents adjacent to fairways). However, where more complete reclamation is envisioned, such as creation of recreational lakes for fishing, swimming, and water skiing, nutrient removal may also be required to minimize algae growths and to encourage fish propagation. Comparable treatment may also be needed for industrial water supplies used for cooling and uses where algae growth in transfer channels or cooling towers is of concern. Nitrogen removal and demineralization processes may also be necessary for selected reclamation projects as discussed under land disposal.

To meet the increased demand for reclamation, existing regulations contained in the California Code of Regulations, Title 22, are being expanded. California Code of Regulations, Title 22, are hereby incorporated as applicable reclamation requirements.

Dual water systems may be feasible in some instances. Reclaimed wastewater should be investigated as an alternative water source for toilets.

Management Principles contained in Chapter Five should be reviewed for further reclamation information. This section is located after the "Recommended State Water Resources Control Board Actions" section.

VI.A.6. PRETREATMENT PROGRAMS

State and federal regulations require certain municipalities to develop and administer pretreatment programs to control the discharge of industrial wastes to the treatment plant. All municipal plants discharging to navigable waters with design flows greater than 5.0 mgd are required to develop and implement a pretreatment program. Other municipalities may be required to develop a pretreatment program if circumstances warrant such a program. The Environmental Protection Agency has established specific industrial subcategories of industries which discharge certain quantities or concentrations of pollutants to municipal systems. Pretreatment is required to meet effluent standards established for each industrial category. The objectives of a pretreatment program are to: (1) prevent introduction of pollutants into publicly-owned treatment works which will interfere with treatment operations and/or use or disposal of municipal sludge, (2) prevent introduction of pollutants into publicly owned treatment works which will pass through treatment works or be incompatible with treatment techniques, (3) increase feasibility of recycling and reclaiming municipal and industrial wastewaters and sludges, and (4) enforce applicable EPA Categorical Standards.

A pretreatment program must include: (1) a local pretreatment ordinance, (2) a use permit system, (3) a program of monitoring and inspection to insure compliance with the ordinance and use permit, and (4) an enforcement program sufficient to obtain compliance with provisions of the ordinance or use permit. Pretreatment programs are further discussed as they apply to specific dischargers in the section on Municipal Wastewater Management.

Municipalities required to comply with federal pretreatment regulations in the Central Coast Region are:

City of Santa Cruz,
Cities of Gilroy/Morgan Hill,
City of Watsonville,
Monterey Regional Wastewater Treatment Plant,
City of Salinas Industrial Plant,
City of San Luis Obispo,
City of Santa Maria,
City of Lompoc, and
City of Santa Barbara

VI.A.7. SLUDGE TREATMENT

Sludge management is a difficult aspect of wastewater treatment. The methods used for sludge disposal or reuse tend to determine the sludge processing methods. Major goals of sludge treatment include pathogen destruction, vector attraction reduction, odor reduction, moisture removal, and contaminant removal. Treated sludge is commonly referred to as "Biosolids."

Solids removed during wastewater treatment include grit, primary sludge, and biological sludges. Grit is typically removed in a grit chamber and is usually inert and easily dewatered, so landfilling is usually the preferred management option. Primary sludges are generally solids that readily float or sink, whereas biological sludges are suspended organic materials and necessitate biological treatment (e.g., trickling filter, activated sludge, or oxidation pond) to float or sink. Polymers are widely used to increase settling and thickening efficiencies and to reduce chemical sludge handling problems. Primary and biological sludges are usually combined prior to final treatment. Anaerobic digestion and lagoon stabilization are common sludge treatment methods, but methods which can render sludge pathogen and odor free, such as lime stabilization, composting, thermophylic aerobic digestion, and heat treatment, are becoming increasingly popular. Public acceptance of beneficial sludge uses, such as spreading on farm land and reclamation of strip mines, may be improved by advanced sludge treatment technologies.

Sludge treatment methods are evolving as disposal is discouraged and beneficial reuse is encouraged. Ocean disposal of sludge is prohibited by the California Ocean Plan. Landfilling of sludge is generally allowed if the sludge is nonhazardous and meets specific moisture content requirements. Sludge may be disposed in Class I and Class II waste management units, but this practice is uncommon due to its high cost. Disposal of sludge is becoming less attractive as landfill capacity decreases, recycling mandates (Assembly Bill 939) must be met, and society becomes aware that sludge can be a valuable

resource as a soil amendment/fertilizer.

VI.B. MUNICIPAL WASTEWATER MANAGEMENT

Municipal wastewater conveyance, treatment, and disposal facilities recommended for the Central Coastal Basin are described in the following pages. Recommended plans for municipal facilities are described in geographic sequence by hydrographic units. Hydrographic units are identified in Chapter Two, Figure 2-1. Numbers in parentheses throughout the chapter refer to design capacity unless otherwise stated. Pretreatment programs and modifications to secondary treatment are discussed as part of the recommended plan where applicable. Further discussion of these topics can be found under the subheadings "Ocean Disposal" and "Pretreatment Programs" at the beginning of this chapter.

Further specific municipal management information can be found in the Management Principles section of Chapter Five. General municipal wastewater management information is also included in the State Water Resources Control Board Plans and Policies section, Discharge Prohibitions section, Control Actions section, and Regional Board Policies section.

VI.B.1. BIG BASIN HYDROLOGIC UNIT

The Big Basin Hydrologic Unit includes discharges from the City of Santa Cruz and the City of Scotts Valley, in addition to unsewered areas and several small waste dischargers. Table 4-1 displays summarized Big Basin Hydrologic Unit dischargers.

The City of Santa Cruz operates a wastewater collection, primary treatment, and ocean disposal system with a capacity of 21 mgd. Sewerage service is provided to the City of Santa Cruz, Santa Cruz County Sanitation District (SCCSD), and the City of Scotts Valley. The SCCSD serves East Cliff, Capitola, Aptos, and Seacliff areas. The recommended plan for the City is to upgrade the existing treatment plant at Neary's Lagoon to secondary level treatment. A new outfall was completed in 1988. The new outfall is 12,250 feet long terminating in 100 feet of water about one mile offshore. It replaces a 2,000 foot outfall which was a source of many complaints due to its proximity to the shore water-contact recreation area.

Mitigation measures to offset environmental impacts to Neary's Lagoon and an adjacent park must be resolved before the plant can proceed. The City has implemented a pretreatment program affecting the City of Santa Cruz, and Santa Cruz County Sanitation District.

Wastewaters from sewered areas of the City of Scotts Valley are transported to Scotts Valley's secondary treatment plant. Effluent is transported through a land outfall to the City of Santa Cruz marine outfall for disposal to the Pacific Ocean. A recommended plan for Scotts Valley includes: (1) increasing wastewater treatment capacity from 0.65 mgd to 0.95 mgd, (2) providing reclaimed water to Pasatiempo

Golf Course and other green belt areas for irrigation purposes, and (3) transporting excess wastewater through the Scotts Valley land outfall to the City of Santa Cruz ocean outfall. An alternative plan is to transport raw wastewater through the Scotts Valley land outfall to the Santa Cruz wastewater treatment plant for treatment and disposal through the ocean outfall. Local water agencies (Scotts Valley Water District and San Lorenzo Valley Water District) may benefit from reclamation efforts and should be involved in reuse planning.

Davenport County Sanitation District (DCSD) was created in 1979 to provide sewer and water services to the Davenport-Newtown area located on the coast north of Santa Cruz. Davenport-Newtown area has interceptors and an aerated wastewater lagoon on property owned by Lone Star Industries. Disposal is through evaporation/ percolation and industrial reuse. DCSD is responsible for wastewater collection, treatment, and disposal.

The State Department of Parks and Recreation is responsible for Big Basin State Park facilities (.04 mgd). Discharge provides stream flow augmentation. The wastewater treatment plant includes secondary treatment with sand filtration and coagulation. This stream discharge qualifies as an acceptable wastewater reclamation project. The discharge is upstream from a popular swimming hole, so this plan emphasizes the need to enhance water quality and protect beneficial uses in Waddell Creek. The Department of Parks and Recreation must correct wastewater system deficiencies in order to protect public health and the beneficial uses of Waddell Creek and tributaries.

The recommended plan for the Ben Lomond Conservation Facility is to retain the existing septic tank, evaporation/percolation ponds, and spray field. Existing facilities are adequate so long as operation and maintenance are effective.

Wastewater management in San Lorenzo Valley (SLV) is provided by three community treatment and disposal facilities (Bear Creek Estates, Big Basin Woods, and Boulder Creek Golf and Country Club). Remaining areas are served by individually owned septic tank and soil absorption systems. Bear Creek Estates uses septic tank treatment with disposal to a soil absorption system. This facility is the responsibility of San Lorenzo Valley Water District and Bear Creek Estates.

The recommended plan for Big Basin Woods Subdivision is to retain the existing extended aeration treatment facility with leachfield disposal, presently operating at approximately ten percent of total capacity (.35 mgd). Flow from County Service Area No. 7 has been diverted to Big Basin Woods' leachfield during equipment repair periods. Leachfield capacity is adequate to serve both Big Basin Woods and CSA No. 7. Existing facilities are adequate so long as operation and maintenance are effective. This plan will be implemented by Big Basin Sanitation Company, Big Basin Woods Subdivision, and the San Lorenzo Valley Water District.

The recommended plan for Boulder Creek Golf and Country Club is to retain the existing activated sludge treatment facility with leachfield disposal and add filtration for golf course irrigation. Existing facilities are adequate so long as operation and maintenance are effective. Operation and maintenance of the system is the responsibility of the Santa Cruz County Department of Public Works. This plan will be implemented by Santa Cruz County Service Area No. 7 through Santa Cruz County Department of Public Works and San Lorenzo Valley Water District.

Rolling Woods Subdivision, Santa Cruz County Service Area No. 10, provides treatment with a redwood bark biofilter and disposes treated effluent through percolation pits. This facility should be replaced with an interceptor that would convey wastes to the City of Santa Cruz for treatment and disposal.

Individually owned septic tank leachfield systems in the San Lorenzo Valley have been inspected and monitored from 1986 through 1994. Problem areas have been identified and the suitability of these problem areas for the continued use of septic systems has been determined as documented in the County of Santa Cruz, Environmental Health Services reports (1) Preliminary Report, An Evaluation of Wastewater Disposal and Water Quality in the San Lorenzo Watershed, September, 1989; (2) Final Project Report, Boulder Creek Wastewater Feasibility Study, October, 1991; and (3) Final Project Report, San Lorenzo Valley Community Wastewater Feasibility Studies, March, 1994. Alternatives have been evaluated and solutions proposed to reduce septic system problems in certain areas of the valley. Solutions are contained in the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan). The Wastewater Management Plan documented standards and conditions that shall be met for the protection and enhancement of beneficial uses.

Dischargers in the Aptos-Soquel area include Santa Cruz County Service Area No. 5 (Sand Dollar Beach and Canon del Sol), SCCSA No. 20 (Trestle Beach), and Monterey Bay Academy. Flows from Aptos and East Cliff are conveyed through interceptors and pumping stations for treatment at the City of Santa Cruz Wastewater Treatment Plant.

The recommended plan for SCCSA No. 5 is to retain the existing extended aeration package treatment plant and disposal to seepage pits. Wastewater treatment and disposal at Canon del Sol will be by the same methods as Sand Dollar Beach. Facilities will be adequate so long as operation and maintenance are effective. This plan will be implemented by SCCSA No. 5 through Santa Cruz County Department of Public Works.

Wastewater treatment at Trestle Beach (SCCSA No. 20) will be provided by an extended aeration package treatment plant with disposal to seepage pits. This plan will be implemented by SCCSA No. 20 through the Santa Cruz County Department of Public Works. It is recommended that CSA No. 5 and No. 20 be connected to regional collection systems when service is extended to adjacent areas.

The recommended plan for the Monterey Bay Academy is to retain the existing settling pond with disposal to a series of evaporation-percolation ponds.

VI.B.2. PAJARO RIVER HYDROLOGIC UNIT

Summarized municipal dischargers in the Pajaro River Hydrologic Unit include the City of Gilroy/ Morgan Hill, City of Hollister, City of San Juan Bautista, and the City of Watsonville. Table 4-2 displays dischargers summarized for the Pajaro River Hydrologic Unit.

The Gilroy area includes the unsewered San Martin area and the City of Gilroy's advanced primary treatment and land

disposal facilities serving the Cities of Gilroy and Morgan Hill. The Cities are currently attempting to develop facilities to resolve disposal capacity deficiencies. Primary treatment provided via two oxidation ponds with surface aeration. Effluent disposal is to a series of evaporation/percolation ponds. Wastewater reclamation facilities were constructed in 1977 to alleviate water shortages during drought conditions. When reclamation facilities are in use (seasonally), primary effluent is provided further treatment in an aeration pond. Effluent is then screened, chlorinated, and pumped through nine miles of distribution pipe to various users (for irrigation purposes). The reclamation system's economics have not been favorable. Industrial flows of 6.3 mgd are treated and disposed of in a separate series of sedimentation, oxidation, and percolation ponds.

The recommended plan for the Gilroy-Morgan Hill wastewater treatment facilities is to continue geohydrological assessments to determine impacts of continued effluent disposal by percolation at the Gilroy site. If beneficial uses of surface and ground waters are not adequately protected, other treatment and/or disposal methods must be used. Disposal will continue to be by percolation, evaporation, and reclamation. Before a discharge to surface waters is considered, the City will be required to evaluate feasible land disposal options. If current percolation practices are not causing receiving water problems, feasibility of existing disposal area expansion should be considered. The Cities are also evaluating stream disposal. Currently, the Cities of Gilroy and Morgan Hill are responsible for collection, treatment, and disposal of wastewater. They are also responsible for operating the wastewater reclamation facilities. Santa Clara Valley Water District is responsible for administrative tasks for the reclamation system. In addition, the Cities of Gilroy and Morgan Hill have implemented a pretreatment program since 1983.

Individual on-site systems are used for sewage disposal in the San Martin area. Twenty percent of the area's wells exceed the nitrate drinking water objective. This is a significant problem since this area serves as the sole recharge area for the Santa Clara Valley. Methods of providing a water supply that is free of excessive nitrate concentration should be investigated and implemented. Nitrate loadings from various sources should be calculated for the area to determine the contribution from various sources. The need for on-site system restrictions should be determined.

Small discharges (less than 0.10 mgd) in the Hollister area include flows from San Benito County Facilities, Sunnyslope County Water District, and Tres Pinos County Water District. City of Hollister wastewater is treated at the City of Hollister Wastewater Treatment Facilities (1.2 mgd). San Juan Bautista wastewater is treated at the City of San Juan Bautista Wastewater Treatment Facilities (0.15 mgd).

The recommended plan for Tres Pinos is to retain the existing evaporation/percolation ponds. The recommended plan for San Benito County Hospital Facilities and Sunnyslope County Water District is to study the feasibility of constructing interceptors to the Hollister facilities or consolidating into a single subregional system. Existing facilities consisting of aerated pond treatment followed by land disposal to evaporation/percolation ponds may be maintained if project level studies determine this to be the more feasible method of wastewater treatment and disposal. Sunnyslope County Water District owns and operates a wastewater treatment and disposal system serving approximately 300 homes in Ridgemark Estates subdivision located approximately 2-1/2 miles south-east of Hollister. Wastewater is treated in two aerated ponds and disposed of in evaporation/percolation ponds. Effluent may be used in the future to irrigate a golf course.

The recommended plan for the City of Hollister is to retain the existing advanced primary treatment facilities and percolation ponds which started operating in 1979. The Hollister industrial system is to be maintained separately to receive seasonal flows from the spinach and tomato processing operations. The recommended plan for the City of San Juan Bautista is development of a land disposal system. The City currently discharges secondary effluent to a drainage ditch tributary to Pajaro River.

Land disposal of wastewaters in the Hollister region must be monitored carefully to assure ground water quality is protected. Source control of salt must be stressed to reduce effluent salinity to levels acceptable for disposal to local ground waters.

Wastewaters in the Watsonville area are transported to regional treatment facilities in the City of Watsonville with a design capacity of 13.4 mgd. Collection, primary treatment, and disposal to Monterey Bay are provided for the City of Watsonville, and the local sewering entities of Freedom County Sanitation District, Pajaro County Sanitation District, and Salsipuedes Sanitary District. The City submitted an application to EPA for waiver of secondary treatment requirements and the Regional Board has approved a waiver permit. Project level studies determined ocean disposal to be the most feasible method of waste disposal. Ocean outfall improvements and a phased approach to secondary treatment are included in Watsonville's Clean Water Grant Project. If a waiver from secondary treatment is granted, the project will provide advanced primary treatment. Local sewering entities retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge to interceptors owned and operated by Watsonville. The City is implementing a pretreatment program and the Regional Board has approved a waiver permit.

VI.B.3. CARMEL RIVER HYDROLOGIC UNIT

Summarized municipal dischargers in the Carmel River Hydrologic Unit include Carmel Sanitary District. Table 4-3 displays dischargers summarized for the Carmel River Hydrologic Unit.

The Carmel Sanitary District operates a secondary wastewater treatment plant with ocean disposal serving Carmel-by-the-Sea, Del Monte Forest, and a few adjacent areas. The outfall system terminates within a portion of Carmel Bay that is designated an Area of Special Biological Significance (ASBS). The District is developing a reclamation project for irrigation of Monterey Peninsula Golf Courses. A high concentration of golf courses in a water short area makes reclamation particularly desirable and attractive.

Carmel Valley Sanitation District operates three facilities in Carmel Valley. These include community septic tank/subsurface disposal systems at Village Green and White Oaks and a tertiary type treatment plant with golf course reclamation at Carmel Valley Ranch. No changes are recommended unless public health or water quality problems develop. Should the need arise for specific septic system maintenance in Carmel Valley, local agencies should be considered for management responsibilities.
Comprehensive studies to determine the feasibility of establishing separate treatment plants have been completed for the Carmel Valley area. These studies conclude that on-site septic systems should remain operational until further ground water monitoring data shows sewers are necessary. Wastewater treatment and reuse on the Carmel Valley Ranch Golf Course provides an optimal way of managing waste generated in the area.

Carmel Highlands wastewaters should continue to be treated in on-site wastewater systems except at the Highlands Inn and the Carmel Highlands Sanitary Association. Both of these systems will continue to discharge treated secondary quality effluent to the Pacific Ocean.

VI.B.4. SANTA LUCIA HYDROLOGIC UNIT

The U.S. Navy's Point Sur wastewater facilities and the State Department of Parks and Recreation Pfeiffer Big Sur State Park facilities are the only significant facilities in this hydrologic unit. Ocean discharge from the U. S. Navy is being discontinued and is being replaced with a subsurface land disposal system. The subsurface land disposal system at Pfeiffer Big Sur State Park also seems adequate. If expansion to this facility is considered or if ground or surface water degradation from this discharge is detected, other means of disposal, such as reclamation, are recommended.

VI.B.5. SALINAS RIVER HYDROLOGIC UNIT

The extensive Salinas River Hydrologic Unit includes the Monterey Peninsula and southern coastal area of Monterey Bay, the City of Salinas, agricultural and small urban centers of the Salinas Valley, and recreational developments in the upper watersheds. Major dischargers in the Salinas River Hydrologic Unit include the Monterey Regional Water Pollution Agency (MRWPCA). Table 4-4 displays dischargers summarized below for the Salinas River Hydrologic Unit.

The recommended plan for the Monterey Peninsula-Salinas area calls for consolidation of Monterey Peninsula, Salinas, Castroville, and other Monterey Bay municipal wastewater flows into a regional wastewater treatment plant and outfall. Discharge is to central Monterey Bay outside the prohibition zone described in Chapter 5 "Discharge Prohibitions" under "Waters Subject to Tidal Action." Upon completion of the regional plant, wastewater treatment plants in Monterey, Salinas (2), Castroville, and Fort Ord will be taken out of service. The Monterey Regional Water Pollution Control Agency (MRWPCA) was established to manage and implement regional consolidation.

It is recommended MRWPCA implement wastewater reclamation. MRWPCA plans to provide reclaimed water to the Castroville Irrigation Project which involves irrigating food crops in the Castroville area with water reclaimed at the regional plant blended with water diverted from the Salinas River.

New major residential developments proposed within the service area of the Regional Project should connect to the regional system unless studies can show that water quality and public health concerns can be properly mitigated. Sewerage feasibility studies and aerial ground water studies should continue in this sub-basin to assure that adequate sewage treatment and disposal capabilities are maintained for both existing and proposed development.

Recommended plans for Salinas Valley communities, the U. S. Army's Fort Hunter Liggett, the California Army National Guard's Camp Roberts, and recreational areas in the upper watershed involve separate wastewater treatment and disposal

facilities.

Dischargers along the Salinas River should remain as separate treatment facilities with land disposal to evaporation/percolation systems and land application (irrigation) systems where possible. Disposal should be managed to provide maximum nitrogen reduction (e.g., through crop irrigation or wet and dry cycle percolation). Facility expansions shall include means for nitrogen reduction. Shallow ground water monitoring at these facilities will determine if additional improvements are necessary. King City should consider expanding its service area to include Pine Canyon if development continues in that area.

The City of Paso Robles owns and operates a secondary treatment plant (4.9 mgd) utilizing trickling filtration followed by oxidation ponds. Disposal is by evaporation and percolation from the oxidation ponds and by discharging from the last pond to the Salinas River channel. Use of reclaimed water should be investigated and implemented, if feasible. A reduction of inorganic salt in the effluent would increase its desirability to potential users. A report, "Water Quality in the Paso Robles Area," published by the California Department of Water Resources in 1981 made water quality control recommendations, including a recommendation for more stringent control of total dissolved solids and sodium in the City's wastewater treatment plant discharge. A Regional Board Salt Balance Study is planned to further define the need and methods of salt reduction.

The City of Paso Robles also owns and operates the wastewater facility serving the California Youth Authority and Paso Robles Airport Wastewater treatment plant (0.10 mgd). Disposal is to a series of oxidation-percolation ponds located adjacent to Huerhuero Creek. Wastewater reclamation uses should be investigated. An effluent pump exists at the plant in case wastewater reclamation potential develops. The City is planning an interceptor sewer to eliminate this facility and provide all treatment and disposal at its main City facility.

The City of Atascadero (1.67 mgd) owns and operates a wastewater collection, treatment, and disposal system serving part of the City. Pond treatment is provided followed by land disposal to percolation ponds and by irrigation of a golf course. San Luis Obispo County Health Department has documented public health problems and water quality problems arising from failing on-site sewage disposal systems in areas within the City. The City was sewered in the most significant problem areas, but additional sewering is needed.

Dischargers in the Nacimiento Reservoir area include San Luis Obispo County Service Area No. 7A, Oak Shores Development (0.1 mgd); and, San Luis Obispo County Service Area No. 19, Heritage Ranch Development (0.40 mgd). Wastewater facilities for the Oak Shores Development consist of two aerated treatment ponds and spray disposal. Part of the collection system is located below the spillway elevation of Nacimiento Reservoir. This has been a source of excessive infiltration in the past and the problem has been corrected. This area should be watched closely as reservoir level rises and wastewater flows increase to insure infiltration and/or exfiltration do not reoccur. Major expansion of wastewater facilities is expected in the future. As the development grows, new disposal facilities should be relocated well away from Nacimiento Lake.

Wastewater at Heritage Ranch is treated in aerated lagoons at the development. Discharge is to a holding pond, filtered, and then discharged to a drainageway located outside the Nacimiento Reservoir watershed.

Camp Roberts is a U. S. Army installation that is leased by the California National Guard as a major training site. Wastewater flows that vary from 3000 gpd in winter to nearly 1.0 mgd in summer are treated to secondary levels prior to disposal in a series of percolation/evaporation ponds located near the Salinas River. The facility was upgraded in 1980 and there are no additional recommendations.

Dischargers in the San Antonio Reservoir watershed include Monterey County's Department of Parks and Recreation and the U.S. Army's Fort Hunter Liggett. There are no recommended changes to facilities operated by the Monterey County Department of Parks and Recreation. The U.S. Army, Fort Hunter Liggett operates wastewater treatment facilities located adjacent to the San Antonio River. The recommended plan is to maintain the existing facilities with improvement of the spray disposal area.

VI.B.6. ESTERO BAY HYDROLOGIC UNIT

Municipal wastewater management plans for the Estero Bay Hydrologic Unit are described for each of these four areas: North Coast, Morro Bay, San Luis Obispo Creek, and South County Regions. Table 4-5 displays dischargers summarized below.

Dischargers in the North San Luis Obispo Coast include Cambria Community Services District (1.0 mgd) and San Simeon

Acres Community Services District (0.2 mgd).

Secondary treatment facilities at Cambria have a design capacity of 1.0 mgd and include a land outfall and spray irrigation system for effluent disposal, and an effluent holding reservoir. Excess effluent that cannot be spray-irrigated is pumped to the reservoir for later land disposal or discharged during wet weather through a sand filter bed to Van Gordon Creek. The District is evaluating land disposal improvements. Implementation of this plan is the responsibility of Cambria Community Services District.

San Simeon Acres Community Services District owns and operates a secondary treatment (activated sludge) plant with design capacity of 0.2 mgd. Wastewater visitor complex generated at Hearst Castle and within the community is treated and discharged to the Pacific Ocean through an ocean outfall. The recommended plan is to retain the treatment plant.

Dischargers in the Morro Bay area include the City of Morro Bay and Cayucos Sanitary District (2.1 mgd), California Men's Colony (CMC) (1.2 mgd), and Los Osos- Baywood septic tank leachfield systems.

The City of Morro Bay and the Cayucos Sanitary District jointly own treatment facilities with ocean outfall disposal. Wastewater is being treated by a newly constructed plant and discharged through a newly constructed ocean outfall. In order to maximize plant capacity and meet Ocean Plan requirements, part of the effluent receives primary treatment only and part receives secondary treatment. Primary and secondary quality effluents are blended before disposal to the Pacific Ocean in compliance with a secondary treatment waiver.

Recently renovated wastewater treatment facilities at California Men's Colony also serve the California National Guard Camp, Cuesta College, the County Educational Center, and the County Operational Facility. Secondary treatment with coagulation/filtration, and subsequent disposal to Chorro Creek (stream flow augmentation) are provided. Effluent is also used to irrigate fodder crops on nearby lands owned by California State Polytechnic University.

Development on small lots in Los Osos-Baywood has resulted in one of the most densely populated areas without public sewers on the central coast. Septic tank effluent is discharged in predominantly sandy soil over a ground water basin which is the sole source of water for the area. Some shallow wells have approached and exceeded the public health maximum nitrate concentration limit. The County of San Luis Obispo conducted a Clean Water Grant funded study of this situation. Study findings resulted in a Basin Plan Prohibition of discharges effective November 1, 1988. The County has not implemented the recommended project of sewering the area. (A new septic system discharge prohibition now exists for the area).

Dischargers in the San Luis Obispo Creek area include the City of San Luis Obispo (5.1 mgd), Avila Beach County Water District (0.1 mgd), and San Luis Obispo County Service Area (CSA) No. 18, Country Club Estates (0.12 mgd).

The City of San Luis Obispo wastewater treatment facilities serve as a regional plant for the City and certain proximal unincorporated county areas. Trickling filters provide secondary treatment before disposal to San Luis Obispo Creek. Infiltration and inflow in the wastewater collection system causes excessive wet weather flows and intermittent discharges to San Luis Obispo Creek of partially treated wastewater. The recommended plan for San Luis Obispo is improving the collection and treatment facilities capacity to eliminate these discharges. The City's Wastewater Management Plan should be implemented to provide treatment necessary to comply with stringent permit requirements.

The small community of Avila Beach is served by a small advanced primary trickling filter wastewater treatment facility owned and operated by the Avila Beach County Water District. Design capacity of the plant was originally 0.18 mgd, but was downgraded in 1986 to 0.1 mgd as the NPDES permit was revised to include secondary treatment standards for tickling filters. Current average flow is only 0.07 mgd. Wastewater disposal is through an ocean outfall to the Pacific Ocean. Additional treatment and/or outfall modification will be necessary as flow increases. Oceanographic studies would be required to determine appropriate modifications (e.g., lengthen the outfall and add a multiport diffuser).

Country Club Estates (CSA No. 18) is a small subdivision in South San Luis Obispo County that historically relied on septic tank systems for wastewater treatment and disposal. A septic tank system performance survey completed in January, 1981, identified significant public health hazards from numerous failing septic tank systems in the subdivision. The septic systems were replaced in 1988 by a small secondary treatment plant (0.12 mgd) with effluent disposal via golf course irrigation at the San Luis Obispo Golf and Country Club.

Dischargers in the South San Luis Obispo County Region include the City of Pismo Beach (1.2 mgd), South San Luis Obispo County Sanitation District (3.0 mgd) (serving the City of Arroyo Grande, City of Grover City, and Ocean Community Services District), and Lopez Recreation Area wastewater treatment plant (0.10 mgd). These dischargers provide secondary treatment of wastewater through three separate facilities. Pismo Beach has a land outfall to the South San Luis Obispo

County Sanitation District ocean outfall. Plant reliability improvements were made in 1987. Future treatment plant enlargements should provide duplicate process units for improved operation and maintenance. A long range solids management plan must be developed and implemented.

South San Luis Obispo County Sanitation District disposes of secondary effluent through an ocean outfall to the Pacific Ocean. The District has enlarged its facilities to 3.0 mgd and changed from activated sludge to fixed film reactor. A long range solids management plan is also needed for this plant.

The Lopez Recreation Area treatment facilities serve County facilities adjacent to Lopez Lake. Lopez Lake serves as a municipal water supply for downstream coastal communities. It is recommended land disposal of wastes be continued. Ground water quality monitoring should be used to provide warning of any potential ground water problems downstream of the disposal area. Implementation of this plan is the responsibility of the County of San Luis Obispo.

VI.B.7. CARRIZO PLAIN HYDROLOGIC UNIT

There are no municipal sewerage systems in the Carrizo Plain Hydrologic Unit; recommended practices for individual disposal systems will pertain to this area.

VI.B.8. SANTA MARIA RIVER HYDROLOGIC UNIT

The municipal wastewater management plans for the Santa Maria Valley and the Cuyama Valley are described separately for the City of Guadalupe, the City of Santa Maria, the Laguna County Sanitation District, Nipomo, and the New Cuyama wastewater treatment plant.

It is recommended that separate wastewater treatment and disposal/reclamation facilities be maintained by the City of Guadalupe (0.5 mgd), the City of Santa Maria (7.8 mgd), and the Laguna County Sanitation District (3.2 mgd). Discharge will be to land in each case.

The City of Guadalupe provides primary treatment followed by mechanically aerated lagoons. An unincorporated neighborhood known as the Gularte Tract is located adjacent to Guadalupe. A lift station and interceptor have been constructed to transport Gularte's wastewater to the City's collection system.

The recommended plan for Guadalupe is to complete additional storage ponds and disposal facilities to insure containment of wastewaters during wet weather and accommodate planned growth and to continue effluent discharge to land. Use of reclaimed water to irrigate nearby pasture lands is encouraged and should be maximized. Implementation of this plan is the responsibility of the City of Guadalupe. The County of Santa Barbara will be responsible for wastewater collection and transport systems for Gularte Tract up to the point of discharge to interceptors owned and operated by Guadalupe.

The City of Santa Maria provides wastewater collection, treatment, and disposal services to the City of Santa Maria, Santa Maria Airport District, and part of Laguna County Sanitation District. Biological secondary treatment is provided with disposal to percolation ponds and irrigation lands. The recommended plan for Santa Maria is to retain the existing treatment and disposal facilities. Since the Santa Maria ground water basin is in a state of adverse dissolved solids balance, it is imperative that quantities of total dissolved solids, sodium, chloride, nitrogen, and nitrogen compounds be kept to a minimum by implementing a strict source control ordinance. Additional measures -- importing better quality water, drilling new wells, partial desalting, etc. - may be required in the future to provide a suitable water supply for the area. Laguna County Sanitation District retains ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into interceptors owned and operated by the City of Santa Maria.

A secondary wastewater treatment plant owned and operated by Laguna County Sanitation District treats most of the wastewater generated within the District. Wastewater is discharged to approximately 2,250 acres of private lands located adjacent to the facility. The landowners and the County have a 30-year agreement for irrigation of fodder, fiber, and seed crops. The recommended plan for Laguna is to improve plant performance and increase capacity through a staged construction plan. Enough land is available to allow expansion and continue reclamation. Recommended improvements include increasing capacity and reliability of the Orcutt Lift Station, increasing sludge drying bed area, and expanding effluent, pumping, storage, and conveyance facilities. Funding of future improvements and plant expansions would be through connection and user charges. Laguna County Sanitation District is responsible for implementation of the recommended plan. Impact of salts must be minimized by implementing a strict source control ordinance and discharging to areas outside the main ground water recharge area.

Failing individual on-site sewage disposal systems in the community of Nipomo resulted in a treatment facility being completed in 1987. Treatment is by aerated lagoons and disposal is by percolation beds. Sewer service is provided to downtown Nipomo and County operated systems of Nipomo Palms, Black Lake Estates, and Galaxy Subdivisions. The recommended plan is to extend the sewer system to small lot areas as growth allows.

Existing facilities at the New Cuyama Wastewater Treatment Plant provide primary treatment of wastewater, with some aeration. Effluent is chlorinated before discharge to Salisbury Creek. The recommended plan for New Cuyama is to study existing facilities, determine future needs of the community, and, since water is in short supply, explore wastewater reclamation alternatives. Cuyama Community Services District is the responsible party for wastewater and water supply facilities in New Cuyama. It is recommended that exploratory wells be drilled to find a higher quality water supply. If a lower salt content water is not available, the existing water supply should be partially demineralized.

VI.B.9. SAN ANTONIO CREEK HYDROLOGIC UNIT

Los Alamos Community Services District owns and operates a wastewater treatment and disposal facility to serve the Los Alamos community. Wastewater (0.1 mgd) is treated in mechanically aerated ponds and discharged to disposal ponds and a spray reclamation area.

VI.B.10. SANTA YNEZ RIVER HYDROLOGIC UNIT

Municipal wastewater management plans for the Santa Ynez River Hydrologic Unit are described below. Table 4-6 displays dischargers discussed below.

Parts of Lompoc Valley ground water basin are in a state of adverse salt balance because of municipal and agricultural discharges. It is imperative that impacts of point source waste discharges to land be reduced by continuing to implement strict salt limitations, source control programs, and other salt management practices.

The City of Lompoc operates a secondary treatment facility (5.0 mgd) and discharges treated effluent to Santa Ynez River. The City also provides service to Vandenberg Village Community Services District and sewered areas of Vandenberg Air Force Base. The recommended plan for Lompoc is to control mineral concentrations in the effluent by enforcing strict limits on discharges to the sewer system and to continue to implement a pretreatment program. Implementation of this plan is the responsibility of the City of Lompoc. Vandenberg Air Force Base and Vandenberg Village Community Services District retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into the wastewater treatment plant and/ or interceptors owned and operated by the City of Lompoc.

In 1980, the Mission Hills Community Services District (0.4 mgd) was formed, assuming ownership and responsibility for water supply and sewage disposal in Mission Hills. The District expanded and upgraded its La Purisima Plant and eliminated the Rucker Road Plant. Wastewater is treated in mechanically aerated ponds and discharged to a series of evaporation/percolation ponds and reclamation areas. Separate water reclamation requirements were adopted for Mission Belle Dairy as a primary user of reclaimed water for pasture and fodder crop irrigation.

There are isolated areas of Vandenberg Air Force Base that are not served by the Base's collection system. Separate treatment and disposal systems exist to serve these areas. Due to the isolation of these systems, it is recommended that they be retained. Efficient operation and maintenance of these systems will protect public health and water quality.

The United States Department of Justice, Bureau of Prisons, owns and operates existing facilities at the U.S. Penitentiary (0.6 mgd) which provide secondary treatment of wastewater. Treated wastewater is reclaimed for irrigation of forage crop land.

It is recommended that facilities be maintained separately at Buellton Community Services District (0.65 mgd), City of Solvang (1.0 mgd), and Cachuma County Sanitation District (0.22 mgd). Secondary treatment prior to land disposal coupled with a strict source control program will be necessary to protect local ground waters in these three areas.

The City of Solvang operates a secondary wastewater treatment facility to serve the City and Santa Ynez Community Services District with effluent disposal to evaporation/percolation ponds. Since the disposal ponds are located in a flood-prone area, it is imperative that sufficient disinfection capacity be available to disinfect effluent during wet weather. Expansion of capacity should be considered for ongoing growth in areas adjacent to present City and District boundaries. Implementation of this plan is the responsibility of both the City of Solvang and Santa Ynez Community Services District. Need for, and feasibility of providing, sewerage facilities for the Los Olivos-Ballard areas should be investigated by the

County of Santa Barbara. Treatment and disposal service for this area be contracted with the City of Solvang.

The recommended plan for Cachuma County Sanitation District is to continue to treat and dispose of wastewater in percolation ponds and spray fields outside the Cachuma Reservoir watershed. Since ground waters down gradient from the spray field are used for domestic water supply, sampling of the nearest down gradient well is recommended to insure that water supply quality is not adversely affected by the discharge.

VI.B.11. SOUTH COAST HYDROLOGIC UNIT

Summarized municipal wastewater treatment and disposal agencies in the South Coast Hydrologic Unit are described separately for the Goleta Sanitary District (9.7 mgd), City of Santa Barbara (11.0 mgd), Montecito Sanitary District (1.5 mgd), Summerland Sanitary District (0.20 mgd), and, Carpinteria Sanitary District (2.0 mgd) wastewater treatment plants.

Goleta Sanitary District operates a wastewater collection system within the District and a treatment and ocean disposal system to provide service to Goleta Sanitary District, Isla Vista Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and facilities of Santa Barbara County. EPA granted the District a waiver from secondary treatment requirements. The waiver permit limits flow to 7.9 mgd provided mass emission rates do not exceed limits based on a flow of 7.3 mgd. In order to meet EPA's conditions and Ocean Plan criteria, part of the effluent receive primary treatment only and part receives secondary treatment. Primary and secondary effluent are blended before disposal to the Pacific Ocean. The District implements a pretreatment program. Isla Vista Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and Santa Barbara County retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into interceptors owned and operated by Goleta Sanitary District. A long range solids management plan is needed to assure sludge disposal needs are met.

The recommended plan for the City of Santa Barbara is to retain El Estero Wastewater Treatment Plant, with disposal to the Pacific Ocean, along with implementation of the City of Santa Barbara wastewater reclamation project. The City could consider implementing a cost-effective composting program to reduce transportation costs. The City implements a pretreatment program and also provides service to an unincorporated community in Mission Canyon located above the City.

The recommended plan for Montecito Sanitary District is to continue secondary treatment with disposal to the Pacific Ocean.

The recommended plan for Summerland Sanitary District is to expand and upgrade existing facilities to insure reliable plant operations and to accommodate planned growth. Recommended improvements are addition of standby power, dual processes, and continuous monitoring of total chlorine residual.

The recommended plan for Carpinteria Sanitary District is to retain existing secondary treatment facilities with disposal to the Pacific Ocean.

VI.C. INDUSTRIAL WASTEWATER MANAGEMENT

In general, the alternatives available to industrial discharges are the following: (1) ocean discharge and compliance with the State Ocean Plan, the State Thermal Plan, and Public Law 92-500; (2) containment of nonsaline and non-toxic wastes on land; (3) reinjection of oil and gas production brines; (4) inland surface water discharge, if other alternatives are proved infeasible; and, (5) abandonment of the treatment facility and connection to a publicly owned treatment works. In most cases, alternatives will be limited by standards of performance and pretreatment standards being developed by EPA. It should also be noted that federal guidelines will be subject to regional considerations such as important fishery resources or wildlife areas which could necessitate making regional industrial discharge requirements more stringent than national performance standards.

Specific effluent limitations are being promulgated for existing industrial waste discharges together with standards of performance and pretreatment standards of performance for new sources pursuant to sections 304(b), 306 (b), and 307(b), of the federal Water Pollution Control Act. Effluent limitations were being circulated for comment by the EPA. Waste source categories of particular interest in the basin which will be covered by those sections of the federal law include:

Meat product and rendering processing

Dairy product processing

Canned and preserved fruits and vegetables processing

Canned and preserved seafood processing

Cement Manufacturing

Feedlots

Electroplating

Beet sugar processing

Petroleum production and refining

Steam electric power plants

Leather tanning and finishing

Further information pertaining to industrial discharges can be found in the Management Principles and Control Actions Section of Chapter 5. The State Water Resources Control Board Plans and Policies Section, Discharge Prohibition Section, and Regional Board Policies Section are likely to apply (depending on site specific circumstances).

VI.D. SOLID WASTE MANAGEMENT

The protection and maintenance of water resources requires consideration and regulation of solid waste management practices. This section discusses present and future solid waste production, existing disposal practices and their effect on water quality, and proposed plans for solid waste disposal within the study area.

Land disposal is regulated by the California Code of Regulations, Title 23, Chapter 15 (Chapter 15). In the vernacular of Chapter 15, wastes are classified as either hazardous waste, designated waste, nonhazardous solid waste, or inert waste. Waste Management Units (WMUs) are classified as either Class I, II, or III depending on the type of waste to be disposed of in the unit. Class I WMUs have the most restrictive siting criteria and must be constructed to provide optimum conditions for isolation of wastes from waters of the State. A double liner and a leachate collection and removal system (LCRS) is required for all Class I units. Class II WMUs also have relatively restrictive siting and construction standards and are designed to totally isolate wastes from the environment. Double liners and LCRSs are typically, but not always, required for Class II units. Class III WMUs must be sited and constructed such that no impairment of beneficial uses of surface or ground water beneath or adjacent to the site occurs. Siting and construction standards for Class III units are the least restrictive of the three, but the requirements are still considerable.

Wastes are considered hazardous if they meet the criteria defined in CCR Title 22, Section 66300. Examples of wastes that are considered hazardous include: waste solvents, waste pesticides, and waste electroplating solutions, to name a few. Hazardous wastes must be discharged only at Class I WMU.

Wastes are classified as designated if, under ambient conditions at the WMU, they may be released in concentrations in excess of applicable water quality objectives or cause degradation of waters of the State. Some examples of designated waste include, wet sewage treatment plant sludge, oil field wastes, and some drilling muds. Designated wastes must be disposed of only at Class I WMU's, or at Class II WMU's which are approved for that particular type of waste.

Nonhazardous solid wastes consist of the more typical household and industrial wastes including: trash; rubbish; ashes; demolition and construction wastes; discarded home and industrial appliances; manure; and vegetable or animal solid or semi-solid wastes provided they do not meet the criteria mentioned above for hazardous or designated wastes. Nonhazardous solid waste may be disposed of at any classified WMU, but normally it is disposed of only at Class III WMUs to conserve the diminishing volume in the few operating Class I and Class II WMUs.
Inert waste does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives and does not contain significant quantities of decomposable waste. Some examples of inert wastes include: broken up concrete rubble and excess clean earth fill. Inert wastes do not necessarily need to be disposed of at classified waste management units (i.e., Class I, II or III), but waste discharge requirements may be issued for the discharge at the discretion of the Regional Board.

There are 28 authorized active waste disposal sites regulated by the Central Coast Regional Board. Of the 28 sites, 26 are Class III landfills, with one Class I landfill, and one Class II surface impoundment. Additional information regarding a specific waste management unit can be found in the respective County Waste Management Plan in which the unit is located.

In recent years, data indicates municipal solid waste landfills may be having a greater impact on water resources than was previously anticipated. Legislation was passed in 1984 which requires all owners of active, inactive, or former landfills to initiate a study to determine if the landfilling operation has had an impact on waters of the State. Approximately 150 sites are evaluated per year throughout the State, with approximately nine sites per year coming from the Central Coastal Region. Further studies and/or corrective actions are initiated at all sites impacting State waters.

A recent report from the Assembly Office of Research has documented California's dwindling remaining landfill capacity. In general, remaining landfill capacity within the Central Coastal Region is higher than most areas of the State. However, the ratio of landfill closures to landfill expansions or opening of new landfills within the region for the last five years is approximately 4:1. This ratio will probably remain the same or increase with the more stringent regulatory requirements and the time consuming permitting process required for siting of new waste management units. In order to avoid a landfill capacity crisis similar to the situation on the East Coast, our solid waste handling and disposal practices should be reevaluated and a more environmentally sound management practice should be developed.

The Toxic Pits Cleanup Act of 1984 (TPCA) declares that discharges of liquid hazardous wastes or hazardous wastes containing free liquids into lined or unlined impoundments pose a serious threat to the quality of the waters of the State. Therefore, the legislature enacted TPCA as Article 9.5 (Surface Impoundments) of Chapter 6.5 (Hazardous Waste Control) of Division 20 of the California Health and Safety Code with the intent of insuring that existing surface impoundments were either made safe or were closed.

The effect of TPCA was to prohibit discharge (defined to include storage) of liquid hazardous wastes and hazardous wastes containing free liquids to surface impoundments, which did not satisfy specific construction and monitoring standards, by June 30, 1988, or December 31, 1988, depending on the location and characteristics of the impoundment. TPCA allows specific exemptions with varying application and granting deadlines. However, on and after January 1, 1989, all discharge of liquid hazardous wastes and of hazardous wastes containing free liquids to surface impoundments which had not been granted exemptions, and which did not meet specific construction and monitoring standards, was prohibited. There is a rare set of circumstances which may exempt a surface impoundment from the January 1, 1989, deadline.

TPCA is fulfilling its goal of reducing the threat of liquid hazardous wastes to the waters of the State.

VI.D.1. SOLID WASTE DISCHARGE PROHIBITIONS

Discharge is prohibited as follows:

1. Any Class I solid waste material to any location other than Class I solid waste disposal site.
2. Any Class II solid waste materials to any location other than Class I or II solid waste disposal sites.
3. Solid wastes shall not be discharged to rivers, streams, creeks, or any natural drainage ways or flood plains of the foregoing.

VI.E. STORM WATER MANAGEMENT

Storm water runoff can be a significant pollution source. The United States Environmental Protection Agency (U.S. EPA) estimates that at least 33% of all contamination in lakes and estuaries and 10% of all river contamination are caused by storm water runoff. Sources of pollution include runoff from industrial facilities, construction sites, and urban municipalities.

Federal regulations (40 Code of Federal Regulations 122.26) require certain industrial facility owners and/or operators to obtain storm water discharge permits. The specific types of facilities that need coverage is dependent upon the facility's Standard Industrial Classification Code. The program is primarily directed at manufacturing facilities, oil and gas extraction facilities, transportation maintenance facilities (trucking and mass transit), and construction sites (with greater than five acres of land disturbance). In addition, municipalities with populations greater than 100,000 must participate in a municipal storm water permitting program.

In August and September 1992, the State Water Resources Control Board (State Board) adopted the statewide General Construction Activity Storm Water Permit and amended the statewide General Industrial Activities Storm Water Permit. The statewide permits expire five years after adoption. At that time, Regional Boards will most likely adopt Region specific General Permits.

The storm water program objectives include identification and elimination of pollutant contact with storm water by implementation of Best Management Practices. To obtain coverage under a General Permit, an applicant (i.e., those facilities required under 40 Code of Federal Regulations 122.26) must submit a Notice of Intent and the appropriate fee. The Notice of Intent is an agreement accepting the discharge specifications and monitoring requirements of the General Permit.

General Industrial Permit Requirements include the development of a Storm Water Pollution Prevention Plan and storm water runoff monitoring. The Storm Water Pollution Prevention Plan is a facility specific document which includes: a site description, facility processes, pollutant sources, storm water management system, employee education and training program, and measures proposed to eliminate non-storm water discharges. Minimum monitoring and reporting requirements include: sampling and analysis of four pollutant indicator parameters, wet and dry weather storm water conveyance system inspections, and annual reporting. The Regional Board can recommend additional monitoring parameters based on the presence of specific pollutant sources.

The Construction Permit has similar requirements regarding development of a storm water pollution prevention plan, but mainly deals with reducing pollutant sources associated with erosion and sediment transfer and chemicals used at construction sites. The monitoring requirements are less stringent and no sampling is required.

Annual monitoring reports required by the Industrial permit are due July 1 of each year. Sampling results and annual report information will be used to prioritize Regional Board staff education and enforcement efforts and to develop future group general permits. Compliance is measured through implementation of pollution prevention Best Management Practices, reduction in pollutant loadings, and accurate and timely report submittal.

VI.F. BAY PROTECTION AND TOXIC CLEANUP PROGRAM

The State Water Resources Control Board (State Board) established the Bay Protection and Toxic Cleanup Program in response to legislation enacted in 1989 (Chapter 269; Senate Bill 475 Torres) which added Chapter 5.6, Sections 13390 through 13396, to the California Porter-Cologne Water Quality Control Act. The Bay Protection and Toxic Cleanup Program is a statewide program that is coordinated with the California Department of Fish and Game and California Environmental Protection Agency's Office of Environmental Health Hazard Assessment. The Water Code requires the State and Regional Water Quality Control Boards to do the following to attain the goals of the Bay Protection and Toxic Cleanup Program:

1. Develop and maintain a program to identify toxic hot spots, plan for their cleanup or mitigation, and amend Water Quality Control Plans/Policies to abate toxic hot spots;
2. Formulate and adopt a Water Quality Control Plan for enclosed bays and estuaries;
3. Review and, if necessary, revise Waste Discharge Requirements to conform to the Plan;
4. Develop a database of toxic hot spots;
5. Develop an ongoing monitoring and surveillance program;
6. Develop sediment quality objectives;
7. Develop criteria for assessment and priority ranking of toxic hot spots; and
8. Fund the program through fees on point and nonpoint dischargers. (California Code of Regulations, Title 17, Section 2236, authorizes the fee program).

Funds for the Bay Protection and Toxic Cleanup Program will come from user fees, as proposed by State Board staff. User fees have been drafted for the following:

1. All NPDES and WDR dischargers to the ocean, bays, or estuaries;

2. Counties or cities which operate a storm drain system which discharges to the ocean, a bay, or estuary;
3. Dischargers of agricultural drainage to the ocean, bays, or estuaries;
4. Boat construction and repair facilities;
5. Boat marinas and recreational facilities;
6. Operators of commercial harbors and ports; and
7. Operators of dredging discharges.

The fees are based on threat to water quality, as defined by the Waste Discharge System (WDS) ranking system (threat to water quality and complexity criteria).

The Central Coast Regional Board has identified 17 potential toxic hot spots to be addressed under this program. These 17 sites are identified in the Appendix. An assessment/monitoring plan has been developed for potential toxic hot spots. Potential hot spots are ranked according to threat to beneficial uses. The assessment/monitoring plan includes the following:

1. Definition of the extent of degradation;
2. Analysis of existing point and nonpoint discharges in the area;
3. Identification of contaminant sources; and
4. Development of options for removing the threat to beneficial uses, including consideration of additional effluent limits on point and nonpoint discharges and actual cleanup.

VI.G. MILITARY INSTALLATIONS

Military installations throughout the country include some of the largest and most complex contamination problems. In 1987, President Reagan signed into law Executive Order No. 12580 directing all federal facilities to investigate and remediate areas of environmental contamination. As a result, the U.S. Department of Defense has assumed responsibility for investigation and remediation at military bases. Certain environmental restoration projects involving hazardous materials and wastes from past military activities are being addressed through what is known as the U.S. Department of Defense Program. Although U.S. Department of Defense has assumed environmental restoration responsibility, the Regional Board is an active oversight participant.

From its inception, the Regional Board has been involved with a variety of military installation activities. Since 1990, this Regional Board has been actively and extensively involved in U.S. Department of Defense Program investigations and remedial activities at numerous military facilities within its jurisdiction. Active military installations in the Region addressed by the U.S. Department of Defense Program (current as of 1993) include Fort Ord, Presidio of Monterey, Monterey Naval Post Graduate School, Fort Hunter Liggett, Camp Roberts, Estero Bay Defense Fuel Supply Point, and Vandenburg Air Force Base. Fort Ord is unique since it is a closing base and has been identified as a federal superfund site. Four formerly used defense sites in the Region undergoing U.S. Department of Defense remediation (as of 1993) include: Camp San Luis Obispo - California National Guard, Camp San Luis Obispo - San Luis Obispo County, Paso Robles Airport, and Santa Barbara Airport. Potentially additional military facilities can be added to the U.S. Department of Defense Program.

Program Background

Decades of intense military activities have generated significant quantities of hazardous waste. As a result of insufficient internal control, improper handling and disposal practices, and inadequate regulation, military installations are now considered one of the Nation's most significant environmental polluters. Pollution problems are exacerbated by the large base size, the complex and varying missions, as well as routine personnel changes and inconsistent regulation and control. Many bases are actually small to midsize, totally contained communities providing complete services for base operations. Services vary from base to base, but range from aircraft, vehicle, or shop maintenance and repair facilities to laundry services, photo shops, gas stations, and other typical municipal services (e.g., utilities, streets, water supply, sewerage, and solid waste disposal).

Past waste disposal practices in both government and private industries were insufficient to protect public health and the environment. Environmental laws and regulation developed in the 1970s addressed many deficiencies, but federal operations, especially the military, remained inadequately addressed. The military was adamant that sovereign immunity protected them from State and local environmental regulation. Enforcement actions to force the military to comply with State and federal regulation were often protracted or disregarded. In 1976, U.S. Department of Defense developed its Installation-Restoration Program to help identify, investigate, and cleanup contamination from past operations. Due to funding and timing, Program activities were initiated at most military facilities in the early 1980s.

In 1980, the federal Comprehensive, Environmental Response, Compensation, and Liability Act (CERCLA), which is also referred to as "Superfund" was enacted to address cleanup of hazardous substance disposal and spill sites. The Superfund Amendments and Reauthorization Act was enacted in 1986 to enhance hazardous waste cleanup. The Superfund Amendments and Reauthorization Act, in part, mandated the Defense Environmental Restoration Program specifically to address cleanups at U.S. Department of Defense facilities. The Defense Environmental Restoration Program included an Inland Restoration Program as a component. To carry out required environmental restoration at its military facilities, U.S. Department of Defense established the Defense Environmental Restoration Account as the funding mechanism.

Executive Order No. 12580 was enacted in 1987 to intensify investigation and remediation of environmental problems. The Executive Order directed all federal agencies to ensure environmental restoration. To comply with this Executive Order, U.S. Department of Defense has assumed lead responsibility to cleanup military bases throughout the world. California has the largest number of active military bases covered by the military cleanup plan.

As a result of Executive Order No. 12580 and growing public awareness, U.S. Department of Defense is now actively pursuing environmental restoration at military facilities. U.S. Department of Defense has demonstrated its restoration sincerity by providing oversight reimbursement to the State. The Defense/State Memorandum of Agreement signed by U.S. Department of Defense and State of California officials, provides State oversight cost reimbursement to a maximum of one percent (1%) of the total cleanup cost. The Memorandum of Agreement requires preparation and administration of a cooperative agreement between the State and Corp of Engineers to verify funding and services for remedial responses. The Memorandum of Agreement lists specific sites for which the State will receive federal funding for its oversight and regulatory involvement. In California, Regional Boards and the Department of Toxic Substances Control share State regulatory responsibility and reimbursement dollars allocated to the U.S. Department of Defense Program.

To ensure proper regulatory compliance and environmental restoration, Executive Order No. 12580 requires all federal agencies to complete cleanup pursuant to "Superfund." This means cleanups at all military installations must comply with the stringent federal CERCLA requirements, whether or not the base is a listed Superfund site. The Act requires federal facilities which are placed on the Superfund National Priorities List by the U.S. Environmental Protection Agency (U.S. EPA), to conduct cleanup following the National Contingency Plan and U.S. EPA procedures and standards. In this Region, Fort Ord is the only currently listed U.S. Department of Defense Superfund National Priority List site.

In addition to following federal CERCLA requirements, Superfund National Priority List sites must be conducted pursuant to agreements called Federal Facility Agreements. These agreements are between the federal agency owning the base (e.g., Department of the Army at Fort Ord) and the U.S. EPA. The agreements may include certain State agencies. The Fort Ord Federal Facility Agreement includes the Regional Board and Department of Toxic Substances Control as signatories.

By federal law, non-Superfund military sites must cleanup hazardous waste releases pursuant to federal Comprehensive, Environmental Response, Compensation, and Liability Act requirements and to State laws. Federal non-Superfund facilities may enter into a State compliance agreement. Such an agreement is called a Federal Facility Site Remediation Agreement. At Vandenburg Air Force Base (a non-Superfund site), a Federal Facility Site Remediation Agreement was signed by the Department of the Air Force, the Regional Board, and Department of Toxic Substances Control in June 1991. Both Federal Facility Agreements and Federal Facility Site Remediation Agreements identify roles, responsibilities, dispute resolution procedures, and schedules.

By signing an agreement (Federal Facility Agreement and Federal Facility Site Remediation Agreement), and following federal CERCLA requirements, site remediation is modified from typical State procedures. The modification eliminates the need for State and local permits and enforcement action. Generally, Waste Discharge Requirements, Cleanup of Abatement Orders, and local agency permits are not imposed. Such provisions were included to ensure compliance with stringent federal cleanup standards, while limiting permit and enforcement involvement by local or State Agencies. In some parts of the Country, local and State involvement slowed or obstructed cleanup efforts.

The federal CERCLA (Section 121) does require compliance with State and federal laws and regulations which are more stringent than the CERCLA, and which are necessary to ensure site-specific environmental and public health protection. This compliance process is referred to as "Applicable" or "Relevant and Appropriate" requirements, because it allows

consideration of either "Applicable" or "Relevant and Appropriate" requirements pursuant to State or federal law and regulations. At Superfund sites, U.S. EPA has final authority to approve "Applicable" or "Relevant and Appropriate" requirements. At non-Superfund sites, the lead State agency is responsible to ensure "Applicable" or "Relevant and Appropriate" requirements are identified.

Federal Comprehensive, Environmental Response, Compensation, and Liability Act (Superfund) Response Process

Although cleanup pursuant to the federal CERCLA is quite complex, it was developed with the intent of simplifying regulatory requirements in a uniform manner and expediting environmental cleanup and restoration. The Act, although similar, is significantly more complex than the Regional Board's typical cleanup procedures pursuant to the California Porter-Cologne Water Quality Control Act. Following is a very simplified summary of the basic "Superfund" response process.

Many initial past military installation investigations included a Preliminary Assessment/Site Inspection. The Preliminary Assessment is an assessment based on existing, readily available information. The Preliminary Assessment attempts to evaluate the magnitude of a potential hazard and identify the source and nature of hazard release. The Site Inspection includes a site visit and possibly sample collection, soil borings, and well installation. The Site Inspection is intended to better characterize the problem and determine the need for further action. Often, information from the Preliminary Assessment/Site Inspection is used to place a site on the Superfund list.

Once a site has been Superfund listed, or has been identified as requiring remedial activities, more in-depth characterization is required. The next phase of remedial activities-site characterization is called the Remedial Investigation/Feasibility Study. The Remedial Investigation is the mechanism for collecting detailed site data to define fully the nature and extent of contamination. During the Remedial Investigation, treatability studies may be conducted to evaluate available treatment technologies in support of remedy selection. The Feasibility Study focuses on developing and screening specific remedial alternatives. The Feasibility Study goal is to identify preferred cleanup alternatives. The Remedial Investigation/Feasibility Study includes risk assessment, identifies "Applicable" or "Relevant and Appropriate" requirements, and develops cleanup goals.

The next phase is the Proposed Plan, which presents the preferred cleanup alternatives and allows public input. After public comments are considered, a Record of Decision is prepared at Superfund sites. The Record of Decision establishes cleanup levels and discharge standards and is based, in part, on identified "Applicable" or "Relevant and Appropriate" requirements. When the Record of Decision is complete and acceptable, the selected remedy is administratively approved by the military department, U.S. EPA, and the State (Regional Boards and Department of Toxic Substances Control). The final cleanup levels are established and "frozen" in the Record of Decision. Agencies that signed the Federal Facility Agreements also sign the Final Record of Decision. At non-Superfund sites in California, the typical document establishing the cleanup levels and discharge standards is called the Remedial Action Plan. The Remedial Action Plan is signed by the agencies that signed the Federal Facility Site Remediation Agreement. Decision Documents are used sometimes to identify cleanup levels for individual sites at non-Superfund installations. Agencies and the public can petition U.S. EPA to change the Record of Decision levels (or the State to change the Remedial Action Plan), if substantial evidence is available demonstrating that an established cleanup level is not protective of human health and the environment.

Once the Record of Decision (or Remedial Action Plan) is signed, Remedial Design plans are prepared to implement the Record of Decision. Remedial Action, the long-term remediation, begins when Remedial Design and construction are complete. Operation and maintenance, including monitoring, evaluate long term performance and ensure that the Remedial Action is carried out as intended. Long term remediation (e.g., ground water cleanup) continues until conditions of the Record of Decision (or Remedial Action Plan) have been met. Remediation progress must be evaluated at least every five years.

The federal CERCLA includes the Removal Action process to allow remediation of small/limited areas of contamination or time critical cleanups. A Removal Action may be undertaken at any time to address problems that do not require a full scale remediation project. Removal Actions are short term activities that remove immediate threats to public health or that can be implemented in a timely manner.

Generally, Removal Actions are limited to $2 million and are completed in twelve months or less (e.g., removal and proper disposal of a small volume of surface soil contamination).
It is worthy to note that environmental assessment is addressed during the Remedial Investigation/Feasibility Study process. All military installations must comply with the National Environmental Policy Act by preparing an Environmental Impact Statement or Finding of No Significant Impact. An Environmental Impact Statement is similar to an Environmental Impact Report and a Finding of No Significant Impact is similar to a Negative Declaration in California. In California, National Environmental Policy Act compliance may not be sufficient to address all environmental impacts; thus, environmental assessment must also comply with the California Environmental Quality Act.

Regional Board Responsibility

The federal Clean Water Act and the California Porter-Cologne Water Quality Control Act give the Regional Board regulatory responsibility and authority to protect water quality, including waters within and beneath federal lands. The primary role of the Regional Board and its staff, relative to military installations (U.S. Department of Defense Program) is to ensure that waters of the State are adequately protected. Involvement includes review and direction of all investigation and remediation documents, site visits to guide field activities, and oversight to ensure that cleanup/remediation is carried out properly to protect beneficial uses of water resources. Identification of "Applicable" or "Relevant and Appropriate" requirements and direction on cleanup level establishment require considerable involvement by the Regional Board and its staff.

Typically, the U.S. EPA is the lead regulatory agency at Superfund sites (e.g., Fort Ord). The Regional Board and Department of Toxic Substances Control are responsible State agencies. In the past, at non-Superfund sites (all other military installations in the Region) either the Regional Board or Department of Toxic Substances Control has been the lead regulatory agency. At military installations where water quality and public health is threatened or impacted due to the release of hazardous substances, the Regional Board and Department of Toxic Substances Control may have overlapping jurisdiction. A Memorandum of Understanding exists between the State Water Resources Control Board, the Regional Boards, and Department of Toxic Substances Control specifying roles and responsibilities in hazardous waste cleanups where overlap may occur. In September 1993, the California Environmental Protection Agency requested the overall State "lead" become Department of Toxic Substance Control's responsibility. This transition should not impact the basic responsibilities. In general, Regional Boards have primary regulatory responsibility for water and soils directly related to water quality protection. Department of Toxic Substances Control has primary regulatory responsibility for public health protection, soil (where waters are not involved), air, and hazardous waste treatment and storage.

In this Region, the Regional Board has been the lead State agency at six of the currently active (1993) U.S. Department of Defense facilities (Vandenberg Air Force Base, Estero Bay Defense Fuel Supply Point, Camp Roberts, Fort Hunter Liggett, Monterey Naval Post-Graduate School, and Presidio of Monterey). These sites are shown in Figure 4-1. The lead may be shared with Department of Toxic Substances Control at Fort Hunter Liggett, since there are several federal Resource Conservation and Recovery Act sites requiring investigation. In California, U.S. EPA has authorized Department of Toxic Substances Control to implement Resource Conservation and Recovery Act program compliance.

Agreements have been signed only at Fort Ord and Vandenberg Air Force Base in this Region. The Federal Facility Agreements for Fort Ord identifies the Regional Board as a support agency since the U.S. EPA is the lead regulatory agency. The current Federal Facility Site Remediation Agreement identifies the Regional Board as the lead agency at Vandenberg Air Force Base. Agreements could be negotiated at other military installations, or re-negotiated when they currently exist, if and when it becomes necessary to clarify roles and responsibilities. Changes are being considered in California to streamline regulatory processes associated with military installation cleanup, particularly at closing bases. The California Environmental Protection Agency has recently designated (September 1993) Department of Toxic Substances Control as the overall State lead at military installations. This designation will impact program activities, roles, and responsibilities.

VI.H. SPILLS, LEAKS, INVESTIGATIONS AND CLEANUP PROGRAM

The Spills, Leaks, Investigations, and Cleanup program was established to allow Regional Boards to address water quality problems and potential problems resulting from discharges not covered by other State programs. Investigations and cleanups of Spills, Leaks, Investigations, and Cleanup program sites proceed as described in State Board Resolution No. 92-49 explained in the "Hazardous Waste Compliance Issues" section later in this chapter.

Spill, Leak, and Complaint Responses

Regional Board staff responds to complaints of nuisance conditions (e.g., odors from sewage treatment plants) and discharges or threatened discharges of substances which may impact ground and/or surface water quality. Complaints are followed up as soon as feasible. Proper response to a complaint includes the following:

- Completion of a Central Coast Region spill report form.
- Notification to other responsible agencies, or interested parties, as needed.

- Site inspection to determine validity of the complaint and to assess the situation, including determination of responsible party/parties.
- Written follow-up as needed (letters, cleanup or abatement orders, and/or waste discharge requirements)
- Except in cases where anonymity is requested, notification to complainant of findings and subsequent actions, if any.

Except for a discharge in compliance with waste discharge requirements, any person who causes or permits any reportable quantity of hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is or probably will be discharged into or on any waters of the State, shall, as soon as possible, notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan. The person shall also immediately notify the State Board or the appropriate Regional Board of the discharge (California Porter-Cologne Water Quality Control Act Section 13271).

Similarly any person who discharges any oil or petroleum product under the above stated conditions shall, as soon as possible, notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan. Immediate notification of an appropriate agency of the federal government, or of the appropriate Regional Board (in accordance with the reporting requirements set under California Porter- Cologne Water Quality Control Act Section 13267 or 13383) shall satisfy the oil spill notification requirements of this paragraph (California Porter-Cologne Water Quality Control Act Section 13272).

The Regional Board staff will assist other agencies and work cooperatively at large-scale hazardous material releases resulting from surface transportation accidents. The Regional Board staff's role is primarily to provide immediate, on-site technical assistance concerning water quality in order to minimize the potential damage to the public health and safety, and the environment. In cases of railroad incidents, Regional Board staff will work with other agencies pursuant to the Office of Emergency Services Railroad Accident Prevention and Immediate Deployment Plan. Specifically, Regional Board staff are required to:

- Provide information on existing downstream beneficial uses and potential impacts from released substances.
- Provide toxicity information about released substances.
- Set up water sediment monitoring program.
- Collect water samples or provide technical assistance for others to collect samples.
- Coordinate available resources and equipment.

VI.I. UNDERGROUND STORAGE TANK PROGRAM

In 1981, citizens of Santa Clara County determined the cause of numerous birth defects to be polluted ground water. The source of pollution was traced to underground storage tanks leaking chlorinated solvents. This revelation prompted the San Francisco Bay Regional Water Quality Control Board to investigate numerous other underground storage tanks, the majority of which were found to be leaking. The Santa Clara County Fire Chiefs Association then sponsored a task force which developed, in 1982, a Model Hazardous Material Storage Permit Ordinance. The Ordinance addressed materials regulated, secondary containment, permits, inspections, and so forth.

Recognizing the problem was a statewide problem, the Legislature passed the initial State underground storage tank law in 1983, and numerous counties and cities followed with local ordinances to regulate underground storage of hazardous materials. The State law contains a sunset provision with a termination date of January 1, 1998.

Since 1985, over 21,000 leaking tank sites have been reported statewide and over 1250 have been reported within the Central Coast Region. Of the reported cases, approximately 90% are petroleum product cases and one-third have impacted ground water. As one might expect, Regions with the larger cities (thus more gasoline stations) have the largest number of reported leaks. The same holds true in the Central Coast Region. Santa Barbara County has almost fifty percent of the cases in this Region (up from 37% a few years ago) and San Benito County has only four percent; Monterey County has about twenty percent.

The Health and Safety Code gives both Regional Boards and local agencies authority to oversee investigation and cleanup of leaky Underground Petroleum Storage Tank sites. The California Code of Regulations, Title 23, Chapter 16, Article 11 requires local agencies to oversee leak reporting and tank closures. Two agencies within the Central Coast Region, Santa Clara and Santa Barbara Counties, also provide oversight for cleanup of leaky Tank sites under a Local Oversight Program contract with the State Board.

Unauthorized releases from underground tanks are reported to the Regional Board by local agencies or private parties. Generally, investigation and cleanup of leaky Underground Petroleum Storage Tank sites is shared between the Regional Board and local agencies. Typically the Regional Board oversees cases involving impact to surface and ground water and local agencies oversee impacts to soil. However, in some circumstances the Regional Board oversees both soil and ground water cleanup, and, in Santa Barbara and Santa Clara Counties, Local Oversight Programs oversee both soil and ground water cleanup.

Investigations and cleanup of leaky Tanks are carried out in a manner similar to investigations and cleanups in the Spills, Leaks, Investigations, and Cleanup Program mentioned earlier.

To assist responsible parties to pay for cleanups and to meet federal financial responsibility requirements, the State has established a Tank Cleanup Fund. Money for the fund is generated by a fee paid for each gallon of petroleum delivered to Tanks. Owners and operators of Tanks may draw upon the fund after paying for the initial $10,000 in cleanup costs. The Fund will pay up to $990,000 per cleanup.

Underground Petroleum Storage Tank regulations regarding construction, monitoring, repair, release reporting, and corrective action are found in the California Code of Regulations, Title 23, Division 3, Chapter 16. Regulations regarding the State's Underground Petroleum Storage Tank Cleanup fund are found in California Code of Regulations, Title 23, Division 3, Chapter 18, and regulations regarding underground testers are found in California Code of Regulations Title 23, Division 3, Chapter 17.

VI.J. ABOVEGROUND PETROLEUM STORAGE TANKS

Above ground petroleum storage tanks and associated piping leaks have been found to cause impacts to surface and ground water. Prior to 1990, above ground tank sites were regulated by the United States "Environmental Protection Agency Regulations on Oil Pollution Prevention", 40 Code of Federal Regulations Section 112, as amended. On January 1, 1990, the Above Ground Petroleum Storage Act became effective as Chapter 6.67 (commencing with Section 25270), Division 20, of the Health and Safety Code and amendment to Section 3106 of the Public Resources Code. The regulations require:

- Regional Boards to inspect above ground storage tanks used for crude oil and its fractions;
- Owners or operators of tank facilities to prepare and initiate a spill prevention control and countermeasure plan in accordance with Part 112, Subchapter D, Chapter I, Title 40 of the Code of Federal Regulations by January 1, 1991 and any required monitoring program within 180 days later;
- Tank facility owners or operators to report releases of crude oil and its fractions in excess of one barrel; and
- Owners or operators of tank facilities to submit a storage statement and appropriate filing fee every two years.

The Above Ground Petroleum Storage Act provides for recovery of cost incurred by Regional Board staff for oversight of above ground tank site cleanups.

VI.K. CALIFORNIA CODE OF REGULATIONS, TITLE 23, CHAPTER 15

The California Code of Regulations, Title 23, Chapter 15 (Chapter 15) contains minimum, prescriptive standards for proper management of applicable wastes. Landfills, surface impoundments, septage and sludge disposal, mining operations, confined animal facilities, and some oil field exploration and production facilities are regulated according to Chapter 15. Regional Boards may impose more stringent requirements to accommodate regional and/or site-specific conditions. Factors affecting site specific considerations include: depth to ground water, permeability of underlying soils, geologic structure,

importance of underlying ground water uses, waste characteristics, ability to remediate leaks, adequacy of the monitoring system, proximity of beneficial uses such as aquatic life, and others.

Dischargers may propose engineering alternatives to the construction or prescriptive standards contained in Chapter 15 if they can show the prescriptive standard is not feasible (i.e., too difficult or costly to implement, or not likely to perform adequately under the given circumstances). The proposed alternative must be able to provide equivalent management of the waste, and must not be less stringent than the prescribed standards.

Discharges to land which may be exempt from Chapter 15 are listed in the Basin Plan Waiver Policy in Chapter Five.

Wastes fall into four categories under the current classification system. These four categories are: Hazardous, Designated, Non-Hazardous, and Inert, and are defined in Article 2 of Chapter 15. Hazardous and Designated wastes can often be generated by the same source and may differ only by their concentrations of given constituents.
Wastes must be disposed of differently depending on their liquids content and the waste category into which they fall. A table containing the Summary of Waste Management Strategies for Discharge of Waste to Land is provided in the appendix.

Receiving water monitoring is required at all waste management units. Article 5 discusses the monitoring requirements for the various classes of waste management units, and describes the progressive phases of monitoring.

The routine ground water monitoring conducted during the entire compliance period of a project's life is referred to as "detection monitoring". If a release (leak) is detected during the course of detection monitoring, an "evaluation monitoring" program must be established. If the evaluation monitoring verifies the presence of a leak, a decision must be made as to whether the release represents a significant enough threat to water quality and the environment to warrant corrective action. If the leak is a significant water quality threat, a "corrective action program" must be established, including monitoring of the effectiveness of corrective action, and conducted until the problem has been successfully corrected.

Vadose zone monitoring must be conducted at all waste management units where feasible. Article 5 discusses the minimum requirements for an acceptable vadose zone monitoring program.

Special requirements for confined animal facilities are discussed in Article 6 of Chapter 15 and in Chapter 5 of this Basin Plan. These facilities are also subject to other portions of Chapter 15 as applicable.

Under Chapter 15, mining waste discharges are only subject to the requirements of Article 7, or other portions of Chapter 15 as referenced by Article 7. (Mining wastes are also subject to regulation under the Surface Mining and Reclamation Act, Public Resources Code Title 14, Division 2, Chapter 9).

Discharges of hazardous and nonhazardous waste, and the waste management units at which the wastes are discharged (e.g., landfills, surface impoundments), are regulated by the Regional Board through Waste Discharge Requirements to properly contain the wastes, and to ensure effective monitoring is undertaken to protect water resources of the Region. These waste discharges are also concurrently regulated by other State and local agencies. Local agencies implement the State's solid waste management programs as well as local ordinances governing the siting, design, and operation of solid waste disposal facilities (usually landfills) with the concurrence of the California Integrated Waste Management Board.

The California Integrated Waste Management Board also has direct responsibility for review and approval of plans for closure and post-closure maintenance of solid waste landfills. The Department of Toxic Substance Control issues permits for all hazardous waste management, treatment, storage, and disposal facilities. The State Board, Regional Boards, California Integrated Waste Management Board, and Department of Toxic Substances Control have entered into Memorandums of Understanding to coordinate their respective roles in the concurrent regulation of these discharges.

The laws and regulations governing both hazardous and nonhazardous solid waste disposal have been revised and strengthened in recent years.

An inactive waste management unit can still pose a threat to water quality. In fact, due to the nature of some wastes and the characteristics of some disposal sites, sometimes water quality problems do not become evident until years after a site has closed. Therefore, Chapter 15 requires all waste management units have a plan for acceptable closure procedures and post-closure maintenance and monitoring.

VI.K.1. SOLID AND LIQUID WASTE REQUIREMENTS (LANDFILLS AND SURFACE IMPOUNDMENTS)

Solid wastes are usually disposed of in a landfill or Solid Waste Disposal Site. A landfill, as defined in Chapter 15, is a waste management unit at which waste is discharged in or on land for disposal. A landfill may be classified as Class I, II, or III, depending on the type of waste being accepted, but the term "landfill" typically refers to a Class III municipal solid waste landfill which accepts only inert or non-hazardous, municipal solid waste. Class I units are for hazardous wastes, Class II units are for designated wastes, and Class III landfills are for nonhazardous wastes as defined in Chapter 15, Article 3. Landfills are an integral component of many communities in the Central Coast Region. Hazardous and/or designated solid wastes must be disposed of in Class I or II landfills or waste piles, respectively, also referred to as Resource Conservation and Recovery Act or non-Resource Conservation and Recovery Act solid waste management units.

Liquid wastes may not be disposed of to Class III waste management units. Rather, liquid wastes must be discharged to Class I or II surface impoundments, depending on the waste classification.

Discharges from solid and liquid waste management units can impact both ground and surface waters. The receiving water most likely to be at risk from a waste management unit is the ground water beneath the site. Precipitation or runoff may enter the unit and contact the waste, percolate through it, and travel to ground water, carrying constituents of the waste with it to the vadose zone or ground water beneath the unit. Solid waste may contain enough free liquids to form a leachate which can migrate to ground water. Vapors may migrate from a waste management unit into the soils and ground water below the unit. Gases forming in a closed waste management unit may pressurize the unit and force contaminants into the ground water. A liquid waste impoundment may leak its content into the soils and ground water beneath the unit. Liquids may exit a waste management unit and travel to nearby surface waters. Uncontained solid waste may also be transported to surface waters by wind.

The Regional Board regulates all the active waste management units and some of the closed units in the Region under Waste Discharge Requirements which contain pertinent Chapter 15 regulations. Some of the applicable requirements include:

1. Waste management units must be sited in locations where they will not extend over a known Holocene fault, other areas of rapid geologic change or into areas with inadequate separation from ground water.

2. Waste management units must be constructed to minimize (Class III) or prevent (Class I and II) the possibility of leachate contacting ground water. The probability of accomplishing this goal may be improved by siting the unit in an area where the depth to ground water is very great or where natural geologic features will provide containment. A Class III waste management unit is required to have a composite clay and synthetic liner with a leachate collection and removal system, in accordance with federal Subtitle D requirements. New Class I and II units must also be lined. A discharger may propose engineered alternatives to the Chapter 15 and Subtitle D containment requirements, but the alternatives must provide equal or greater protection to the receiving waters at the site, per Article One.

3. To minimize or prevent the formation of leachate, solid waste management units shall be covered periodically (typically daily) with soil or other approved materials. The importance of effective interim cover is illustrated by recent improvements to some landfill interim covers which resulted in an apparent cessation of ground water degradation. Rainwater surface flow from offsite should be prevented from entering a waste management unit and contacting the wastes in the unit.

4. The potential receiving waters shall be monitored. A waste management unit shall have sufficient ground water monitoring wells at appropriate locations and depths to yield ground water samples from the uppermost water bearing strata with continued saturation at depth, to provide the best assurance of the earliest possible detection of a release from the waste management unit. Perched ground water zones shall also be monitored. Background monitoring should be conducted for at least one year prior to opening a new waste management unit.

   Chapter 15 requires vadose zone monitoring at all new sites and at any existing site, unless it can be shown to the satisfaction of the Regional Board no vadose zone monitoring devices would work at the site, or that installation of vadose zone monitoring devices would require unreasonable dismantling or relocating of permanent structures.

5. All operating waste management units must have an approved closure/post-closure monitoring and maintenance plan and their operators must provide the Regional Board with assurance sufficient funds are irrevocably committed to ensure the site will be properly reclaimed and maintained.

6. The operator of a waste management unit must obtain and maintain assurances of financial responsibility for known and foreseeable releases from the unit.

VI.K.2. WASTEWATER SLUDGE/SEPTAGE MANAGEMENT

Wastewater sludge (biosolids) is a by-product of wastewater treatment. Treated domestic sludge is now referred to as biosolids to encourage using this material for fertilizer and soil amendment. Raw sludge usually contains 93 to 99.5 percent water with the balance being solids present in the wastewater and added to or cultured by wastewater treatment processes. Most Publically Owned Treatment Works treat the sludge prior to ultimate use or disposal. Normally, this treatment consists of dewatering and/or digestion.

Treated and untreated sludges may contain high concentrations of heavy metals, organic pollutants, pathogens, and nitrates. Improper storage and disposal of municipal sludges on land can result in degradation of ground and surface water. Therefore, sludge handling and disposal must be regulated.

Septage and grease are usually considered liquid waste, so landfill disposal is usually restricted. Septage, the residual solids periodically pumped from septic tanks, is commonly applied to farm land as fertilizer. Grease waste is usually recycled, but grease trap pumpings are commonly rejected by grease recyclers. Grease and septage usually must be disposed in a Class I or II waste management unit.

The Regional Board will regulate disposal of sludge and septage pursuant to Chapter 15 and Department of Health Services standards for sludge management.

Sludge containing less than 50% solids by weight may be placed in a Class III landfill (see section on Chapter 15) if it can meet the following requirements, otherwise it must be placed in a Class II surface impoundment:

1. The landfill is equipped with a leachate collection and removal system;

2. The sludge must contain at least 20 percent solids if primary sludge, or at least 15 percent solids if secondary sludge, mixtures of primary and secondary sludges, or water treatment sludge; and

3. A minimum solids-to-liquid ratio of 5:1 by weight must be maintained to ensure that the co-disposal will not exceed the initial moisture-holding capacity of the nonhazardous solid waste. The Regional Board may require that a more stringent solids-to-liquid ratio be maintained, based on site-specific conditions.

4. Non-hazardous sludge containing greater than 50% solids by weight is generally considered solid waste.

Beneficial reuse of sludge/septage is increasing in popularity. Sludges and septage, (including composted, liquid, dewatered and dried sludges) have been successfully used as a soil amendment/fertilizer on farmland, orchards, forest lands, pasture, land reclamation projects (e.g., strip mines and landfills), parks and home gardens. As the concentrations of heavy metals has dropped in municipal sludge, and as advanced sludge treatment methods are utilized, the public's acceptance of beneficial reuse projects has improved. However, improper land application of sludge/septage can cause significant odor nuisance, attract flies, contain high levels of pathogens and heavy metals, and be aesthetically offensive due to the presence of plastics.

Currently, regulation of sludge and septage management projects is under the jurisdiction of the Regional Board. Handling and disposal of sludge/septage can be regulated under Chapter 15 of Title 23, California Code of Regulations and California Department of Toxic Substance Control Standards for hazardous waste management. If sludge is used beneficially, the project may be exempted from Chapter 15, but the Regional Board may issue waste discharge requirements.
The U.S. Environmental Protection Agency (U.S. EPA) has promulgated a policy of promoting those municipal sludge management practices that provide for the beneficial use of sludge and septage while maintaining or improving environmental quality and protecting public health. On February 19, 1993, the U.S. EPA published final sewage sludge regulations in 40 Code of Federal Regulations 503. The 503 regulations are intended to assure that use and disposal of sewage sludges and septage comply with federal sludge use and disposal criteria developed by the U.S. EPA. The State Board or the California Integrated Waste Management Board may develop a State sludge management program consistent with the U.S. EPA's policy and criteria for land application, surface disposal, and incineration of sludge to seek federal authorization to implement the 40 Code of Federal Regulations 503 sludge regulations.

VI.K.3. MINING ACTIVITIES (NONFUEL COMMODITIES)

The Central Coast has had a rich and varied mining history. Currently extracted products include asbestos, decomposed granite, diatomite, dimension stone, dolomite, gypsum, limestone, sand and gravel, shale, specialty sand and stone. The hundreds of inactive metal mines and prospects appear to be the worst polluters though. Mercury, used partly to amalgamate

gold ore, was mined from the Little Bonanza deposit, San Luis Obispo County, as early as 1862. The Buena Vista Mine, which ceased production in 1970 or 1971, is believed to have been the last mercury producer in the Central Coast Region. Chromite deposits have been mined in San Luis Obispo County since about 1870. By 1944, and probably until the demise of production possibly 20 years ago, San Luis Obispo County produced more chromite than any other California county. Other products mined or prospected for historically include gold, silver, manganese, magnesium, antimony, copper, nickel, iron, barite, coal, feldspar, gemstones, biotite, molybdenum, peat, phosphate, sodium sulfate, sulfur, titanium, uranium, zircon, and possibly platinum.

The extent of environmental degradation by all mining ventures is not yet known. Active operations are regulated individually pursuant to the California Code of Regulations, Chapter 15, the Porter-Cologne Water Quality Control Act, the California Surface Mining and Reclamation Act and/or the federal Clean Water Act (including the NPDES permit program). About 25 active mines currently hold Waste Discharge Requirements and/or NPDES surface water discharge permits and a few operations have been granted waivers. Chapter 15 land disposal requirements are imposed as required.

Inactive operations with responsible parties fall under the same purview, as warranted. Inactive mines, with or without responsible parties (those without are considered abandoned) may be remediated as federal Superfund sites pursuant to federal Comprehensive, Environmental Response, Compensation, and Liability Act, or as State Board Cleanup and Abatement Account sites. Low interest loans or government or academic grants may, in rare cases, be applied to inactive mine remediation.

Mines are subject to the Resource Conservation and Recovery Act, although comprehensive regulations have not yet been written. If hazardous constituents are present, Resource Conservation and Recovery Act, Subtitle C, and California Code of Regulations Title 22 may apply to active and inactive sites.

VI.K.4. OTHER INDUSTRIAL ACTIVITIES

Cement Industry -- Concrete manufacturing operations generate two significant types of solid waste, kiln dust and "off-specification" concrete. The first, kiln dust, is classified as a designated waste under Title 22 and is typically disposed of in Class II or III landfills operated by the concrete manufacturers. The second waste, "off-spec" concrete, is generated in much greater quantities and, while classified as a hazardous waste due to its very high pH (often ranging from 12.5 to 13.5 pH units), is frequently dumped on-site at the concrete plants and spread.

Cement batch plants generate large quantities of liquid and semi-solid wastes from rinsing of cement trucks and/or cement covered equipment. This waste, referred to as "washout" is very alkaline (pH may be as high as 12.5 in fresh cement), is high in total dissolved solids, and may contain assorted heavy metals. Washout may also contain various air-entrainment additives or other chemicals.

The Regional Board regulates cement kiln dust disposal and all ready mix cement plants where water quality could be impacted. Wastewater from cement batch plants is considered to be a designated waste, and may need to be discharged to a lined impoundment, if site-specific characteristics (e.g., soil type, depth to ground water, ground water quality, etc.) will not protect ground water from degradation. The Regional Board will consider, on a case-by-case basis, the need to line cement wastewater ponds. Solid or semi-solid wastes should be deposited in landfills or other legal points of disposal unless the discharger can demonstrate the waste will not pose a threat to water quality if deposited onsite.

Asphalt production -- Asphalt batch plants generally involve mixing heavy long chain hydrocarbons with aggregates. Occasionally other hydrocarbon sources (diesel and gasoline contaminated soil) are mixed with asphalt as a beneficial reuse. Diesel fuel and other solvents are used to clean equipment and as "lubricants" to prevent asphalt from sticking to equipment. Large quantities of these materials are generally stored on-site. Water quality can be significantly degraded if these materials reach water courses. Waste control measures are fairly straightforward at such sites. Petroleum products should be stored in tanks, and the tanks placed in lined holding areas. If spillage to soil occurs, contaminated soils should be scraped up, stored on a liner, and incorporated into asphalt as soon as possible. A berm (or other runoff control) should be placed down gradient from earthen material stockpiles.

Oil Field Exploration and Production Facilities -- Oil exploration and production is a thriving business in the Central Coast Region. Although drilling muds are exempt from Resource Conservation and Recovery Act, Oil Exploration and Production Operations are often subject to the requirements of Chapter 15 because they represent a threat to water quality. Due to the significant Chapter 15 workload, remote oil operations may not reach the top of the regulatory priority list. The Interstate Oil and Gas Compact Commission recently recommended:

"The review team recommends State Board obtain the resources necessary to fully discharge its responsibilities...seek

adequate resources from the legislature or use some other mechanism to enable Regional Boards to process applications for WDRs in a timely manner...One option is to remove or raise the statutory cap on discharger fees so that State Board may restructure its fee system to improve its equity and cure substantial resource shortcomings."

The Interstate Oil and Gas Compact Commission also commended the Central Coast Regional Board for having a road spreading policy. This policy, Resolutions No. 73-05 and 89-04, is located in the appendix.

VI.L. RESOURCE CONSERVATION RECOVERY ACT (SUBTITLE D)

Policy for Regulation of Discharges of Municipal Solid Waste

On June 17, 1993, the State Water Resources Control Board (State Board) adopted Resolution 93-62, entitled Policy For Regulations Of Discharges Of Municipal Solid Waste. A copy of this policy is available in the appendix.

The Policy implements the State Board's regulations governing the discharge of waste to land, California Code of Regulations, Title 23, Chapter 15 (23 California Code of Regulations Section 2510 et seq., "Chapter 15"), and implements those water quality related portions of the federal regulations governing the discharge of municipal solid waste at landfills (40 Code of Federal Regulations Section 258.1 et seq., "federal municipal solid waste regulations") that are not addressed by Chapter 15. The federal municipal solid waste regulations apply to all landfills that receive waste on or after October 9, 1991; the majority of the federal provisions become effective on October 9, 1993 (federal deadline).

The Policy directs Regional Boards to revise-or adopt, as appropriate-prior to the Federal Deadline, the waste discharge requirements (WDRs) for each landfill subject to the federal municipal solid waste regulations. The revised WDRs must implement those regulations in the manner described in the Policy and must implement the Chapter 15 regulations as well.

Landfills are subject to Subtitle D in California beginning October 9, 1993 or October 9, 1995 depending on landfill size and whether it is within one mile of a drinking water intake.

These federal regulations apply to municipal solid waste landfills (Class III landfills, under Chapter 15). The Subtitle D regulations outline the classification of municipal landfills, siting criteria, design criteria, operation procedures, water quality monitoring parameters and standards, closure and post-closure care requirements, and financial assurance guidelines similar to Chapter 15. U.S. EPA considers Subtitle D to be minimum standards for landfill operation. States may have equal or more stringent requirements, but may not have less stringent requirements. If a state's landfill regulation program meets U.S. EPA's approval, that state may apply to become an U.S. EPA "approved state" for landfill regulation.

California received Subtitle D approval in October 1993 and will be able to consider engineering alternatives to certain provisions of Subtitle D.

VI.M. SOLID WASTE WATER QUALITY ASSESSMENT TEST

In 1984, California Porter-Cologne Water Quality Control Act Section 13273 was adopted to require operators (and/or owners) of active and inactive solid waste disposal sites to perform a Solid Waste Assessment Test investigation. About 150 sites per year are to be analyzed statewide. The State Board has approved a statewide ranked list including 2,242 sites in 15 ranks. It has prioritized all sites on the basis of the potential threat to water quality and has established schedules for Investigation Workplan (Workplan) and Solid Waste Assessment Test report's submittals. The Central Coast Region's 15 ranks include 131 sites. Test reports are due the first day of July each year, depending on their ranking. Rank One sites were due July 1, 1987.

If monitoring information conclusively demonstrates hazardous waste is migrating, or has migrated to State waters, the site owner/operator may request a waiver of the Test reporting requirements pursuant to Water Code Section 13273(c). Waiver requests are usually requested within 120 days of the notification date. Water Code Section 13273.1 allows the site operator to request an exemption from Test reporting requirements by submitting a Solid Waste Assessment Questionnaire. Questionnaires may be submitted if a site contains less than 50,000 cubic yards of waste and is not known nor suspected of containing hazardous substances, other than household hazardous wastes. Based on this Questionnaire, the Regional Board may exempt the Operator from all or part of the Solid Waste Assessment reporting requirements.

Solid Waste Assessment Test reports are required to contain:

1. An analysis of the surface and ground water on, under, and within one mile of the solid waste disposal site to provide a reliable indication whether there is any leakage of hazardous waste.

2. A chemical characterization of the soil-pore liquid in those areas which are likely to be affected if the solid waste disposal site is leaking, as compared to geologically similar areas near the solid waste disposal site which have been affected by leakage or waste discharge (Porter-Cologne §13273[b]).

3. A finding whether hazardous waste is leaching into surface or ground water on, under, and within one mile of the disposal site.

If hazardous waste has migrated, the Regional Board must notify the Department of Health Services and the Integrated Waste Management Board, and take appropriate remedial action (Porter-Cologne §13273[e]).

More than eighty percent of Test sites (mostly unlined) evaluated in all climates and geologic terrain in California have been found to impact ground water quality as part of the Solid Waste Assessment Test program.

From the beginning, the Test program was supported by the California General Fund. In recent years, agencies with programs with such funding have been under increasing pressure to find alternative funding or face elimination. These pressures resulted in the Test Program being understaffed and, in the summer of 1991, eliminated. At that time, almost 200 Test Reports had been accepted and reviewed by the Regional Water Boards. However, a backlog of nearly 300 additional Test Reports had been submitted and had not been reviewed. The Central Coast Region had reviewed and accepted 29 reports, however 14 were backlogged.

In 1992, the Legislature adopted Assembly Bill 3348 (Eastin) which allocated $2,500,000 from the Integrated Waste Management Board's "Solid Waste Disposal Site Cleanup and Maintenance Account" to the State and Regional Boards to fund the review of the above backlog. This law restricted these funds to the review of Solid Waste Assessment Reports from Ranks One through Five only and required the work be in accordance with a Memorandum of Understanding between the Regional Boards and the California Integrated Waste Management Board. This Memorandum of Understanding was signed by the Executive Directors of the two agencies in January 1993.

VII. HAZARDOUS WASTE COMPLIANCE ISSUES

The Regional Board obtains information regarding hazardous waste discharge through two reporting programs. These programs are "Reportable Qualities of Hazardous Waste and Sewage Discharges" and the "Proposition 65" program. These mechanisms are discussed below:

VII.A. REPORTABLE QUANTITIES OF HAZARDOUS WASTE AND SEWAGE DISCHARGES

California Porter-Cologne Water Quality Control Act Section 13271 requires the State Board and the Department of Health Services to adopt regulations establishing reportable quantities for substances listed as hazardous wastes or hazardous materials pursuant to Section 25140 of the Health and Safety Code. Reportable quantities are those which should be reported because they may pose a risk to public health or the environment if discharged to ground or surface water.

Similarly, the State Board was required to adopt regulations establishing reportable quantities for sewage. These requirements for reporting the discharge of sewage and hazardous materials do not supersede waste discharge requirements or water quality objectives.

The regulations for reportable quantities adopted by the State Board are included in Subchapter 9.2 of the California Code of Regulations.

VII.B. PROPOSITION 65

The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) went into effect January 1, 1987. Proposition 65 is found in the Health and Safety Code, Section 25249.5, et seq. It prohibits discharges of chemicals known to the State to cause cancer or reproductive toxicity to a potential source of drinking water, with certain exceptions. The Governor is required to publish a list of such chemicals. The list must be updated yearly. The current list is found in 22 California Code of Regulations, Section 12000.

Section 25180 of the Health and Safety Code requires designated governmental employees to disclose information to the local Board of Supervisors and local health officer regarding an illegal discharge of hazardous waste if the discharge is likely to cause substantial injury to the public. A designated employee is one who is required to sign a conflict of interest statement. Any designated employee who knowingly or intentionally fails to report information, as required by Proposition 65, is subject to fines and imprisonment (Section 25180.7). The following information should be reported:

- Discharge type
- How discharge was discovered
- Location of discharge
- Probable discharger
- Possible contacts
- Concentration of contaminant in soil and/or water.

VIII. NONPOINT SOURCE MEASURES

The State Nonpoint Source Management Plan initiated development of specific program objectives to be implemented at the State and Regional level. Currently, Regional Board staff are implementing the following State Board program objectives:

A. Control of Nonpoint Source pollution (urban runoff; agriculture; land disturbance activities such as road construction/maintenance, land construction, timber harvesting, and mining; hydrologic modification; and individual disposal systems). These activities include outreach, education, public participation, technical assistance, financial assistance, interagency coordination, demonstration projects, and regulatory activities such as imposing septic tank area prohibitions.

B. Preparation of contracts for projects selected for grant funding. Regional Board staff also participate in these projects by providing technical assistance and publicizing their results.

C. Implementation of the 1990 Coastal Zone Act Reauthorization Amendments, as developed by the State Board and the California Coastal Commission. This shall be an enforceable Nonpoint Source Management Program to control land use and anthropomorphic activities impacts that have a significant affect on coastal waters. (Further discussion of the Amendments is provided later.)

D. Initiation of nonpoint source watershed pilot programs.

Using State program objectives, Regional Board staff developed task-specific workplans to address nonpoint sources of pollution. For the Central Coastal Region, the following tasks are managed and implemented by the Nonpoint Source Program staff:

Task 1: Water Quality Assessment

Regional Board staff reviewed and updated the nonpoint source portion of the Water Quality Assessment and prepared water body fact sheets. (The Water Quality Assessment and water body fact sheets are discussed in Chapter Six.)

Task 2: Watershed Studies/Planning

Three impaired watersheds (Morro Bay Watershed, San Luis Obispo Creek Watershed, and San Lorenzo River Watershed) have been targeted for intensive activity. Major activities for San Luis Obispo Creek watershed include:

1. Develop a Demonstration "Total Maximum Daily Load" model.
2. Create a "San Luis Obispo Creek Riparian Task Force".
3. Implement a riparian corridor restoration project.
4. Identify major nonpoint pollutants and sources.
5. Develop a watershed management program.

For Morro Bay watershed, the activities include:

1. Develop a long term monitoring program to assess water quality improvements associated with the implementation of nonpoint source pollution control measures.
2. Develop funding for the long term monitoring program.
3. Implement a sediment reduction program using best management practices.
4. Participate in the Morro Bay Task Force.

For San Lorenzo River watershed, the activities include:

1. Develop a detailed assessment of Nonpoint Source impacts in the watershed.
2. Develop a wastewater management plan for on/off-site wastewater disposal.
3. Develop of a nutrient objective for the river.
4. Conduct experimental on-site wastewater treatment to reduce nitrogen discharge into the environment.

Task 3: Outreach Program

Staff meets regularly with individuals and local government agencies to promote education and solutions on Nonpoint Source problems. Additionally, the use of grant and loan resources to correct Nonpoint Source problems is emphasized during outreach activities.

Specific outreach activities include participation on the San Luis Obispo Creek Riparian Task Force, Morro Bay Task Force, and various 319(h)/205(j)/Basin Planning Technical Advisory Committees, and development of grant applications with local agencies.

Task 4: Project Tracking and Participation

Regional Board staff prepare contracts, coordinate with project proponents, track project progress, review and approve invoices, and provide technical support for Nonpoint Source grant funded projects.

VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS

In November 1990, Congress enacted Section 6217 of the Coastal Zone Act Reauthorization Amendments to help address the problem of nonpoint source pollution in coastal waters. Section 6217 requires that coastal states with federally approved coastal management programs develop Coastal Nonpoint Pollution Control Programs. The legislative history indicates that the central purpose of section 6217 is to strengthen the links between federal and State coastal zone management and water quality programs in order to enhance efforts to manage land use activities that degrade coastal beneficial uses. The State coastal zone management agency designated under Section 306 of the Amendments and nonpoint source management agency designated under section 319 of the Clean Water Act will have a dual and co-equal role and responsibility in developing and

implementing the coastal nonpoint program.

The program gives the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration joint authority to approve programs developed by the State to address 6217 requirements.

The State agencies chosen to develop California's Coastal Nonpoint Pollution Control Program are the State Board and the Coastal Commission. The statute requires that the State program be "coordinated closely with State and local water quality plans and programs." This means that the State's nonpoint source programs under Sections 208 and 319 of the Clean Water Act and the coastal program must be examined to determine if they comprehensively address land use activities and anthropomorphic effects that have a significant effect on coastal waters. In addition, the State agencies are charged with developing a coordinated program that:

- identifies categories of nonpoint sources that adversely impact coastal waters;
- describes management measures to be implemented;
- identifies the land uses and critical coastal areas that will require more stringent or additional management measures;
- describes the State-developed additional management measures to be implemented in critical areas;
- documents the authorities the State will use to implement both the guidance and additional management measures, including designation of a lead agency for each source category and/or subcategory; and
- sets forth a schedule to achieve full implementation of the guidance management measures within three years of program approval by U.S. EPA and National Oceanic and Atmospheric Administration, and full implementation of additional management measures within six years of program approval.

The Coastal Commission and the State Board staff have been working on a strategy to develop the required Coastal Nonpoint Pollution Control Program plan. Recently, the State Board directed staff to review and revise the statewide Nonpoint Source Management Plan to include a strong coastal component. Revision of the Plan is intended to satisfy the requirements of Section 6217 within the existing framework of current nonpoint source activities.

On a Regional Board level, staff has been involved with the statewide program since 1991. A pilot project, "The New Coastal Nonpoint Pollution Control Program using the Morro Bay Watershed as a Model" was performed to assess the feasibility of establishing the Coastal Nonpoint Pollution Control Program in California. Regional Board staff supplied technical information and reviewed reports. Concerted planning and implementation efforts on target coastal watersheds such as Morro Bay will be major accomplishments to satisfy Coastal Nonpoint Pollution Control Program requirements. As the program goes statewide, Regional Board staff will attend technical advisory committee meetings and will work closely with staff of the State Board and other Regional Boards, as well as staff of other relevant local, State, and federal agencies to develop a workable Coastal Nonpoint Pollution Control Program.

Wastewater originating from nonpoint sources includes those from urban runoff, agricultural activities, on-site sewage disposal systems, and land disturbance activities. Management of these types of nonpoint source discharges are discussed in the following section. The Regional Board will be developing management practices for marinas and recreational boating; hydromodification facilities; and wetlands, riparian areas, and vegetated treatment systems at a future date.

VIII.B. URBAN RUNOFF MANAGEMENT

The effect of urban runoff on receiving water quality is a problem which has only recently come to be recognized. Most of the work up to the present has centered on characterizing urban runoff: concentrations of various constituents have been measured, attempts to relate these to such factors as land use type and rainfall intensity have been made, and studies concerning the amounts of these constituents present on street surfaces have been conducted. It appears that considerable quantities of contaminants, heavy metals in particular, may enter the receiving waters through urban runoff. The federal Water Pollution Control Act Amendments of 1972 stress future "control of treatment of all point and nonpoint sources of pollution." Thus the federal government has concluded that nonpoint sources, such as urban runoff, are indeed deleterious to the aquatic environment and that measures should be taken to control such emissions.

There are four basic approaches to controlling pollution from urban runoff: (1) prevent contaminants from reaching urban land surfaces, (2) improve street cleaning and cleaning of other areas where contaminants may be present, (3) treat runoff

prior to discharge to receiving waters, and (4) control land use and development. Which approach or combination of approaches is most effective or economical has not yet been studied extensively. Thus only the basic characteristics of each approach can be discussed. In addition to these direct approaches, measures to reduce the volume of runoff from urban areas are also available.

VIII.B.1. SOURCE CONTROLS

The first approach, which emphasizes source control, has many aspects. Tough effective air pollution laws can probably aid in reducing the amount of certain materials deposited on the land. An obvious example is lead in automobile exhaust emissions. Effective anti-litter ordinances and campaigns can aid in reducing floatable materials washed to surface waters. These materials are objectionable primarily from an aesthetics viewpoint, although water fowl can be affected by plastics. New construction techniques may reduce emissions to receiving waters. Erosion can be decreased by seeding, sodding, or matting excavated areas as quickly as practicable. Construction in certain critical areas can be limited to the dry season. Stockpiling of excavated material can be regulated o minimize erosion. Control of chlorinated hydrocarbon pesticide usage would reduce the amounts found on urban land surfaces and thus reduce the amounts washed to natural waters.

VIII.B.2. STREET CLEANING

The second approach to reducing pollution from urban runoff involves improving street cleaning techniques. Generally, street cleaning as presently practiced is intended to remove large pieces of litter which are aesthetically objectionable. The removal of fine material which may account for most of the important contaminants is minimal. It may be possible to design mechanical sweepers to remove a greater fraction of the fine material. Alternatively, vacuum-type street cleaners could produce better results.

In addition to streets, sidewalks and roofs contribute large amounts of runoff. Controlling contaminants present on these surfaces would be more difficult and would be up to individuals. Advertising campaigns would probably be unproductive and legislation would be unworkable except perhaps in specific, localized situations. Therefore, contaminant removal will probably be limited to street surfaces.

In many areas, streets are cleaned by flushing with water from a tank truck. If catch basins are present, this material may be trapped in them. If catch basins do not exist, the material will be simply washed to the storm sewers where subsequent rainfall will carry them to surface waters. Where catch basins are regularly cleaned out, they can be effective in removing materials during runoff. Where they are allowed to fill up with material, they add to the pollution loading during a storm by discharging septic material. In any case, catch basins usually exist in older urban areas and have a rather low efficiency in removing contaminants from storm water.

VIII.B.3. TREATMENT

The third approach to reducing the effects of urban runoff on receiving water quality involves collecting and treating the runoff. Physical or physical-chemical treatment would be required; the intermittent nature of storm flows precludes biological treatment. Examples of possible treatment processes are simple sedimentation, sedimentation with chemical clarification, and dissolved air flotation. In addition to cost, a principal problem with this approach is collection. Present storm sewerage systems generally drain to open creeks and rivers or directly to tidal waters. Even if treatment facilities were located at various sites in the Basin, a massive collection system would have to be built.

The economic question of "treatment vs. transport" would have to be studied with specific regard to storm water runoff. Local sewage treatment plants abandoned in favor of regional facilities could possibly be utilized in such a program. One method of cutting down the peak flow capacity required is to provide storage volume in the collection system.

Solutions to the problem of preventing water quality degradation by urban runoff are only in the earliest stages of development and consist mostly of plausible hypothesis on how to deal with the problem. Therefore, it is not possible at this time to present a definite plan with regard to this subject. It is probable that research and study which up to now has emphasized defining and characterizing the problem, will turn to developing methods of control. The federal Water Pollution Control Act Amendments of 1972 state specifically that the EPA is authorized to conduct and assist studies "which will demonstrate a new or improved method of preventing, reducing, and eliminating the discharge into any waters of pollutants from sewers which carry storm water..." Considerable progress will be made during the next few years.

Information should be collected and studied so that a workable plan can be implemented in the future.

VIII.B.4. CONTROL OF URBANIZATION

A fourth approach is to encourage controls on urbanization which will either reduce the volume of runoff or at least not cause runoff to increase as a result of urban growth. The usual pattern is that increased urbanization leads to higher runoff coefficients, reflecting the many impervious surfaces associated with development. Roof drains to storm sewers, paved parking lots and streets, installation of storm sewers, filling of natural recharge areas, and increased efficiency in realigned and resurfaced stream channels all are characteristics of urban growth. Development near streams and on steep slopes is deleterious to water resources; it is less disruptive to develop the lower portions of a watershed than the headwater areas, both from the standpoint of the length of channel affected and the extent of channel enlargement necessary to convey storm water. Use of porous pavements and less reliance on roof connections to storm drains and more emphasis on local recharge would reduce the peak volume of runoff from storms. Areal mass emissions of urban drainage constituents should be quantified. Urban planning should be more cognizant of land constraints to permit greater natural recharge where possible and feasible and to discourage intensive development of steep land particularly in headwater areas.

VIII.C. AGRICULTURAL WATER AND WASTEWATER MANAGEMENT

Agricultural wastewaters and the effect of agricultural operations are a result of land use practices; controls should ultimately be developed from land use plans. Controls are required to minimize adverse effects from agricultural practices. The following discussion is confined to recommended improvements in practices and to the scope of federal-state permit programs which will regulate certain agricultural activities. The discussion of practices is limited here to animal confinement and irrigation practices. Although Public Law 92-500 defines a confined animal operation as a point source, this plan presents it in the traditional manner of dispersed nonpoint sources. Pesticide use and limits on fertilizer applications are not specifically considered; these materials are covered by appropriate water quality objectives.

VIII.C.1. FEDERAL-STATE PERMITS GOVERNING AGRICULTURAL OPERATIONS

Dischargers of wastes are managed in part by the NPDES permit program. Any person proposing to discharge waste that could affect the quality of the waters of the State must file a report of waste discharge with the appropriate regional board. The Regional Board will prescribe discharge requirements. The requirements implement water quality control plans and take into consideration beneficial uses to be protected.

Public Law 92-500 directed the Environmental Protection Agency to set up a permit system for all dischargers. Agriculture is specifically considered and permits are required for:

1. Feed lots with 1,000 or more slaughter steers and heifers.
2. Dairies with 700 head or more, including milkers, pregnant heifers, and dry mature cows, but not calves.
3. Swine facilities with 2,500 or more swine weighing 55 pounds or more.
4. Sheep feedlots with 10,000 head or more.
5. Turkey lots with 55,000 birds, unless the facilities are covered and dry.
6. Laying hens and broilers, with continuous flow watering, and 100,000 or more birds.
7. Laying hens and broilers, with liquid manure handling systems, and 30,000 or more birds.
8. Irrigation return flow from 3,000 or more continuous acres of land when conveyed to navigable waters from one or more point sources.

The law also provides that the State may administer its own permit program if EPA determines such program is adequate to

carry out the objective of the Law. On March 26, 1973, this authority was transferred from the EPA to the State of California for waters within the State. Thus, the Regional Board issues discharge requirements to the agricultural operations covered under the aforementioned guidelines. The State may require discharge permits from any discharger, regardless of size.

VIII.C.2. ANIMAL CONFINEMENT OPERATIONS

Animal confinements such as feedlots and dairy corrals present a surface runoff problem during wet winter flows. Runoff water passes through hillside operations to sometimes contribute manure loads to the surface streams. Stockpiled manure may also add to the problem. Disposing of washwater and manures from dairies in such a manner that ground waters are not degraded can be a problem. Most dairies have some associated land for waste disposal. The land is devoted to crops and pasture and its assimilative capacity will depend upon the size, crop, crop yield, and the season. During intensive growth periods, crops can utilize more nutrients than in slow growth period. Small dairies with adequate crop land in close proximity may be able to use washwaters year round as a source of nutrients. Large dairies with smaller acreage will view the slurry wastes as a disposal problem, not a resource. Thus, there theoretically exists a threshold size for waste disposal. Regulations to achieve this size would be impractical and unenforceable. Crop land is expensive in the basin and would be difficult to acquire. However, a combination of crop patterns and pasture land best suited for each size operation should be determined and the dairymen should be encouraged to follow such a pattern. Where acreage is not available, mutually advantageous agreements between the dairymen and a neighbor cultivator could be formed for disposal of dairy wastes.

Sumps, holding ponds, and reservoirs holding manure wastes should be protected from flood flows. No pipes, drains or ditches from the milk barn should be allowed to drain in or near a stream channel.

Specific Regional Board policies pertaining to animal confinement operations can be found under "Control Actions" in Chapter Five.

VIII.C.3. IRRIGATION OPERATIONS - NEED FOR SALT MANAGEMENT

Salts originate by dissolution of the more soluble portions of rocks and soil particles in rain water (weathering). Such salts are transported in solution, but are concentrated in soils, waters, and so-called salt sinks due to evaporation from soil and water surfaces and transpiration (use) by crops (plants). This removal of water by evaporation or transpiration leaves salts behind. Salts are concentrated by each successive evaporative loss of water. In time, accumulations of salt can go from no- problem to extreme-problem levels unless some controls are applied.

For irrigated agriculture to continue production into the foreseeable future, this problem of gradual accumulation of salts in soils and waters must be faced and kept under control at acceptable levels. Otherwise, production will decline even under the best management, and no added amount of good management will be able to continue production of the quantities of food crops needed. In most of California's water basins, the rate of export or removal of salts from the basin will need to be increased to more closely match or exceed the rate of salt accumulation. For each basin, not only do the rates of import and export of salts need to be in reasonably close balance, but the balance must also be maintained at a sufficiently low level of salinity to meet the quality demands of the various designated beneficial uses. This is often referred to as maintenance of a "favorable salt balance."

The rate of water quality degradation within a basin which results from inadequate salt exports is slow. It may be so slow that the need for control of salts is believed to be far into the future and of no concern to present planning. However, just as degradation may be a slow process, correction of a critical basin-wide salinity problem is also an extremely slow process. Good planning, now, to control this long-term, slow degradation of our soil and water resources seems the better course of action, rather than to wait until the problem becomes critical. Decisions made, or not made, now can be critical to control in the future.

Agriculture's need for salt management is both for on-farm management and for off-farm (basin-wide) management. The absolute need for discharge of salts by agriculture will create conflicts with other water users - even other agricultural water users.

Compromises and trade-offs will be necessary to reconcile these conflicts; however, necessary motivation for change in management at the farm level will need to be tied to dollars and the economic consequences of "no- change." If required agricultural management changes for essential pollution control result in added costs to the farmer, he has the same hard choices of any other businessman:

1. Absorb the cost with reduced profit

2. Pass on the cost in increased prices to consumers
3. Accept some form of public subsidy to off-set cost
4. Go out of business
5. Change crops grown

In coastal higher rainfall areas, irrigated agriculture could probably continue almost indefinitely, since irrigation would be used primarily during dry summer periods to supplement winter rainfall. Rainfall would be sufficient to flush salts through soils and provide adequate recharge and outflow from the underground water basin toward the ocean for salt control. There is more cause for concern in the drier inland areas such as the Salinas River Sub-basin and in the naturally mineralized ground water areas such as the Santa Maria Valley.

VIII.C.4. IMPROVED SALT MANAGEMENT TECHNIQUES

A concept of minimal degradation should be considered in some areas, but this will need to be coupled with management of the surface and ground water supplies to minimize and correct the effects of degradation that may occur. If complete correction is not possible, improved management will delay the time when salts reach critical levels. Several options available to correct degradation through improved salt management follow.

Improved irrigation efficiency would reduce both potential and actual pollutants in the water moving from surface to ground. Improved efficiency would also reduce total quantities of salts leaching to the water table and cut down on withdrawals or diversions from the limited water supply. Present statewide efficiency of water use may average 50 to 60 percent, but individual uses will vary from an estimated low of 30 percent where water is plentiful and inexpensive to a high of 95 percent where water quantity is limited and/or the price is high.

Implementation of the Leaching Requirement reported by U.S. Salinity Laboratory, Riverside, will help improve efficiency of irrigation. Other research data by this same laboratory has been reported on the effects of low leaching fractions in reduction of salt loads leaching to water tables. The new data offers real incentives to agriculture to improve irrigation efficiency in the form of real dollars saved by the farmer. Real water saved by agriculture can then be used for dilution, recharge, or nonagricultural uses. True, the salts moving to the water table under these low leaching fractions will be more concentrated, but due to low solubilities of certain salts, a progressive precipitation and removal from solution occurs as the salt concentration in the percolating soil solution rises. As the concentration rises, considerable portions of the low solubility salts come out of solution, e.g., the relatively insoluble lime, dolomite, and slightly soluble gypsum.

With these low leaching fractions, salt load to the underground may be reduced as much as 50 percent in some cases. Sodium salts (sodium chloride, and sulfate) are not affected, so in relation to calcium and magnesium salts these sodium salts in the percolating waters increase. The compounds which precipitate are deposited in the lower root zone or below and cause no problem to agriculture except for a few specialized situations which are correctable (lime induced chlorosis). The increased proportions of sodium salts (higher SAR) will not reduce permeabilities of subsoils since salinity remains high enough to continue normal permeabilities of subsoils. The higher sodium (SAR) reaching water tables may reduce hardness slightly, but is not expected to be a problem to users of the underground waters.

Crop production can continue into the foreseeable future in the low rainfall areas if the minimal degradation that almost inevitably will occur is offset (a) by recharge and replenishment of the underground which will furnish dilution water for the added salts and (b) by drainage or removal of degraded waters at a sufficient rate to maintain low salt levels and achieve a satisfactory balance between salts coming into the basin and salts leaving the basin.

To help in recharge and dilution, additional winter runoff can be stored in surface reservoirs for later use for either surface stream or underground water quantity/quality enhancement or maintenance, e.g., Nacimiento and Twitchell reservoirs. Possible future reservoirs may be located on the Arroyo Seco and Carmel rivers. Or winter runoff could be used directly for ground water recharge to enhance flushing and flow-through dilution of salts and pollutants.

Drainage wells which discharge to drains leading to salt sinks are a possibility in removing salty waters, but these have had only limited success in draining high water table areas. However, they might be well adapted to ground water quality maintenance. Such wells could be drilled and operated to recover the salty top layers of water tables where salts are believed to accumulate as a layer of poorer quality water over the better quality deeper layers. Since most of the movement within water tables is thought to be horizontal and down slope, and vertical mixing is relatively slow, the possibility of recovering

polluted upper layers of water tables should be explored as a quality maintenance tool or rejuvenation procedure for degraded water supplies.

Underdrains (tile systems) can aid in both water and salt management. Perched water tables intercept percolating salts, nutrients, and other pollutants and offer real possibilities as an aid in management and protection of the overall water quality of a basin. A "perched" water table is held up and separated from deeper aquifers by a relatively impermeable barrier (soil, rock, hardpan). This barrier often protects the deeper waters from pollution by preventing leakage of polluted waters from above. Perched water tables exist in portions of several basins. Salts and nutrients collected in these perched water tables may be tapped by underdrains (tile systems) and transported through the basin drainage system to disposal sites.

Basin-wide or area-wide drainage systems will be needed in order to move unusable wastewaters to acceptable temporary or permanent disposal sites (salt sinks). On- farm drainage problems will normally be solved at individual farmer expense because of the economics involved--the cost is not prohibitive and the costs of "not-solving" the problem (reduced yields, changing cropping patterns, or going out of business) are unacceptable. The off- farm part of drainage, however, is too big for individual farmers to solve, and some form of collective, organized large scale action is needed. The off- farm problems include collection of discharges, rights-of-way for conveyance, building and maintenance of a drainage system, disposal site acquisition, and management for compliance with discharge requirements.

Acceptable temporary or permanent salt disposal sites (salt sinks) must be designated and used. The Pacific Ocean is the only acceptable sink for most of the Central Coastal Basin; however, Soda Lake and certain highly mineralized ground water basins may be acceptable. To be able to remove salts as required to maintain a low salinity level in any one basin, there must be some other basin or site that will accept the salts. These acceptor areas are known as salt sinks. Without acceptable salt sinks, salt management becomes a long-term losing battle and a frustrating exercise in futility.

Other salt inputs to a basin can be reduced by improved management of other salt sources such as fertilizer, animal wastes, and soil amendments. Regulation may be required but an appreciable improvement can be expected by education of farmers to better understand and better utilize existing information and guidelines. A salt routing approach could be used in areas such as Pancho Rico Creek to permit discharge of highly mineralized wastewater during periods of high flow.

VIII.C.5. MUSHROOM FARM OPERATIONS

Mushroom farm operations present surface or ground water problems if not properly managed.

VIII.C.5.a. TYPICAL MUSHROOM FARM OPERATION

Compost is needed as a growing base medium to produce mushrooms. Typically compost is produced on-site from straw, horse manure, cottonseed meal, or other organic matter. During composting, the organic material breaks down into a useable protein source for mushrooms. Water, added to assist the composting process, is constantly leaching through compost piles. Once compost is ready for use, it is placed in mushroom growing trays. After mushroom harvesting, steaming and fumigation sterilize the growing house and spent compost. Spent compost is then removed to "spent compost storage areas" and marketed as a soil additive or disposed of in some other manner.

VIII.C.5.b. TYPES OF WASTES DISCHARGED

Composting operations are typically carried out on concrete composting slabs. Compost is frequently sprayed with water. Excess water typically drains into a sump. Normally, excess water is recycled by pumping it back to spray the pile. In summer very little runoff or leachate is produced from composting. During the rainy season the sump collects more runoff from the compost slab than is recycled. Discharge to drainage ways or containment sumps may result.

When mushroom beds are irrigated, excess water drains from concrete floors to drainage ways or disposal sumps. This water contains peat moss, soluble substances from beds, salt from salt pans (used to "sanitize" the footwear of persons entering the cultivating room), and whatever is on the floor, such as pesticide residues and mushroom stems, at the time the floor is washed.

Steam is used for tray sterilization and to heat and sterilize growing houses. Prior to entering boilers, water is softened and treated with an organic or inorganic corrosion and scale inhibitors. Salt is used as a water softener regenerant. Discharge of water softener regenerant and boiler blowdown to drainage ways or disposal sumps may occur.

Solid wastes consisting of pesticide bags, mushroom roots and stumps, cardboard boxes, spent compost, and general debris

are generated by mushroom farms.

Some of the disinfectants, fungicides, and pesticides being sprayed on the floor, walls, and mushrooms are occasionally washed off during washdown of the facility. Generally, pesticides used in this business have a relatively short life.

VIII.C.5.c. POSSIBLE WATER QUALITY PROBLEMS

Compost leachate and irrigation/ washwater is high in biochemical oxygen demand (BOD). BOD is generally considered high if the concentration exceeds 30 mg/l, but this can vary from situation to situation. If discharged to surface waters, these wastes may depress dissolved oxygen to a critical level, and provide a nutrient source for undesirable aquatic growth. Improper disposal may also cause impacts on ground water. Nitrates are a particular concern.

Discharges of water softener regenerant and boiler blowdown may degrade surface and ground waters if improperly disposed. These wastes are high in Total Dissolved Solids, Sodium, and Chloride concentrations. Boiler blow-down may also contain organic or inorganic corrosion and scale inhibitors which could present toxicity problems if improperly disposed. Solid wastes can be a problem if improperly disposed.

Disinfectants, fungicides, and pesticides do not appear to present water quality problems based on inspections and limited sampling. These biocides can be a problem if handled improperly. Surface water runoff entering mushroom farm operations can become contaminated if runoff contacts any of the sources described above.

VIII.C.5.d. ADDITIONAL CONCERNS

Wastes can create a nuisance. Public health can be jeopardized if vectors develop among solid wastes. Further, odors resulting from storage of wastes can become offensive and may obstruct the free use of neighboring property.

VIII.C.5.e. RECOMMENDATIONS

1. Spent irrigation/washwater and compost leachate may be reused to spray compost piles.

2. Spent irrigation/washwater, compost leachate, and contaminated surface water runoff should be collected for treatment, storage, and disposal in lined ponds, unless shown by geohydrologic analysis that ground water will not be affected. If needed, aeration should be provided to stabilize organic substances and prevent odor problems. Dissolved oxygen of 1.0 mg/l or more is recommended for storage ponds.

3. Mushroom farm wastes, excluding water softener regenerant, may be used to irrigate farm crops during dry weather months. When salt is properly handled, the sodium and chloride content of these waters should be suitable for this purpose. The discharger must demonstrate to the Regional Board that irrigation water will not degrade beneficial water uses.

4. When irrigation is utilized, application rates and irrigation practices should be suitable to the crops irrigated.

5. Water softener regenerant and boiler blowdown should be disposed of separately from spent irrigation/washwater. Since its volume is small and concentration of pollutants is high, it is best to evaporate the liquid on a lined drying bed, or provide a documented test by a registered Engineer or laboratory that the soils permeability in the disposal area is 10^{-6} cm/sec or less. Two drying beds should be used for the purpose of holding salt/regenerant liquid and boiler blowdown waste. Discharges to beds are alternated to allow sufficient drying time.

6. Drying bed residue from any disposal pond should be disposed at a suitable solid waste disposal site.

7. As an alternative, water softener regenerant and boiler blowdown can be hauled in liquid form to a suitable disposal site, or discharged to the ocean through a suitable outfall.

8. Chemical alternatives for sanitizing footwear to replace salt pans should be investigated by farm operators.

9. If used, salt sanitation pans should be at least 4 inches deep and elevated to prevent contact between salt and water. Salt solution should remain in pans until disposed. Spent salt should be dumped into a sealed container and disposed at a suitable site.

10. Solid waste should be routinely collected and disposed at a suitable site.

VIII.C.5.f. PROHIBITIONS

The following activities are prohibited at mushroom farms:

1. Discharge of inadequately treated waste, including leachate, high BOD, high nutrient waste, and contaminated surface water runoff to drainage ways, surface waters, and ground waters.

2. Discharge of untreated water softener regenerant and boiler blowdown waste in a manner that pollutes any non-saline surface or ground water.

3. Discharge and/or storage of waste, including spent compost, in a manner promoting nuisance and vector development.

4. Disposal of sludges, salt residues, pesticide residues, and solid waste in a manner not accepted by the Regional Board.

VIII.C.6. RANGE MANAGEMENT

Rangeland is the most extensive land use type in California, accounting for more than 40 million acres of the State's 101 million acres. As most of the rangelands are located between forested areas and major river systems, nearly all surface waters in the State flow through rangelands. Thus, rangeland activities can greatly impact water quality. In this section, grazing activities are discussed.

VIII.C.6.a. GRAZING

Grazing activities (particularly overgrazing), by contributing excessive sediment, nutrients, and pathogens, can adversely impact water quality and impair beneficial uses. Soil erosion and sedimentation are the primary causes of lowered water quality from rangelands. When grazing removes most of the vegetative cover from pastures and rangelands, the soil surface is exposed to erosion from wind and water. With runoff, eroded soil becomes sediment which can impair stream uses and alter stream channel morphology and results in decreased recharge capacity through clogging of channel bottoms. With steep slopes, highly erodible soils and interim storm events, the sediment delivery ratio (a measure of the amount of eroded soil delivery to a waterbody) on rangeland can be very high. Streambank erosion and lakeshore erosion are other sources of sediment on rangelands. Lakeshores, streambanks, and associated riparian zones are often subjected to heavy livestock use. Trampling and grazing of vegetation contribute to lakeshore and streamside instability as well as accelerated erosion.

Sediments can contribute large amounts of nutrients to surface water. Nutrients, mainly nitrogen and phosphorous, from manure and decaying vegetation also enter surface waters, particularly during runoff periods. Very critical nutrient problems can develop where livestock congregate for water, feed, salt, and shade. Pasture fertilization can also be a source of nutrients to surface waters, as well as a source of pesticides, particularly if flood irrigation techniques are used on rangelands.

Stream zone and lakeshore areas are important for water quality protection in that they can "buffer" (intercept and store nutrients which have entered surface and ground waters from upgradient areas). These "buffer zones" are more sensitive to processes which can increase nutrient discharges such as soil compaction, soil erosion, and vegetation damage than other areas of the rangeland.

Localized contamination by pathogens that could impact human health in surface water, ground water, and soils can result from livestock in pastures and rangelands. Rangeland streams can show increased coliform bacterial levels with fecal coliform levels tending to increase as intensity of livestock use increases. Fecal coliform serve as indicators that pathogens could exist and flourish. The extent of contamination is usually determined by livestock density, sizing, and frequency of grazing, and access to the surface waters.

GRAZING CONTROL MEASURES

Grazing activities occur on both public and private lands in the Central Coast Region. Regulation of grazing on federal lands differs from that on private lands.

Federal lands -- Grazing activities on federal lands are regulated by the responsible land management agency, such as the U. S. Bureau of Land Management or the U.S. Forest Service. Through Memorandum of Understandings and Management

Agency Agreements, the Regional Board recognizes the water quality authority of the U.S. Forest Service and U.S. Bureau of Land Management in range management activities on federal lands. Both these agencies require allotment management plans to be prepared for a specific area and for an individual permittee. The Regional Board relies on the water quality expertise of these agencies to include appropriate water quality measures in the allotment management plans. Most allotment management plans include specific Best Management Practices to protect water quality and existing and potential beneficial uses.

Non-federal (private) lands -- The Range Management Advisory Committee is a statutory committee which advises the California Board of Forestry on rangeland resources. The Committee has identified water quality protection as a major rangeland issue and has assumed a lead role in developing a Water Quality Management Plan for private rangelands in California. Regional Board staff is participating in the Plan's development. Sections proposed for inclusion in the Plan are status of water quality and soil stability on State rangelands, authority, mandates, and programs for water quality and watershed protection, local water quality planning guidelines, sources of assistance, development of management measures (Best Management Practices), State agency water quality responsibilities, and monitoring guidelines. Upon its completion, the Plan will be submitted to the State Board. On private lands whose owners request assistance, the U.S. Soil Conservation Service, in cooperation with the local Resource Conservation Districts, can provide technical and financial assistance for range and water quality improvement projects. A Memorandum of Understanding is in place between the U.S. Soil Conservation Service and the State Board for planning and technical assistance related to water quality actions and activities undertaken to resolve nonpoint source problems on private lands.

On both public and private lands, the Regional Board encourages grazing strategies that maintain adequate vegetative cover to reduce erosion and sedimentation. The Regional Board promotes dispersal of livestock away from surface waters as an effective means of reducing nutrient and pathogen loading. The Regional Board encourages use of Best Management Practices to improve water quality, protect beneficial uses, protect stream zone and lakeshore areas, and improve range and watershed conditions including:

- Implementing rest-rotation grazing strategies,
- Changing the season of use (on/off dates),
- Limiting the number of animals,
- Increasing the use of range riders to improve animal distribution and use of forage,
- Fencing to exclude grazing in sensitive areas,
- Developing non-lakeshore and non-stream zone watering sites,
- Constructing physical improvement projects such as check dams, and
- Restoring riparian habitat.

These same Best Management Practices may result in improved range and increased forage production, resulting in increased economic benefit to the rancher and land owner. The Regional Board also encourages land owners to develop appropriate site-specific Best Management Practices using the technical assistance of the U.S. Soil Conservation Service and the U.S. EPA.

In addition to relying on the grazing management expertise of agencies such as the U.S. Forest Service, U.S. Bureau of Land Management, or Range Management Advisory Committee, the Regional Board can directly regulate grazing activities to protect water quality. Actions available to the Regional Board include:n

1. Require that a Report of Waste Discharge be filed, that allotment management plans for specific federal lands be prepared, or that a Coordinated Resource Management Plan be adopted within one year of problem documentation. Such problems indicate impairment of beneficial uses or violation or threatened violation of water quality objectives.
2. Require that all allotment management plans (utilized for federal lands) and Coastal Resource Management Plans contain Best Management Practices necessary to correct existing water quality problems or to protect water quality so as to meet all applicable beneficial uses and water quality objectives contained in Chapters Two and Three, respectively, of this Basin Plan. Corrective measures would have to be implemented within one year of submittal of the allotment management plan or Coastal Resource Management Plan, except where staged Best Management Practices are

appropriate. Implementation of a staged Best Management Practice must commence within one year of submittal of the allotment management plan or Coastal Resource Management Plan.

3. Require that each allotment management plan (utilized for federal lands) or Coastal Resource Management Plan include specific objectives, actions, and monitoring and evaluation procedures. The discussion of actions must establish the seasons of use, number of livestock permitted, grazing system(s) to be used, a schedule for rehabilitation of ranges in unsatisfactory condition, a schedule for initiating range improvements, and a schedule for maintenance of range improvements must include priorities and planned completion dates. The discussion of monitoring and evaluation must propose a method and timetable for reporting of livestock forage conditions, watershed condition, and surface and ground water quality.

4. Require that all allotment management plans and Coastal Resource Management Plans be circulated to interested parties, organizations, and public agencies.

5. Consider adoption of waste discharge requirements if an allotment management plan or Coastal Resource Management Plan is not prepared or if the Executive Officer and the landowner do not agree on Best Management Practices proposed in an allotment management plan or Coastal Resource Management Plan.

6. Decide that allotment management plans and Coastal Resource Management Plans prepared to address a documented watershed or water quality problem may be accepted by the Regional Board's Executive Officer in lieu of adoption of Waste Discharge Requirements.

7. Oversee monitoring of water quality variables and beneficial uses. Provide data interpretation.

8. Encourage the U.S. Bureau of Land Management, U.S. Forest Service, Resource Conservation District, and private landowners to develop watering sites for livestock away from Lake shores, stream zones, and riparian areas.

9. Encourage private landowners to request technical and financial assistance from U.S. Soil Conservation Service, in cooperation with the local Resource Conservation Districts, in the preparation of allotment management plans and the implementation or construction of grazing and water quality improvements.

10. Continue to coordinate with the Range Management Advisory Committee in the development of a water quality management plan for private rangelands.

VIII.D. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY DISPOSAL SYSTEMS

On-site sewage disposal systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long-term waste disposal method with proper siting, design, construction, and management. In establishing on- site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.

If on-site sewage treatment facilities are not carefully managed, problems can occur, including:

- odors or nuisance;
- surfacing effluent;
- disease transmission; and,
- pollution of surface and ground waters.

Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.

On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro-intestinal disorders.

Pollution of surface or ground waters can result from the discharge of on-site system wastes. Typical problem waste constituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses. Discharge of these wastes will, in some cases, destroy beneficial surface and ground water uses.

Subsurface disposal systems may be used to dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and, (5) small communities. All individual and multi- unit residential developments are subject to criteria in this section of the Basin Plan. Commercial, institutional, and industrial developments with a discharge flow rate less than 2500 gallons per day generally are not regulated by waste discharge requirements; therefore, they must comply with these criteria. Community systems must also comply with criteria relating to this subject within the Basin Plan. Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems for more than 5 units or more than 5 parcels; or, (2) commercial, institutional or industrial systems to treat sanitary wastewater equal to or greater than 2500 gallons per day (average daily flow). Systems of this type and size may be subject to waste discharge requirements.

Alternatives to conventional on-site system designs have been used when site constraints prevent the use of conventional systems. Examples of alternative systems include mound and evapotranspiration systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes. Alternative and community systems can pose serious water quality problems if improperly managed. Failures have been common in the past and are usually attributed to the following:

- Systems are inadequately or improperly sited, designed, or constructed.
- Long-term use is not considered.
- Inadequate operation and maintenance.

VIII.D.1. CORRECTIVE ACTIONS FOR EXISTING SYSTEMS

Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. For new systems, regulations generally provide for good design and construction practices. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, ground water degradation is possible, particularly increases in nitrate concentrations.

Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and ground waters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewering of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could help prevent failure. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.

A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Dishwashers, garbage grinders, and washing machines could be eliminated. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use costs may also be structured to encourage more frugal use of water.

VIII.D.2. LOCAL GOVERNING JURISDICTION ACTIONS

VIII.D.2.a. DISCLOSURE AND COMPLIANCE OF EXISTING WASTEWATER DISPOSAL

SYSTEM

Local governing jurisdictions should provide programs to assure conformance with this Basin Plan and local regulations. Inspection programs should assure site suitability tests are performed as necessary, and that tests are in accordance with standard procedures. Inspection should also assure proper system installation. Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering (backfilling).

Local agencies can use either staff inspectors or individuals under contract with the local government. Either way, a standard detailed checklist should be completed by the inspector to certify compliance.

Site suitability determinations should specify: (1) whether approval is for the entire lot or for specific locations of the lot; (2) if further tests are necessary; and, (3) if alternatives are necessary or available.

Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.

Home owners should be aware of the nature and requirements of their wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. Since this is only feasible for new construction, local agencies should require septic system as-built plans as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system. Local agencies should have prohibition area terms entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. But system expansion may not be possible if land is not set aside for this purpose. For these reasons, dedicated system expansion areas are also appropriate.

To protect this set-aside area from encroachment, the local agency should require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions, and Restrictions (CC&R's) might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading CC&R's.

All on-site system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions should mount a continuing public education program to provide home owners with on-site system operation and maintenance guidelines. Basin Plan information should be available at local agency health and building departments.

Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where systems with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where evidence of system failure exists. Where nuisance or a potential public health hazard exists, a followup procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.

Another approach is periodically to mail homeowners a brochure reminding them how to maintain and inspect their on-site system. Homeowners should be notified that they should periodically check their septic tank for pumping need. Homeowners should also be notified of other problems indicative of system failure. Some examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems should be done under permit from the local agency. To the extent practicable, the local agency should require failing systems to be brought into compliance with Basin Plan recommendations. This could be a condition of granting a permit for repairs.

Land use changes on properties used for commerce, small institutions, or industries should not be approved by the local agency until the existing on-site system meets criteria of this Basin Plan and local ordinances. A land use permit or business license could be used to alert the local agency of land use changes.

VIII.D.2.b. ON-SITE WASTEWATER MANAGEMENT PLANS

On-site wastewater management should be implemented in urbanizing areas to investigate long-term cumulative impacts resulting from continued use of individual, alternative, and community on-site disposal systems. A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use. This study should identify basin specific criteria to prevent water quality degradation and public health hazards and provide an evaluation of the effects of existing and proposed developments and changes in land use. These plans should be a comprehensive planning tool to specify on-site disposal system limitations to prevent ground or surface water degradation. Wastewater management plans should:

- Contain a ground/surface water monitoring program.
- Identify sites suitable for conventional septic systems.
- Project on-site disposal system demand.
- Determine sites and methods to best meet demand.
- Project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water.
- Recommend establishment of septic tank maintenance districts, as needed.
- Identify alternate means of disposing of sewage in the event of irreversible degradation from on-site disposal systems.

For areas where watershed-wide plans are not developed, conditions could be placed on new divisions of land or community systems to provide monitoring data or geologic information to contribute to the development of a Wastewater Management Plan.

Wastewater disposal alternatives should identify costs to each homeowner. A cost-effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan.

On-site wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing on-site Wastewater Management Plans.

On-site Wastewater Management Plans shall be approved by the Regional Board.

VIII.D.2.c. SEPTIC TANK MAINTENANCE DISTRICTS

It may be appropriate for unsewered community on-site systems to be maintained by local sewage disposal maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, a Community Services District, or a County Service Area.

Septic tank maintenance districts should be responsible for operation and maintenance in conformance with this Water Quality Control Plan. Administrators should insure proper construction, installation, operation, and maintenance of on-site disposal systems. Maintenance districts should establish septic tank surveillance, maintenance and pumping programs, where appropriate; provide repairs to plumbing or leachfields; and encourage water conservation measures.

VIII.D.3. CRITERIA FOR NEW SYSTEMS

On-site sewage disposal system problems can be minimized with proper site location, design, installation, operation, and maintenance. The following section recommends criteria for all new individual subsurface disposal systems and community sewage disposal systems. Local governing jurisdictions should incorporate these guidelines into their local ordinances. These recommendations will be used by the Regional Board for Regional Board regulated systems and exemptions.

Recommendations are arranged in sequence under the following categories: site suitability; system design; construction; individual system maintenance; community system design; and local agencies.

Mandatory criteria are listed in the "Individual, Alternative, and Community Systems Prohibitions" section.

VIII.D.3.a. SITE SUITABILITY

Prior to permit approval, site investigation should determine on-site system suitability:

1. At least one soil boring or excavation per on-site system should be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content 60 percent or greater. The soil boring or excavation should extend at least 10 feet below the drainfield[1] bottom at each proposed location.

2. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drainfield bottom.

3. For leachfields, at least three percolation test locations should be used to determine system acceptability. Tests should be performed at proposed subsurface disposal system sites and depths.

4. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment, or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields should be set-back far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, of the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback should be at least 100 feet measured from the top of the cut.

5. Natural ground slope of the disposal area should not exceed 20 percent.

6. For new land divisions, lot sizes less than one acre should not be permitted.

VIII.D.3.b. SYSTEM DESIGN

On-site systems should be designed according to the following recommendations:

1. Septic tanks should be designed to remove nearly 100 percent of settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.

2. Tank design must allow access for inspection and cleaning. The septic tank must be accessible for pumping.

3. If curtain drains discharge diverted ground water to subsurface soils, the upslope separation from a leachfield or pit should be 20 feet and the down slope separation should be 50 feet.

4. Leachfield application rate should not exceed the following:

Percolation Rate min./in	Loading Rate g.p.d./sq.ft.
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

5. Seepage pit application rate should not exceed 0.3 gpd/sq. ft.

6. Drainfield[1] design should be based only upon usable permeable soil layers.

7. The minimum design flow rate should be 375 gallons per day per dwelling unit.

8. In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.

9. Distance between drainfield trenches should be at least two times the effective trench depth.1

10. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.

11. Dual disposal fields (200 percent of original calculated disposal area) are recommended.

12. For commercial systems, small institutions, or sanitary industrial systems, design should be based on daily peak flow.

13. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.

14. Commercial systems, institutional systems, or domestic industrial systems should reserve an expansion area (i.e. dual drainfields must be installed and area for replacement of drainfield must be provided) to be set aside and protected from all uses except future drainfield repair and replacement.

15. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

VIII.D.3.c. DESIGN FOR ENGINEERED SYSTEMS

1. Mound systems should be installed in accordance with criteria contained in Guidelines for Mound Systems by the State Water Resources Control Board.

2. Evapotranspiration systems should be installed in accordance with criteria contained in Guidelines for Evapotranspiration Systems by the State Water Resources Control Board. Exceptions are:

   a. For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.

   b. Systems shall be designed by a registered civil engineer competent in sanitary engineering.

VIII.D.3.d. CONSTRUCTION

Water quality problems resulting from improper construction can be reduced by following these practices:

1. Subsurface disposal systems should have a slightly sloped finished grade to promote surface runoff.

2. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.

3. In clayey soils, work should be done only when soil moisture content is low to avoid smeared infiltrative surfaces.

4. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.

5. Bottom of trenches or beds should be level throughout to prevent localized overloading.

6. Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as it may lead to system failure.

7. Surface runoff should be diverted around open trenches/ pits to limit siltation of bottom area.

8. Prior to backfilling, the distribution system should be tested to check the hydraulic loading pattern.

9. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to insure settling does not occur.

10. Risers to the ground surface and manholes should be installed over the septic tank inspection ports and access ports.

6. Approve permit applications after checking plans for erosion control measures.

7. Inspect systems prior to covering to assure proper construction.

8. Require replacements or repairs to failing systems to be in conformance with Basin Plan recommendations, to the extent practicable.

9. For new land divisions, protect on-site disposal systems and expansion areas from encroachment by provisions in covenants, conditions, and restrictions.

10. Inform property buyers of the existence, location, operation, and maintenance of on-site disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g. Basin Plan prohibitions) through the County Record.

11. Conduct public education programs to provide property owners with operation and maintenance guidelines.

12. Alternative system owners shall be provided an informational maintenance or replacement document by the appropriate governing jurisdiction. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.

13. Where appropriate, septic tank systems should be maintained by local septic tank maintenance districts.

14. Wastewater Management Plans should be prepared and implemented for urbanizing and high density areas, including applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highland, Prunedale, El Toro, Shandon, Templeton, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, upper Santa Ynez Valley, and Los Olivos/Ballard.

15. Ordinances should be updated to reflect Basin Plan criteria.

VIII.D.3.h. ADDITIONAL CONSIDERATIONS

1. Water conservation and solids reduction practices are recommended. Garbage grinders should not be used in homes with septic tanks.

2. Metering and water use costs should be used to encourage water conservation.

3. Grease and oil should not be introduced into the system. Bleach, solvents, fungicides, and any other toxic material should not be poured into the system.

4. Reverse osmosis unit blow-down should not be discharged to on-site wastewater treatment systems overlying usable ground water. Off-site (factory regeneration) practices are recommended for water softeners.

5. If on-site water softener regeneration is necessary, minimum salt use in water softeners is recommended. This can be accomplished by minimizing regeneration time or limiting the number of regeneration cycles.

VIII.D.3.i. INDIVIDUAL, ALTERNATIVE AND COMMUNITY SYSTEMS PROHIBITIONS

Discharges from new soil absorption systems installed after September 16, 1983 in sites with any of the following conditions are prohibited:

1. Soils or formations contain continuous channels, cracks, or fractures.[1]

2. For seepage pits, soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.

3. Distances between trench bottom and usable ground water, including perched ground water, less than separation specified by appropriate percolation rate:

Percolation Rate, min/in	Distance, ft

<1	50[1]
1-4	20[1]
5-29	8
>30	5

4. For seepage pits, distances between pit bottom and usable ground water, including perched ground water, less than separation specified by appropriate soil type:

Soil	Distance,ft.
Gravels[2]	50[1]
Gravels with few fines[3]	20[1]
Other	10

5. Distances between trench/pit bottom and bedrock or other impervious layer less than ten feet.

6. For leachfields, where percolation rates are slower than 120 min/in, unless parcel size is at least two acres.

7. For leachfields, where soil percolation rates are slower than 60 min./in. unless the effluent application rate is 0.1 gpd/ft^2 or less.

8. Areas subject to inundation from a ten-year flood.

9. Natural ground slope of the disposal area exceeds 30 percent.

10. Setback distances less than:

	Minimum Setback Distance, ft
Domestic water supply wells in unconfined aquifer	100
Watercourse[4] where geologic conditions permit water migration	100
Reservoir[5] spillway elevation	200
Springs, natural or any part of man-made spring	100

11. While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one-half acre.

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[1] Unless a set-back distance of at least 250 feet to any domestic water supply well or surface water is assured.

[2] Gravels - Soils with over 95 percent by weight coarser than a No. 200 sieve and over half of the coarse fraction larger than a No. 4 sieve.

[3] Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

[4] Watercourse - (1) A natural or artificial channel for passage of water. (2) A running stream of water. (3) A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some stream or body of water.

[5] Reservoir-A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

12. Within a reservoir[1] watershed where the density for each land division is less than 2.5 acres for areas without approved

Wastewater Management Plans.

13. For individual systems on new land divisions, and commercial, institutional, and sanitary industrial systems without an area set aside for dual leachfields (100 percent replacement area).

14. Commercial, institutional, or sanitary industrial systems not basing design on daily peak flow estimate.

15. Any site unable to maintain subsurface disposal.

16. Any subdivision unless the subdivider clearly demonstrates the use of the system will be in the best public interest, that beneficial water uses will not be adversely affected, and compliance with all Basin Plan prohibitions is demonstrated.

17. Lot sizes, dwelling densities or site conditions causing detrimental impacts to water quality.

18. Any area where continued use of on-site systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.

Discharges from community subsurface disposal systems (serving more than five parcels or more than five dwelling units) are prohibited unless:

1 Seepage pits have at least 15 vertical feet between pit bottom and highest usable ground water, including perched ground water.

2. Sewerage facilities are operated by a public agency. (If a demonstration is made to the Regional Board that an existing public agency is unavailable and formation of a new public agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable).

3. Dual disposal systems are installed (200 percent of total of original calculated disposal area).

4. An expansion area is included for replacement of the original system (300 percent total).
5. Community systems provide duplicate individual equipment components for components subject to failure.

6. Discharge does not exceed 40 grams per day of total nitrogen, on the average, per 1/2 acre of total development overlying ground water recharge areas excepting where a local governing jurisdiction has adopted a Wastewater Management Plan subsequently approved by the Regional Board.

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges are prohibited in the following areas:

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Appendix A-27.

2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows:

a. Discharges shall be allowed, providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Regional Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.

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[1] Reservoir-A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

In fulfilling the responsibilities identified above, the County of Santa Cruz shall submit annual reports beginning on January 15, 1996. The report shall state the status and progress of the Wastewater Management Plan in the San Lorenzo River Watershed. The County of Santa Cruz annual report shall document the results of:

VIII.E. LAND DISTURBANCE ACTIVITIES

Construction, mining, and other soil disturbance activities which may disturb or expose soil or otherwise increase susceptibility of land areas to erosion are difficult to regulate effectively. Construction or timber harvesting may often begin and end with no obvious impairment of stream quality; however, erosion or land slides the following winter may be directly related to earlier land disturbance or tree cutting. Mining and quarrying activities are generally longer in duration.

Under contract with the Regional Board, the California Association of Resource Conservation Districts completed a study entitled, "Erosion and Sediment in California Central Coast Watersheds - A study of Best Management Practices" (Erosion Study), dated June, 1979. This Erosion Study, funded under Section 208 of the Clean Water Act, assesses impacts of erosion and sedimentation on water quality and beneficial uses in nondesignated planning areas (San Benito, San Luis Obispo, and Santa Barbara Counties) of the Central Coast Region. This Erosion Study and supporting documents have been used by the Regional Board in developing erosion and sedimentation control policy.

Nonpoint source pollution in the remainder of the Region is addressed by designated planning agencies through their respective Area wide Waste Treatment Management Plans. Designated agencies and the areas affected within this Region include: Association of Bay Area Governments (portions of San Mateo and Santa Clara Counties), Association of Monterey Bay Area Governments (Santa Cruz and Monterey Counties), and Ventura County Board of Supervisors (portion of Ventura County). The policy herein described is compatible with those plans and is within the scope of the Regional Board authority.

The Erosion Study and Area wide Waste Treatment Management Plans identify examples of accelerated erosion resulting from insufficient land management of soil cultivation, grazing, silvaculture, construction, and off-road vehicle activities, as well as wildfires.

Adverse impacts of sediment are identified, in part, as: impairment of water supplies and ground water recharge, siltation of streams and reservoirs, impairment of navigable waters, loss of fish and wildlife habitat, degradation of recreational waters, transport of pathogens and toxic substances, increased flooding, increased soil loss, and increased costs associated with maintenance and operation of water storage and transport facilities. Recommendations based on conclusions of the Erosion Study and practices recommended in Area wide Waste Treatment Management Plans are a means to reduce unnecessary soil loss due to erosion and to minimize adverse water quality impacts resulting from sediment.

When a practice or combination of practices is found to be the most effective, practical (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals, it is designated a Best Management Practice (BMP). BMPs are determined only after problem assessment, examination of alternative practices, and appropriate public participation in the BMP development process.

General recommendations based on conclusions of the Erosion Study are discussed below. These recommendations are considered to be Best Management Practices (BMPs) by the Regional Board as are the Area wide approved water quality management plans.

1. Soil conservation control measures should be used to minimize impacts that would otherwise result from soil erosion. Control measures are identified according to systems, which are then broken down into subsystems of erosion control techniques or component measures.

   For example, a system for control of erosion from construction sites would identify component measures such as debris basins, access roads, hillside ditches, etc. Other conservation control systems include: conservation cropping, conservation irrigation, roadside erosion control, critical area treatment, diversions and ditches, grade stabilization, pasture and range management, runoff and sediment control ponds and basins, stream bank and channel protection, and watershed, wildlife, and recreation land improvement. These control measures are comparable to the USDA Soil Conservation Services' Resource Management Subsystem approach as referenced in AMBAG's "Water Quality Management Plan for the Monterey Bay Region," dated July 1978, and in ABAG's, "Handbook of Best Management Practices,"dated October 1977.

   Experience has shown that no one control measure best solves an existing, or prevents a potential, pollution problem - especially in the area of soil erosion and sedimentation. As land use, the land user, and various situations change, so does the need for control measures. Before application, an on-site investigation with the land user is necessary to determine which practice or set of practices will be most effective and acceptable.

2. Erosion control should be implemented in a reasonable manner with as much implementation responsibility remaining

with existing local entities and programs as is possible and consistent with water quality goals.

3. The Regional Board and local units of government should establish a clear policy for control of erosion, including consideration of off-site and cumulative impacts and the imposition of performance standards according to the sensitivity of the area where land is to be disturbed.

4. Effective ordinances and regulatory programs should be adopted by local units of government. Effective programs would allow only land disturbance actions consistent with the waste load capacity of the watershed, require preparation of erosion and sediment control plans with specific contents and with attention to both offsite/on-site impacts, identify performance standards, be at least comparable to the model ordinance in the "Erosion and Sediment Control Handbook," dated May 1978, and have provisions for inspection follow-up, enforcement, and referral.

5. Watersheds with critical erosion and sediment problems should be identified by one or more concerned agencies such as the California Department of Fish and Game, the Regional Board, the local Environmental Health, Planning, or Engineering Departments, the local Flood Control District, or the local Resource Conservation District, and then referred to the remaining agencies by a designated local coordinating agency for determining the scope, nature, and significance of the identified problem. The designated local agency would evaluate the adequacy and appropriateness of the total assessment, including an assessment of the problem and causes, alternatives considered, recommended interim and permanent control measures, and the amount and sources of funding. The evaluation would then be submitted as an Impact Findings Report for consideration and decision by the local governing body.

6. Comprehensive and continuous training should be mandatory for building and grading inspectors, engineers, and planners involved in approving, designing, or inspecting erosion control plans and on-site control measures. The training program would preferably be conducted on an inter-county/agency basis and be administered through a USDA Soil Conservation Service cooperative training arrangement or through seminars conducted by the USDA Soil Conservation Service and the University of California Cooperative Extension seminars. The Soil Conservation Society of America should be requested to assist in establishing an effective training program, including public education to heighten awareness of the adverse affects of erosion and sediment on soil and water resources.

7. More intensive erosion controls should be considered within four watersheds (Lauro Reservoir and Devereaux Ranch Slough in Santa Barbara County and Pismo Lake and Morro Bay in San Luis Obispo County) with apparent critical erosion and sediment problems. Alternative practices that may be implemented to effect the necessary level of control are assigned a relative priority.

VIII.E.1. LAND DISTURBANCE PROHIBITIONS

The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from timber harvesting, construction, and other soil disturbance activities at locations above the anticipated high water line of any stream in The basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.

Soil disturbance activities not exempted pursuant to Regional Board Management Principles contained in Chapter Five are prohibited:

1. In geologically unstable areas,

2. On slopes in excess of thirty percent (excluding agricultural activities), and

3. On soils rated a severe erosion hazard by soil specialists (as recognized by the Executive Officer) where water quality may be adversely impacted;

Unless,

a. In the case of agriculture, operations comply with a Farm Conservation or Farm Management Plan approved by a Resource Conservation District or the USDA Soil Conservation Service;

b. In the case of construction and land development, an erosion and sediment control plan or its equivalent (e.g., EIR, local ordinance) prescribes best management practices to minimize erosion during the activity, and the plan is certified or approved, and will be enforced by a local unit of government through persons trained in erosion control techniques; or,
c. There is no threat to downstream beneficial uses of water, as certified by the Executive Officer of the Regional Board.

VIII.E.2. CONSTRUCTION ACTIVITIES

Road construction is often a cause of water quality impairment; all too often roads are located near streams, estuaries, or ocean waters where side fills may be eroded by flood waters. Construction within stream beds will inevitably cause turbidity; however, the timing of such activities should be established with reference to environmental sensitivity factors such as fish migrations, spawning or hatching, and minimum stream flow conditions. Sediment loads can be reduced by proper timing, bank and channel protection, and use of settling ponds to catch silt.

Construction debris should not be left in the flood plain; revegetation of cuts and fills should be encouraged. California Department of Transportation (CALTRANS) has prepared a document entitled"Best Management Practices for Control of Water Pollution (Transportation Activities)," that sets forth procedures used by CALTRANS to address transportation activities which might impact water quality. These procedures are summarized under "Control Actions" in the Plans and Policies chapter. Past and potential impacts from CALTRANS activities may result from the above problems and may include impacts resulting from questionable maintenance practices, chemical spills, and discharges of silt and cement.

Land development projects in sensitive areas should be scheduled so as to minimize the areal extent of land exposed to erosive forces. Where water quality impairment is likely, permits should be issued by the Regional Water Quality Control Board which will insure against water quality degradation. Cooperation of local approving agencies should be obtained in order that approvals of significant subdivisions in environmentally sensitive areas, particularly the upper reaches of watersheds and lands near riparian habitats, are appropriately conditioned. For example, proposed subdivisions of 50 lots or more in such areas should be (1) covered by Environmental Impact Reports on the development and its impact on waste loads and water quality, (2) be in conformance with regional or county master plans, and (3) include provisions for establishment of a public agency responsible for environmental monitoring and maintenance where such subdivisions are outside other appropriate public jurisdictions.

VIII.E.3. MINING ACTIVITIES

Pollution control at the hundreds of inactive mine sites riddling the Coast Ranges is in its infancy. Accurate regional inventories are being compiled, isolated mine cases are addressed individually, and several polluting mines are under direct regulation. Regional Board assistance and consultation are aiding several proactive responsible parties and focused study of inactive mine effects on four Central Coast watersheds has been funded by the Clean Water Act, Water Quality Planning Program.

About a decade ago Toxic Substances Monitoring Program data revealed elevated mercury concentrations in Lake Nacimiento, a high priority municipal and agricultural water storage reservoir in San Luis Obispo County. The Lake is fed by the Las Tablas Creek system (among others), which receives discharge water from the Buena Vista Mine, a mercury mine inactive since 1970 or 1971. An academic study (conducted by respected Cal Poly scientists -- team leader, Dr. Thomas J. Rice) of lake Nacimiento mercury sources recently concluded up to 78% of the fluvial mercury transport to the Lake is contributed by the Las Tablas Creek system. Further, the inactive Buena Vista and Klau Mines were identified as the primary point sources of Las Tablas Creek mercury. Based on these conclusions and other independent supporting data, the Regional Board on May 14, 1993, adopted four orders requiring strict implementation of NPDES surface water discharge standards and California Code of Regulations Title 23 mine waste management and mine closure standards at the Buena Vista Mine and the adjacent Klau Mine.

The U. S. Bureau of Land Management and Forest Service are addressing several inactive mercury mines on their properties pursuant to the federal "Superfund" process. Sample analyses data generated by Regional Board staff have been instrumental in aiding these investigations.

Two sequential studies of inactive mines in four watersheds of northwest San Luis Obispo County are underway. Funded partially by the Clean Water Act Water Quality Planning Program, the studies address all inactive mines in the Las Tablas Creek, Santa Rosa Creek, San Simeon Creek (all primarily mercury mines), and Chorro Creek (primarily chromium) watersheds.

The primary goals of the watershed studies are:

- identification of all inactive mines
- attribution of specific water quality problems to specific mines, and
- determinations of the best methods of abating contaminant sources and remediating already emplaced surface contamination, based on field and possibly lab experiments.

These are considered pilot studies and the Regional Board ultimately plans to conduct such studies for the complete Region and to implement the findings, resulting in abatement of inactive mines as surface and ground water contaminant sources and remediation of contaminated media.

VIII.E.4. TIMBER HARVESTING ACTIVITIES

The Regional Board has regulatory responsibility to prevent adverse water quality impacts from timber harvest activities. Impacts usually consist of temperature, turbidity, and siltation effects caused by logging and associated activities. These can have deleterious impacts on fish and water flow.

Sensitivity of all watercourses, lakes, estuaries, or ocean waters in the basin to timber harvesting operations should be identified following rigorous analysis of geological, pedological, hydrological, and biological data as confirmed by field inspections. Relative sensitivity could then be portrayed on a large map. The sensitivity would also reflect beneficial uses which are not directly associated with ecological systems.

Upon receiving a timber harvest plan, the Regional Board staff could locate the operation on the sensitivity map and determine the relative risk involved. This information could enable the board to better evaluate the proposed method of operation and the adequacy of proposed mitigation actions or other special considerations. The success of this process depends upon the degree of cooperation provided by the Department of Forestry. Timber harvest plans must contain sufficient detail for evaluation, and the Regional Board must be allowed an ample amount of time for review before start of timber harvesting operations.

The timber yarding and road building methods used at each operation is a function of the terrain, soils, species and other timber considerations including economics. The aforementioned are usually compatible with water quality management, but in cases where water quality may be degraded, mitigating measures to preserve the character and quality of the water course must be taken. Since the Department of Forestry is familiar with the limitations and relative degradation potential of the various harvest methods, it has the lead role in incorporating necessary mitigation measures into the permits and seeing that they are enforced.

The Department of Forestry administers provisions of the Z'berg-Nejedly Forest Practice Act of 1973. The Act provides an opportunity for Regional Boards involved with timber harvesting activities to participate on the Timber Harvest Plan permit process review team. A 1987 Clean Water Act amendment requires States to implement Water Quality Management Plans to control nonpoint sources of pollution, including silviculture. As part of that directive, the State Board has executed a Management Agency Agreement (MAA) with the Board of Forestry and Department of Forestry. It provides a better opportunity for water quality concerns to be incorporated into timber harvesting practices and regulations.

Several possibilities exist to deal with negligent or incompetent operators. The Department of Forestry can revoke the Registered Professional Foresters or Licensed Timber Operator's License. The Regional Board can also implement enforcement action. While these actions can be necessary and effective, they are after-the-fact methods rather than for deterring roles. Thus, the major emphasis must be placed on control measures rather than enforcement actions.

VIII.E.5. AGENCY ACTIVITIES

To insure that impacts on water quality from nonpoint sources of pollution are held to a minimum and that goals and management principles of the Regional Board are met, water quality management programs for implementation by land managing agencies have been developed through the Area wide planning process. For nonpoint sources of pollution, this required identification of Best Management Practices (BMP's).

Within the Central Coast Region, federal and State agencies control substantial portions of land. All retain their own land management programs, but are required by regulation to cooperate and give support to State planning agencies in formulating

discussion of existing or potential water quality problems on BLM lands, (b) a discussion of current BLM practices and policies including a description of the BLM planning process, (c) a description of the "decision-making process" which leads to the actual selection of management solutions on a project-specific basis, and (d) general policies.

The problem assessment identifies nonpoint sources of water pollution originating on lands administered by the BLM. Problems were qualitatively assessed by BLM with information provided primarily by Regional Board staff. Most of the identified water quality problems on BLM lands within the Central Coast Region result from recreation.

There is improper grazing management on the Temblor range in east San Luis Obispo County (BLM's Bakersfield District) that is causing sedimentation of retention structures for beneficial uses.

The process for determining management practices on a site- specific basis applies to all BLM activities and is divided into three major phases; (1) consideration of site characteristics and water quality concerns, (2) definition and application of BMP's through contract clauses, leases, stipulations, etc., and (3) evaluation of BMP effectiveness and practice modification, if necessary.

VIII.E.5.c. CALIFORNIA DEPARTMENT OF TRANSPORTATION

WATER QUALITY STUDIES

In developing control measures for CALTRANS projects, three basic types of studies are conducted for water quality protection:

1. Transportation System Planning - Emphasizes broad scale water quality problems. The focus is on regional factors such as variations in regional surface and ground water hydrology, existing water quality, and land use. Such studies are not site- specific.

2. Project Level Planning - Emphasis is on runoff associated problems (erosion and sedimentation). Detailed hydrologic and hydraulic analyses are made where warranted. Information is used in selecting project alternatives.

3. Construction - This type is usually associated with waste discharge requirements (issued by Regional Board). The intent is to monitor and control the contractor's operations.

CONSTRUCTION CONTROL

Standard specifications for water pollution control have been prepared by CALTRANS, are set forth in CALTRANS' BMP document, and are incorporated as part of project design. Where warranted, special specifications are prepared by CALTRANS on a project- by-project basis. For every project, contractors must submit a plan for water pollution control to the CALTRANS resident engineer. During the course of any construction project, operations may be temporarily halted if inadequate provision has been made for water quality protection. Remedial work may be required.

In addition to CALTRANS specifications, federal and State permits (including waste discharge requirements) are made a part of project requirements.

OPERATION AND MAINTENANCE

1. Accidental Chemical Spills - A procedural manual has been developed by each CALTRANS district to standardize cleanup procedures. CALTRANS maintenance personnel are equipped and trained to handle such situations.

2. Erosion Control - Where slopes show evidence of erosion, remedial stabilization measures must be taken. Debris is disposed of at approved disposal site.

VIII.E.5.d. OTHER AGENCIES PROGRAMS

Resource Conservation Districts (RCD's) and the U.S.D.A. Soil Conservation Service are organizations that assist property owners in applying effective conservation and land management practices. The program includes technical, educational, and planning services to property owners and local governments who request assistance. It has been relatively successful considering its voluntary nature and resource limitations. The Soil Conservation Service has a major role in the Rural Clean Water Program.

The U.S.D.A. Agricultural Stabilization and Conservation Service administers the cost-sharing aspects of the Agricultural Conservation Program, allocating available monies to farmers and ranchers for erosion and sedimentation control and water conservation projects.

Cities and Counties, as general purpose governments, have broad powers to adopt specific and general plans; to regulate land use, subdividing, grading, and private construction; and to construct and operate public works facilities. Local authority to regulate existing and potential discharges of sediment has been exercised to varying degrees throughout the region.

Many cities and counties within the coastal zone have developed Local Coastal Programs. These programs may include land use and grading restrictions designed to protect long-term productivity of soils and waters within the coastal zone. Regulation by the California Coastal Commission provides this protection where Local Coastal Programs are inadequate.

The State Department of Fish and Game promotes the protection and improvement of streams, lakes, and natural habitat areas for fish and wildlife. It also
regulates stream alteration and compels cleanup of fouled streams.

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[1] "Drainfield" refers to either a leachfield or seepage pit.

1 "Effective trench depth" means depth below the bottom of the trench pipe.

CHAPTER 5. PLANS AND POLICIES

In addition to the Implementation Plan, many other plans and policies direct State and Regional Board actions or clarify the Regional Board's intent. The following pages contain brief descriptions of State Board plans and policies and numerous Regional Board plans and policies. Copies of the State and Regional Board policies are contained in the Appendix.

I. STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES

The State Water Resources Control Board (State Board) has adopted a number of plans and policies for Statewide water quality management including:

State Policy for Water Quality Control (1972)

Anti-degradation Policy

Thermal Plan

Bays and Estuaries Policy

Power Plant Cooling Policy

Reclamation Policy

Shredder Waste Disposal Policy

Underground Storage Tank Pilot Program

Sources of Drinking Water Policy

Nonpoint Source Management Plan

Ocean Plan

Discharges of Municipal Solid Waste Policy

Should any of these policies be amended by the State Board, the Regional Board will implement the amended version.

The following sections summarize the adopted policy. The complete policy is available in the "Attachments" section of this document.

I.A. STATE POLICY FOR WATER QUALITY CONTROL

The State Board has developed a set of twelve general principles to implement the provisions and intent of the Porter-Cologne Act. These principles, listed below, are contained in a document called the State Policy for Water Quality Control, adopted on July 6, 1972.

1. Water rights and quality control decisions must assure protection of fresh and marine waters for maximum beneficial use.

2. Wastewaters must be considered a part of the total available fresh water resource.

3. Management of supplies and wastewaters shall be on a regional basis for efficient utilization of the resource.

4. Efficient wastewater management requires a balanced program of source control of hazardous substances, treatment, reuse and proper disposal of effluents and residuals.

5. Substances not amenable to removal in treatment plants must be prevented from entering the system.

6. Treatment systems must provide sufficient removals to protect beneficial uses and aquatic communities.

7. Institutional and financial programs of consolidated systems must serve each area equitably.

8. Sewerage facilities must be consolidated for long-range economic and water quality benefits.

9. Reclamation and reuse for maximum benefit shall be encouraged.

10. Systems must be designed and operated for maximum benefit from expended funds.

11. Control methods must be based on the latest information.

12. Monitoring programs must be provided.

I.B. ANTI-DEGRADATION POLICY

On October 28, 1968, the State Water Resources Control Board adopted Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California." While requiring continued maintenance of existing high quality waters, the policy provides conditions under which a change in water quality is allowable. A change must:

1. be consistent with maximum benefit to the people of the State;

2. not unreasonably affect present and anticipated beneficial uses of water; and

3. not result in water quality less than that prescribed in water quality control plans or policies.

I.C. THERMAL PLAN

The "Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California," adopted by the State Water Resources Control Board on May 18, 1972, and amended September 18, 1975, specifies water quality objectives, effluent quality limits, and discharge prohibitions related to thermal characteristics of enclosed bay and estuary waters and waste discharges.

I.D. BAYS AND ESTUARIES POLICY

The "Water Quality Control Policy for the Enclosed Bays and Estuaries of California," Resolution No. 74-43, was adopted by the State Water Resources Control Board on May 16, 1974. Commonly referred to as the "Bays and Estuaries Policy," it was adopted specifically to provide water quality principles and guidelines for the affected waters.

Decisions by the Regional Boards are required to be consistent with the provisions designed to prevent water quality degradation and to protect beneficial uses. The policy lists principles of management that include a statement of the desirability of phasing out all discharges (exclusive of cooling waters) as soon as practicable. Quality requirements state conformability with other plans and policies. Discharge prohibitions are placed on:

1. new dischargers (other than those that would enhance the receiving waters);

2. untreated waste and waste products;

3. refuse;

4. consequential effects of mining, construction, agriculture, and timber harvesting;

5. materials of petroleum origin;

6. radiological, chemical, or high-level radioactive waste; or

7. discharge or by-pass of untreated waste.

I.E. POWER PLANT COOLING POLICY

The "Water Quality Control Policy on the Use and Disposal of Inland Waters Used for Power Plant Cooling" indicates the State Board's position on power plant cooling, specifying that fresh inland waters should be used for cooling only when other alternatives are environmentally undesirable or economically unsound.

I.F. RECLAMATION POLICY

The "Policy with Respect to Water Reclamation in California" requires the Regional Boards to conduct reclamation surveys and specifies reclamation actions to be implemented by the State and Regional Boards as well as other agencies.

I.G. SHREDDER WASTE DISPOSAL POLICY

The "Policy on the Disposal of Shredder Waste" designates specific conditions to be enforced by the Regional Board by which mechanically destructed car bodies, old appliances, or other similar castoffs can be disposed at certain landfills.

I.H. UNDERGROUND STORAGE TANK PILOT POLICY

The "Policy Regarding the Underground Storage Tank Pilot Program" implements a pilot program to fund oversight of remedial action at leaking underground storage tank sites, in cooperation with the California Department of Health Services. Over-sight may be deferred to the Regional Boards.

I.I. SOURCES OF DRINKING WATER POLICY

The "Sources of Drinking Water" policy specifies which ground and surface waters are considered to be suitable or potentially suitable for the beneficial use of water supply (MUN). It allows the Regional Board some discretion in making MUN determinations.

I.J. NONPOINT SOURCE MANAGEMENT PLAN

The "Nonpoint Source Management Plan", Resolution 88-123, was adopted by the State Water Resources Control Board on November 15, 1988 pursuant to Section 319 of the Clean Water Act. The Plan identifies nonpoint source control programs and milestones for their accomplishment. It emphasizes cooperation with local governments and other agencies to promote the implementation of Best Management Practices and remedial projects.

I.K. OCEAN PLAN

The "Water Quality Control Plan for Ocean Waters of California," Resolution No. 90-27 was adopted by the State Water Resources Control Board on March 22, 1990. This plan establishes beneficial uses and water quality objectives for waters of the Pacific Ocean adjacent to the California Coast outside of enclosed bays, estuaries, and coastal lagoons. Also, the Ocean Plan prescribes effluent quality requirements and management principles for waste discharges and specifies certain waste discharge prohibitions.

The Ocean Plan also provides that the State Water Resources Control Board shall designate Areas of Special Biological Significance (ASBS) and requires wastes to be discharged a sufficient distance from these areas to assure maintenance of natural water quality conditions.

The State Water Resources Control Board declared its intent to periodically revise the Plan to reflect water quality objectives that are necessary to protect beneficial uses of ocean waters and to be consistent with current technology.

I.L. DISCHARGES OF MUNICIPAL SOLID WASTE POLICY

The "Policy for Regulation of Discharges of Municipal Solid Waste", Resolution No. 93-62, was adopted by the State Water Resources Control Board on June 17, 1993. This policy implements State regulations of waste discharge to land (California Code of Regulations, Title 23, Chapter 15) and Federal Regulations related to municipal solid waste disposal (40 Code of Federal Regulations Sections 257 and 258). The policy directs Regional Water Quality Control Boards to revise or adopt, prior to the Federal deadline (currently October 9, 1993), Waste Discharge Requirements for all municipal solid waste landfills subject to State and federal regulations. A detailed description of this policy is provided in Chapter Four under the Resources Conservation and Recovery Act section.

II. RECOMMENDED STATE WATER RESOURCES CONTROL BOARD CONTROL ACTIONS

1. State policies for surface waters and for bays and estuaries should be further considered in light of the revised Ocean Plan of 1988.

2. State policies for water quality control should place increasing emphasis on water quality monitoring to determine compliance with water quality objectives in order to provide a firm basis for classification of receiving waters relative to Section 303(e) of Public Law 92-500.

3. Erosion and sedimentation control policies should be established based on (a) pilot studies conducted by the U. S. Soil Conservation Service which recommended best management practices for erosion problems, (b) a statewide study by the California Association of Resource Conservation Districts on institutional solutions to sedimentation problems, and (c) findings of erosion studies conducted in the Central Coast Region as part of nondesignated area 208 planning.

4. Land use planning relative to nonpoint pollution sources should be considered as a future activity, possibly as a multiagency effort; initial control efforts and means for effective control should be from local agencies.

5. Water quality control programs should continue to include emphasis on total water management in order to permit enhancement of naturally degraded surface and ground waters.

6. The State Water Resources Control Board should consider water quality effects when reviewing water rights permits.

7. Policies affecting water rights should reinforce water quality goals particularly as related to long-term ground water salinity changes. Adjudication of degraded ground water basins should be considered as a tool for implementation of water quality goals to be utilized only if other measures fail.

8. Water supply improvements to reduce influent wastewater salinity made in the interest of total water quality management should be considered for partial eligibility for Clean Water Grants. Increased costs for grant eligibility could be in lieu of costs for wastewater effluent demineralization where such measures are required.

9. Water reclamation and reuse programs for supplementing agricultural irrigation supplies should be given increased emphasis. Grant support should be available for water short areas where such water demand can be demonstrated.

III. REGIONAL WATER QUALITY CONTROL BOARD MANAGEMENT PRINCIPLES

III.A. GENERAL

1. Land use practices should assure protection of beneficial water uses and aquatic environmental values.

2. There shall be no waste discharged into areas which possess unique or uncommon cultural, scenic, aesthetic, historical or scientific values. Such areas will be defined by the Regional Board.

3. Property owners are considered ultimately responsible for all activities and practices that could result in adverse affects on water quality from waste discharges and surface runoff.

III.B. WASTEWATER RECLAMATION

1. Water quality management systems throughout the basin shall provide for eventual wastewater reclamation, but may discharge wastes to the aquatic environment (with appropriate discharge requirements) when wastewater reclamation is precluded by processing costs or lack of demand for reusable water.

2. The number of waste sources and independent treatment facilities shall be minimized and the consolidated systems shall maximize their capacities for wastewater reclamation, assure efficient management of, and meet potential demand for reclaimed water.

Further wastewater reclamation guidance is available in the Implementation Plan, Chapter Four.

III.C. DISCHARGE TO SURFACE WATERS

1. All discharges to the aquatic environment shall be considered temporary unless it is demonstrated that no undesirable change will occur in the natural receiving water quality.

2. The quality of all surface waters of the basin shall be such as to permit unrestricted recreational use.

3. The discharge of pollutants into surface fresh waters shall be discontinued.

III.D. MUNICIPAL AND INDUSTRIAL SEWERING ENTITIES

1. Municipal and industrial sewering entities should implement comprehensive regulations to prohibit the discharge to the sewer system of substances listed below which may be controlled at their source:

   Chlorinated hydrocarbons;

   Toxic substances;

   Harmful substances that may concentrate in food webs;

   Excessive heat ;

   Radioactive substances;

   Grease, oil, and phenolic compounds;

   Mercury or mercury compounds;

   Excessively acidic and basic substances:

   Heavy metals such as lead, copper,zinc, etc.; and

   Other known deleterious substances.

2. Sewering entities should implement comprehensive industrial waste ordinances to control the quantity and quality of organic compounds, suspended and settleable substances, dissolved solids, and all other materials which may cause overloading of the municipal waste treatment facility.

III.E. GROUND WATER

1. Ground water recharge with high quality water shall be encouraged.

2. In all ground water basins known to have an adverse salt balance, total salt content of the discharge shall not exceed that which normally results from domestic use, and control of salinity shall be required by local ordinances which effectively limit municipal and industrial contributions to the sewerage system.

3. Wastewaters percolated into the ground waters shall be of such quality at the point where they enter the ground so as to assure the continued usability of all ground waters of the basin.

III.F. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY SYSTEMS

The Regional Board intends to discourage high density development on septic tank disposal systems and generally will require increased size of parcels with increasing slopes and slower percolation rates. Consideration of development will be based upon the percolation rates and engineering reports supplied. In any questionable situation, engineer-designed systems will be required.

Further information concerning on-site systems can be found in Chapter Four.

III.G. EROSION AND SEDIMENTATION CONTROL

1. General recommendations for erosion control, numbered one through six under "Land Disturbance Activities" in the Implementation Plan, Chapter Four, are considered by the Regional Board to be Best Management Practices (BMP's), as are those BMP's identified in approved areawide Water Quality Management Plans.

2. Local units of government should have the lead role in controlling land use activities that cause erosion and may, as necessary, impose further conditions, restrictions, or limitations on waste disposal and other activities that might degrade the quality of waters of the State.

3. In implementing BMP's through local units of government, or through State and federal agencies for lands under their control, working relationships, priorities, and time schedules will be defined in management agency agreements between the areawide waste treatment planning agency and the local management agency. Agreements will be reviewed and updated annually to reflect recent achievements, new information and new concerns.

4. Regional Board participation in sediment control programs shall include assistance in the establishment of local control programs, participation in the determination of water quality problems, and a cooperative program evaluation with local units of government. Regional Board enforcement authority will be exercised where local volunteer programs fail to correct sediment problems within a reasonable period.

5. Emergency projects undertaken or approved by a public agency and necessary to prevent or mitigate loss of, or damage to, life, health, property, or essential public services from an unexpected occurrence involving a clear and imminent danger are exempt from this chapter providing such exemption is in the public interest.

6. Regulation of sediment discharges from routine annual agricultural operations, such as tilling, grazing, and land grading and from construction of agricultural buildings is waived except where such activity is causing severe erosion and causing, or threatening to cause, a pollution or nuisance.

7. Regulation of discharges from State and federal lands managed by agencies operating in accordance with approved management agency agreements is waived except where such activity is causing, or threatening to cause, a pollution or nuisance.

"Control Actions" and "Actions by Other Authorities" in this chapter and the Implementation Plan, Chapter Four, contain further information regarding erosion and sedimentation control.

IV. DISCHARGE PROHIBITIONS

Due to unique cultural, scenic, aesthetic, historical, scientific, and ecological values of the Central Coastal Basin, and the necessity to protect the public health and the desire to achieve water quality objectives, the Regional Water Quality Control Board has established certain discharge prohibitions.

IV.A. ALL WATERS

Waste discharges shall not contain materials in concentrations which are hazardous to human, plant, animal, or aquatic life.

The discharge of oil or any residual products of petroleum to the waters of the State, except in accordance with waste discharge requirements or other provisions of Division 7 of the California Water Code, is prohibited.

Discharge of elevated temperature wastes into COLD intrastate waters is prohibited where it may cause the natural temperature of the receiving water to exceed limits specified in Chapter Three, Water Quality Objectives.

IV.A.1. TOXIC OR HAZARDOUS POLLUTANTS

Discharge of toxic or hazardous material that violates: 1) the toxicity objective for all waters as designated in the Ocean Plan [See Appendix A-5] and Objectives for All Inland Surface Waters, Enclosed Bays, and Estuaries [See Chapter Three], or 2) Proposition 65 limitations for municipal/domestic water supply waters is prohibited.

Discharge to publicly owned treatment works is prohibited in concentrations that:

1. Exceeds applicable federal pretreatment standards;
2. Endangers safe and continuous operation of wastewater treatment facilities;
3. Endangers public health and safety; and
4. Causes violation of applicable water quality objectives.

IV.B. INLAND WATERS

Wastes discharged to surface waters shall be essentially free of toxic substances, grease, oil, and phenolic compounds.

Waste discharges to the following inland waters are prohibited:

1. All surface freshwater impoundments and their immediate tributaries.
2. All surface waters within the San Lorenzo River, Aptos-Soquel, and San Antonio Creek Subbasins and all water contact recreation areas except where benefits can be realized from direct discharge of reclaimed water.
3. All deadend sloughs receiving little flushing action from land drainage or natural runoff.
4. All coastal surface streams and natural drainageways that flow directly to the ocean within the Santa Cruz Coastal, Monterey Coastal, San Luis Obispo Coastal from the Monterey County line to the northern boundary of San Luis Obispo Creek drainage, and the Santa Barbara Coastal Subbasins except where discharge is associated with an approved wastewater reclamation program.
5. The Santa Maria River downstream from the Highway One bridge.
6. The Santa Ynez River downstream from the salt water barrier.

IV.C. WATERS SUBJECT TO TIDAL ACTION

The discharge of any radiological, chemical, or biological warfare agent or high level radioactive waste into the ocean is prohibited.

Waste discharges to the following areas are prohibited.

1. In the northern extreme of Monterey Bay, inshore from an imaginary line extending from Santa Cruz Point (36°-57.0'N, 122°-01.5'W) to the mouth of the Pajaro River (36°-51.0'N, 121°-48.6'W) and in ocean waters within a three (3) mile radius of Point Pinos (36°-38.3'N, 121°-56.0'W), excepting the area described in No. 2 below.
2. In the southern extreme of Monterey Bay, inshore from an imaginary line extending from Point Pinos (36°-38.3'N, 121°-56.0'W) to the mouth of the Salinas River (36°-44.9'N, 121°- 48.3'W).

Discharges to the Monterey Bay Prohibition Zone from desalinization units and circulating seawater system discharges may be permitted after each proposal satisfies California Environmental Quality Act requirements and completes the National Pollutant Discharge Elimination System process.

IV.C.1. AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE

Discharge of waste is prohibited where it will alter natural water quality conditions in Areas of Special Biological Significance. Areas of Special Biological Significance are:

1. Ano Nuevo Point and Island, San Mateo County, including ocean waters within three (3) nautical miles offshore and defined by extensions of Cascade Creek on the north and the Santa Cruz-San Mateo County line on the south.

2. Pacific Grove Marine Gardens Fish Refuge and Hopkins Marine Life Refuge, Monterey County, including Monterey Bay waters bounded by Point Alones on the east, by Point Pinos on the west, and extending offshore to the 60-foot depth contour (about 0.7 miles).

3. Carmel Bay, Monterey County, including all bay waters enclosed by an imaginary line extending between Pescadero Point and Granite Point.

4. Point Lobos Ecological Reserve, Monterey County, including ocean waters within one-quarter (0.25) mile offshore from Granite Point southerly to the southernmost boundary of Point Lobos Reserve State Park.

5. Julia Pfeiffer Burns Underwater Park, Monterey County, including ocean waters within an area extending about one (1.0) mile offshore and about two and one-half (2.5) miles south of Partington Point.

6. Salmon Creek, Monterey County, including ocean waters within one-thousand (1000) feet or more offshore, bounded on the south by an extension of the Monterey-San Luis Obispo County line, and extending northward about three (3) miles.

7. San Miguel, Santa Rosa, and Santa Cruz Islands, Santa Barbara County, including ocean waters within about one (1) nautical mile offshore.

The discharge of municipal and industrial waste sludge and sludge digester supernatant directly to the ocean, or into a waste stream that discharges to the ocean without further treatment, is prohibited.

The bypassing of untreated waste to the ocean is prohibited.

Excepting vessel washdown waters, disposal of waste matter or untreated waste from vessel to tidal water is prohibited.

The discharge of oil or grease, from other than natural sources, which produces a visible or measurable effect to tidal waters of the basin is prohibited.

New thermal waste discharges to coastal waters, enclosed bays and estuaries having a maximum temperature greater than 4°F above the natural temperature of the receiving water are prohibited.

IV.D. GROUND WATERS

Wastes discharged to ground waters shall be free of toxic substances in excess of accepted drinking water standards; taste, odor, or color producing substances; and nitrogenous compounds in quantities which could result in a ground water nitrate concentration above 45mg/l.

IV.E. OTHER SPECIFIC PROHIBITION SUBJECTS

Other prohibitions exist which pertain to the following topics. These prohibitions can be found under the respective heading in the Implementation Plan.

Mushroom Farms Operation Prohibitions

Individual, Alternative, and Community Sewage Disposal Systems Prohibitions
Land Disturbance Prohibitions

Solid Waste Discharge Prohibitions

IV.F. EXCEPTIONS TO BASIN PLAN REQUIREMENTS

The Regional Board may, subsequent to a public hearing, grant exceptions to any provision of this Plan where the Regional Board determines:

1. The exception will not compromise protection of waters for beneficial uses; and

2. The public interest will be served.

Regional Board exceptions will be effective upon State Board approval, unless exceptions involve surface water beneficial use designations or surface water quality objectives (i.e., federally accepted water quality standards). Such water quality standard related exceptions will also require Environmental Protection Agency approval to become effective.

V. CONTROL ACTIONS

Specific actions can be taken to control water quality. These are specified below.

V.A. WASTE DISCHARGE REQUIREMENTS

1. The Regional Water Quality Control Board will implement water quality control plan provisions through establishment or requirements and timetables for compliance with plan actions.

2. Waste discharge requirements will be established for all (operating) solid waste sites and where inactivated sites may contribute to water quality impairment.

3. Waste discharge requirements will be established for all existing oil well fields, mines, or other well fields which threaten water quality.

4. Waste discharge requirements will be established for all irrigation, feedlot, dairy, and poultry operations which are so located as to pose a clear and direct threat to water quality; such operations need not be so large as to require a permit under NPDES.

V.B. STATE CLEAN WATER GRANTS OR LOANS

1. Priorities for State Clean Water Grants or Loans will be ordered by the Regional Water Quality Control Board and provide ever increasing emphasis toward correction of basin water quality problems.

2. Water supply improvements (which encourage cost-effective water quality management) beyond normal source control measures (i.e., water supply quality enhancement by treatment or other means in lieu of effluent demineralization) will be recommended for funding.

V.C. SALT DISCHARGE

1. Emphasize control of brine disposal into public sewer systems by requiring affected dischargers to comply with normal salt increments, to adopt salt source control ordinances, and to conduct wastewater monitoring programs.
2. Minimize degradation of water during transport from points of use; minimize leakage of poor quality water during transport from salt affected areas through salt free lands to salt sinks for disposal.
3. Regulate importation of water into any basin or subbasin and regulate the reuse of waters in upstream portions of subbasins which is of poorer quality than existing or imported supplies. If such import or transport to up-slope areas for reuse is allowed, take suitable steps to mitigate short and long term adverse effects of increased salt load resulting from this recycling.
4. Increase recharge of underground water storage basins (where recharge is possible) using surplus winter or spring runoff waters.
5. Actively support measures designed to protect and to improve quality of waters imported into areas with unfavorable or poor salt balance.
6. Regulate reclamation of new lands which would contribute large quantities of salts or pollutants to water supplies.
7. Where water supplies are limited, restrict use of reclaimed waters to existing irrigated acreage rather than develop new irrigated acreage to utilize the reclaimed water.

V.D. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY SEWAGE DISPOSAL SYSTEMS

Unsewered areas having high density (one acre lots or smaller) should be organized into septic tank management districts and sewerage feasibility studies should be encouraged in potential problem areas. Local implementation should be encouraged by Regional Board action.

V.E. AGENCY COORDINATION

The Regional Water Quality Control Board will initiate coordination with the appropriate Coastal Commission, as well as other State, federal, and local agencies which possess related or overlapping planning responsibilities.

V.F. ANIMAL CONFINEMENT OPERATIONS

The California Code of Regulations, Title 23, Chapter 15, Section 2601 defines a confined animal facility as "any place where cattle, calves, sheep, swine, horses, mules, goats, fowl, or other domestic animals are corralled, penned, tethered, or otherwise enclosed or held and where feeding is by means other than grazing."

1. Animal confinement facilities plus adjacent crop land under the control of the operator shall have the capacity to retain surface drainage from manure storage areas plus any washwater during a 25-year 24-hour storm.

2. Surface drainage, including water from roofed areas, shall be prevented from running through manure storage areas.

3. Animal confinement facilities, including retention ponds shall be protected from overflow to stream channels during 20-year peak stream flows for existing facilities and 100-year peak stream flows for new facilities.

4. Retention ponds shall be lined with or underlain by soils containing at least ten percent clay and not more than ten percent gravel or artificial material of equivalent impermeability.

5. Washwater and surface drainage from manure storage areas shall be contained, applied to crop lands, or discharged to treatment systems subject to approval by the Regional Water Quality Control Board.

6. Animals in confinement shall be prevented from entering any surface waters within the confined area.

7. Lands that have received animal wastes shall be managed to minimize erosion and runoff. Dry manures applied to cultivated crop lands should be incorporated into the soil soon after application.

8. Animal wastes shall be managed to prevent nuisances in manure storage areas.

9. Manure storage areas shall be managed to minimize percolation of water into underlying soils; this may be accomplished by routing drainage to impervious storage areas, land applications, relocation of existing lots and, in the case of new locations, by selecting more impervious soils for manure storage areas.

10. Animal confinement facilities shall have adequate surface drainage to prevent continuous accumulation of surface waters in corrals and feed yards; drainage should be routed to impervious storage areas or applied to land.

11. Application of manures and washwaters to crop lands shall be at rates which are reasonable for crop, soil, climate, special local situations, management system and type of manure.

12. A monitoring program may be required by the Regional Water Quality Control Board as a condition to issuance or waiver of waste discharge requirements.

Further animal confinement information can be found in Chapter Four in the Nonpoint Source Measures section under Agricultural Water and Wastewater Management.

V.G. EROSION AND SEDIMENTATION

1. Erosion from nonpoint pollution sources shall be minimized through implementation of BMP's (identified under "Management Principles" and described under "Land Disturbance Activities" in Chapter Four's "Nonpoint Source Measures" section.

2. All necessary control measures for minimizing erosion and sedimentation, whether structural or vegetal, shall be properly established prior to November 15 each year.

3. All structural and vegetal measures taken to control erosion and sedimentation shall be properly maintained.

4. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible as measured along the ground surface to the highest anticipated water line.

5. Design and maintenance of erosion and sediment control structures, (e.g., debris and settling basins, drainage ditches, culverts, etc.) shall comply with accepted engineering practices.

6. Cover crops shall be established by seeding and/or mulching, or other equally effective measures, for all disturbed areas not otherwise protected from excessive erosion.

7. Land shall be developed in increments of workable size that can be completed during a single construction season. Graded slope length shall not be excessive and erosion and sediment control measures shall be coordinated with the sequence of grading, development, and construction operations.

8. Use of soil sterilants is discouraged and should be minimized.

Further erosion and sedimentation information can be found in other areas of this chapter as well as the Implementation Plan, Chapter Four, under "Land Disturbance Activities."

V.H. ACTIONS BY OTHER AUTHORITIES

V.H.1. FEDERAL AGENCIES

1. Federal agencies directly affected by the facility plans involving consolidation with other communities should comply with applicable provisions of the Basin Plan (e.g., Fort Ord on the Monterey Peninsula is shown as part of municipal wastewater sewerage consolidation); agency policies favoring plan recommendations are encouraged.

2. Federal agencies otherwise affected by plan provisions should signify their compliance or concern with plan recommendations; time at public hearings will be provided for this purpose.

V.H.2. ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

The Association of Monterey Bay Area Governments (AMBAG) should coordinate with local agencies and the Regional Board relative to implementation of water quality control plans in that area.

V.H.3. SEPTIC TANK MANAGEMENT AGENCIES

1. County governments should revise septic tank ordinances to conform with basin plan recommendations and State Board guidelines.

2. Formation of septic tank management districts within existing local agencies should be accomplished in areas where directed by Regional Board action.

V.H.4. WATER MANAGEMENT AGENCIES

Conjunctive ground water-surface water management should continue to be encouraged by water management agencies, both in terms of storage and recharge operations and containment and routing of highly mineralized surface waters to prevent recharge. Examples in the Salinas Subbasin include storage of wet weather flows and recharge from a reservoir on Arroyo Seco and containment to prevent recharge of highly mineralized surface waters in streams such as Pancho Rico Creek.

V.H.5. SOLID WASTE MANAGEMENT

Preparation of solid waste management plans by all counties in the basin should be accomplished as required by the Nejedly-Z'berg-Dills Solid Waste Management and Resource Recovery Act of 1972.

V.H.6. AGRICULTURAL MANAGEMENT

Local agricultural representatives and the University of California extension service should maintain liaison with the Regional Water Quality Control Board and the State Board relative to agricultural wastewater management.

V.H.7. OFFSHORE OIL

Water quality in offshore oil lease areas should be monitored by State and federal agencies preferably by arrangements with independent oceanographic institutions.

V.H.8. SALINITY MANAGEMENT

Salt source control measures should be implemented by municipalities having excessive mineral quality in wastewaters discharged to land or inland waters; control of salinity through water supply improvements is recommended.

V.H.9. SEAWATER INTRUSION

Water Management Plans should be prepared and adopted by Monterey County for the Salinas ground water basin and the Pajaro Valley Water Management Agency for the Pajaro ground water basin. These management plans should include immediate actions these agencies can take to help alleviate seawater intrusion as well as measures to stop seawater intrusion from advancing. These agencies should remediate seawater intrusion as a long-term goal.

Local and State agencies having jurisdiction to help control seawater intrusion should assist in implementing seawater intrusion remedies.

V.H.10. EROSION AND SEDIMENTATION CONTROL

1. The federal government should increase its support of erosion and sediment control programs by increasing its technical staffs, increasing cost-share funds, increasing the availability of low-interest loans, and changing its income tax laws to encourage the use of Best Management Practices for erosion and sediment control.

2. The State of California should establish an erosion and sediment control program that includes incentives for the individual - such as cost-sharing, changes in State law that would reduce property taxes for enduring erosion and sediment control practices, and incentives through state income taxes.

3. Resource Conservation Districts within the Central Coast Region should develop management agency agreements with the Regional Board agreeing to work jointly with the Regional Board to integrate soil and water resource programs in the application of Best Management Practices to correct existing erosion and sediment problems and to prevent new problems from occurring.

4. Local units of government should improve land use plans to establish a clear policy, and shall adopt or

improve ordinances to include definitive performance standards, for the control of erosion and sedimentation, including consistency with this Basin Plan and Best Management Practices identified under Regional Board "Management Principles."

5. Local units of government developing Local Coastal Programs shall establish a clear policy on erosion and sedimentation and adopt an ordinance consistent with Best Management Practices for their land areas within the Coastal Zone.

6. Resource Conservation Districts, the U.S.D.A. Soil Conservation Service, the California Department of Transportation, and the Extension Service, in conjunction with the cities and counties, should develop and carry out an erosion and sediment control training program for employees who check erosion and sediment control plans and who enforce local ordinances and regulations relating to erosion and sediment control practices.

7. Counties and cities should work with the Regional Board to identify priorities, time schedules, and limitations and to negotiate management agency agreements concerning implementation of Best Management Practices for control of erosion and sedimentation.

8. Review and assessment of erosion and sediment control plans for new land developments in those counties and cities that have signed management agency agreements with the Board will be processed entirely by that county or city.

VI. REGIONAL BOARD POLICIES

Formal specific policies adopted by the Regional Board are presented below according to various categories.

VI.A.SEWERAGE FACILITIES AND SEPTIC TANKS IN URBANIZING AREAS IN THE CENTRAL COAST REGION

Resolution 69-01: Adopting Policy Statement Regarding Sewerage Facilities and Septic Tanks in Urbanizing Areas in the Central Coast Region.

This policy prohibits septic tank or community systems unless particular criteria are satisfied.

VI.B. SEPTIC TANKS

1. Resolution 86-02: Acceptance of Monterey County Board of Supervisor's Ordinance Applying Development Restrictions to the Bay Hills (Bay Farms/Hillcrest) Area.

This policy accepts Monterey County's moratorium in lieu of a Regional Board prohibition. Further, the policy requested a compliance schedule to eliminate discharge from individual sewage disposal systems and the State Water Resources Control Board is requested to rank this project Class "A" on the Clean Water Grant project priority list.

2. Resolution 87-05: Acceptance of Monterey County Board of Supervisor's Ordinance Applying Development Restrictions to the area within the San Lucas County Water District.

This policy accepts Monterey County's moratorium in lieu of a Regional Board prohibition. Further, the policy requested a compliance schedule to eliminate discharge from individual sewage disposal systems and the State Water Resources Control Board is requested to rank this project Class "A" on the Clean Water Grant project priority list.

Further information concerning on-site system development restrictions can be found in Chapter Four.

VI.C. OIL FIELD WASTES

1. a. Resolution 73-05: Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Santa Maria Oil Fields, Santa Barbara County

   b. Resolution 89-04: Adopting Policy Regarding Beneficial Use of Oil Field Waste Materials in the Central Coast Region

The above policies require oil field waste materials to be deposited at an appropriate and approved Class I or Class II disposal site. Other disposal sites may be used for disposal under certain conditions. Executive Officer approval is necessary for other sites. A procedure to obtain Executive Officer approval is specified.

VI.D. AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS)

Resolution 76-10: Recommendation to the State Water Resources Control Board Concerning the Designation of Terrace Point in Santa Cruz County as an Area of Special Biological Significance.

This policy recommended the State Water Resources Control Board to not designate Terrace Point as an Area of Special Biological Significance. The State Board concurred with the Regional Board in Resolution 77-21.

Further information concerning ASBS areas can be found in Chapter Two.

VI.E. LEGISLATIVE MATTERS

Resolution 78-04: Supporting Approval of the Clean Water and Water Conservation Bond Law of 1978.

This policy expressed support for Proposition Two and urged California voters to support the proposition.

VI.F. PROHIBITION ZONES

Resolution 79-06: Resolution Regarding Marina County Water District's Petition to Delete the Southern Monterey Bay Discharge Prohibition Zone from the Basin Plan.

This policy considers Marina County Water District challenge to the Southern Monterey Bay prohibition zone. This policy resolves the Southern Monterey Bay prohibition zone is appropriate.

Regional Board adopted prohibition zones for tidal waters can be found under "Waters Subject to Tidal Action" under "Discharge Prohibitions" in this chapter.

VI.G. SAN LORENZO VALLEY

Resolution 87-04: Certification of Santa Cruz County's Wastewater Management Program for the San Lorenzo River Watershed.

This policy certifies Santa Cruz County's Wastewater Management Program for the San Lorenzo Valley is adequate to satisfy the loan condition authorized by Chapter 962 of the 1986 State Statues.

VI.H. HIGHWAY GROOVING RESIDUES

Resolution 89-04: Adopting Policy Regarding Disposal of Highway Grooving Residues.

This policy specifies conditions for highway grooving residue disposal.

VI.I. WAIVER OF WASTE DISCHARGE REQUIREMENTS

Resolution 89-04: Waiver of Regulation of Specific Types of Waste Dischargers.

State law allows Regional Boards to waive waste discharge requirements (WDRs) for a specific discharge or types of discharges where it is not against the public interest (California Water Code Section 13269). These waivers are conditional and may be terminated at any time.

On April 15, 1983, the Regional Board held a public hearing regarding the types and nature of waste discharges considered for waiver. Following this hearing, the Regional Board established certain discharges which waived WDRs. The types of dischargers which may be waived are shown in the appendix.

VI.J. INTERPRETATION OF MINIMUM PARCEL SIZE REQUIREMENTS FOR ON-SITE SEWAGE SYSTEMS

This policy clarifies Regional Board minimum parcel size requirements for on-site systems contained in Chapter Four of this document.

A copy of this policy is shown in the appendix.

VI.K. APPRECIATION FOR DISCHARGER COMPLIANCE

Resolution 93-04: Appreciation for Discharger Compliance.

This policy addresses the manner in which the Regional Board will protect water quality protection and improvement at the most cost effective manner to society. A copy of the policy is shown in the appendix.

City is planning an interceptor sewer to eliminate this facility and provide all treatment and disposal at its main City facility.

The City of Atascadero (1.67 mgd) owns and operates a wastewater collection, treatment, and disposal system serving part of the City. Pond treatment is provided followed by land disposal to percolation ponds and by irrigation of a golf course. San Luis Obispo County Health Department has documented public health problems and water quality problems arising from failing on-site sewage disposal systems in areas within the City. The City was sewered in the most significant problem areas, but additional sewering is needed.

Dischargers in the Nacimiento Reservoir area include San Luis Obispo County Service Area No. 7A, Oak Shores Development (0.1 mgd); and, San Luis Obispo County Service Area No. 19, Heritage Ranch Development (0.40 mgd). Wastewater facilities for the Oak Shores Development consist of two aerated treatment ponds and spray disposal. Part of the collection system is located below the spillway elevation of Nacimiento Reservoir. This has been a source of excessive infiltration in the past and the problem has been corrected. This area should be watched closely as reservoir level rises and wastewater flows increase to insure infiltration and/or exfiltration do not reoccur. Major expansion of wastewater facilities is expected in the future. As the development grows, new disposal facilities should be relocated well away from Nacimiento Lake.

Wastewater at Heritage Ranch is treated in aerated lagoons at the development. Discharge is to a holding pond, filtered, and then discharged to a drainageway located outside the Nacimiento Reservoir watershed.

Camp Roberts is a U. S. Army installation that is leased by the California National Guard as a major training site. Wastewater flows that vary from 3000 gpd in winter to nearly 1.0 mgd in summer are treated to secondary levels prior to disposal in a series of percolation/evaporation ponds located near the Salinas River. The facility was upgraded in 1980 and there are no additional recommendations.

Dischargers in the San Antonio Reservoir watershed include Monterey County's Department of Parks and Recreation and the U.S. Army's Fort Hunter Liggett. There are no recommended changes to facilities operated by the Monterey County Department of Parks and Recreation. The U.S. Army, Fort Hunter Liggett operates wastewater treatment facilities located adjacent to the San Antonio River. The recommended plan is to maintain the existing facilities with improvement of the spray disposal area.

VI.B.6. ESTERO BAY HYDROLOGIC UNIT

Municipal wastewater management plans for the Estero Bay Hydrologic Unit are described for each of these four areas: North Coast, Morro Bay, San Luis Obispo Creek, and South County Regions. Table 4-5 displays dischargers summarized below.

Table 4-5. Estero Bay Hydrologic Unit Summarized Dischargers

Cambria Community Services District
San Simeon Acres Community Services District
City of Morro Bay and Cayucos Sanitary District
California Men's Colony
Los Osos septic tank/leachfield systems
City of San Luis Obispo
Avila Beach County Water District
San Luis Obispo County Service Area No. 18- Country Club Estates
City of Pismo Beach
South San Luis Obispo County Sanitation District
Lopez Recreation Area Wastewater Treatment Plant

Dischargers in the North San Luis Obispo Coast include Cambria Community Services District (1.0 mgd) and San Simeon Acres Community Services District (0.2 mgd).

Secondary treatment facilities at Cambria have a design capacity of 1.0 mgd and include a land outfall and spray irrigation system for effluent disposal, and an effluent holding reservoir. Excess effluent that cannot be spray-irrigated is pumped to the reservoir for later land disposal or discharged during wet weather through a sand filter bed to Van Gordon Creek. The District is evaluating land disposal improvements. Implementation of this plan is the responsibility of Cambria Community Services District.

San Simeon Acres Community Services District owns and operates a secondary treatment (activated sludge) plant with design capacity of 0.2 mgd. Wastewater visitor complex generated at Hearst Castle and within the community is treated and discharged to the Pacific

Ocean through an ocean outfall. The recommended plan is to retain the treatment plant.

Dischargers in the Morro Bay area include the City of Morro Bay and Cayucos Sanitary District (2.1 mgd), California Men's Colony (CMC) (1.2 mgd), and Los Osos- Baywood septic tank leachfield systems.

The City of Morro Bay and the Cayucos Sanitary District jointly own treatment facilities with ocean outfall disposal. Wastewater is being treated by a newly constructed plant and discharged through a newly constructed ocean outfall. In order to maximize plant capacity and meet Ocean Plan requirements, part of the effluent receives primary treatment only and part receives secondary treatment. Primary and secondary quality effluents are blended before disposal to the Pacific Ocean in compliance with a secondary treatment waiver.

Recently renovated wastewater treatment facilities at California Men's Colony also serve the California National Guard Camp, Cuesta College, the County Educational Center, and the County Operational Facility. Secondary treatment with coagulation/filtration, and subsequent disposal to Chorro Creek (stream flow augmentation) are provided. Effluent is also used to irrigate fodder crops on nearby lands owned by California State Polytechnic University.

Development on small lots in Los Osos-Baywood has resulted in one of the most densely populated areas without public sewers on the central coast. Septic tank effluent is discharged in predominantly sandy soil over a ground water basin which is the sole source of water for the area. Some shallow wells have approached and exceeded the public health maximum nitrate concentration limit. The County of San Luis Obispo conducted a Clean Water Grant funded study of this situation. Study findings resulted in a Basin Plan Prohibition of discharges effective November 1, 1988. The County has not implemented the recommended project of sewering the area. (A new septic system discharge prohibition now exists for the area).

Dischargers in the San Luis Obispo Creek area include the City of San Luis Obispo (5.1 mgd), Avila Beach County Water District (0.1 mgd), and San Luis Obispo County Service Area (CSA) No. 18, Country Club Estates (0.12 mgd).

The City of San Luis Obispo wastewater treatment facilities serve as a regional plant for the City and certain proximal unincorporated county areas. Trickling filters provide secondary treatment before disposal to San Luis Obispo Creek. Infiltration and inflow in the wastewater collection system causes excessive wet weather flows and intermittent discharges to San Luis Obispo Creek of partially treated wastewater. The recommended plan for San Luis Obispo is improving the collection and treatment facilities capacity to eliminate these discharges. The City's Wastewater Management Plan should be implemented to provide treatment necessary to comply with stringent permit requirements.

The small community of Avila Beach is served by a small advanced primary trickling filter wastewater treatment facility owned and operated by the Avila Beach County Water District. Design capacity of the plant was originally 0.18 mgd, but was downgraded in 1986 to 0.1 mgd as the NPDES permit was revised to include secondary treatment standards for tickling filters. Current average flow is only 0.07 mgd. Wastewater disposal is through an ocean outfall to the Pacific Ocean. Additional treatment and/or outfall modification will be necessary as flow increases. Oceanographic studies would be required to determine appropriate modifications (e.g., lengthen the outfall and add a multiport diffuser).

Country Club Estates (CSA No. 18) is a small subdivision in South San Luis Obispo County that historically relied on septic tank systems for wastewater treatment and disposal. A septic tank system performance survey completed in January, 1981, identified significant public health hazards from numerous failing septic tank systems in the subdivision. The septic systems were replaced in 1988 by a small secondary treatment plant (0.12 mgd) with effluent disposal via golf course irrigation at the San Luis Obispo Golf and Country Club.

Dischargers in the South San Luis Obispo County Region include the City of Pismo Beach (1.2 mgd), South San Luis Obispo County Sanitation District (3.0 mgd) (serving the City of Arroyo Grande, City of Grover City, and Ocean Community Services District), and Lopez Recreation Area wastewater treatment plant (0.10 mgd). These dischargers provide secondary treatment of wastewater through three separate facilities. Pismo Beach has a land outfall to the South San Luis Obispo County Sanitation District ocean outfall. Plant reliability improvements were made in 1987. Future treatment plant enlargements should provide duplicate process units for improved operation and maintenance. A long range solids management plan must be developed and implemented.

South San Luis Obispo County Sanitation District disposes of secondary effluent through an ocean outfall

3. Develop of a nutrient objective for the river.

4. Conduct experimental on-site wastewater treatment to reduce nitrogen discharge into the environment.

Task 3: Outreach Program

Staff meets regularly with individuals and local government agencies to promote education and solutions on Nonpoint Source problems. Additionally, the use of grant and loan resources to correct Nonpoint Source problems is emphasized during outreach activities.

Specific outreach activities include participation on the San Luis Obispo Creek Riparian Task Force, Morro Bay Task Force, and various 319(h)/205(j)/Basin Planning Technical Advisory Committees, and development of grant applications with local agencies.

Task 4: Project Tracking and Participation

Regional Board staff prepare contracts, coordinate with project proponents, track project progress, review and approve invoices, and provide technical support for Nonpoint Source grant funded projects.

VIII.A. COASTAL ZONE ACT REAUTHORIZATION AMENDMENTS

In November 1990, Congress enacted Section 6217 of the Coastal Zone Act Reauthorization Amendments to help address the problem of nonpoint source pollution in coastal waters. Section 6217 requires that coastal states with federally approved coastal management programs develop Coastal Nonpoint Pollution Control Programs. The legislative history indicates that the central purpose of section 6217 is to strengthen the links between federal and State coastal zone management and water quality programs in order to enhance efforts to manage land use activities that degrade coastal beneficial uses. The State coastal zone management agency designated under Section 306 of the Amendments and nonpoint source management agency designated under section 319 of the Clean Water Act will have a dual and co-equal role and responsibility in developing and implementing the coastal nonpoint program.

The program gives the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration joint authority to approve programs developed by the State to address 6217 requirements.

The State agencies chosen to develop California's Coastal Nonpoint Pollution Control Program are the State Board and the Coastal Commission. The statute requires that the State program be "coordinated closely with State and local water quality plans and programs." This means that the State's nonpoint source programs under Sections 208 and 319 of the Clean Water Act and the coastal program must be examined to determine if they comprehensively address land use activities and anthropomorphic effects that have a significant effect on coastal waters. In addition, the State agencies are charged with developing a coordinated program that:

- identifies categories of nonpoint sources that adversely impact coastal waters;
- describes management measures to be implemented;
- identifies the land uses and critical coastal areas that will require more stringent or additional management measures;
- describes the State-developed additional management measures to be implemented in critical areas;
- documents the authorities the State will use to implement both the guidance and additional management measures, including designation of a lead agency for each source category and/or subcategory; and
- sets forth a schedule to achieve full implementation of the guidance management measures within three years of program approval by U.S. EPA and National Oceanic and Atmospheric Administration, and full implementation of additional management measures within six years of program approval.

The Coastal Commission and the State Board staff have been working on a strategy to develop the required Coastal Nonpoint Pollution Control Program plan. Recently, the State Board directed staff to review and

revise the statewide Nonpoint Source Management Plan to include a strong coastal component. Revision of the Plan is intended to satisfy the requirements of Section 6217 within the existing framework of current nonpoint source activities.

On a Regional Board level, staff has been involved with the statewide program since 1991. A pilot project, "The New Coastal Nonpoint Pollution Control Program using the Morro Bay Watershed as a Model" was performed to assess the feasibility of establishing the Coastal Nonpoint Pollution Control Program in California. Regional Board staff supplied technical information and reviewed reports. Concerted planning and implementation efforts on target coastal watersheds such as Morro Bay will be major accomplishments to satisfy Coastal Nonpoint Pollution Control Program requirements. As the program goes statewide, Regional Board staff will attend technical advisory committee meetings and will work closely with staff of the State Board and other Regional Boards, as well as staff of other relevant local, State, and federal agencies to develop a workable Coastal Nonpoint Pollution Control Program.

Wastewater originating from nonpoint sources includes those from urban runoff, agricultural activities, on-site sewage disposal systems, and land disturbance activities. Management of these types of nonpoint source discharges are discussed in the following section. The Regional Board will be developing management practices for marinas and recreational boating; hydromodification facilities; and wetlands, riparian areas, and vegetated treatment systems at a future date.

VIII.B. URBAN RUNOFF MANAGEMENT

The effect of urban runoff on receiving water quality is a problem which has only recently come to be recognized. Most of the work up to the present has centered on characterizing urban runoff: concentrations of various constituents have been measured, attempts to relate these to such factors as land use type and rainfall intensity have been made, and studies concerning the amounts of these constituents present on street surfaces have been conducted. It appears that considerable quantities of contaminants, heavy metals in particular, may enter the receiving waters through urban runoff. The federal Water Pollution Control Act Amendments of 1972 stress future "control of treatment of all point and nonpoint sources of pollution." Thus the federal government has concluded that nonpoint sources, such as urban runoff, are indeed deleterious to the aquatic environment and that measures should be taken to control such emissions.

There are four basic approaches to controlling pollution from urban runoff: (1) prevent contaminants from reaching urban land surfaces, (2) improve street cleaning and cleaning of other areas where contaminants may be present, (3) treat runoff prior to discharge to receiving waters, and (4) control land use and development. Which approach or combination of approaches is most effective or economical has not yet been studied extensively. Thus only the basic characteristics of each approach can be discussed. In addition to these direct approaches, measures to reduce the volume of runoff from urban areas are also available.

VIII.B.1. SOURCE CONTROLS

The first approach, which emphasizes source control, has many aspects. Tough effective air pollution laws can probably aid in reducing the amount of certain materials deposited on the land. An obvious example is lead in automobile exhaust emissions. Effective anti-litter ordinances and campaigns can aid in reducing floatable materials washed to surface waters. These materials are objectionable primarily from an aesthetics viewpoint, although water fowl can be affected by plastics. New construction techniques may reduce emissions to receiving waters. Erosion can be decreased by seeding, sodding, or matting excavated areas as quickly as practicable. Construction in certain critical areas can be limited to the dry season. Stockpiling of excavated material can be regulated o minimize erosion. Control of chlorinated hydrocarbon pesticide usage would reduce the amounts found on urban land surfaces and thus reduce the amounts washed to natural waters.

VIII.B.2. STREET CLEANING

maintenance of range improvements must include priorities and planned completion dates. The discussion of monitoring and evaluation must propose a method and timetable for reporting of livestock forage conditions, watershed condition, and surface and ground water quality.

4. Require that all allotment management plans and Coastal Resource Management Plans be circulated to interested parties, organizations, and public agencies.

5. Consider adoption of waste discharge requirements if an allotment management plan or Coastal Resource Management Plan is not prepared or if the Executive Officer and the landowner do not agree on Best Management Practices proposed in an allotment management plan or Coastal Resource Management Plan.

6. Decide that allotment management plans and Coastal Resource Management Plans prepared to address a documented watershed or water quality problem may be accepted by the Regional Board's Executive Officer in lieu of adoption of Waste Discharge Requirements.

7. Oversee monitoring of water quality variables and beneficial uses. Provide data interpretation.

8. Encourage the U.S. Bureau of Land Management, U.S. Forest Service, Resource Conservation District, and private landowners to develop watering sites for livestock away from Lake shores, stream zones, and riparian areas.

9. Encourage private landowners to request technical and financial assistance from U.S. Soil Conservation Service, in cooperation with the local Resource Conservation Districts, in the preparation of allotment management plans and the implementation or construction of grazing and water quality improvements.

10. Continue to coordinate with the Range Management Advisory Committee in the development of a water quality management plan for private rangelands.

VIII.D. INDIVIDUAL, ALTERNATIVE, AND COMMUNITY DISPOSAL SYSTEMS

On-site sewage disposal systems and other similar methods for liquid waste disposal are sometimes viewed as interim solutions in urbanizing areas, yet may be required to function for many years. On-site systems can be a viable long-term waste disposal method with proper siting, design, construction, and management. In establishing on- site system regulations, agencies must consider such systems as permanent, not interim systems to be replaced by public sewers. The reliability of these systems is highly dependent on land and soil constraints, proper design, proper construction, and proper operation and maintenance.

If on-site sewage treatment facilities are not carefully managed, problems can occur, including:

- odors or nuisance;
- surfacing effluent;
- disease transmission; and,
- pollution of surface and ground waters.

Odors and nuisance can be objectionable and annoying and may obstruct free use of property. Surfacing effluent (effluent which fails to percolate and rises to the ground surface) can be an annoyance, or health hazard to the resident and neighbors. In some cases, nearby surface waters may be polluted.

On-site sewage disposal systems are a potential mechanism for disease transmission. Sewage is capable of transmitting diseases from organisms which are discharged by an infected individual. These include dysentery, hepatitis, typhoid, cholera, and gastro-intestinal disorders.

Pollution of surface or ground waters can result from the discharge of on-site system wastes. Typical problem waste constituents are total dissolved solids, phosphates, nitrates, heavy metals, bacteria, and viruses. Discharge

of these wastes will, in some cases, destroy beneficial surface and ground water uses.

Subsurface disposal systems may be used to dispose of wastewater from: (1) individual residences; (2) multi-unit residences; (3) institutions or places of commerce; (4) industrial sanitary sources; and, (5) small communities. All individual and multi- unit residential developments are subject to criteria in this section of the Basin Plan. Commercial, institutional, and industrial developments with a discharge flow rate less than 2500 gallons per day generally are not regulated by waste discharge requirements; therefore, they must comply with these criteria. Community systems must also comply with criteria relating to this subject within the Basin Plan. Community systems are defined for the purposes of this Basin Plan as: (1) residential wastewater treatment systems for more than 5 units or more than 5 parcels; or, (2) commercial, institutional or industrial systems to treat sanitary wastewater equal to or greater than 2500 gallons per day (average daily flow). Systems of this type and size may be subject to waste discharge requirements.

Alternatives to conventional on-site system designs have been used when site constraints prevent the use of conventional systems. Examples of alternative systems include mound and evapotranspiration systems. Remote subdivisions, commercial centers, or industries may utilize conventional collection systems with community treatment systems and subsurface disposal fields for sanitary wastes. Alternative and community systems can pose serious water quality problems if improperly managed. Failures have been common in the past and are usually attributed to the following:

- Systems are inadequately or improperly sited, designed, or constructed.
- Long-term use is not considered.
- Inadequate operation and maintenance.

VIII.D.1. CORRECTIVE ACTIONS FOR EXISTING SYSTEMS

Individual disposal systems can be regulated with relative ease when they are proposed for a particular site. For new systems, regulations generally provide for good design and construction practices. A more troublesome problem is presented by older septic tank systems where design and construction may have been less strictly controlled or where land development has intensified to an extent that percolation systems are too close together and there is no room left for replacement leaching areas. Where this situation develops to an extent that public health hazards and nuisance conditions develop, the most effective remedy is usually a sewer system. Where soil percolation rates are particularly fast, ground water degradation is possible, particularly increases in nitrate concentrations.

Sewer system planning should be emphasized in urbanizing areas served by septic tanks. A first step would be a monitoring system involving surface and ground waters to determine whether problems are developing. Where septic tank systems in urbanized areas are not scheduled for replacement by sewers and where public health hazards are not documented, septic tank maintenance procedures are encouraged to lessen the probability that a few major failures might force sewering of an area which otherwise could be retained on individual systems without compromising water quality. Often a few systems will fail in an area where more frequent septic tank pumping, corrections to plumbing or leach fields, or in-home water conservation measures could help prevent failure. Improvements of this kind should be enforced by a local septic tank maintenance district or local governing jurisdiction.

A septic tank subjected to greater hydraulic load can fail due to washout of solids into percolation areas and plugging of the infiltrative surface. In some cases, excess wash water could be diverted to separate percolation areas by in-home plumbing changes. Dishwashers, garbage grinders, and washing machines could be eliminated. Water saving toilets, faucets, and shower heads are available to encourage low water use. Water use costs may also be structured to encourage more frugal use of water.

VIII.D.2. LOCAL GOVERNING JURISDICTION ACTIONS

VIII.D.2.a. DISCLOSURE AND COMPLIANCE OF EXISTING WASTEWATER DISPOSAL SYSTEM

Local governing jurisdictions should provide programs to assure conformance with this Basin Plan and local regulations. Inspection programs should assure site suitability tests are performed as necessary, and that tests are in accordance with standard procedures. Inspection should also assure proper system installation. Proper design and construction should be certified by the inspector. Concerned homeowners can be a tremendous asset in assuring proper construction. When a septic system permit is issued by the local agency, a handout specifying proper construction techniques should be made available to the general public. Systems must be inspected by the local agency before covering (backfilling).

Local agencies can use either staff inspectors or individuals under contract with the local government. Either way, a standard detailed checklist should be completed by the inspector to certify compliance.

Site suitability determinations should specify: (1) whether approval is for the entire lot or for specific locations of the lot; (2) if further tests are necessary; and, (3) if alternatives are necessary or available.

Where agency approval is necessary from various departments, final sign-offs should be on the same set of plans.

Home owners should be aware of the nature and requirements of their wastewater disposal system. Plans should be available in city or county offices showing placement of soil absorption systems. Since this is only feasible for new construction, local agencies should require septic system as-built plans as a condition of new construction final inspection. Plans would be kept on file for future use of property owners.

Prospective property buyers should be informed of any enforcement action affecting parcels or houses they wish to buy. For example, a parcel in a discharge prohibition area may be unbuildable for an indefinite period, or a developed parcel may be subject to significant user charges from a future sewer system. Local agencies should have prohibition area terms entered into the county record for each affected parcel. When a prospective buyer conducts a title search, terms of the prohibition would appear in the preliminary title report.

Dual leaching capabilities provide an immediate remedy in the event of system failure. For that reason, dual leachfields are considered appropriate for all systems. Furthermore, should wastewater flows increase, this area can be used until the system is expanded. But system expansion may not be possible if land is not set aside for this purpose. For these reasons, dedicated system expansion areas are also appropriate.

To protect this set-aside area from encroachment, the local agency should require restrictions on future use of the area as a condition of land division or building permit approval. For new subdivisions, Covenants, Conditions, and Restrictions (CC&R's) might provide an appropriate mechanism for protecting a set aside area. Future buyers of affected property would be notified of property use restrictions by reading CC&R's.

All on-site system owners need to be aware of proper operation and maintenance procedures. Local governing jurisdictions should mount a continuing public education program to provide home owners with on-site system operation and maintenance guidelines. Basin Plan information should be available at local agency health and building departments.

Local agencies should conduct an on-site system inspection program, particularly in areas where system failures are common or where systems with poor soils are approved. An agency inspector should periodically check each septic tank for pumping need and each system for proper operation. Homeowners should be alerted where evidence of system failure exists. Where nuisance or a potential public health hazard exists, a followup procedure should insure the situation is corrected. On-site systems should be constructed in a location that facilitates system inspection.

Another approach is periodically to mail homeowners a brochure reminding them how to maintain and inspect their on-site system. Homeowners should be notified that they should periodically check their septic tank for

pumping need. Homeowners should also be notified of other problems indicative of system failure. Some examples include wet spots in drainfield area, lush grass growths, slowly draining wastewater, and sewage odors.

Many existing systems do not comply with current or proposed standards. Repairs to failing systems should be done under permit from the local agency. To the extent practicable, the local agency should require failing systems to be brought into compliance with Basin Plan recommendations. This could be a condition of granting a permit for repairs.

Land use changes on properties used for commerce, small institutions, or industries should not be approved by the local agency until the existing on-site system meets criteria of this Basin Plan and local ordinances. A land use permit or business license could be used to alert the local agency of land use changes.

VIII.D.2.b. ON-SITE WASTEWATER MANAGEMENT PLANS

On-site wastewater management should be implemented in urbanizing areas to investigate long-term cumulative impacts resulting from continued use of individual, alternative, and community on-site disposal systems. A wastewater disposal study should be conducted to determine the best Wastewater Management Plan that would provide site or basin specific wastewater re-use. This study should identify basin specific criteria to prevent water quality degradation and public health hazards and provide an evaluation of the effects of existing and proposed developments and changes in land use. These plans should be a comprehensive planning tool to specify on-site disposal system limitations to prevent ground or surface water degradation. Wastewater management plans should:

- Contain a ground/surface water monitoring program.
- Identify sites suitable for conventional septic systems.
- Project on-site disposal system demand.
- Determine sites and methods to best meet demand.
- Project maximum population densities for each subdrainage basin to control degradation or contamination of ground or surface water.
- Recommend establishment of septic tank maintenance districts, as needed.
- Identify alternate means of disposing of sewage in the event of irreversible degradation from on-site disposal systems.

For areas where watershed-wide plans are not developed, conditions could be placed on new divisions of land or community systems to provide monitoring data or geologic information to contribute to the development of a Wastewater Management Plan.

Wastewater disposal alternatives should identify costs to each homeowner. A cost-effectiveness analysis, which considers socio-economic impacts of alternative plans, should be used to select the recommended plan.

On-site wastewater disposal zones, as discussed in Section 6950-6981 of the Health and Safety Code, may be an appropriate means of implementing on-site Wastewater Management Plans.

On-site Wastewater Management Plans shall be approved by the Regional Board.

VIII.D.2.c. SEPTIC TANK MAINTENANCE DISTRICTS

It may be appropriate for unsewered community on-site systems to be maintained by local sewage disposal maintenance districts. These special districts could be administered through existing local governments such as County Water Districts, a Community Services District, or a County Service Area.

Septic tank maintenance districts should be responsible for operation and maintenance in conformance with this Water Quality Control Plan. Administrators should insure proper construction, installation, operation, and maintenance of on-site disposal systems. Maintenance districts should establish septic tank surveillance, maintenance and pumping programs, where appropriate; provide repairs to plumbing or leachfields; and encourage water conservation measures.

VIII.D.3. CRITERIA FOR NEW SYSTEMS

On-site sewage disposal system problems can be minimized with proper site location, design, installation, operation, and maintenance. The following section recommends criteria for all new individual subsurface disposal systems and community sewage disposal systems. Local governing jurisdictions should incorporate these guidelines into their local ordinances. These recommendations will be used by the Regional Board for Regional Board regulated systems and exemptions.

Recommendations are arranged in sequence under the following categories: site suitability; system design; construction; individual system maintenance; community system design; and local agencies.

Mandatory criteria are listed in the "Individual, Alternative, and Community Systems Prohibitions" section.

VIII.D.3.a. SITE SUITABILITY

Prior to permit approval, site investigation should determine on-site system suitability:

1. At least one soil boring or excavation per on-site system should be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content 60 percent or greater. The soil boring or excavation should extend at least 10 feet below the drainfield[1] bottom at each proposed location.

2. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drainfield bottom.

3. For leachfields, at least three percolation test locations should be used to determine system acceptability. Tests should be performed at proposed subsurface disposal system sites and depths.

4. If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment, or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields should be set-back far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, of the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback should be at least 100 feet measured from the top of the cut.

5. Natural ground slope of the disposal area should not exceed 20 percent.

6. For new land divisions, lot sizes less than one acre should not be permitted.

VIII.D.3.b. SYSTEM DESIGN

On-site systems should be designed according to the following recommendations:

1. Septic tanks should be designed to remove nearly 100 percent of settleable solids and should provide a high degree of anaerobic decomposition of colloidal and soluble organic solids.

2. Tank design must allow access for inspection and cleaning. The septic tank must be accessible for pumping.

3. If curtain drains discharge diverted ground water to subsurface soils, the upslope separation from a leachfield or pit should be 20 feet and the down slope separation should be 50 feet.

[1] "Drainfield" refers to either a leachfield or seepage pit.

4. Leachfield application rate should not exceed the following:

Percolation Rate min./in	Loading Rate g.p.d./sq.ft.
1 - 20	0.8
21 - 30	0.6
31 - 60	0.25
61 - 120	0.10

5. Seepage pit application rate should not exceed 0.3 gpd/sq. ft.

6. Drainfield[1] design should be based only upon usable permeable soil layers.

7. The minimum design flow rate should be 375 gallons per day per dwelling unit.

8. In clayey soils, systems should be constructed to place infiltrative surfaces in more permeable horizons.

9. Distance between drainfield trenches should be at least two times the effective trench depth.[2]

10. Distance between seepage pits (nearest sidewall to sidewall) should be at least 20 feet.

11. Dual disposal fields (200 percent of original calculated disposal area) are recommended.

12. For commercial systems, small institutions, or sanitary industrial systems, design should be based on daily peak flow.

13. For commercial and institutional systems, pretreatment may be necessary if wastewater is significantly different from domestic wastewater.

14. Commercial systems, institutional systems, or domestic industrial systems should reserve an expansion area (i.e. dual drainfields must be installed and area for replacement of drainfield must be provided) to be set aside and protected from all uses except future drainfield repair and replacement.

15. Nutrient and heavy metal removal should be facilitated by planting ground cover vegetation over shallow subsurface drainfields. The plants must have the following characteristics: (1) evergreen, (2) shallow root systems, (3) numerous leaves, (4) salt resistant, (5) ability to grow in soggy soils, and (6) low or no maintenance. Plants downstream of leaching area may also be effective in nutrient removal.

VIII.D.3.c. DESIGN FOR ENGINEERED SYSTEMS

1. Mound systems should be installed in accordance with criteria contained in Guidelines for Mound Systems by the State Water Resources Control Board.

2. Evapotranspiration systems should be installed in accordance with criteria contained in Guidelines for Evapotranspiration Systems by the State Water Resources Control Board. Exceptions are:

   a. For evapotranspiration systems, each month of the highest precipitation year and lowest evaporation year within the previous ten years of record should be used for design.

   b. Systems shall be designed by a registered civil engineer competent in sanitary engineering.

VIII.D.3.d. CONSTRUCTION

Water quality problems resulting from improper construction can be reduced by following these practices:

1. Subsurface disposal systems should have a slightly sloped finished grade to promote surface runoff.

[1] "Drainfield" refers to either a leachfield or seepage pit.
[2] "Effective trench depth" means depth below the bottom of the trench pipe.

2. Work should be scheduled only when infiltrative surfaces can be covered in one day to minimize windblown silt or rain clogging the soil.

3. In clayey soils, work should be done only when soil moisture content is low to avoid smeared infiltrative surfaces.

4. Bottom and sidewall areas should be left with a rough surface. Any smeared or compacted surfaces should be removed.

5. Bottom of trenches or beds should be level throughout to prevent localized overloading.

6. Two inches of coarse sand should be placed on the bottom of trenches to prevent compacting soil when leachrock is dumped into drainfields. Fine sand should not be used as it may lead to system failure.

7. Surface runoff should be diverted around open trenches/ pits to limit siltation of bottom area.

8. Prior to backfilling, the distribution system should be tested to check the hydraulic loading pattern.

9. Properly constructed distribution boxes or junction fittings should be installed to maintain equal flow to each trench. Distribution boxes should be placed with extreme care outside the leaching area to insure settling does not occur.

10. Risers to the ground surface and manholes should be installed over the septic tank inspection ports and access ports.

11. Drainfield should include an inspection pipe to check water level.

Additional construction precautions are discussed within the Environmental Protection Agency's Design Manual: On-Site Wastewater Treatment and Disposal Systems.

VIII.D.3.e. INDIVIDUAL SYSTEM MAINTENANCE

Individual septic tanks should be maintained as follows:

1. Septic tanks should be inspected every two to five years to determine the need for pumping. If garbage

grinders or dishwashers discharge into the septic tank, inspection should occur at least every two years.

2. Septic tanks should be pumped whenever: (1) the scum layer is within three inches of the outlet device; or (2) the sludge level is within eight inches of the bottom of the outlet device.

3. Drainfields should be alternated when drainfield inspection pipes reveal a high water level.

4. Disposal of septage (solid residue pumped from septic tanks) should be accomplished in a manner acceptable to the Executive Officer. In some areas, disposal may be to either a Class I or Class II solid waste site; in others, septage may be discharged to a municipal wastewater treatment facility.

VIII.D.3.f. COMMUNITY SYSTEM DESIGN

Community systems should be designed and maintained to accommodate the following items:

1. Capacities should accommodate build-out population.

2. Design should be based upon peak daily flow estimates.

3. Design should consider contributions from infiltration throughout the collection system.

4. Septic tanks should be pumped when sludge and scum levels are greater than 1/3 of the depth of the first compartment.

5. Operation and maintenance should be in accordance with accepted sanitary practice.

6. Maintenance manuals should be provided to system users and maintenance personnel.

7. Discharge should not exceed 40 grams per day total nitrogen, on the average, per acre of total development overlying ground water recharge areas, unless local governing jurisdictions adopt Wastewater Management Plans subsequently approved by the Regional Board.

VIII.D.3.g. LOCAL AGENCIES

Recommendations for local governing jurisdictions:

1. Adopt a standard percolation test procedure.

   The California State Water Resources Control Board Guidelines for Evapotranspiration Systems provides a percolation test method recommended for use to standardize test results. A twelve-inch diameter percolation test hole may be used.

2. Percolation tests should be continued until a stabilized rate is obtained.

3. Percolation test holes should be drilled with a hand auger. A hole could be hand augered or dug with hand tools at the bottom of a larger excavation made by a backhoe.

4. Percolation tests should be performed at a depth corresponding to the bottom of the subsurface disposal area.

5. Seepage pits should be utilized only after careful consideration of site suitability. Soil borings or excavations should be inspected either by permitting agency or individual under contract to the permitting agency.

6. Approve permit applications after checking plans for erosion control measures.

7. Inspect systems prior to covering to assure proper construction.

8. Require replacements or repairs to failing systems to be in conformance with Basin Plan recommendations, to the extent practicable.

9. For new land divisions, protect on-site disposal systems and expansion areas from encroachment by provisions in covenants, conditions, and restrictions.

10. Inform property buyers of the existence, location, operation, and maintenance of on-site disposal systems. Prospective home or property buyers should also be informed of any enforcement action (e.g. Basin Plan prohibitions) through the County Record.

11. Conduct public education programs to provide property owners with operation and maintenance guidelines.

12. Alternative system owners shall be provided an informational maintenance or replacement document by the appropriate governing jurisdiction. This document shall cite homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.

13. Where appropriate, septic tank systems should be maintained by local septic tank maintenance districts.

14. Wastewater Management Plans should be prepared and implemented for urbanizing and high density areas, including applicable portions of San Martin, San Lorenzo Valley, Carmel Valley, Carmel Highland, Prunedale, El Toro, Shandon, Templeton, Santa Margarita/Garden Farms, Los Osos/Baywood Park, Arroyo Grande, Nipomo, upper Santa Ynez Valley, and Los Olivos/Ballard.

15. Ordinances should be updated to reflect Basin Plan criteria.

VIII.D.3.h. ADDITIONAL CONSIDERATIONS

1. Water conservation and solids reduction practices are recommended. Garbage grinders should not be used in homes with septic tanks.

2. Metering and water use costs should be used to encourage water conservation.

3. Grease and oil should not be introduced into the system. Bleach, solvents, fungicides, and any other toxic material should not be poured into the system.

4. Reverse osmosis unit blow-down should not be discharged to on-site wastewater treatment systems overlying usable ground water. Off-site (factory regeneration) practices are recommended for water softeners.

5. If on-site water softener regeneration is necessary, minimum salt use in water softeners is recommended. This can be accomplished by minimizing regeneration time or limiting the number of regeneration cycles.

VIII.D.3.i. INDIVIDUAL, ALTERNATIVE AND COMMUNITY SYSTEMS PROHIBITIONS

Discharges from new soil absorption systems installed after September 16, 1983 in sites with any of the following conditions are prohibited:

1. Soils or formations contain continuous channels, cracks, or fractures.[1]

2. For seepage pits, soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.

3. Distances between trench bottom and usable ground water, including perched ground water, less than separation specified by appropriate percolation rate:

Percolation Rate, min/in	Distance, ft
<1	50[1]
1-4	20[1]
5-29	8
>30	5

[1] Unless a set-back distance of at least 250 feet to any domestic water supply well or surface water is assured.

4. For seepage pits, distances between pit bottom and usable ground water, including perched ground water, less than separation specified by appropriate soil type:

Soil	Distance,ft.
Gravels[2]	50[1]
Gravels with few fines[3]	20[1]
Other	10

5. Distances between trench/pit bottom and bedrock or other impervious layer less than ten feet.

6. For leachfields, where percolation rates are slower than 120 min/in, unless parcel size is at least two acres.

7. For leachfields, where soil percolation rates are slower than 60 min./in. unless the effluent application rate is 0.1 gpd/ft^2 or less.

8. Areas subject to inundation from a ten-year flood.

9. Natural ground slope of the disposal area exceeds 30 percent.

10. Setback distances less than:

	Minimum Setback Distance, ft
Domestic water supply wells in unconfined aquifer	100
Watercourse[4] where geologic conditions permit water migration	100
Reservoir[5] spillway elevation	200
Springs, natural or any part of man-made spring	100

11. While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one-half acre.

12. Within a reservoir[5] watershed where the density for each land division is less than 2.5 acres for areas without approved Wastewater Management Plans.

13. For individual systems on new land divisions, and commercial, institutional, and sanitary industrial systems without an area set aside for dual leachfields (100 percent replacement area).

14. Commercial, institutional, or sanitary industrial systems not basing design on daily peak flow estimate.

15. Any site unable to maintain subsurface disposal.

16. Any subdivision unless the subdivider clearly demonstrates the use of the system will be in the best public interest, that beneficial water uses will not be adversely affected, and compliance with all Basin Plan prohibitions is demonstrated.

17. Lot sizes, dwelling densities or site conditions causing detrimental impacts to water quality.

18. Any area where continued use of on-site systems constitutes a public health hazard, an existing or threatened condition of water pollution, or nuisance.

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[1] Unless a set-back distance of at least 250 feet to any domestic water supply well or surface water is assured.

[2] Gravels - Soils with over 95 percent by weight coarser than a No. 200 sieve and over half of the coarse fraction larger than a No. 4 sieve.

[3] Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

[4] Watercourse - (1) A natural or artificial channel for passage of water. (2) A running stream of water. (3) A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some stream or body of water.

[5] Reservoir-A pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

Discharges from community subsurface disposal systems (serving more than five parcels or more than five dwelling units) are prohibited unless:

1 Seepage pits have at least 15 vertical feet between pit bottom and highest usable ground water, including perched ground water.

2. Sewerage facilities are operated by a public agency. (If a demonstration is made to the Regional Board that an existing public agency is unavailable and formation of a new public agency is unreasonable, a private entity with adequate financial, legal, and institutional resources to assume responsibility for waste discharges may be acceptable).

3. Dual disposal systems are installed (200 percent of total of original calculated disposal area).

4. An expansion area is included for replacement of the original system (300 percent total).

5. Community systems provide duplicate individual equipment components for components subject to failure.

6. Discharge does not exceed 40 grams per day of total nitrogen, on the average, per 1/2 acre of total development overlying ground water recharge areas excepting where a local governing jurisdiction has adopted a Wastewater Management Plan subsequently approved by the Regional Board.

In order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, discharges are prohibited in the following areas:

1. Discharges from individual sewage disposal systems are prohibited in portions of the community of Nipomo, San Luis Obispo County, which are particularly described in Appendix A-27.

2. Discharges from individual sewage disposal systems within the San Lorenzo River Watershed shall be managed as follows:

a. Discharges shall be allowed, providing the County of Santa Cruz, as lead agency, implements the "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz, Health Services Agency, Environmental Health Service", February 1995 and "San Lorenzo Nitrate Management Plan, Phase II Final Report", February 1995, County of Santa Cruz, Health Services Agency, Environmental Health Service (Wastewater Management Plan) and assures the Regional Board that areas of the San Lorenzo River Watershed are serviced by wastewater disposal systems to protect and enhance water quality, to protect and restore beneficial uses of water, and to abate and prevent nuisance, pollution, and contamination.

In fulfilling the responsibilities identified above, the County of Santa Cruz shall submit annual reports beginning on January 15, 1996. The report shall state the status and progress of the Wastewater Management Plan in the San Lorenzo River Watershed. The County of Santa Cruz annual report shall document the results of:

a. Existing disposal system performance evaluations,
b. Disposal system improvements,
c. Inspection and maintenance of on-site systems,
d. Community disposal system improvements,
e. New development and expansion of existing system protocol and standards,
f. Water quality monitoring and evaluation,
g. Program administration management, and
h. Program information management.

The report shall also document progress on each element of the Nitrate Management Plan, including:

a. Parcel size limit,
b. Wastewater Management Plan implementation,
c. Boulder Creek Country Club Wastewater Treatment Plant Upgrade,
d. Shallow leachfield installation,
e. Enhanced wastewater treatment for sandy soils,
f. Enhanced wastewater treatment for large on-site disposal systems,
g. Inclusion of nitrogen reduction in Waste Discharge Permits,
h. Livestock and stable management,
i. Protection of ground water recharge areas,
j. Protection of riparian corridors and erosion control,
k. Nitrate control for new uses,
l. Scotts Valley nitrate discharge reduction, and
m. Monitoring for nitrate in surface and ground water.

3. Discharges from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area depicted in the Prohibition Boundary Map included

OPERATION AND MAINTENANCE

1. Accidental Chemical Spills - A procedural manual has been developed by each CALTRANS district to standardize cleanup procedures. CALTRANS maintenance personnel are equipped and trained to handle such situations.

2. Erosion Control - Where slopes show evidence of erosion, remedial stabilization measures must be taken. Debris is disposed of at approved disposal site.

VIII.E.5.d. OTHER AGENCIES PROGRAMS

Resource Conservation Districts (RCD's) and the U.S.D.A. Soil Conservation Service are organizations that assist property owners in applying effective conservation and land management practices. The program includes technical, educational, and planning services to property owners and local governments who request assistance. It has been relatively successful considering its voluntary nature and resource limitations. The Soil Conservation Service has a major role in the Rural Clean Water Program.

The U.S.D.A. Agricultural Stabilization and Conservation Service administers the cost-sharing aspects of the Agricultural Conservation Program, allocating available monies to farmers and ranchers for erosion and sedimentation control and water conservation projects.

Cities and Counties, as general purpose governments, have broad powers to adopt specific and general plans; to regulate land use, subdividing, grading, and private construction; and to construct and operate public works facilities. Local authority to regulate existing and potential discharges of sediment has been exercised to varying degrees throughout the region.

Many cities and counties within the coastal zone have developed Local Coastal Programs. These programs may include land use and grading restrictions designed to protect long-term productivity of soils and waters within the coastal zone. Regulation by the California Coastal Commission provides this protection where Local Coastal Programs are inadequate.

The State Department of Fish and Game promotes the protection and improvement of streams, lakes, and natural habitat areas for fish and wildlife. It also regulates stream alteration and compels cleanup of fouled streams.

W10a

Jonathan Bishop

From: Elizabeth Bettenhausen [elizabeth1b@charter.net]
Sent: Thursday, July 05, 2007 3:02 PM
To: Jonathan Bishop
Subject: letter to CCC meeting

Importance: High

ccc5-7-07letter.wps
(17 KB)

Salutations on this fine Thursday!
I'd be grateful were you to include the attached and following letter to the Coastal Commissioners in their packets.
--
Elizabeth Bettenhausen
345 Plymouth Street
Cambria, CA 93428
(805) 927-0659

AGENDA: W10a
LCP Amendment No. SLO-MAJ-1-06 Part 1

Elizabeth Bettenhausen
Favor modifications proposed by CCC Staff

Honorable California Coastal Commissioners:

As a full-time resident of Cambria, a Coastal Steward who has also adopted San Simeon State Beach, and a volunteer with students in the Cambria Grammar School, I ask you to accept the modifications suggested by the CCC staff. Having submitted comments on the LCP Amendment process from the SLO Planning Commission to the present, I now raise two issues.

1. Communitywide Standard 3
I strongly support
47
pg. 7-16. Service Extensions Outside the USL/URL. Delete Cambria Urban Area Communitywide Standard 3. and 48
Pg. 7-16 Limitation on Development. Add new Communitywide Standard 3 as follows:

for the following reasons:
a. The urban line should be well-defined and maintained.
b. The update of rural LUP for San Luis Obispo County has not been done. c. The Cambria Community Services District (CCSD) already confronts deficit spending to provide existing public services.
d. Natural resources have intrinsic value larger than the interests of the local urban residents. e. 1/3 the water users in Cambria use 2/3 of the CCSD provided water. In the United States today development and public utilities should be governed by conservation as the primary principle.

2. Within the new Communitywide Standard 3, 4. Desalination Standards, provide excellent protection for ocean, beach, land, air, flora, and fauna (including us humans). I have written to the CCSD that, in the modifications proposed by the CCC staff, I infer certain principles of public policy ethics that I support.

a. Protection of coastal resources is the dominant criterion by which development and growth rates are judged.

b. Protection ranks higher as a criterion than mitigation of negative declarations.

c. Mandatory protections--making certain there are no adverse impacts on coastal resources--rank higher than discretionary preferences.

d. Judgments about land use should be made on the basis of current resources, not on the basis of speculative plans.

e. The Monterey Pine Forest, the ocean, and the adjoining land have intrinsic value which humans must respect.

f. Respecting the ecological habitat in which we humans live serves our interests as well, now and in the future.

The laudable caution and careful concern are expressed in the Desalination Standards section.

Walking San Simeon State Beach several times a week, I always hope you continue to make decisions that protect this beautiful and intriguing part of California.

With gratitude for your work, I am

Sincerely yours,
Elizabeth Bettenhausen
345 Plymouth St., Cambria, CA 93428
elizabeth1b@charter.net

W10a

Jonathan Bishop

From: mlmiller@co.slo.ca.us
Sent: Friday, June 29, 2007 9:53 AM
To: Jonathan Bishop
Cc: jeuphrat@co.slo.ca.us; mjanssen@co.slo.ca.us
Subject: Suggested Modifications - Cambria/SSA Community Plans

Good morning Jonathan;
Well, after the last few months of coordination, I just have a couple of comments on the Suggested Modifications in the staff report for the July 11, 2007 Coastal Commission hearing.

Mod 44 - Proposed standard 4.E. West Village should be deleted because revised standard 3 already prohibits development in all FH areas. Standard 4.E. is redundant.

Mods 53 and 65 - B. Bluff Setbacks. Change the threshold for alterations to existing non-conforming development to 75% instead of the suggested 50% to be consistent with existing LCP standards for nonconforming development and standards proposed in the Estero update.

Mod 58 - 11a South Cambria change from RS to RL as proposed. The Open Space land use category is not consistent with Framework for Planning. The neighboring 32 acre parcel designated Open Space by the Coastal Commission under a previous action, is under an agriculture preserve. The 43-acre area is comprised of privately owned parcels, two of which are already developed with single family homes, and are not appropriate for the Open Space designation. The purpose statements of the Open Space category, contained in Framework for Planning includes the following:

> To identify areas in public ownership which are reserved for wilderness use or as a wildlife or nature preserve.
> To identify environmentally-fragile areas that are capable of supporting only passive recreational activities and non-structural uses.

The character statements of the Open Space category, contained in Framework for Planning includes the following:

> National forest, BLM, or other public lands specifically reserved or proposed for watershed preservation, outdoor recreation wilderness or wildlife / nature preserves.
> Areas reserved for passive, non-intensive recreational uses such as riding and hiking trails, primitive trail camps, etc
> Areas where only appropriate residential use in an open space category would be ranger or caretaker quarters.

Rural Lands is the appropriate category for these properties. The purpose statements of the Rural Lands category, contained in Framework for Planning includes the following:

> To permit rural development to very low densities which will maintain the character of rural and open areas, and maximizes preservation of watershed and wildlife habitat areas.
> To preserve large parcel sizes but allowing rural residences to be established on lands having open space value but limited agricultural potential.
> To maintain low population densities in rural areas outside of urban and village reserve lines where an open and natural countryside with very low development intensity is intended.

The character statements of the Rural Lands category, contained in Framework for Planning includes the following:

> Areas outside urban and village reserve lines that have open space value for retaining large parcel sizes...
> Areas outside urban and village areas with existing land uses including...rural residences and vacation cabins, and watershed,

wildlife, and open space uses.

Finally, we look forward to the staff reports on SLO-MAJ-1-06 Parts 2 and 3 (Fiscalini Ranch and Title 23). When will these be available.

Thanks again Jonathan, we look forward to the conclusion of this update effort.

Sincerely,

Martha Miller, AICP
Planning and Building
San Luis Obispo County
V: (805) 781-4576
F: (805) 781-1242

W10a CL SM JB

LandWatch

San Luis Obispo County

Post Office Box 174 ♦ Cambria, California 93428

RECEIVED

JUN 27 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

June 21, 2007

Charles Lester
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Re: Cambria Community Service District Response to California Coastal Commission Recommendations to County Approved Cambria Community Plan Update

Dear Mr. Lester:

LandWatch San Luis Obispo County wishes to indicate our total support of California Coastal Commission (CCC) staff decisions on all changes to the Local Coastal Plan/Cambria Community Plan which was approved by the County of San Luis Obispo. We do not want the original recommendations by CCC staff in any way weakened.

There are five key areas in which the Cambria Community Services District (CCSD) staff expressed recommendations for response by the CCSD Directors. These concerns on May 24, 2007 in their monthly meeting included 1) in stream flow studies of Santa Rosa and San Simeon Creeks; 2) affordable housing; 3) desalination standards; 4) Cambria Community Park; and 5) facilities on The Fiscalini Ranch Preserve (formerly known as East West Ranch).

In Stream Flow Study -- LandWatch SLO County strongly disagrees with the CCSD staff position which suggested adding the words "additional withdrawals" from the creeks in order to avoid doing in stream flow studies. The State Water Quality Control Board clearly requested these stream flow studies nearly ten years ago in Decision #1624. There were several very critical unanswered questions then which caused the SWQCB to impose additional restrictions on CCSD withdrawals. The CCSD has failed to comply with the order to do stream flow studies in response to intentionally dewatering a portion of Santa Rosa Creek.

Affordable Housing --The meter game is still being played by CCSD. Most recently, the District converted a number of multi-family meters to single family residential meters. The building moratorium supposedly exists, but scores of meters have been issued for new construction. Converting multi-family meters to single family residential meters deprives needy families of an opportunity to buy in Cambria.

Desalination Standards -- LandWatch SLO County is very concerned that CCSD's rush to desal will undermine the California Coastal Act by requesting the relaxation of environmental review and conditions which have protected public access and use of beaches as well as prevented drilling in wetlands and using public trust property for private use.

Charles Lester, Cont.
June 21, 2007

Cambria Community Park -- LandWatch SLO County opposes elaborate development of a community park on the historic flood plain of the Fiscalini Ranch Preserve (East Ranch). Any development there is at risk of flooding and destruction. Any park on that land should be for passive recreational use only.

Facilities on Fiscalini Ranch Preserve -- LandWatch SLO County is concerned about the use of open space by private business facilities (an elaborate cell tower complex) and possible water well drilling for irrigation (fostering further development). These lands should remain open space forever as believed by donors who helped to acquire them.

We appreciate your considering our concerns.

Sincerely,

Cynthia Hawley
President

cc: Anne Wyatt, Planning Commissioner, District 2
Bruce Gibson, Supervisor, District 2
Peter Douglas, Executive Director, California Coastal Commission
Steve Monowitz
Jonathan Bishop

W10a

Anne Winburn
2890 Burton Circle
Cambria, CA 93428

California Coastal Commission
Central Coast District Office
Mr. Jonathan Bishop, Coastal Program Analyst
725 Front Street, Suite 300
Santa Cruz, CA 95060

June 24, 2007

Dear Jonathan,

I just heard the CCC is opposed to the installation of FAKE TREE CELL TOWERS in the Monterey pine forest in Cambria. BRAVO Again.
This open space was purchased by private donations for the purpose of preserving OPEN SPACE.

There is no reason the cell towers cannot be located in a "commercial" area. CCSD has demonstrated that they have NO respect nor sensitivity to the will of the community nor to the sensitive environment we have in Cambria.

PLEASE DO NOT change your recommendation to disallow FAKE TREE CELL TOWERS in the Monterey pine forest. PLEASE!!!!!!!!
We need you to protect this area from stupid development and the ravaging of our natural resources. We need you to protect this area from individuals' political agendas. We need you to protect this area from special interest groups whose interests do not include preservation and protection of our natural resources in Cambria. You are our only hope to protect this precious area. SLO county and CCSD are not motivated to do so.

Please hang tough and do not cave to political pressure. Please continue to oppose any unnatural development on the Fiscalini Ranch.

Thanks, Jonathan. If this is not your "project", please pass my citizen opinion on to those who's 'project'" it is. Please keep up the great work.

Best Regards,
Anne L. Winburn

 W10a

Santa Cruz

June 20, 2007

California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

RE: LOCAL COASTAL PLAN AMENDMENT for SAN SIMEON CAMBRIA UPDATE PLAN
CELL TOWER CONSTRUCTION

Dear Commissioners,

At last night's North Coast Advisory Council meeting, I listened to our CCSD manager push for support of the installation of a cell tower on the west ranch (Fiscalini Ranch). Bottom line was that the CCSD wants the $1300 per month (which raises each year) to ultimately pay for required maintenance on that ranch.

There is a trend in this village to ignore our Cambria Design Plan's description of ourselves as a RURAL ENVIRONMENT -- to urbanize pieces of the ranchland with soccer fields and cell towers and wipe out the night sky with streetlights that have no environmental review (a lawsuit is being filed regarding that bit of craziness). It is stated in our design plan that the county development standards should be changed to reflect Cambria's design guidelines. And the Local Coastal Plan needs to protect us from inappropriate county design standards for urban environments.

To allow a cell tower to be built is just another chipping away at what most of us hold dear and what the Local Coastal Plan is there to protect -- the natural beauty and health of the natural coastal environment. When you move to Cambria, you must know that you leave some urban luxuries behind. Please please please don't let urban construction change the very nature of this sensitive land. MAKE THE PEOPLE OF CAMBRIA BE STEWARDS OF THE LAND and describe what that means by upholding the intent of the Local Coastal Plan and our Cambria Design Plan.

Thank you.

Lauren Younger
2159 Wilton Drive, Cambria CA 93428
805/927-2663
zolot@charter.net

5 Sta Cruz

W10a

June 20, 2007

California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

RE: LOCAL COASTAL PLAN AMENDMENT for SAN SIMEON CAMBRIA UPDATE PLAN

Dear Commissioners,

My specific concern for this area is the proposed active sports use of the Fiscalini Ranch (formerly the East-West Ranch).

[illegible] space use with passive sports available (such as hiking). The new proposal for active sports fields would have detrimental affects upon the sensitive riparian creek habitat fronting the land in question.

The town of Cambria has sports fields at the high school and our local park. There is also a football field which lies dormant most of the year when football is not in season.

If you read the Cambria Development Plan, you will see that the intent of the plan is to keep Cambria rural in its feel and safeguard both the wildlife and the people.

Active sports fields in this last gentle part of the central coast will cater to people who need urban organized sports and take away from people who invested in keeping open space so they could share the land and steward the land for both people and animals.

There are sports fields close by in Morro Bay and tons of them in San Luis Obispo — huge ones for large groups

[illegible] to push the idea of huge active sports fields. I urge you to deny this proposed use [illegible] allow a few to change the intent of the will of this land & betray the people who worked so hard to save it from development. There is no rush to change things. At some point in the future, this can be visited again or perhaps we will convince people to use the high school fields.

Thank you.

Lauren Younger
2159 Wilton Drive, Cambria CA 93428
805/927-2663
zolot@charter.net,

W10a

San Simeon Community Services District

111 Pico Avenue, San Simeon, California 93452
(805) 927-4778 Fax (805) 927-0399

July 2, 2007

Steve Monowitz, District Manager
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

Re Agenda Item W10a: *San Luis Obispo County LCP Amendment No. SLO-MAJ-1-06 PART 1 (Cambria & San Simeon Acres Community Plans)*

Dear Mr. Monowitz:

The draft San Luis Obispo County Local Coastal Program for Cambria and San Simeon Acres Community contains many laudable intents and goals for the Local Coastal Program. Unfortunately, some of these new policies would have serious financial impacts on the San Simeon Community Services District. Therefore, the Board of the San Simeon Community Services District has reviewed the draft Local Coastal Program for San Simeon Acres and provides you with the following comments, concerns and/or corrections.

As a general note, throughout the draft Local Coastal Program, reference is made to the San Simeon Community Services District as the San Simeon Acres Community. In 1991, the Board of Directors amended and changed its name thereby deleting the reference to "Acres" to more correctly represent and identify the District with its geographical location. Therefore, please delete any reference to "Acres" in the draft Local Coastal Program.

In regard to other changes proposed by the San Simeon Community Services District: for ease of reference we have set forth the proposed draft policies along with our comments, concerns and/or corrections, which are in bold type.

Page 3-38. *San Simeon Acres Sewage Disposal:*

Based on the ~~projected~~ potential increase in residential units and tourist facilities and a corresponding increase in sewage flow from the Hearst Castle Visitors' Center, it is

estimated that average dry-weather flow at the maximum hypothetical buildout allowed by the land use designations would equal or exceed the current capacity of the treatment plant. An increase in the rate of flow per capita or per motel room could result in peak flows 25 percent higher than the plant's capacity.

To handle these peak flows, that would result from the maximum hypothetical buildout under this Plan, expansion of the existing plant, or constructing a new plant at a different location, will be necessary. With modifications and upgrades, it has been estimated that the current system could handle 400,000 gpd. The hypothetical buildout flow could be accommodated by a plant of this size. However, the location of the existing treatment plant is threatened by coastal erosion, and alternative locations for the plant must therefore be pursued. ~~If a larger plant should be needed in the future, the Master Water and Sewerage Plan identifies two alternatives: 1) a new plant designed to serve San Simeon Acres (within the Village Reserve Line); and, 2) joint use and expansion of the Cambia wastewater treatment plant.~~ Final sizing of plant expansion or replacement plant should be limited to that needed to serve San Simeon Acres, Hearst Castle, and Department of Parks and Recreation staging area facilities. In addition, beneficial use of treated effluent should be considered rather than continuing use of the outfall line. Projected sewage flow associated with the hypothetical maximum density of development allowed by the San Simeon Acres land use designations is indicated in Figure 3-6.

The statement that "the location of the existing treatment plant is threatened by coastal erosion" is a completely false statement. There is no factual evidence that any erosion has occurred in front of the treatment plant. The District certainly will look at alternative locations during any CEQA evaluation of a project, but this language must be eliminated.

Page 7-97. Marine Habitat (SRA):

1. Marine Habitat (SRA) – Projects with Point-Source Discharges. The richness, sensitivity, and unspoiled character of the marine habitats in San Simeon Acres demand particularly rigorous measures to ensure the protection of these special resources. Accordingly, no surface point-source discharges into the marine environment are allowed, except as follows:

   Exceptions:

   A. San Simeon Acres Community Services District. ~~Any capacity expansions needed to serve permitted growth within the existing~~ Discharges by the San Simeon Acres Services District (CCSD) ~~service areas, provided~~ that ~~any new outfall~~ have been properly permitted by the County, the California Coastal Commission (CCC), Regional Water Quality Control Board (RWQCB), State Lands Commission (SLC), Environmental Protection Agency (EPA), and ~~is consistent with~~ Monterey Bay National Marine Sanctuary (MBNMS) ~~provisions~~.

B. Stormwater Outfalls. Stormwater outfalls that discharge to the beach, intertidal area, or marine environment are prohibited unless it has been demonstrated that it is not possible to detain the stormwater on-site, or direct the stormwater to pervious land areas or the street, without causing flooding problems or erosion hazards. In such instances, stormwater outfalls shall include filtration and treatment systems necessary to protect coastal water quality; be screened from public view using underground pipes and/or native vegetation of local stock; and receive all necessary approvals from the agencies listed above. Consolidation of existing outfalls shall be pursued where feasible.

Section B is an unfunded mandate. The SSCSD does not have the staffing or resources to fund this project and unless the County or CCC is going to fund such a project, the language should be eliminated.

Page 7-98. *Service Capacity. Modify San Simeon Acres Village Communitywide Standard 1 as follows:*

1. Service Capacity. The San Simeon Acres Community Service District (SSCSD) shall maintain and reserve available water and sewer treatment capacity ~~on a yearly basis~~ for the following priority uses:

   A. Visitor-Serving Uses. 75 percent of available water and sewer capacity.

   B. Affordable Housing – Program Required. Of the remaining 25 percent of capacity, the SSCSD shall reserve sufficient water and sewer capacity to serve affordable housing. ~~If consistent with other permits, the amount of water and sewer capacity required to serve affordable housing units may be re-allocated from the Visitor-Serving category.~~

   Prior to issuance of any further water will-serve letters, the District shall propose to the County a program to accommodate a limited number for affordable housing units each year. The exact number shall be determined based on unmet housing needs, and availability of water. ~~Under this program and to meet the need of affordable housing units, the District may divert part of the water which otherwise would have been allocated to the Visitor-Serving water waiting list.~~

Section B is an unfunded mandate. The SSCSD does not have a Planning Department or Planning Staff and affordable housing issues are not within its jurisdiction. Therefore, the District should not and cannot be required to develop a program to accommodate affordable housing. The program should reside with the County. An affordable Housing Program within SSCSD is within the jurisdiction of the County.

Pg. 7-100. *Shoreline Access in New Visitor-Serving and Public Facility Developments. Modify Communitywide Standard 3 as follows:*

3. Shoreline Access in New Visitor-Serving and Public Facility Developments. Visitor-serving and Public Facility developments located between the first public road and the sea shall be required to provide the following public access improvements:

   A. Access from the Road to the Beach. A vertical access easement for public pedestrian use

   B. Parking Areas. Areas available for public parking.

   C. Lateral access dedications from the toe of the bluff to the mean high tide line.

   D. Blufftop Lateral Access. New development, including demolition/remodel or a change of use of existing facilities shall designate, construct, and maintain a lateral blufftop access trail for public use. The dedicated lateral access easement shall have the ability to "float" inland overtime as the bluff erodes. The trail shall be a minimum of 10 feet wide.

   E. Arroyo del Padre Juan Bridge Crossing. The existing "pipe bridge crossing Arroyo del Padre Juan shall be improved to include a bike and pedestrian crossing.

Section E is an unfunded mandate. The SSCSD has very limited resources and does not have the ability to fund such a project and unless the County or CCC is going to fund such a project, the language should be eliminated.

In closing, The San Simeon Community Services District recognizes that the County Local Coastal Program must include policies that address issues such as shoreline public access and recreation. However, the San Simeon Community Services District strongly believes that environmental concerns and economic and human goals should go hand-in-hand and will continue to strive to make this possible for the community in a positive, responsible and sustainable way.

Sincerely,

Terry Lambeth
Chair

W10a

CAMBRIA COMMUNITY PLAN UPDATE

CAMBRIA COMMUNITY SERVICES DISTRICT REQUESTED AMENDMENTS

SAN LUIS OBISPO COUNTY LOCAL COASTAL PROGRAM MAJOR AMENDMENT NUMBER 1-06 (PART 1)

CALIFORNIA COASTAL COMMISSION MEETING
JULY 9-13, 2007 EMBASSY SUITES HOTEL
SAN LUIS OBISPO, CA 93406

CAMBRIA COMMUNITY SERVICES DISTRICT

June 25, 2007.

Subject: San Luis Obispo County Local Coastal Program Major Amendment No. 1-06 (Part 1) Cambria Community Plan

Honorable Coastal Commissioners:

The Cambria Community Services District is a rate and tax supported public agency that provides water, sewer, recreation, fire protection, and trash collection to the urbanized area of Cambria. The Cambria Community Plan Update greatly impacts the cost and the way that the CCSD provides utilities and services.

The CCSD has worked with the County and Coastal Commission staffs to resolve many issues and only a few remain. We respectfully request specific modifications to the proposed Plan.

This brochure will set forth our requested amendments and briefly state our reasons for requesting these changes.

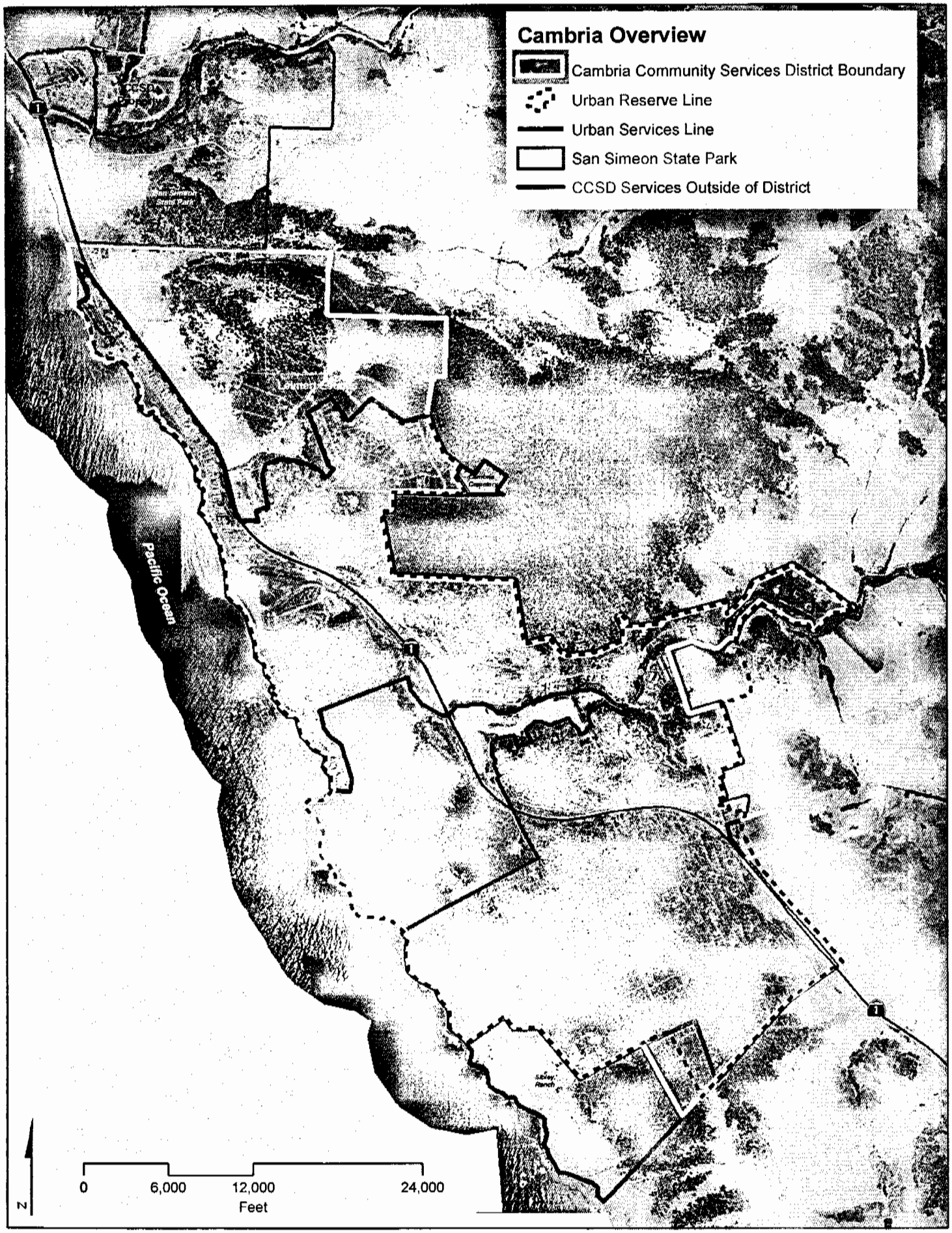
The four remaining areas of concern:

1. Affordable housing.
2. In stream flow studies of Santa Rosa and San Simeon Creeks.
3. Supplemental water project/desalination standards.
4. Uses on the Fiscalini Ranch Preserve.

Thank you for your consideration.

Sincerely yours,

Board of Directors
Cambria Community Services District


Cambria Overview
Cambria Community Services District Boundary
Urban Reserve Line
Urban Services Line
San Simeon State Park
CCSD Services Outside of District
Pacific Ocean
0
6,000
12,000
24,000
Feet
N

1. AFFORDABLE HOUSING.

Affordable housing is a priority with the CCSD. Coastal Commission staff April 2007 amendments would limit affordable housing opportunities because it would limit it to multi-family water allocations. We believe there are creative ways to provide more affordable housing if we are given the latitude to use all types of water allocations. We are working in cooperation with the County to develop a program to provide for affordable housing. At our meeting Coastal Commission staff did not object to the deletion of the last sentence.

REQUESTED AMENDMENT

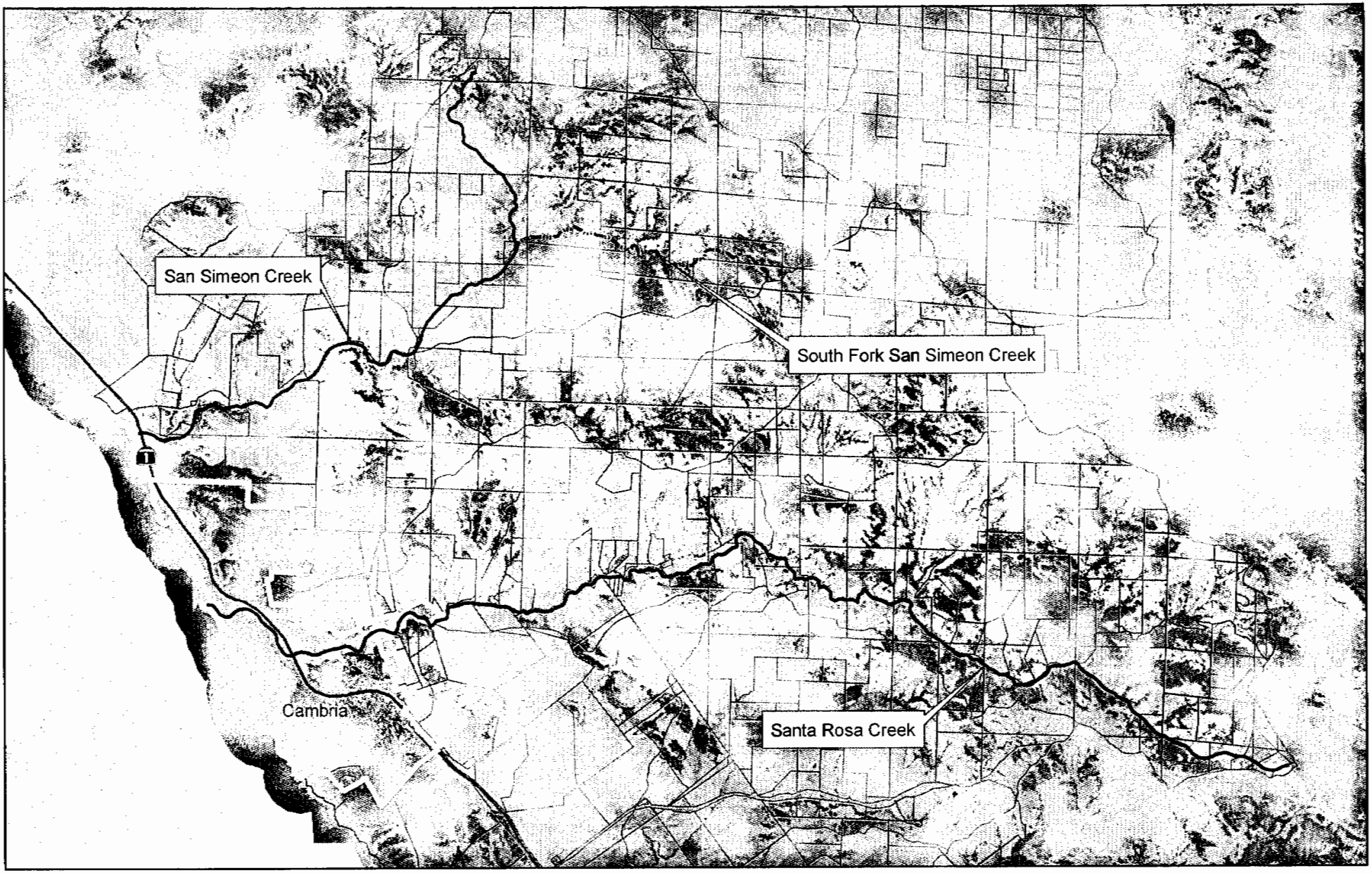
PG. 22 OF THE APRIL 11, 2007 CCC STAFF REPORT:

Pg. 7-15. Reservation of Service Capacity. Modify Cambria Community wide Standard 1 as follows:

B. Affordable Housing - Program Required. The CCSD shall reserve sufficient water and sewer capacity to serve affordable housing.

Prior to issuance of any further water will-serve letters, the District shall propose to the County a program to accommodate a limited number of affordable housing units each year. The program shall be consistent with definitions of affordable housing in the County Housing Element. The exact number shall be determined based on unmet housing needs, and availability of water. ~~Under this program and to meet the need of affordable housing units, the District may divert part of the water which otherwise would have been allocated to the or Multi-Family Residential water waiting list.~~

San Simeon And Santa Rosa Creeks



SOUTH FORK SAN SIMEON CREEK
SANTA ROSA CREEK
SAN SIMEON CREEK
White Line Cambria Community Services District Boundary
Parcels
Highway 1

N

0 5,000 10,000 20,000
Feet

2. IN STREAM FLOW STUDIES OF SANTA ROSA AND SAN SIMEON CREEKS.

As written the "supplemental water standards," states any major water supply project will require an in stream flow study for both Santa Rosa and San Simeon Creeks. This study is to insure adequate in stream flows necessary to support sensitive species and other riparian/wetland habitats, underlying groundwater aquifers and agricultural resources.

An in stream flow study would be required for any public works project related to water supply that costs over $100,000. This could include pipeline repair, valve replacement, meter replacement, water conservation upgrades, well repair, fireplug replacements, recycled water facilities, water storage tanks, supplemental water projects, etc. This study would be required for many projects that have no impact whatsoever on the creeks.

Please look at the map of these creeks in relation to the boundaries of the CCSD on the opposite page. Each creek is many miles long with hundreds of upstream water users. This study would require a complete hydrological and ecological evaluation of miles of creek that the CCSD has no legal right to access. This study would be impossible due to the extraordinary cost, lack of access to private property to obtain data, and due to the fact that the creeks do not flow year round.

Even if this study could be completed it would not be useful. For example most of the water users are agricultural users. To quantify the water use of today's crops and project the future crops is impossible because this changes each yearly. In fact, agricultural uses could increase upstream for any season thus causing ever-increasing degradation of the creek habitat.

This blanket requirement for an in stream flow study is not necessary because the CEQA review for every CCSD project would identify all of the environmental impacts to the creeks would then be mitigated. An in stream flow study of existing flows would not be relevant to many projects. For example, it would not be relevant to the proposed desalination project because desalination will leave hundreds of acre-feet of water in the creeks. The desalination plant will actually mitigate ongoing degradation of the creek flow caused by the increase of upstream agricultural uses.

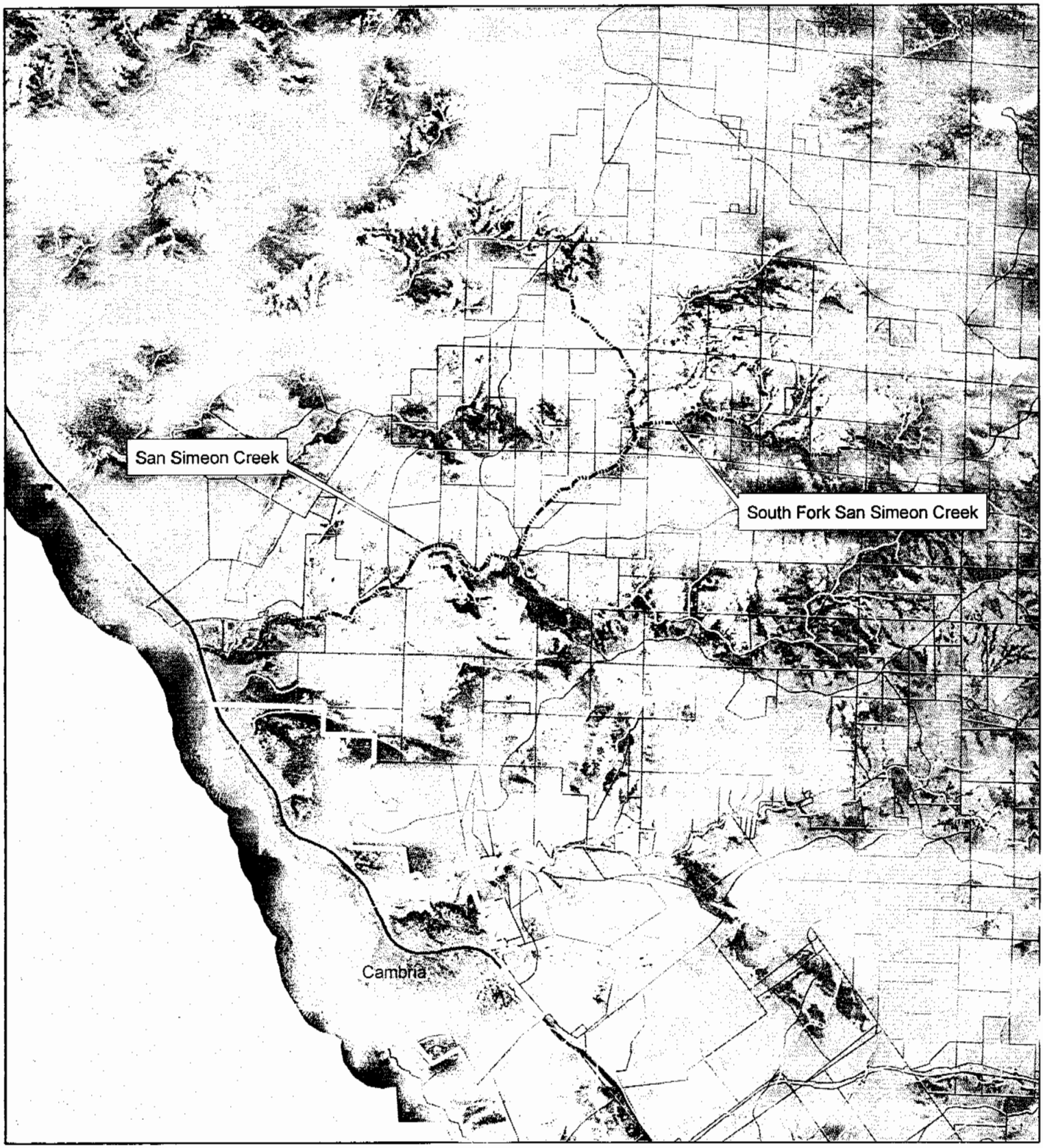
We desire to have "subsection b" deleted entirely and in the alternative, have the requirement modified by the addition of one word "additional." This would mean that a study would be required only if a major water supply project draws <u>additional</u> water from the creeks.

REQUESTED AMENDMENT

PG. 23 OF THE APRIL 11, 2007 CCC STAFF REPORT:

Pg. 7-16 Limitation on Development. Add new Community wide Standard 3 as follows:

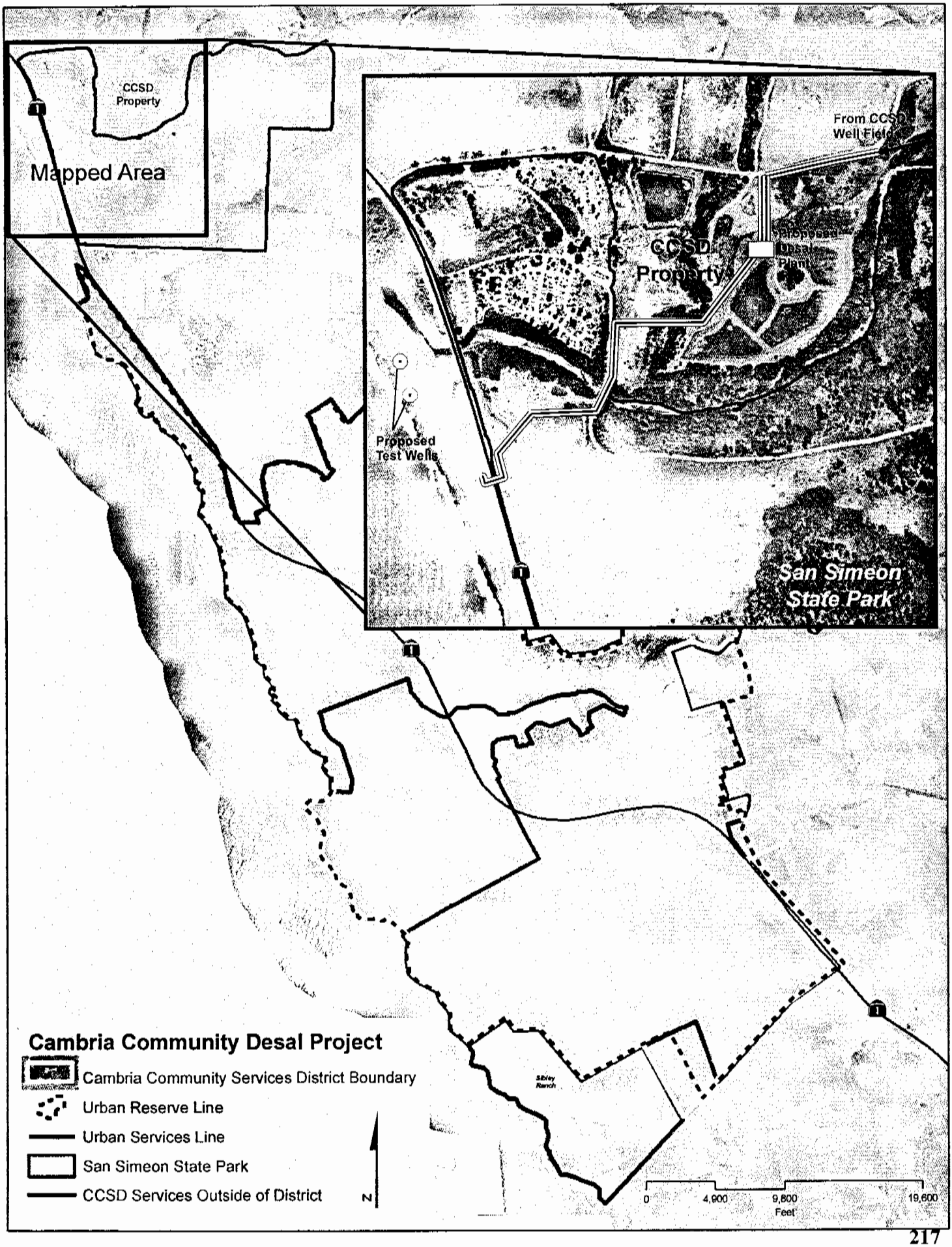
3. Supplemental Water Supply Standards. Any major public works water supply project to support new development within the CCSD service area shall be subject to the following approval standards and findings:
a. Maximum Capacity. The maximum service capacity of the project will not induce growth inconsistent with the protection of coastal resources and public access and recreation opportunities.
(The CCSD requests the deletion of this standard and the renumbering of the rest of this section because it is an impossible standard to meet, if it is not struck in its entirety the CCSD may accept the following). b. Creek Withdrawals. The project shall assure that additional CCSD water withdrawals from Santa Rosa and San Simeon Creeks will be sufficiently limited to protect: (1) adequate in stream flows necessary to support sensitive species and other riparian/wetland habitats; (2) underlying groundwater aquifers; and (3) agricultural resources.



Streams
SOUTH FORK SAN SIMEON CREEK
SAN SIMEON CREEK
Cambria Community Services District Boundary
San Simeon and Santa Rosa Creek Watershed Parcels
Highway 1

N

0 3,625 7,250 14,500
Feet


CCSD Property
Mapped Area
From CCSD Well Field
Proposed Desal Plant
CCSD Property
Proposed Test Wells
San Simeon State Park
Cambria Community Desal Project
Cambria Community Services District Boundary
Urban Reserve Line
Urban Services Line
San Simeon State Park
CCSD Services Outside of District
N
0
4,900
9,800
19,600
Feet

3. SUPPLEMENTAL WATER PROJECT/DESALINATION STANDARDS.

These standards impact our ability to use beach wells for the proposed desalination plant and could prohibit the wells and the plant altogether.

The CCSD is attempting to utilize the beach well method of salt-water extraction, which is the preferred environmental method of obtaining seawater. The CCSD is also planning to site the plant where the Coastal Commission previously permitted it as the most environmentally superior site.

The North Coast Rural Standards of the LCP state that in the recreational land use category, "New structures are to be located a minimum of 50 feet from the high tide line or the upper edge of defined bluffs, whichever is greater." This provision of the LCP is being interpreted to possibly stop our subsurface wells and pipes in the beach at the mouth of San Simeon Creek on state park land. Though we do not believe subsurface beach wells or subsurface pipes are "structures" that interfere with recreational uses, we are requesting that the language at the end of this paragraph be added to correct this problem.

County and Coastal staff have asserted that the Cambria Design Plan before the Commission only deals with uses within the URL (Urban Services Line). Our response is that this section already sets forth comprehensive standards for water sources outside of the URL. As the aerial photo shows the proposed and previously permitted desalination plant site, existing wells and ocean outfall are outside of the URL. In addition the CCSD's current main wells by San Simeon Creek are outside of the URL as is most of the creek system upon which the Coastal staff wants us to do an in stream flow study.

Our position is that if the supplemental water projects impacts the provision of services inside of the URL it is appropriate to address it in the Cambria Design Plan. That is already where most of the standards are and these standards should not be piecemealed.

REQUESTED AMENDMENT

PG. 24 OF THE APRIL 11, 2007 CCC STAFF REPORT:

Pg. 7-16 Limitation on Development. Add new Communitywide Standard 3 as follows:

4. Desalination Standards. Desalination facilities must: a) Be public; b) Avoid or fully mitigate any adverse environmental impacts to coastal resources; c) Be consistent with all LCP and Coastal Act policies, including those for concentrating development, supporting priority coastal uses, and protecting significant scenic and habitat resources; d) Be designed and sized~~evaluated~~ based upon adopted community planning documents, which may include General Plans, Urban Water Management Plans, Regional Water Supply Plans, Local Coastal Programs, and other approved plans that integrate local or regional planning, growth, and water supply/demand projections;
e) Use technologies that are ~~most~~ energy-efficient. Estimates of the projected annual energy use ~~and the environmental impacts that will result from this energy production, and evidence of compliance with air pollution control laws for emissions from the electricity generation, should~~shall be submitted with permit applications; f) Use, where feasible, sub-surface feedwater intakes (e.g., beach wells) instead of open pipelines from the ocean, where they will not cause significant adverse impacts to either beach topography or potable groundwater supplies; g) Use technologies and processes that eliminate or minimize the discharges of hazardous constituents into the ocean and ensure that the least environmentally damaging options for feedwater treatment and cleaning of plant components are selected. Opportunities for combining brine discharges with other discharges (e.g., from a sewage treatment facility or power plant) should be considered and the least environmentally damaging alternative pursued. Applicants should provide information necessary to determine the potential impacts to marine resources from the proposed intake and discharge. Obtaining this information may require new or updated engineering, modeling and biological studies, or in some cases may be obtained from pre-operational monitoring, monitoring results from other desalination facilities, and pilot studies conducted before building a full-scale facility; h) Be designed and limited to assure that any water supplies made available as a direct or indirect result of the project will accommodate needs generated by development or uses consistent with the kinds, location and densities specified in the LCP and Coastal Act, including priority uses as required by PRC 30254, and; i) Be an element (where economically and environmentally appropriate) of a balanced water supply portfolio that also includes conservation and water recycling to the maximum extent practicable.

f) Sub-surface feedwater intakes and subsurface pipelines for intake and brine discharge are not "structures" subject to the setback requirements of the Rural Planning Area Standards in the Recreational Land Use category.

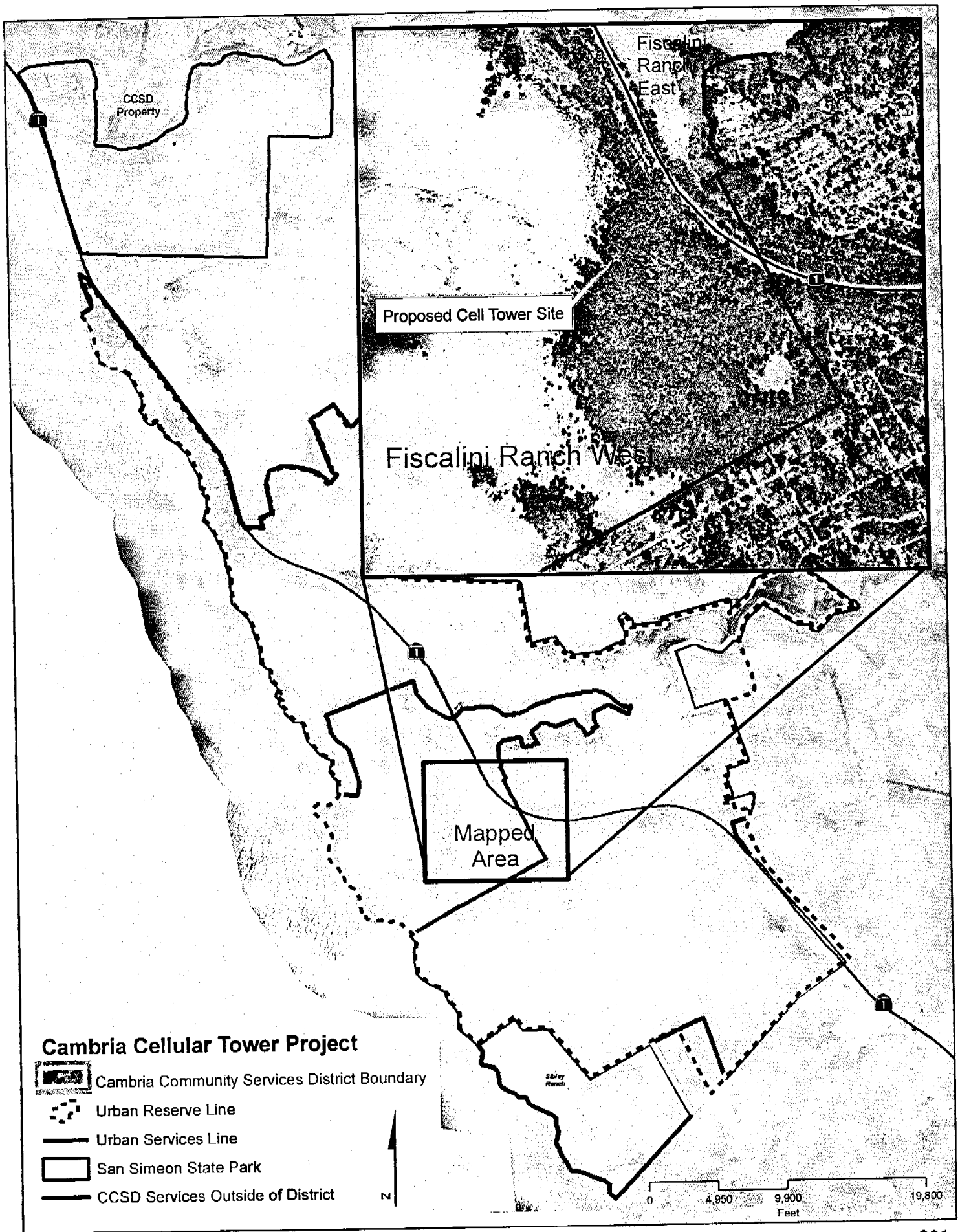
PG. 26-29 OF THE APRIL 11, 2007 CCC STAFF REPORT:

Pg. 7-48. Shoreline Development. Add new Communitywide Standard 22 regarding shoreline development:

22. Shoreline Development. All development along bluff tops and shorelines must comply with the following standards:

....

B. Setback Requirements. Shoreline and bluff top setbacks are to be based on a projected 100-year economic life and shall include a safety factor either as a multiplier or as a set distance. In no case shall bluff setbacks be less than 25 feet. Bluff and shoreline setbacks must be sufficient to avoid the need for a shoreline protective device for the life of the development. For non-conforming structures located on a blufftop or on the beach that do not comply with the setbacks required for new development on a blufftop or beach, additions that increase the size of the structure by 50 percent or more, shall not be authorized unless such structures are brought into conformance with the policies and standards of the LCP, including this setback requirement. On bluff top or shoreline parcels with legally established shoreline protective devices the setback distance may account for the additional stability provided by the permitted seawall, based on its existing design and condition (i.e., any future expansion and/or alteration to the seawall other than routine repairs that maintain its approved design life shall not be factored into setback calculations). Sub-surface feed water intakes and subsurface pipelines for intake and brine discharge are not "structures" subject to these setback requirements.


CCSD Property
Fiscalini Ranch East
Proposed Cell Tower Site
Fiscalini Ranch West
Mapped Area
Cambria Cellular Tower Project
Cambria Community Services District Boundary
Urban Reserve Line
Urban Services Line
San Simeon State Park
CCSD Services Outside of District
N
0
4,950
9,900
19,800
Feet

4. USES ON THE FISCALINI RANCH PRESERVE.

"Communication Facilities" was deleted as a permitted use for the Fiscalini Ranch Preserve. This would prohibit a cell tower, which is on the SLO County Planning Commission agenda for July 26, 2007. We are only concerned about this one cell tower site, which is identified on the photo of the Ranch.

These facilities are important for public safety because cell coverage is very inadequate. The CCSD would make no income from the lease of this site because all of the income goes to the Friends of the Fiscalini Ranch Preserve, a non-profit that is the conservation easement holder for the Fiscalini Ranch Preserve. It is a major source of income used to protect the conservation of Preserve. The County, public safety personnel, the Friends of the Fiscalini Ranch Preserve, and the local chapter of the Sierra Club all support the tower.

The CCSD would also like to be able to place and replace water wells and water facilities on the Ranch. If we cannot do so the economic and environmental cost of using other water or to go around the Ranch property as you can see in the photos would be extraordinary.

REQUESTED AMENDMENT

PG. 26 OF THE APRIL 11, 2007 CCC STAFF REPORT:

Pg. 7-23. Fiscalini Ranch Open Space Areas. Revise Standard 2 regarding allowable within the Open Space Land Use Category on the Fiscalini Ranch:

Uses shall be limited to Outdoor Sports and Recreation, Passive Recreation, Crop Production & Grazing, Communications Facilities, Coastal Accessways, Temporary Events, One Caretaker Residence, water wells impoundments for approved uses on the ranch, and pipelines and transmission lines.

W10a, W10b

June 25, 2007

Additional Information for California Coastal Commission
From Friends of the Fiscalini Ranch Preserve
Cambria and San Simeon Community Plans
Fiscalini Ranch Preserve Allowed Uses - Cell Facility

Funds for the Fiscalini Ranch Preserve purchase came primarily from the State Coastal Conservancy (SCC), with smaller amounts coming from other public agencies and private sources. This accomplishment was considered amazing feat for a community the size of Cambria. Although there was broad support and funding for the purchase of the Ranch there was no endowment for its care. Grants for trails, invasive weed eradication and other special projects are available but not grants for ongoing care.

That's where the proposed communications facility comes in. Realizing that management funds would be hard to come by, Friends of the Fiscalini Ranch Preserve (FFRP) and the Cambria Community Services District (CCSD) contacted cell providers about a tower on the Ranch as a source of management funds. Several carriers expressed interest. The plan for a cell facility on the Ranch was being worked on from the time of the writing of the Management Plan and the Conservation Easement.

As a stakeholder FFRP was one of the partners in creating the Management Plan, along with representatives from the SCC (the major funder), American Land Conservancy, CCSD, County Supervisor and others. Because we understood that management funds could be available from a cell facility, the cell facility was included as an allowed use in both the management plan and the conservation easement, with the agreement of all stakeholders.

FFRP was approved as the Conservation Easement Holder and Management Entity and a memorandum of understanding was signed between the CCSD and FFRP. A cell lease was completed between Cingular and the CCSD at about this time and an agreement was signed passing the funds to FFRP for management activities.

For over five years FFRP has done all of the follow up work through the planning process and four different cell companies and contacts on this project. CCSD has been passing along the lease monies to FFRP for management activities

The Community needs better cell reception. Everyone with a cell phone, visitors, community members and emergency personnel, all can agree on this aspect of the project.

Because we have followed this project so closely we believe that this will be a good project for the community as well as benefiting management activities. By placing the facility in the forest it will have the least visual impact for the community as a whole. The Ranch is probably the least visible place to put the facility in the entire community. Even though monopines definitely do not look like real trees, being surrounded by the natural forest lessens the visual impact by pulling the eye along all the treetops. Monopines when they stand alone are painfully unnatural and obvious. The site on the Ranch is situated among natural pines acting as a visual buffer making it much less obvious, as shown in the visual analysis done for the project.

We hope this additional background information will help in your consideration of allowing one single facility, the current project, on the Fiscalini Ranch Preserve to benefit management activities only. This will allow FFRP a much needed source of management funding for the future of the Ranch.

Thank you,

Jo Ellen Butler
Executive Director
FFRP

W10b

Item: W10b, San Luis Obispo County LCP
Amendment No. SLO-MAJ-1-06 Part 2
(Fiscalini Ranch)

Name: Mildred T. Rochelle & Mac B. Rochelle

Position: Opposed

Mac and Mildred Rochelle
475 Huntington Road
Cambria, CA 93428

July 3, 2007

CALIFORNIA COASTAL COMMISSION
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

RE: Hearing on July 11, 2007 at San Luis Obispo, CA 93406

Reasons for opposition are respectfully submitted for your consideration as follows:

1. The use of part of the Ranch for cell telephone businesses is a violation of the Public Trust in that donors were led to believe that the land would be kept forever without any private development of housing or business. The "easement" and business use thereof was not a part of public pleas for donations.

2. The magnetic fields and or the electronic waves danger to humanity and to the wildlife has not been proven without any reservation either as fatal or without any danger. However, the possibility cannot be brushed aside. For example, the use of DDT has endangered some wildlife almost to destruction. It is now banned from use. Possible danger to persons and to wildlife by the cell tower owners should be avoided by relocating the cell towers to another place less hazardous.

3. The concrete road and five service buildings are not in harmony with the wilderness concept claimed for the Ranch. The road is open 24 hours each day and night use will disturb the nocturnal animals and birds.

4. Public funds will not be protected. Arrangement is that the income will be paid to CCSD and as such become public funds. Then within 30 days CCSD is to remit those funds to a private organization, NCSWAT. That is a screen unseen by the public and is open to misuse and misappropriation of those funds.

5. Approval of the cell telephone project on public open land could open the door for other commercial enterprises to want the same treatment. Denial of such business could open the door for expensive court actions.

6. There appears to be a serious conflict of interest in that a governmental agency acts as a lead applicant for use of public land by third party organizations who would benefit and receive 100% of the income.

7. The land should be kept intact for future generations without concrete roads, digging for trenches, service buildings, artificial trees, and related pollution and disruption of the environment.

Exhibits furnished with this letter are listed below.

Signed: Mildred T. Rochelle Mac B. Rochelle

List of Exhibits

I Comments and summary of meeting with Ben Boer, CCSD
II Summary of visit 7-2-07 by Benjamin Boer
III Letter June 24, 2007 CCSD Mgr to Board
IV Same Letter June 24, 2007 amended to show Fiscal Impact.

Mildred and Mac Rochelle
475 Huntington Road
Cambria, CA 93428 Telephone: 927-8383

July 2, 2007

Comments regarding visit of Mr. Ben Boer, Monday, July 2, 2007 1PM

Upon receipt of communication mailed to property owners, Mildred Rochelle telephoned the number to call at San Luis Obispo, CA for information about a cell tower site on the EW Ranch. Mr. Ben Boer responded to the request and visited our residence at 1PM on 7-2-07.

He was offered a copy of our written objections to the cell tower plans, but he declined and said that such letter should be sent to the Coastal Commission. The letter is designated as Draft #1.

The following objections were raised with Mr. Boer: It is a violation of public trust to locate commercial, cell telephone towers on the public land known as EW Ranch. The cell phone project was not told to and unknown number of donors during the fund drive.

It appeared that CCSD was working with North Coast Small Wilderness (NCSWAP) to permit installation of the towers. CCSD would collect all the rents and remit same to the private non-profit organization. Mr. Boer said that such is not the case and that CCSD has a neutral position. We accepted his denial but could not explain why the revenue estimated at $20,000 to $40,000 would go to the private organization, NCSWAP.

Mr. Boer was very congenial and open and furnished copies of letters about a pending Coastal Commission hearing for July 11, 2007, copy of a Memo of Understanding dated June 24, 2004. He advised that the service road for the cell companies would be concrete aggregate and for average of weekly visits to the five service buildings.

Some additional objections were that there many other suitable places for the cell towers, public money was not being properly handled and that a Grand Jury investigation may be warranted. (Continued on page 2)

Exhibit I

Mr. Boer furnished a summary and comments about his visit. The most part is accurate, but the summary does not furnish our objections and make it clear that we are opposed to the project because the easement contingency was not made known, the hidden agenda of income from commercial lease was not disclosed, and the fatal damage to the environment by the cell project. The summary did not mention CCSD's position to be taken at the Coastal Hearing on July 11, 2007 which is to continue to support approval of the cell project (Amendment No. SLO-AMJ-1-06 Part 2. I requested a copy of CCSD's letter to the Commission which supported such approval, but Mr. Boer declined to furnish it with explanation that it would be available when it becomes a public document.

My final comment to Mr. Ben Boer as he departed at the door was for him to remember that we are not the only ones opposed.

Written: 7-2-07 5;15PM

Signed:

Mildred Thatcher Rochelle

Mac B. Rochelle

Copy with Letter to the Coastal Commission

Mac and Mildred Rochelle
475 Huntington Road
Cambria, CA 93428

July 3, 2007

Mr. Benjamin Boer, Supervisor
Cambria Community Services District
2850 Burton
Cambria, CA 93428

Dear Mr. Boer,

Mildred and I appreciate your visit on July 2, 2007 and especially the information and copies of documents you furnished.

I am enclosing my summary of the meeting herewith. You can see that we remain opposed to the cell telephone commercial development on the East-West Ranch. It does not appear to us as being in the best interest of the people not only of California, but also the people of the United States.

We want you to know that it was a pleasure to meet you personally. We have heard of the significant contributions you make to this community through CCSD and N.C.O.R. Thank you very much.

Sincerely,

Mac Rochelle

Copy

Ex. 1

Cy for MR

Ben Boer

RECEIVED
JUL 0 5 2007
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

From:	Ben Boer
Sent:	Monday, July 02, 2007 1:59 PM
To:	Bryan Bode
Cc:	Art Montandon; Tammy Rudock
Subject:	CCSD/Cell tower site

Hello all: FYI. I met with Mr. and Mrs Rochelle at 475 Huntington regarding their puzzlement over the cell tower c the West portion of the Fiscalini Preserve. I provided them with copies of the pages of the Management Plan anc Conservation Easement where the "cell tower" was discussed and approved as an "allowed use". Thereafter, thei concern that the CCSD was trying to pull a "fast one" dissipated. I also gave them a copy of the MOU between C(NCSWAP for the Cell Tower Site (Agenda no. VI.F. dated June 24, 2004) to educate them about the funds receive to NCSWAP, thereby dissipating their concern about what the CCSD has done with the monies received. (in ansv their question about what has NCSWAP done with the monies, I replied that that question should be directed to NCSWAP....) I am confidant that Mr. and Mrs. Rochelle now have an understanding of the timetable of events reg; the Cell Tower Site on the Ranch in relationship with CCSD.

Ben

Hi There — doesn't this sound Right to you? Ben

Please see attached summary. Thank you for yo[ur] ... We are opposed.

No fax. L.M.

11/5/05. Ex I

Copy

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **VI.F.**

FROM: Vern Hamilton, General Manager

Meeting Date: June 24, 2004 Subject: Approve Resolution 48-2004 Approving the MOU (Memorandum of Understanding) with NCSWAP for the Cell Tower Site

RECOMMENDED ACTION:

Adopt Resolution 48-2004 authorizing the MOU with NCSWAP for the cell tower site.

FISCAL IMPACT:

None.

DISCUSSION:

During the development of the Management Plan for the East West Ranch project, the CCSD Board approved the location of a cell-tower on the Ranch to specifically provide a revenue source for North Coast SWAP, as designated easement holder. This Memorandum of Understanding implements this Board decision and specifies the process for collecting and disbursing revenue from this project.

All proceeds from the lease of the cell site will be required to be spent by NCSWAP for the benefit of the East West Ranch project. Upon completion of the project, revenues are anticipated to range from $20,000 to $48,000 per year.

Attachments: Resolution 48-2004
MOU

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: __CHALDECOTT___ COBIN ___ FUNKE-BILU ___ SANDERS___VILLENEUVE__

Ex. 23y

MEMORANDUM OF UNDERSTANDING
June 24, 2004

WHEREAS, The Cambria Community Services District, a local governmental agency, hereafter "CCSD" owns an open space area called the East-West Ranch, hereafter "Ranch; and

WHEREAS, the North Coast Small Wilderness Area Preservation, a non profit organization, hereafter "NCSWAP" is the easement holder responsible for caring for the Ranch; and

WHEREAS, the CCSD has leased one site on the Ranch for the installation and operation of a cell tower; and

WHEREAS, the CCSD and NCSWAP agree that it is appropriate that the proceeds from the lease of this site be spent for the benefit of the Ranch;

NOW, THEREFORE the CCSD and NCSWAP in consideration of the mutual covenants contained herein, agree to the following terms and conditions:

1. The CCSD shall be the landlord for the lease of the Cell Tower site on the Ranch and act in good faith in its duties as landlord to continue this lease for the benefit of the Ranch.

2. The CCSD shall collect rent and enforce the conditions of the lease. When rent is received the CCSD shall within 30 days distribute these proceeds to NCSWAP.

3. NCWAP shall receive these funds and expend them only for the benefit of the Ranch according to the terms of its agreement with the CCSD to be the easement holder of the Ranch.

4. NCSWAP shall keep accurate records of the receipts and expenditures of this money. The CCSD shall have access to these records for its audits and to determine compliance with the terms of all of the Ranch agreements.

5. If the Board of Directors of the CCSD determines, after a public hearing, that NCSWAP is not performing its obligations under its agreements with the CCSD it may withhold payments until the performance is corrected or terminate this agreement.

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors AGENDA NO. **VI.G.**

FROM: Vern Hamilton, General Manager

Meeting Date: June 24, 2004 Subject: Adopt Resolution 49-2004 Approving the Memorial Bench Policy for the East West Ranch

RECOMMENDED ACTION:

Approve Resolution 49-2004 authorizing the Memorial Bench Policy for the East West Ranch.

FISCAL IMPACT:

None. Potential revenue for NCSWAP, East West Ranch easement holder.

DISCUSSION:

At the time of the major fund drive to purchase the East West Ranch for public access and open space, commitments for memorial benches were offered at that time for $25,000 and four were identified, resulting in $100,000 for the project. This policy proposes to increase the donation for such memorial bench dedications to a total of $50,000. This increase is due to the very limited opportunities to place additional benches and the need to establish funding for NCSWAP to operate into the future.

In addition to the memorial benches that require the donation, the CCSD Board will have the ability to designate two benches on the Ranch in honor of persons of their choice.

Attachments: Resolution 49-2004
Memorial Bench Policy

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: __CHALDECOTT___ COBIN ___ FUNKE-BILU ___ MAY ___VILLENEUVE__

Ex 2/33

CAMBRIA COMMUNITY SERVICES DISTRICT
EAST-WEST RANCH BENCH PLACEMENT POLICY
JUNE 24, 2004

Policy

Benches are allowed to be placed on the East-West Ranch as described in the adopted Management Plan. Benches are recognized as an allowed use by the Conservation Easement recorded for the property. The purpose of benches placed on the Ranch is to provide locations for quiet rest, contemplation, and enjoyment of the surroundings without disrupting the natural state of the land. This Policy will establish guidelines for the number, design and location of benches on the West Ranch, as well as to establish the required donation for memorial benches and the responsibility for maintenance and repair of these benches.

1. Benches will be limited to a total of 17 on the West Ranch portion of the East-West Ranch properties, including existing benches. The number and location of benches on the East Ranch portion will be determined at a future date by the CCSD and NCSWAP, following the completion of the park plan and trail locations for that area.

2. Existing driftwood benches on the Bluff Trail will remain in place, and maintained in their current state, until such time as they must be replaced due to excessive disrepair or for safety reasons. If replaced, these benches may be relocated if necessary to comply with this policy or the Management Plan.

3. Of the three benches that have been placed since public acquisition of the property has been completed, one will be dedicated to one of the four major contributors to the acquisition fund. Three new benches will be constructed and placed for the remaining three major contributors.

4. Of the two remaining benches placed since acquisition, one will remain dedicated to the Friends of the Ranchland, in honor of their major role in acquiring the property, and one will be dedicated to the volunteer Ranch Hands, in recognition of their continuing contribution to the project.

5. Any new benches placed on the West Ranch shall be in conformance with this policy and shall require a donation of $50,000 to NCSWAP to be used solely for the benefit of the East-West Ranch project. NCSWAP shall be responsible to maintain these benches and dedication plaques in good condition in perpetuity. All costs related to the construction, maintenance and any necessary replacements over time, shall be the responsibility of NCSWAP.

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

W11a

Prepared July 10, 2007 (for July 11, 2007 hearing)

To: Coastal Commissioners and Interested Persons

From: Steve Monowitz, District Manager
Mike Watson, Coastal Program Analyst

Subject: STAFF REPORT ADDENDUM for 11a
A-3-PSB-06-001 (Beachwalk Hotel; HMW Group, Pismo Beach)

As described in the June 28, 2007 staff report, the Applicant proposes to demolish 13 existing small residential rental-cabins and a 7,000 square foot commercial warehouse building, and construct a 77,585 square foot, three-story, 69-room ocean front hotel with 2 conference rooms, fitness center, underground parking, and public access connections to the City's pedestrian boardwalk.

Since the staff report was completed, staff has identified the need to modify the recommended Special Conditions and findings regarding project landscaping and long term occupancy of the hotel units. Staff provides the following revisions to the staff report findings and special conditions as follows (new text shown with underlines; deletions are shown with ~~strike-throughs~~):

---

1. Landscape Plan.

Special Condition 3 of the staff report does not adequately protect against the planting and spread of non-native invasive species. Therefore, staff recommends Special Condition 3 be revised in the following manner:

3. Landscape Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit a Landscape Plan prepared by a landscape professional to the Executive Director for review and approval. The Landscape Plan shall clearly identify in site plan view the type, size, extent and location of all plant materials to be used, as well as the method and extent of irrigation that will be used to ensure planting success. The plant palette shall be comprised of native species of local stock, except within the courtyard and along Stimson Avenue, where drought resistant, non-invasive ornamentals may be allowed. All existing non-native invasive species such as ice plant shall be removed and not allowed to persist on site. ~~The planting~~ Planting of non-native invasive species, such as those listed on the California Invasive Plant Council's Inventory of Invasive Plants, is prohibited.

   The Permittee shall undertake development in accordance with the approved Landscape Plan. Any proposed changes shall be reported to the Executive Director. No changes shall occur

without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is necessary.

2. Long Term Occupancy.

In response to concerns that limiting the length of stay for any individual or family to 14 consecutive days in the summer and 29 days annually may unnecessarily restrict public use of the hotel, staff is recommending that Special Condition 6 be modified as follows:

6. Land Use Requirements. All hotel facilities shall be open to the general public. No individual ownership or long term occupancy of units shall be allowed. Rooms may not be rented to any individual, family, or group for more than 30 days per year ~~nor for more than 14 days between Memorial Day and Labor Day~~.

Revise 2nd Full Paragraph on Page 29 of Staff Report.

Figure LU-2 (Exhibit 10) illustrates that the condominium hotel provision applies to several planning areas about the City, including the North Spyglass, Dinosaur Caves, Motel, and Pismo Creek planning areas, but clearly excludes the downtown planning district. The individual planning map for the downtown planning area does not contain a resort commercial land use designation and condominium hotels are not contemplated within the specific policy language of any of the downtown land use policies. Thus, condominium hotels are not currently an allowable use in the downtown planning district. To ensure that the facility remains visitor serving, permit conditions prohibit private ownership of the hotel units, and limit lengths of stay for any individual, group, or family. Specifically, Special Condition 6 requires the proposed hotel rooms must remain available for public transient use in perpetuity, and places a ~~29~~ 30 day annual limit on the length of stay ~~(14 days between Memorial Day and Labor Day)~~.

W11a

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATION

Date and time of communication: (For messages sent to a Commissioner by mail or facsimile or received as a telephone or other message, date time of receipt should be indicated.) 7/6/07 – Conference Call

Location of communication: (For communications sent by mail or facsimile, or received as a telephone or other message, indicate the means of transmission.) Eureka, CA - 1:00 p.m.

Person(s) initiating communication: Steven McCabe/Tony Wells

Person(s) receiving communication: Bonnie Neely

Name or description of project: HMW Group – Fiesta Beach

Detailed substantive description of content of communication: (If communication included written material, attach a copy of the complete text of the written material.)

Concerned about one condition in staff report restricting the number of days a person or entity can stay in the hotel during a one year period.

7/6/07
Date

Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceedings and provide the Executive Director with a copy of any written material that was part of the communication.

W 11a

FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATIONS

Date and time of communication: 7-2-07 11:30AM

Location of communication: S.L.O. COUNTY GOV. CENTER
(If communication was sent by mail or facsimile, indicate the means of transmission.) TELEPHONE

Identity of person(s) initiating communication: SUSAN McCabe

Identity of person(s) receiving communication: COMMISSIONER ACHADJIAN

Name or description of project: BEACHCOMBER HOTEL HMW GROUP

Description of content of communication:
(If communication included written material, attach a copy of the complete text of the written material.)

HISTORY OF PROJECT
OVERALL AGREE WITH COASTAL STAFF RECOMMENDATION

7-2-07
Date

Signature of Commissioner

If communication occurred seven (7) or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director **within** seven (7) days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven (7) days of the hearing, **complete** this form, provide the information **orally on** the record of the proceeding **and** provide the Executive Director with a copy of any written material that was part of the communication.

W11a

Law Offices of Craig Prim
2710 Winding Creek Lane
Meadow Vista, CA 95722
(916) 662 4396

July 6, 2007

California Coastal Commission
725 Front Street
Suite 300
Santa Cruz, CA 95060

Agenda Number A-3-PSB-06-001
Item No. W11a
The Wade and Nancy Hampton Trust
Opposition to HMW Group Project

Dear Commissioners:

The undersigned is counsel to The Wade and Nancy Hampton Trust ("Trust"), owners of the properties located at 156 Stimson Avenue, Pismo Beach. I write in connection with respect to the Commission's consideration of the appeal (No. A-3-PSB-06-1) filed by Commissioners Kruer and Reilly ("Appellants") from the decision of the City of Pismo Beach ("hereinafter "Pismo"). I have previously forwarded correspondence in opposition to the HMW Group Project, dated March 8, 2007.

Notwithstanding the change of position by the Staff, the Trust believes that the Project should not be approved unless and until HMW substantially modifies the Project to minimize its visual impact on Stimson Avenue.

The Project continues to be inconsistent with the City's Land Use Plans for Stimson Avenue. As noted in the Staff Report (page 31):

The City's certified Land Use Plan (Table PR-4) designates the Stimson Avenue street-end as a public viewpoint of importance. The cul-de-sac provides visual ocean access and a connection to the now completed beach-front pedestrian boardwalk, which runs from Pismo Creek north to the Pier promenade, with a soon-to-be-constructed extension to Main Street.

The Project is still located within 21 feet of the pedestrian boardwalk and rises very quickly to 25 feet. While the Staff suggests that the mass of the hotel is mitigated by the open courtyard, this courtyard is not visible from Stimson Avenue. The view from Stimson Avenue is a 25-35 foot high massive structure that obliterates the northern view of the shoreline and pier. This new development is to be constructed more than 120 feet closer to the shoreline than existing buildings and is inconsistent with preservation of the Stimson view. The building extends beyond the end of the Stimson Avenue such that the panoramic view now available from Stimson Avenue will be reduced to a tunnel view directly toward the ocean. The Staff Report's suggestion (see Page 31) that the additional setbacks and enforcement of the height limitation will increase the views of the coast from Stimson Avenue is simply wrong in that the presence of a 25 foot building only 21 feet from the boardwalk will prevent any view of the shoreline from Stimson Avenue except for directly toward the ocean.

This destruction of the Stimson Avenue view could be alleviated by flipping the development such that the courtyard opened to Stimson Avenue rather than being

blocked by the large hotel fronting the street. Such a change would also result in much greater public access in compliance with the spirit of the LCP. Alternatively, the setback should be increased from 21 feet to 50 feet to preserve the existing views.

The Trust recognizes that HMW has taken appropriate action to address some of the concerns raised in my prior correspondence. However, the slight increase in the setback and slight reduction of oceanfront height are insufficient to address the issues concerning views from Stimson Avenue. The Trust requests that the Commissioners deny the permit until these issues are satisfactorily addressed.

Respectfully,

Craig M. Prim

W11b

BELSHER & BECKER

ATTORNEYS AT LAW
412 MARSH STREET
SAN LUIS OBISPO, CALIFORNIA 93401

JOHN W. BELSHER
HOWARD MARK BECKER
STEVEN P. ROBERTS
GREGORY A. CONNELL

TELEPHONE (805) 542-9900
FAX (805) 542-9949
E-MAIL slolaw@belsherandbecker.com

July 3, 2007

VIA FAX & U.S. MAIL

Steve Monowitz /Charles Lester
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

RE: A-3-SLO-07-024 (SLO Land Corporation; Birch and E Street, Cayucos)

Dear Steve:

This firm represents the SLO Land Corp., project applicant for the referenced project/appeal. The applicant requests a postponement of the substantial issue hearing set for July 11, 2007, as a matter of right pursuant to PRC 13073(a). We acknowledge that we may be granted only one right to postponement. My client must also agrees to waive any applicable time limits for CCC action pursuant to PRC 13073).

The basis for this request is that the applicant is preparing materials and re-surveying the property and riparian habitat in response to the Coastal Commission issues raised on appeal, following discussions with staff. We are in hopes of adequately addressing Commission concerns so as to avoid a hearing on this project altogether.

Sincerely,

BELSHER & BECKER

John W. Belsher

jwb
cc: Jonathan Bishop (via fax)
John McDonald (via fax)
Steve Miller (via fax)

P:\John's Files\Miller, Steve\M&R - Ash Street\Monowitz 2007-0703.wpd

STATE OF CALIFORNIA – THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877

MEMORANDUM

TO: Persons whose City or County Development Permits Have Been Appealed to the Coastal Commission
FROM: Coastal Commission
RE: Notice Concerning Important Disclosure Requirements

On January 1, 1993, a new California law required that all persons who apply to the Coastal Commission for a coastal development permit must provide to the Commission "the names and addresses of all persons who, for compensation, will be communicating with the Commission or Commission Staff on their behalf". (Public Resources Code section 30319.) As of January 1, 1994, the law also required that applicants disclose the same information with respect to persons who will communicate, for compensation, on behalf of their business partners. The law also applies to persons whose permits have been appealed to the Coastal Commission. The law provides that failure to comply with the disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment. Additionally, a violation may lead to denial of the permit.

In order to implement this requirement, you are required to do two things. The first is that you must fill in the enclosed form and submit it to the appropriate Coastal Commission area office as soon as possible. Please list all representatives who will communicate on your behalf or on the behalf of your business partners for compensation with the Commission or the staff. This could include a wide variety of people such as lawyers, architects, biologists, engineers, etc.

Second, if you determine after you have submitted the enclosed form that one or more people will be communicating on your behalf or on behalf of your business partners for compensation who were not listed on the completed form, you must provide a list in writing of those people and their addresses to the Coastal Commission area office. The list must be received before the communication occurs.

List of Persons Who Will Communicate on Behalf of Persons Whose Permits Have Been Appealed To the Coastal Commission

Name of Person Whose Permit Has Been Appealed: SLO Land Corporation
Project and Location: Birch Ave & "E" Street
Cayucos, Ca

Commission Appeal No. A-3-SLO-07-024 APN(s) 064-112-22 & 23

Persons who will Communicate for Compensation on Behalf of Applicant or Applicant's Business Partners with Commission or Staff:

Names	Addresses
John Belsher	412 Marsh Street, SLO, CA 93401
John MacDonald	

Steve Miller 7/9/07
Signature of Permit Applicant Date

MISCELLEANOUS CORRESPONDENCE

Steve Monowitz

From: drnell@thegrid.net
Sent: Monday, July 02, 2007 1:40 PM
To: Steve Monowitz; Peter Douglas
Subject: Coastal Commissioners: Please close ODSVRA July 4

Peter and Steve, please forward to the commissioners. Thanks. Nell

To California Coastal Commissioners, Director and Staff
From Dr. Nell Langford
July 2, 2007

Please close the Oceano Dunes Vehicular Recreation Area on July 4, 2007 as an emergency measure.

Fireworks of any kind are illegal on Pismo State Beach, the ODSVRA, and on the property owned by SLO County called La Grande Tract, yet huge fireworks have been going up and off nightly for all to witness. The noise from the assault on the habitat on Oceano Dunes is disturbing people and animals from Nipomo to Pismo Beach. I have two hours of unedited video from Saturday night.

The ecosystem is traumatized and endangered, from the natural habitat in general to the Pismo Dunes Natural Preserve (where the ecosystem is not to be disturbed) and the snowy plover exclosure (that the Sierra Club put in place Mar 1 to Sept 30).

Letters to the Fire Marshall have had no effect. Ernie Paez, chief of Fire and Life Safety Division-South, forwarded letters from concerned citizens to Dep. Fire Marshall Francis Solich. Reginal Superintendent Steve Viero said today that he was unaware of the situation, and that he would follow up.

Concerns include:

1. The emergency number to the ODSVRA ranger station is disconnected, so 911 is the only number to call. This ties up our emergency response system.

2. Two fire engines took hours to control a fire adjacent to the ODSVRA last week (cause unknown).

3.One firetruck will be positioned at the entry to the ODSVRA on July when it is estimated that there will be 50,000 people. The one firetruck must also serve the entire beachside area community of Oceano, since access from the fire station will be impossible with Pier Avenue blocked due to ODSVRA traffic.

4. Fireworks stands at the same entry to ODSVRA (one hosted by the Oceano Fire Department) encourages the use fireworks on the beach where they are illegal.

5. Allowing illegal fireworks in the ODSVRA ties up our emergency response system and equipment that might be needed in other areas.

6. The fire marshall's office is surprised that the sheriff won't go out there and enforce the law.

7. One cup of gasoline is equal to four sticks of dynamite.

How many gallons of gasoline will there be? If each of the thousand camping sites has a five gallon can for atv refils for each of the half dozen camping units in each site, that is 30 gallons in each campsite. That is 30,000 gallons of gasoline in cans.

A half dozen atv rental concessions are on the beach, each requiring the transport and storage of hundreds of gallons of gasoline for mandatory refills of their hundreds of atv's every two hours.

Each vehicle holds about 20 gallons, and the number of vehicles is well over 20,000 (allowing several persons in each vehicle).

8. The dry conditions are a huge concern, since fireworks can now easily set off huge fires and destroy habitat for wildlife and humans.

9.Smoking is permitted in the SVRA, as well as campfires.

It is a dangerous situation. It is totally out of control.