

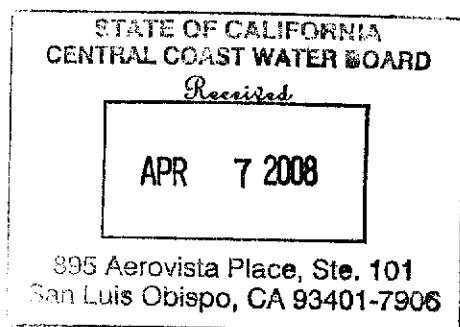
FAX COVER SHEET

TO: CENTRAL COAST WATER BOARD

FROM: GITI K. WHITE

RE: RESOLUTION R3-2008-0005 AMENDMENT TO BASIN PLAN
CRITERIA FOR ONSITE WASTEWATER SYSTEMS AND
RESOLUTION R3-2008-0006 WAIVER OF WASTE DISCHARGE
REQUIREMENTS FOR ONSITE WASTEWATER SYSTEM
DISCHARGES (SCHEDULED FOR HEARING MAY 9, 2008)

CONTAINS: COVER SHEET AND 4 PAGES



4/07/08

Attention: Central Coast Water Board

Re: Reject Resolution R3-2008-0005 Amendment to Basin Plan Criteria for Onsite Wastewater Systems and Resolution R3-2008-0006 Waiver of Waste Discharge Requirements for Onsite Wastewater System (Scheduled for Hearing May 9, 2008)

Dear Central Coast Water Board Members and Staff,

I am writing to urge you to deny Resolutions R3-2008-0005 and R3-2008-0006. With all due respect, considering these substantial amendments to the Basin Plan prior to the implementation of regulation of onsite systems pursuant to AB 885 is like putting the cart before the horse. (1)

In order to assure protection of water quality, your Board should thoroughly consider the environmental impacts and potential risks to water quality that could result from the proposed amendments. The Central Coast Water Board Staff Environmental Checklists that accompany the Resolutions fail to identify, disclose, or consider numerous potentially significant impacts that could result from the proposed Amendments to Basin Plan Criteria for Onsite Wastewater Systems. The ongoing environmental review process for AB 885 is likely to shed light upon the significant risks to water quality and the environment that could well result from ill-considered and unnecessary extensions of sewer service and arbitrary overregulation of onsite wastewater systems. (2)

I suggest that your Board deny Resolution R3-2008-0005 and delay amending the Basin Plan in order to benefit from the insights and environmental analysis of the AB 885 process. The complex and controversial issues at hand, and the potential harm to environment that could result from needlessly limiting access to advanced onsite treatment methods (that can cost effectively treat wastewater to higher standards than many local sewer districts) demand sophisticated and detailed scientific analysis. (1)

Unfortunately, the changes to the criteria appear to be knee jerk endorsement of sewers as "the flush and forget it" solution to wastewater treatment. The trouble is that sewers have serious impacts on water quality and arguably threaten water resources with documented releases on a far greater scale than local onsite systems. I encourage Staff to thoroughly consult the *White Paper on the California Onsite Rules under AB 885* (May 2004) prepared by the National Onsite Wastewater Recycling Association for valuable suggestions regarding ways of tailoring regulations to actually result in meaningful protection of water quality.

A number of critical steps are missing from the process that produced Resolutions R3-2008-0005 and R3-2008-0006. As a result, there is an apparent lack of a nexus between the proposed amendments to the criteria for onsite systems and the goal of protecting water quality. Staff has provided little if any basis to support the conclusion that the enhanced regulations it proposes for onsite systems (including proposed prohibitions on the use of onsite wastewater disposal, and alternative systems) will protect water quality. The Staff Report for Resolution R3-2008-0005 actually states "Consequently, water quality and public health impacts resulting from most existing and future discharges from onsite systems remain uncharacterized." (Staff Report at page 3.) This statement begs the question, shouldn't Counties and the Central Coast Water Board assess what if any impacts exist *before* amending the Basin Plan Criteria to increase regulation of onsite wastewater systems? Nor has there been any attempt to describe or quantify any risk posed by existing onsite systems, or to explain why limiting options to enhance onsite treatment would protect water quality. Finally, Staff is proposing to address the regulation of onsite systems in a vacuum ie. without any comparative analysis of the extensive impacts that sewers have been documented to have on water quality and biological resources. (3)

Sewers are growth inducing and therefore will likely result in multiple significant cumulative impacts to biological resources, as well as increased run-off pollution, and conversions of agricultural lands. Despite the fact that increased regulation of onsite systems is anticipated to result in extensions of sewer service (Staff Report for R3-2008-0005 at page 5), none of these impacts are disclosed or analyzed in the Staff's Draft Negative Declarations and Environmental Checklists for Resolutions R3-2008-0005 (4)

and R3-2008-0006. Staff casually dismisses the costs associated with the proposed amendments. However, sewer ~~and~~ extensions are not only costly to build, but in the long run aging sewer infrastructure is extremely costly to maintain. Prohibitive costs could delay and prevent maintenance of sewers resulting in environmental impacts; these impacts could be effectively remedied with less expensive onsite solutions.

Californian's are becoming increasingly aware of the environmental impacts of sewers with recent reports of enormous spikes in the number of reported sewage spills in Los Angeles, and with growing concerns regarding the contamination of water supplies with medications and hormones from sewers. Studies such as "Paving Our Way to Water Shortages" (co-authored by the NRDC and American Rivers) indicate that sewers also indirectly contribute to pollution by facilitating sprawl that increases impervious surfaces thereby magnifying effects of run-off and stormwater pollution (at pages 5-6). At the same time, this impervious surface reduces groundwater infiltration ie. water supply. Sewers also facilitate greater water use than septic systems. All of these factors should be considered before imposing any enhanced regulations upon onsite systems —especially under circumstances where there are little or no documented impacts associated with these systems. NA

At a time when environmental groups are recommending sewer avoidance as a sustainable method of water quality and environmental resource protection, the Central Coast Water Board should take every opportunity to learn about recent developments and to include the public in its decision-making process. Like keeping recyclables out of landfills, advanced methods of onsite treatment prevent many of the hazards of concentrating household wastewater and industrial wastes in sewers, and can serve as valuable tools for conserving water, as well as protecting water quality and the environment. (A recent case in Georgia involving deaths of dairy cattle and contamination of milk with toxins suggests that government agencies have seriously underestimated the environmental impacts and potential health risks associated with land application of sewage sludge.) Such concerns are valid and should be publicly considered, rather than adopting further restrictions upon onsite systems in a process that utterly disregards the likely environmental impacts of anticipated extensions of sewer service. (4)

Members of the public are referring to these Amendments to the Basin

Plan criteria for onsite wastewater systems as "stealth" regulations. The Central Coast Water Board Staff Report concedes that the scoping hearing regarding this controversial subject was held years ago, in 2004. Similarly, a matter of significant concern arising from Santa Barbara County's 2004 Questa Septic Sanitary Survey was the failure to notice and consult with communities that were likely to be impacted by recommendations in the Survey. At the April 6, 2004 hearing regarding the Questa Septic Survey, the Santa Barbara Board of Supervisors declined to incorporate this document into the General Plan, after members of the public raised countywide concerns about its inaccuracies, its reliance on outdated information, notice failures, and the lack of scientific support for its conclusions.

During the last 4 years Californians have become increasingly aware of advances in onsite wastewater treatment technology, and of the substantial environmental risks posed by California's aging sewer infrastructure. Designing a process that encourages public involvement is not just your responsibility, but an opportunity that will assist you in developing regulations that more effectively protect water quality.

For these reasons, I respectfully request that the Board deny Resolutions R3-2008-0005 and R3-2008-0006. At the very least, I strongly encourage your Board and Staff to continue this item to a later date to allow for public comment and for consultation with onsite experts regarding the these amendments at both the County and the regional level.

Thank you for your consideration,



Giti K. White