

From: John Fergus <johnfergus@fix.net>
To: "Roger Briggs" <Rbriggs@waterboards.ca.gov>
Date: Wed, Oct 26, 2005 1:23 PM
Subject: Re: Talk points for tonight's public input meeting: Can you help?

Dear Mr. Briggs,

Thank you for such a speedy reply!

As you know, I fully support the previously agreed upon sewer plant. I went to the site you suggested, and it brought up a number of good topics to use in motivating both the public and the CSD in moving forward with the original treatment plant that was accepted.

I will be at tonight's public input portion, addressing the CSD.

I plan on wearing a 8 1/2" X 11" placard in front of my throat, so that it is televised, as I take my three minute talk turn. What goes on that placard is based on your response.

For answers you wish to be televised, simply write, in capital letters: TV - Okay.

The other items are questions - for talk points or backup material as a rebuttal. A "one liner" to these would be very appreciated!!!

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QUESTION NUMBER ONE - THE MOST IMOPORTANT!!!
Q. Many homeowners believe that they are immune from RWQCB actions. Any information would assist me in a preemptive strike to those who say that the fines/other would never happen. Which might apply?
1. Fines as a lump sum, in installments, or?
2. a lien on their home,
3. capping of their leach field,
4. forced to install holding tanks
5. Other??

A.?

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QUESTION NUMBER TWO: 1. (Page 1) "An agenda will be mailed to you separately... not less than ten days before ..."

Q. Is this an actual letter that will be sent to homeowners or to the CSD?

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QUESTION THREE: (Page 3) Water Code Section 13327 provides:

"In determining the amount of civil liability, the regional board, and state board upon review of any order pursuant to Section 13320, shall

take in consideration (factors).... with respect to the violator, the ability to pay, ..."

Q. Do you have any financial range for the homeowners fine costs per month or per year, or a lump sum?

re: "ability to pay"?

A?

=====
QUESTION FOUR: re: PROPOSED CIVIL LIABILITY:

(Page 3): " The maximum civil penalty is 44,000,000. This is an arguable point, (from the obstructionist side), since it will be construed by our local "dreamers", as "They'll bankrupt the community - therefore, it's illegal."

Your thoughts?

=====

Thanks for the time to consider any of the above. Again, the more you can tell me, the more ammo I have to pressure the CSD to move forward with the project. I imagine it's much better for all concerned if this information comes at a public meeting BEFORE we lose the SRF.

Regards,
John Fergus, property owner - Los osos 528-6767

On Oct 25, 2005, at 4:59 PM, Roger Briggs wrote:

- > Mr. Fergus,
- > Our board hearing on the penalties is scheduled for Dec 1. The
- > District's response is due this coming Monday. You need to submit any
- > other comments you have on the proposed action by Nov 17 to me. Here
- > is the link to the materials you requested:
- > <http://www.swrcb.ca.gov/rwqcb3/los%20osos/Index.htm>
- > thanks,
- > Roger Briggs
- >
- >>> John Fergus <johnfergus@fix.net> 10/25/2005 4:54 PM >>>
- >
- > John Fergus
- > PO Box 6060
- > Los Osos CA 93412
- > 805-528-6767 phone
- > 805-528-8200 fax
- > (805) 748-44413
- >
- > Dear Mr. Briggs,
- >

> We talked briefly about ten days ago - thanks for your input! . I fully
> support the original sewer project as it was designed and accepted.
>
> I oppose the manipulative delay tactics fueled by Ms. Schicker, CSD
> President Board member. I believe she is unmovable, rigid, and
> evidently suffers from some kind of delusion that Los osos is immune
> from the RWQCB's fines. And, I sense she will challenge any agency,
> regardless of the financial hardship she creates for the community. I
> also suspect that she "runs" the board, and the rest "tag" along. I
> made it clear in the public input meeting that I had no faith in her
> ability to get us back on track.
>
> I do hope that the fines - or some portion thereof, start ASAP.
>
> Further more, if there is any assistance you require, I will make phone
> calls or speak out at the public hearings/meetings on your behalf, (I
> will not use your name if you so request). I fully support your agency
> in getting this community to stop polluting the ground water.
>
> One gentleman sited, at Thursdays televised public hearing that the
> RWQCB would be breaking the law if they imposed fines. He had what
> appeared to be, legal documents proving his claims, though he had no
> extra sheets to pass out to the board members. His ending statement
> was; "We have nothing to fear but fear itself", to which I wish I would
> have added... "We have nothing to fear except the consequences of our
> actions - and fear is a wake up call." Evidently, a small number of
> people, (a lot of renters) in our community are still asleep!
>
> On behalf of the RWQCB: I already spoke at last Thursdays public
> hearing - televised, of the seriousness of the situation and the
> seriousness of the RWQCB - to which there was a loud applause. You have
> supporters!!!
>
> If there is anything you can do to motivate the citizens of Los Osos -
> even partial fines, dates and times of the pending fine - or,
> literature or hand out, codes I can site, anything, etc., please let me
> know.
> Best of luck!!!
>
> Regards,
> John and Jean Fergus, property owners,
>
> 1456 14th. Street residence, Los Osos
> 843 Santa Ysabel "Sandpiper" eightplex, Los Osos
> 225 Butte street, triplex, Los Osos.
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