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**To:** "Todd Thompson" <thomt@swrcb.ca.gov>, <smarks@rb3.swrcb.ca.gov>, <abaggett@swrcb.ca.gov>, <mthompo@rb3.swrcb.ca.gov>, <rbriggs@swrcb.ca.gov>, "john conyers" <john.conyers@mail.house.gov>  
**Date:** 4/6/2008 5:16:11 AM  
**Subject:** Public comment Basin Plan Update part 1: on RWQCB3 Basin Plan: Study needed as in Santa Cruz County

To;

Sorrel Marks and Howard Kolb RWQCB3

Subject: Basin Plan Update/Amendment and Onsite Treatment systems Management

From Al Barrow Coalition for Low Income Housing and Citizens for Affordable and Safe Environment  
Hello Staff:

CLIH is a California Public Benefit Corporation as such is concerned with the social, environmental and economic impact on affordable housing which the state of California has deemed that affordable and decent housing is of the highest priority of the state. (see state codes

CALIFORNIA CODES

GOVERNMENT CODE

SECTION 65580-65589.8

65580. The Legislature finds and declares as follows:

(a) The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.

(b) The early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels.

(c) The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government.

(d) Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.

(e) The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs.).

A grant was obtained for a feasibility study from the SWRCB to fund the study see below for the Onsite wastewater management system in Santa Cruz County and subsequently approved in 1995. It is our position that;

1.. Further study is needed to evaluate the impacts too the populations in you Region 3. You need to fund them as you did in Santa Cruz, who's total costs was around \$200,000.00. (1)

2.. We received no notice until a week ago, since that time I have worked all night several night and contacted parties that were not aware that the comment period closes on April 7, 2008 TWO DAYS from now. The time is to short and unreasonable for informed comments. (12)

3.. I have worked with COWA at their conferences and work shops since 2001 (AB885 was passed 2000). The sheer volume of comments and concerns by the stakeholder organizations requires more attention than can be given in the time frame you allowed. (2)

4.. 50% of the population in your region is not aware of the Basin Plan let alone this update. They need to know the impacts to their property and their lives. (2)

5.. All documents from COWA and NOWRA we include by reference in their AB 885 comments. (3)

6.. All coastal zone law CZLOU and Estero Plan and all general plans I have included by reference as to rules, codes, policies and laws relating the treatment technologies you are regulating. The universal plumbing codes, the local code planning codes. (3)

7.. The various technologies on the state website will be impacted as to design and discharge requirements as well as lab testing protocol. In case of failure frequency of test may be required. These standards need to be stated. (4)

8.. The term "At the discretion of the Director is open for challenge and is unsupportable under the California constitution as it may infringe on certain PROPERTY RIGHTS. It gives the RWQCB3 powers that are not defined under your implementing authority, The Porter-Cologne Act which I also include by reference. (5)

9.. Due to the lack of time I ask to amend this comment for bibliography purposes and footnoting in the MLA style sheet to make the document easier to see the references. I will be sending you multiple documents and letters which I am identifying as Public comment Basin Plan Update part 1...etc. Each will have a brief summary. The first one is the Santa Cruz initial study before the creation of their onsite treatment management plan was created which sets a precedent. I refer to that in it's entirety and note the webpage from SWRCB web site. The scope of this study includes: (7)

10.. The impact on native species has yet to be studied as the footprint of these treatment systems is cumulative quite large. (6)

11.. The impact to coastal resources is also of concern. (3)

12.. Many of the conventional technologies that you have permitted in the past have polluted the environment. Millions of gallons of raw sewage through spills, exfiltration from collection systems and other failure can be sited. Morro Bay and CWC plants are notorious and have repeatedly spilled due to mechanical failure or other causes.

13.. There are throughout the basins you are regulating with this Basin Plan update earth quake faults with current seismic activities that have done extensive damage. These risks need to be evaluated. (6)

14.. I would also point out that you should be compliant with all state laws. (3)

The impacts from just this small section of your overall basin plan is of great consequence social economically and environmentally let alone the whole Region3. Your Basin Plan update shows No Impacts. This is a negative declaration that we challenge, System cost for onsite range upwards of \$50,000.00 for many low and poverty level residents such as farm workers that would be prohibitive. Fees and charges for maintenance, testing and inspections have impacts. Many of these systems including centralized and decentralized treatment systems have site constraints and or high energy demands which

under the Cumulative Impact rules add up to large carbon footprints and massive kilowatt demands. One kilowatt releases 1.5 pounds of carbon into the atmosphere. All technologies should be evaluated as to Global Warming as specified by the California Global Warming law AB32.

CATEGORY: Management Measure

AGRICULTURE: Facility Wastewater/Runoff from Confined Animal Facilities

AGRICULTURE: Nutrient Management

URBAN: New Onsite Disposal Systems

URBAN: Operating Onsite Disposal Systems

URBAN: Runoff from Developing Areas - Watershed Protection

The environmental impact sheet shows no impacts. Please add the above impacts to that and include my comments to your OPR submittals Notices. I am copying the general counsel of the Planning and Conservation League for an Opinion on the matter as they are the creators of the CEQA law and would know its intent. And to see if your project rises to the level of impact to trigger a full EIR.. If you already have a legal opinion consider this a public document request for that opinion. If you do not have a legal opinion from the Attorney General's office, who is your counsel, then with all haste you should accomplish and publish it as he has ordered compliance with AB32 as a part of every general plan in the state, which covers your region. You should also be compliant with federal laws including but not limited to NEPA and EIS study.

Thank You,  
Al Barrow, President, Citizens for Affordable and Safe Environment & Coalition for Low Income Housing

**Abstract:** Water quality monitoring, groundwater investigations and parcel-by-parcel inspections of septic system performance were carried out to develop appropriate standards and procedures for the inspection and upgrade of existing septic systems. Pilot project evaluations were carried out on 6 developed parcels and appropriate septic system improvements for protecting water quality were proposed. A feasibility study to evaluate potential for small community disposal facilities was also conducted.

**Purpose:** The purpose of this project was to develop and implement a comprehensive wastewater management program for the San Lorenzo River Watershed that includes inspection, maintenance, and improvement of existing on-site systems.

Questions / Additions / Problems with this page? E-mail: [kcward@ucdavis.edu](mailto:kcward@ucdavis.edu)

N R P I San Lorenzo River Nitrate Study (9-101-250)

[Viewing Options](#) [View CEIC XML](#) [View CalEDLN XML](#) [View Project PDF](#) [View Project Location in Google Maps](#)

[View Project in the California Environmental Information Catalog](#)

#### Project Information

**Project Type** Assessment, Monitoring, Planning, Water Quality

**Purpose** The State Water Resources Control Board provided Federal Clean Water Act funds to the County of Santa Cruz Environmental Health Service to conduct a study for improved management of nitrate in the San Lorenzo River Watershed.

**Abstract** This study was conducted to:

- investigate the extent to which increased nitrate in waters of the San Lorenzo River Watershed is causing water quality degradation and limiting water use;
- determine the primary sources of increased nitrate;
- identify technical measures to control the release of nitrogen; and
- develop a nitrate management plan based on technical issues as well as institutional and financial concerns.

Finding and recommendations of the study will be incorporated into the County's San Lorenzo Wastewater Management Program, planning policies, and any other appropriate programs.

**Watershed Plan** San Lorenzo River Watershed Management Plan

**Website URL**

#### Funding Information

**Agency Program Source Amount**

State Water Resources Control Board US EPA 205j Grant Federal 58,200.00

#### Contact Information

**Contact Name** John Ricker

**Contact Type** Primary

**Job Title** Land Use and Water Quality Program Coordinator

**Affiliation** Santa Cruz County - Environmental Health Service

**Department**

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**E-Mail Address** john.ricker@co.santa-cruz.ca.us

**Contact Name** Rik Rasmussen

**Contact Type**

**Job Title** Environmental Scientist

**Affiliation** State Water Resources Control Board

**Department** Division of Water Quality

**Address** 1001 I Street

Sacramento, CA 94244-2130

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Data Availability  
Ecological/ Biological Data  
Hydrology  
Land Use  
Phytoplankton  
Soils  
Water Quality  
Water/Nutrients  
Publicly Available Reports  
Publicly Available Reports

Time Frame  
Survey Date 11/24/2003  
Time Frame Start Date: 9/1/1988 - End Date: 12/1/1995

Participant Information  
Lead Agency, Funders, Landowners and Cooperators  
Entity Role Cash Inkind  
Santa Cruz County Environmental Planning Lead Agency  
State Water Resources Control Board Funder 58,200.00  
Regional Water Quality Control Board - Central Coast Cooperator  
U.S. Environmental Protection Agency Cooperator  
Totals \$58,200.00 \$0.00

Geographical Information  
Size of Project 140 Square Miles  
County Santa Cruz  
Additional Locational Information

Bioregion Bay Area/Delta  
Cataloging Unit San Lorenzo - Soquel  
Hydrologic Boundaries Central Coast > Big Basin > Santa Cruz > San Lorenzo  
USGS Quad (250K > 100K > 24K) Monterey > Santa Cruz > Santa Cruz  
Legislative Districts State Assembly District 27  
State Senate District 11  
US Congressional District 17  
Regional Water Board Central Coast

Resource Issues  
Resource Issues Water Quality, Septic Systems, Water-Ground Water, Water-Surface Water  
Water Quality Issues Nitrate and Nitrite, Algae, Eutrophic, Nitrogen, Nutrients, Nutrients (Algae),  
Taste and odor

NPS Management Measures

CATEGORY: Management Measure  
AGRICULTURE: Facility Wastewater/Runoff from Confined Animal Facilities  
AGRICULTURE: Nutrient Management  
URBAN: New Onsite Disposal Systems  
URBAN: Operating Onsite Disposal Systems  
URBAN: Runoff from Developing Areas - Watershed Protection

Habitat  
Coastal Oak Woodland  
Douglas Fir  
Ponderosa Pine  
Redwood  
Urban

Species Information  
Species Targeted for Protection  
Common Name Scientific Name  
Species Targeted for Eradication  
Common Name Scientific Name  
Species Introduced During Restoration  
Common Name Scientific Name

Project Methods  
Methodology

Project Progress  
Goals, Performance Standards, and Monitoring  
Project Goals Attained? Yes  
Performance Standards Exist? Unknown  
Performance Standards Description  
Performance Standards Attained? Unknown  
Has Monitoring Been Done? Yes  
Monitoring Schedule  
Project Problems

Project Status and Needs  
Current Phase Completed  
Current Needs

Comments  
Additional Comments

For information regarding this website contact  
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"Congresswoman Lois Capps" <ca23ima@mail.house.gov>, "john schempf" <jschempf@losososcsd.org>

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**Date:** 4/6/2008 7:12:12 AM  
**Subject:** Public comment Basin Plan Update part 2: Todd Thompson comment on AB885

To;  
 Sorrel Marks and Howard Kolb RWQCB3  
 Subject: Basin Plan Update/Amendment and Onsite Treatment systems Management  
 From: Al Barrow Coalition for Low Income Housing and Citizens for Affordable and Safe Environment  
 Hello Staff:

CLIH is a California Public Benefit Corporation as such is concerned with the social, environmental and economic impact on affordable housing which the state of California has deemed that affordable and decent housing is of the highest priority of the state. This is Comment part 2.

1.. Todd Thompson is tasked with the implantation of AB885 and points out that it will be soon approved. I have attached Mr. Thmpson's letter and the two draft AB 885 regulations which were a collaborative effort of vendors, local health officials state officials and Onsite associations such as COWA and NOWRA. My point is that by creating separate unequal regulation you have circumvented the work of those professionals. Your efforts lack the input from these stakeholders that should be given the time and opportunity to comment. The collective knowledge at National Small Flows Clearinghouse should also be considered and I include that by reference. <http://www.nesc.wvu.edu/wastewater.cfm> and from The National Risk Management Lab C:\Documents and Settings\AllLocal Settings\Temporary Internet Files\Content.IE5\UQUE9I3J\Chapter 2 Management of Onsite Wastewater Treatment Systems EPA 625-R-00-008.mht

2.. Their collective work of the should be considered: Wastewater and Onsite Systems Programs The National Small Flows Clearinghouse (NSFC) currently helps America's small communities and individuals solve their wastewater problems. The program provides objective information about onsite wastewater collection and treatment systems. The NSFC is the only national resource of its type dealing with small community wastewater infrastructure. This program is funded through the U.S. Environmental Protection Agency (EPA).

3.. Most Onsite Association hold that soils give treatment as a teaspoon of soil may has millions of bacteria:

Overview

In a balanced soil, plants grow in an active and vibrant environment. The mineral content of the soil and its physical structure are important for their well-being, but it is the life in the earth that powers its cycles and provides its fertility. Without the activities of soil organisms, organic materials would accumulate and litter the soil surface, and there would be no food for plants. The soil biota includes:

- a.. Megafauna: size range 20 mm upwards, e.g. moles, rabbits, and rodents.
- b.. Macrofauna: size range 2-20 mm, e.g. woodlice, earthworms, beetles, centipedes, slugs, snails, ants, and harvestmen.
- c.. Mesofauna: size range 100 micrometre-2 mm, e.g. tardigrades, mites and springtails.
- d.. Microfauna and Microflora: size range 1-100 micrometres, e.g. yeasts, bacteria, fungi, protozoa, roundworms, and rotifers.

Of these, bacteria and fungi play key roles in maintaining a healthy soil. They act as decomposers that break down organic materials to produce detritus and other breakdown products. Soil detritivores, like earthworms, ingest detritus and decompose it. Saprotrophs, well represented by fungi and bacteria, extract soiluble nutrients from delitro.

[edit] Bacteria

Bacteria are single-celled organisms, and are the most numerous denizens of the soil, with populations ranging from 100 million to 3 billion in a gram. They are capable of very rapid reproduction by binary fission (dividing into two) in favorable conditions. One bacterium is capable of producing 16 million more in



just 24 hours. Most soil bacteria live in close proximity to plant roots and are often referred to as rhizobacteria. Bacteria live in soil water, including the film of moisture surrounding soil particles, and some are able to swim by means of flagella. The majority of the beneficial soil-dwelling bacteria need oxygen (and are thus termed aerobic bacteria), whilst those that do not require air are referred to as anaerobic, and tend to cause putrefaction of dead organic matter. Aerobic bacteria are most active in a soil that is moist (but not saturated, as this will deprive aerobic bacteria of the air that they require), and neutral soil pH, and where there is plenty of food (carbohydrates and micronutrients from organic matter) available. Hostile conditions will not completely kill bacteria; rather, the bacteria will stop growing and get into a dormant stage, and those individuals with pro-adaptive mutations may compete better in the new conditions. Gram positive bacteria produce spores in order to wait for more favorable circumstances, and Gram negative bacteria gets into a "nonculturable" stage.

From the organic gardener's point of view, the important roles that bacteria play are:

[http://en.wikipedia.org/wiki/Image:Nitrogen\\_Cycle.jpg](http://en.wikipedia.org/wiki/Image:Nitrogen_Cycle.jpg)[http://en.wikipedia.org/wiki/Image:Nitrogen\\_Cycle.jpg](http://en.wikipedia.org/wiki/Image:Nitrogen_Cycle.jpg)

[http://en.wikipedia.org/wiki/Image:Nitrogen\\_Cycle.jpg](http://en.wikipedia.org/wiki/Image:Nitrogen_Cycle.jpg)[http://en.wikipedia.org/wiki/Image:Nitrogen\\_Cycle.jpg](http://en.wikipedia.org/wiki/Image:Nitrogen_Cycle.jpg)

The nitrogen cycle

[edit] Nitrification

Nitrification is a vital part of the nitrogen cycle wherein certain bacteria (which manufacture their own carbohydrate supply without using the process of photosynthesis) are able to transform nitrogen in the form of ammonium, which is produced by the decomposition of proteins, into nitrates, which are available to growing plants, and once again converted to proteins.

[edit] Nitrogen fixation

In another part of the cycle, the process of nitrogen fixation constantly puts additional nitrogen into biological circulation. This is carried out by free-living nitrogen-fixing bacteria in the soil or water such as Azotobacter, or by those which live in close symbiosis with leguminous plants, such as rhizobia. These bacteria form colonies in nodules they create on the roots of peas, beans, and related species. These are able to convert nitrogen from the atmosphere into nitrogen-containing organic substances.

[edit] Denitrification

While nitrogen fixation converts nitrogen from the atmosphere into organic compounds, a series of processes called denitrification returns an approximately equal amount of nitrogen to the atmosphere. Denitrifying bacteria tend to be anaerobes, or facultatively anaerobes (can alter between the oxygen dependent and oxygen independent types of metabolisms), including Achromobacter and Pseudomonas. The putrefaction process caused by oxygen-free conditions converts nitrates and nitrites in soil into nitrogen gas or into gaseous compounds such as nitrous oxide or nitric oxide. In excess, denitrification can lead to overall losses of available soil nitrogen and subsequent loss of soil fertility. However, fixed nitrogen may circulate many times between organisms and the soil before denitrification returns it to the atmosphere. The diagram below illustrates the nitrogen cycle.

4. The separation from ground water is a contentious subject and the Association COWA and NOWRA have done extensive research to support separation assumptions please consider.

It is abundantly clear that microbes spore until nutrients are available then the rapidly multiply digesting those nutrients. One teaspoon has millions of bacteria ready to digest the "waste" from onsite system. One old example is the abandoned outhouse when re-inspected a few months the "waste" is gone. These organisms unlike humans find "waste" a prime food and energy source. All part of a natural system. Please allow for "soil treatment" where conditions are favorable. Any University soil science department teaches this as basic scientific fact. Irrefutable evidence exist. See Dr. Bob Rubin Ph.D. USEPA Wastewater Division Washington D.C. and UNC State Soils Science Department. Locally Dr. Tom Ruehr Ph.D. Soil Sc. Cal Poly San Luis Obispo. Bacteria enhance the soils treatment of waste streams when applied judiciously. Stream has been known to reduce waste as the water rolls along aerating the waste. Soils have an aerobic zone and anaerobic zones that naturally remove nitrogen. Locally using 6 foot lysimeters test showed nitrogen reduction to 2m/l N in Los Osos fine sand at the Fire Department. And it is a well known fact that wastewater treatment systems rely on "bug populations" to reduce the pollutants in the waste stream. I have attached WSU papers on soil treatment which airs the constraints and capacity to remove pollutants. The irregular "dosing" of a leach field by the tanks sporadic uses (Diurnal usage) give sandy loam soil a reeration period and the treatment field when designed for flow

will accomplish that treatment.

With lab tests if soil treatment credit should be allowed.

RWQCBs should wait until the SWRCB has finalized their AB885 compliant Final and challenges exhausted. At that time the smoke of controversy will have cleared and a collaborative effort and an EIR vetting will be completed or should. Again the affordable housing impacts must be vetted.

Thank You,

Al Barrow, President, Citizens for Affordable and Safe Environment & Coalition for Low Income Housing

CC: "gary patton" <gapatton@pci.org>, "john schempf" <jschempf@losososcsd.org>, "Congresswoman Lois Capps" <ca23ima@mail.house.gov>, "al barrow" <abarrow@sbcglobal.net>, <sarmient@cwp.swrcb.ca.gov>

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**Date:** 4/7/2008 5:20:57 PM  
**Subject:** Public comment Basin Plan Update part 3: Todd Thompson comment on AB885

To:  
Sorrel Marks and Howard Kolb RWQCB3  
Subject: Basin Plan Update/Amendment and Onsite Treatment systems Management  
From: Al Barrow Coalition for Low Income Housing and Citizens for Affordable and Safe Environment  
Hello Staff:

Timing requirement of 48 is not realistic or reasonable. For several reasons:

- 1.. Scheduling a site inspection by repair or pumpers often takes days.
- 2.. If it is determined a replacement is necessary permit applications may take weeks
- 3.. WASTEWATER MANAGEMENT PLAN FOR THE SAN LORENZO RIVER WATERSHED: County of Santa Cruz Health Service Agency is included by reference. Environmental Health Service February 1995 249 pages was an example of the testing, research and work task that was done for one area of the county. The task was expensive and time consuming. Certainly rising to the impact level of an EIR CEQA.:  
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The basic activities are funded primarily by service charges collected on the tax bills of residents of County Service Area 12 (CSA 12). This includes all developed parcels outside of sewer areas in the County. Zone A of CSA 12 (CSA 12A) encompasses the San Lorenzo Watershed, and includes an additional service charge for implementation of the San Lorenzo Wastewater Management Plan. The annual service charge for CSA 12 is \$6.90, and for CSA 12A it is \$18.54. Any future increase in the amounts of the service charges would require an election with approval of a majority of the affected property owners. For alternative systems and other nonstandard septic systems, an additional service charge of \$80- \$502 (1998 charges, depending on the type of system) is collected to fund annual inspections and oversight of those systems. These charges do increase annually. Of the septage disposal charges, \$42,000 comes from property owner service charges and the remainder comes from charges to the septic tank pumpers. Since 1995, there have been no County General Fund contributions to these septic system maintenance and management programs.

#### Implementation Schedule

Following is a summary of the work completed since 1988, and the work that is proposed to be performed:

1989 - Survey of parcels performed in Ben Lomond (100 parcels) and El Solvo Heights (50 parcels in North Felton).

- Additional survey work was limited by dry weather.

- Evaluation and system upgrades in Ben Lomond and El Solvo Heights
- Board of Supervisors establishes County Service Area No. 12 for improved wastewater management in unsewered areas.

Publications:

- San Lorenzo Wastewater Management Program, Status Report 1987-88

S Preliminary Report, An Evaluation of Wastewater Disposal and Water Quality in the San Lorenzo River Watershed

1990 - Preliminary survey in Glen Arbor and Ben Lomond, but completion was deferred due to dry conditions.

S Commencement of Nitrate Management Study, funded by State Water Resources Control Board with 205j funds.

d.. - Board of Supervisors approves collection of first annual CSA 12 Service charges and implementation of augmented wastewater management programs for the San Lorenzo Watershed in fiscal year 1990-91.

1991 - Survey of parcels performed in Ben Lomond (350 parcels), Glen Arbor (420 parcels), Felton (650 parcels), Forest Lakes (520 parcels), and Mount Hermon (60 parcels).

- Recheck of past problem parcels in Boulder Creek and Kings Creek

- Community evaluation of Boulder Creek, Kings Creek, Felton, Glen Arbor, Ben Lomond, Brook Lomond, and Forest Lakes done.

- Feasibility Study of community disposal alternatives for downtown Boulder Creek completed.

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- Septic System Permit Processing and Information Management System developed and implemented on County mainframe computer, including conversion of data from the pre-existing system on microcomputer

Publications:

- San Lorenzo Wastewater Management Plan (preliminary draft)

- San Lorenzo Nitrate Management Study, Phase 1 Interim Report (draft)

1992 - Survey of parcels in Felton, Forest Lakes, Ben Lomond, Boulder Creek, Mt. Hermon, and Boulder Creek Corridor completed

- Recheck of parcels subject to high winter water table in Felton Glen Arbor, Ben Lomond, Boulder Creek, and Kings Creek.

- Feasibility Study of long term disposal needs and potential community disposal initiated for Glen Arbor, Felton, Brook Lomond and portion of Ben Lomond.

Publications:

- San Lorenzo Wastewater Management Plan (revised drafts)

- San Lorenzo Nitrate Management Study, Phase 1 Interim Report (final)

- New forms and procedures for amended Sewage Disposal Ordinance

1993 - Survey and Evaluation of parcels in Upper San Lorenzo, Pasatiempo and Brookdale area.

- Wet Year Recheck of parcels subject to high winter water table Felton, Glen Arbor, Ben Lomond, Boulder Creek, and Kings Creek.

- Development of funding options for Community Disposal Projects

- Revision of Nonstandard System Policies and Procedures

- Revision of Data Management System

Publications:

- San Lorenzo Wastewater Management Plan (public draft)

1994 - Survey and Evaluation of parcels in Lompico, Lower Zayante, Paradise Park

- Preliminary acceptance of San Lorenzo Wastewater Management Plan

- Completion of Computerized Septic System Database.

- Completion of San Lorenzo Valley Community Wastewater Disposal Feasibility Study

1995 - Survey and Evaluation of parcels in Lompico, Upper Zayante.

- Initiate Feasibility Study of community wastewater disposal for Pasatiempo
- Complete Nitrate Management Plan
- San Lorenzo Wastewater Management Plan (final)
- Pursuit of state loan to develop local revolving fund for low cost loans for enhanced individual system improvements.
- Amend Septic System Ordinance for implementation of Management Plan

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1996 - Complete Survey of parcels in Lompico

- Continue reinspection of parcels areas already inspected.
- Complete San Lorenzo Wastewater Management Program, 1989-95 Status Report
- Review of Management Plan efforts.
- Develop procedures for state loan program for low cost loans for enhanced individual system improvements.
- Increase staffing for implementation of Management Plan
- Develop improved programs for management of livestock operations to protect water quality.

1997 - Survey and Evaluation of parcels in Quail Hollow, Lower Bean Creek, Lockhart Gulch, Pasatiempo

- Reinspect parcels in Kings Creek Area
- Complete Feasibility Study of community wastewater disposal for Pasatiempo
- Begin update of San Lorenzo Watershed Management Plan, including urban runoff and health risk investigations.

1998 - Survey and Evaluation of parcels in Quail Hollow, and outlying parcels in Felton, Ben Lomond, Upper Boulder Creek Corridor

- Complete Evaluation of Water Resources Monitoring and Management Activities in Santa Cruz County

Proposed Work:

1999 - Survey and Evaluation of parcels in Upper Bean Creek, Upper Zayante, Branciforte Creek,

outlying Boulder Creek and Bear Creek Corridor

- Reinspect parcels in downtown Boulder Creek Area
- Formalize reinspection program of parcels areas already inspected.
- Establish guidelines for inspection of uninspected parcels in outlying areas.
- Trial mailing of pumping notices to parcels with no record of pumping in last 10 years.
- Pursue formation of assessment district for sewerage Pasatiempo area.
- Prepare sediment TMDL for San Lorenzo River and complete update of the San Lorenzo

#### Watershed Management Plan

2000 - Continue Reinspections

- Consider mandatory pumping ordinance

#### Information Management

The Wastewater Management Program uses three different information management systems to manage and track information.

The County's automated Land Use Information System has a very extensive septic system component that was put into use beginning in July 1991. Older information dating back to 1983 from a PC based system was transferred into the mainframe system. Information is maintained on inspections, permits,

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installations, general system characteristics, and tank pumping records. All information is now entered into the system as a routine part of business. Entry of system information is done at the time a permit is finalled, or is done for all parcels on an area basis. Data entry is reviewed for accuracy by several staff members. It is estimated that the error rate of information in the system is 2-10%, depending on the data element. This system can readily be queried and has been used extensively in the preparation of this report.

Separate, but related to the Land Use information system is the County's geographic information system (GIS). This system is used to capture geographic information such as soils or proximity to a stream or watershed boundary, and add it to the site specific system information that is already in the Land Use System. The GIS is also used to plot and display information from the Land Use System such as system failures, winter groundwater levels, use of seepage pits, etc. In 1998 the County added a

pc-based GIS using Arcview software. This is much more flexible and is been used extensively to display and manipulate wastewater management information which has been extracted from the mainframe system.

Water quality data is maintained in several different databases. In 1996, most of the data was converted to RBASE. However, Symphony (Lotus) continued to be used for graphics and reports, with SPSS used for statistical analysis. In late 1998, the data was moved over to Paradox and Quattro Pro. These newer systems were used in the preparation of this report. Data is available to other interested parties in both hard copy and electronic format.

#### Implementation of Nitrate Management Plan

The San Lorenzo Nitrate Management Plan was adopted by the State and County as a part of the Wastewater Management Plan. The Nitrate Plan includes provisions for reducing nitrate discharge from wastewater disposal as well as other sources. The Regional Board's Resolution 95-04 calls for an annual status report on implementation of the San Lorenzo Nitrate Management Plan as a part of the report on the Wastewater Plan. The Resolution calls for reporting on progress of the each of thirteen recommendations of the Plan.

Recommendations 1, 2, 4, 9, and 10 call for maintenance of existing efforts:

1. Maintain the current requirement of a one acre minimum parcel size for new development, regardless of the date of lot creation.
  2. Implement the San Lorenzo Wastewater Management Plan.
  4. Maintain policies for shallow leachfields (4-6.5 ft., depending on soil percolation rate) to provide for improved nitrate removal in the soil.
  9. Maintain policies for minimizing density of new land divisions (10 acre minimum) in groundwater recharge areas, and various other existing policies for protecting groundwater recharge areas.
  10. Maintain current regulations on erosion control, land clearing, and riparian corridor protection.
- All of these policies and programs have been maintained and remain unchanged, although some limited and mitigated modification of the one acre minimum size for commercial uses is under consideration.



e.. Resolution 94-04 Attachment A Basin Plan Amendment describes in detail the tasks you are considering . I include that by reference.

f.. I spoke with various pumpers, installers and equipment providers who knew nothing of your plan and its impacts to their properties. Why did you not contact all stakeholders? ②

g.. I am requesting a full CEQA/EIR process to vet this process for full public disclosure and to allow all stakeholders the opportunity to comment. If not why not?. ⑥

h.. I an requesting an extension for comment submittals with complete noticing. If not why not?. ②

i.. AB885 is a stste law to reduce Global warming green house gasses. Why have you not complies? ⑦

j.. SIMULATED EFFECTS OF A PROPOSED SEWER PROJECT

ON NITRATE CONCENTRATIONS IN THE  
LOS OSOS VALLEY GROUNDWATER BASIN

Prepared by:

Gus Yates RG, CHG 1809 California Street Berkeley, CA 94703 510-849-4412

Derrick Williams RG, CHG 4032 Brighton Ave. Oakland, CA 94602 510-336-7030

Prepared for: Cleath & Associates and Los Osos Community Services District

November 6, 2003

242,000 acre feet of water in the upper aquifer 450,000 acre feet in the lower aquifer. We have a huge amount of stored water, possibly enough fo 80 years in the upper aquifer alone, not including annual recharge 1425 acre feet that percolates from rain. We have natural nitrogen of 15 m/l N using recent isotope Oxygen Nitrogrn marking in 5 wells by the LOCSD Southbay well. Further documentation is needed if the sewer will not eliminate these sources it would require wellhead treatmen. Golden State Water has ion exchange equipment that will remove this for \$200.00 an acre foot. Making the upper aquifer a viable source fo 100 years.

Please extend the comment time period for the record documents. Please institute a full CEQA?EIR.

Please adjust the basin plan to reflect these conditions. If Not why not?

Thank You,

Al Barrow, President, Citizens for Affordable and Safe Environment & Coalition for Low Income Housing

CC: "gary patton" <gapatton@pcl.org>, "john schempff" <jschempff@losososcsd.org>, "Congresswoman Lois Capps" <ca23ima@mail.house.gov>, "al barrow" <abarrow@sbcglobal.net>, <sarmienl@cwpswrcb.ca.gov>

**From:** "abarrow" <abarrow@sbcglobal.net>  
**To:** <mhunter@pcl.org>, "gary patton" <gapatton@pcl.org>, <jerry@slochtf.org>, <CEQA.GHG@opr.ca.gov>  
**Date:** 4/20/2008 1:58:50 AM  
**Subject:** Fw: The MOU with the County abd the RB is on Tuesday afternoon BOS agenda It is critical that all attend to support staff affordable housing and high fees are at stake here.

To: PCL General Counsel  
5/19/08

Dear Honorable Gary Patton;

We believe strongly that the CCRWQCB Basin Plan and the included onsite management requirements meet the CEQA bar for an EIR. The Central Coast Regional Water Quality Control Board maintains that is not the case. However the state AB885 onsite management did require an EIR. What is the difference? More diesel trips will impact air quality as septage more frequently pumped will add a huge carbon footprint to air pollution. We seek your opinion. Is this a project that has impacts that rise to the level of CEQA review? Or as they maintain is a Negative Declaration sufficient? (9)

Larry Allen, Director of the SLO APCD, stated to that Regional Board 3 the impact from added trucking of there past proposed 2 month pumping for 5,000 in Los Osos had a significant air quality impact. The Region3 has 130,000 septic systems that would require pumping and trucking 26,000 a year. Flying in the face of that a trucking plan for more septic tank pumping throughout the 5 county area, including Santa Cruz, San Luis Obispo, Santa Barbara and Monterey Counties would be a very large increase over the 1990 standards that AB32 requires roll back to. The likely destination would be in Kern County many times as far as the Santa Maria site previously proposed or other destinations as yet defined. If these and other industrial impacts are not mitigated how will that goal be achieved? Not to mention a million kWh proposed sewer collection and treatment system that is going through the CEQA process as we speak in SLO County alone. (9)

In addition: California Attorney General Edmund G. Brown Jr. has noticed all 59 counties, all cities and planning authorities in the state to comply with AB32 greenhouse gas emissions reduction as a requirement of their General Plans.. Is the State exempt from it's own requirements and goals? That would be inconsistent with the expressed desires of the Governor who signed the bill and the State of California legislature that wrote and approved the bill who represent the people. (9)

Part of CEQA is the economic impacts. As Director of Coalition for Low Income Housing, a California Public benefit corporation, I am a stakeholder in issues that effect affordable housing. Please see mission statement [www.clih.net](http://www.clih.net) . So I am obliged to seek relief from an additional and unnecessary burden to those who will be injured economically in an increasingly costly rental and housing market. I have submitted 3 comments under the allowed deadline of April 7, 2008. (10)

SLO County Planning department issued a staff report on the SLO County BOS website: [http://slocounty.granicus.com/MetaViewer.php?view\\_id=2&event\\_id=25&meta\\_id=94565](http://slocounty.granicus.com/MetaViewer.php?view_id=2&event_id=25&meta_id=94565) last page final bullet states it will negatively impact the cost of affordable housing. Thursday at the BOS candidate debate on affordable housing all candidates supported affordable housing which is in concert with smart growth one of the state's stated planning values to control urban sprawl. In keeping with the Sierra Club and other environmental organization supporting sustainable development of which affordable housing is a necessary element to achieve in-fill and density, affordable housing must be supported by all state agencies according to these California Codes: (11)

In addition the state finds:

65580. The Legislature finds and declares as follows: (a) The availability of housing is of vital statewide

importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order. (b) The early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels. (c) The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government. (d) Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. (e) The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs.

And In addition the state finds:

50840. (a) The Legislature hereby finds and declares all of the following: (1) California is experiencing a severe housing shortage that compounds itself further each year. While it is estimated that 250,000 new homes are needed each year to keep up with demand, only 140,000 building permits for new residential housing were issued in 1999. Moreover, the average number of residential building permits issued over the last seven years is only 105,000 new units per year. (2) The shortage in housing supply has led to skyrocketing home sale and rental prices, which have made housing unaffordable to many Californians. Seven of the nation's 10 least affordable metropolitan areas for housing are in California. More than 35 percent of renter households experience an extreme housing cost burden, which has been defined as paying more than 50 percent of their income for housing...

As general counsel for the Planning and Conservation League it would be appropriate for you to comment as to the CEQA requirement, which if I understood the class on CEQA you taught here and the PCL Booklet indicates a need for an EIR if project impacts seem likely. This State project can be interpreted as a mandate to the local authorities that are required to implement it... as such, it is a project under the definitions outlined in "Community Guide To The California Environmental Quality Act, J.William Yeates Fall 2007 and the <http://www.opr.ca.gov/index.php?a=ceqa/index.html> and I also site Climate Change and CEQA -- Presentation by Cynthia Bryant, OPR Director, 11/14/07 Overview of OPR's role in CEQA implementation and its approach to drafting CEQA Guidelines as required by law. It has unknown cost for water lab testing, more frequent onsite testing, added pumping frequencies of doubtful water quality benefit, it has restrictions on affordable housing on the SLO County Housing Element in the SLO County General Plan by required acres, a similar plan has been in place in Santa Cruz county with little water quality improvement according to the Manger of the 13 year old program. It likely requires a septage treatment facility with all of the accompanying impacts according to the SLO County Planning staff report on the SLO BOS agenda April 22, 2008.. Just to many impacts to describe here.

Perhaps the RWQCB3 is not apprised of the latest CEQA requirements. In any case PCL and the AG must have an opinion. Please give us the PCL opinion. Since PCL created the CEQA legislation, whom would be more eminently Qualified? Further The Attorney General represents the SWRCB and their 9 Regional Boards and did not protest their EIR in a similar State effort to implement AB885 onsite treatment maintenance program. Will a small amout of water improvement trump a large amout of global warming emissions? Seems to be a question for CEQA review.

Thank You,  
Al Barrow, President, Citizens for Affordable and Safe Environment & Coalition for Low Income Housing & LOCSD Water Committee

cc: Governor Shwarzenegger

cc: Edmund G. Brown Jr. California Attorney General

cc: Terry Roberts Director OPR

cc:Larry Allen, Director, SLO APCD

cc:Monica Hunter PCL Staff and RWQCB3 Member

**CC:** "attorney general ca" <PublicRecords@doj.ca.gov>, "apcd" <info@slocleanair.org>, "al barrow" <abarrow@sbcglobal.net>, "Lisa Schicker" <lisaschicker@hotmail.com>, "steve paige" <shpaige@sbcglobal.net>, "shaunna sullivan" <sullivanlaw@charter.net>, "victor holanda" <vholanda@co.slo.ca.us>, "Todd Thompson" <tthompson@waterboards.ca.gov>, <smarks@waterboards.ca.gov>, "Andrew Christie" <santa.lucia.chapter@sierraclub.org>, "Rob Miller" <RobM@wallacegroup.us>, <rbriggs@swrcb.ca.gov>, <plancomm@co.slo.ca.us>, "mike,slocog harmon" <mharmon@slocog.org>, "david edge" <mageedge@msn.com>, "state planning" <lwheaton@hcd.ca.gov>, <lschicker@losososcsd.org>, ""Leon Goldin"" <lgoldin@charter.net>, "katcho achadjian" <kachadjian@co.slo.ca.us>, <john@ceqa.com>, <john.ricker@co.santa-cruz.ca.us>, <jerry@sloctf.org>, ""Jerry Bunin"" <jbunin@hbacc.org>, "Jack Beardwood" <j.beardwood@yahoo.com>, "Habitat for Humanity for San Luis Obispo County" <info@hfhsloco.org>, "Martha Goldin" <honmgret@charter.net>, <GTCHOBANOGLIOUS@UCDAVIS.EDU>, <governor@governor.ca.gov>, <dwickham@sonic.net>, "Daniel Panetta" <dpanetta@calpoly.edu>, <dlilley@co.slo.ca.us>, <cleanair@co.slo.ca.us>, <cjourney@co.slo.ca.us>, "chuck cesena" <ccesena@losososcsd.org>, <btolle@co.slo.ca.us>, "Badak Naficy" <bnaficy@ix.netcom.com>, "sarah christie" <sarahcreston@earthlink.net>