State of California

MEMORANDUM

Date: January 29, 1993

To: Regional Board Members

From: WILLIAM R. LEONARD, Executive Officer
California Regional Water Quality Control Board
Central Coast Region -- 81 Higuera Street, Suite 200
San Luis Obispo, CA 93401-5427

Subject: BAYWOOD PARK/LOS OSOS SEWER PROJECT, SAN LUIS OBISPO COUNTY

During the November Board meeting, Mr. Tunnell asked if the Board could receive a current status report about the Baywood Park/Los Osos sewer project. Since several of you are new to the Regional Board and this project has a long history, I am making this report a little more complete than usual. There is an attachment which provides a very brief chronology of this project for those of you unfamiliar with its history.

To set the stage, the Baywood Park/Los Osos area of San Luis Obispo County is located in the Chorro and Los Osos Valleys east of Morro Bay and about ten miles west of the City of San Luis Obispo. It has a current population of about 15,000 people, and contains about 5,000 individual lots or parcels-many of which are only 25 feet wide or 37.5 feet wide. While a few community septic tank wastewater disposal systems exist in the area, most houses and commercial property are served by individual septic tank systems. Depth to ground water varies, but is shallow enough to flood some leachfield systems in wet weather. Within the Baywood Park area, few of the systems can meet the Regional Board's criteria for separation between the bottom of a leachfield and ground water. Many of the smaller lots are too small for leachfields and have deeper seepage pits. Many of these pits discharge directly to ground water (no separation).

As the attached chronology shows, the Regional Board became concerned with the use of individual disposal systems as early as 1971. Repeated attempts to get San Luis Obispo County to recognize the emergency water quality problems and embark on a solution were unsuccessful until a building prohibition was established by the Regional Board in January 1988. The County then created an assessment district to build the sewer system, and secured (with help from the Regional Board) a $47 million loan guarantee from the State Water Resources Control Board to help finance the project. Currently, the project is ready to go to design, but the County has been forced to delay the project because of litigation brought about by a group opposed to the sewer project. Citizens for Affordable Wastewater Systems (CAWS) sued the County and the State on several issues. The Court dismissed the case against us early last year. The County subsequently also won its case (predominantly based on Assessment District proceedings) but CAWS has appealed the ruling.

With that background, here is a description of the current situation.

STATE REVOLVING FUND LOAN AND THE CAWS LAWSUIT

At the January meeting, the State Water Resources Control Board rescheduled the commitment ($47 million) for Baywood/Los Osos for the State Revolving Fund (SRF) loan to fiscal year 94-95. The County asked for inclusion of some language that the County's project will be considered as a first priority project in 94-95, but the County did not object to deferring the date. The State Board agreed with the County request for priority status.

We were concerned that the deferral may be a source of delay if the lawsuit is settled sooner rather than later, and the project is ready to go but then the loan is not available. However, we were assured by County Engineering that situation will not occur. The design is scheduled to take about two years, so they won't need the SRF money until later anyway. Also, project financing is not dependent on SRF money. Bonds can be sold and the project completed without the SRF loan, but the loan will reduce debt service and save each homeowner about a hundred dollars a year. Even if the lawsuit runs its full coarse, County Engineering staff expects the lawsuit to be concluded by Fall 93, and project completion would be in 1997. Our Basin Plan calls for project completion by 1988!

The CAWS group has contended recently that a US EPA "report" on Baywood/Los Osos is being suppressed. CAWS asked Congressman Leon Panetta to intervene to get the report on alternative systems released from EPA. SLO County Engineering has been in touch with EPA's Charmaine Berry, who said she would be sending out some kind of a response right after Christmas (we haven't seen it yet). Part of the problem is that there is no "report", there are just some hand written notes from an EPA employee in Cincinnati who reviewed some of the information sent to him (apparently from CAWS) regarding the project.

The CAWS effort has been in financial trouble. The enclosed article from the Telegram Tribune describes the most recent situation. Note that Roger Shields, CAWS co-chair, is quoted as saying that CAWS financial support has been coming from the same 600 to 700 people. There are about 5,000 homes and about 15,000 people in the Baywood/Los Osos area.

CURRENT COUNTY ACTIVITIES

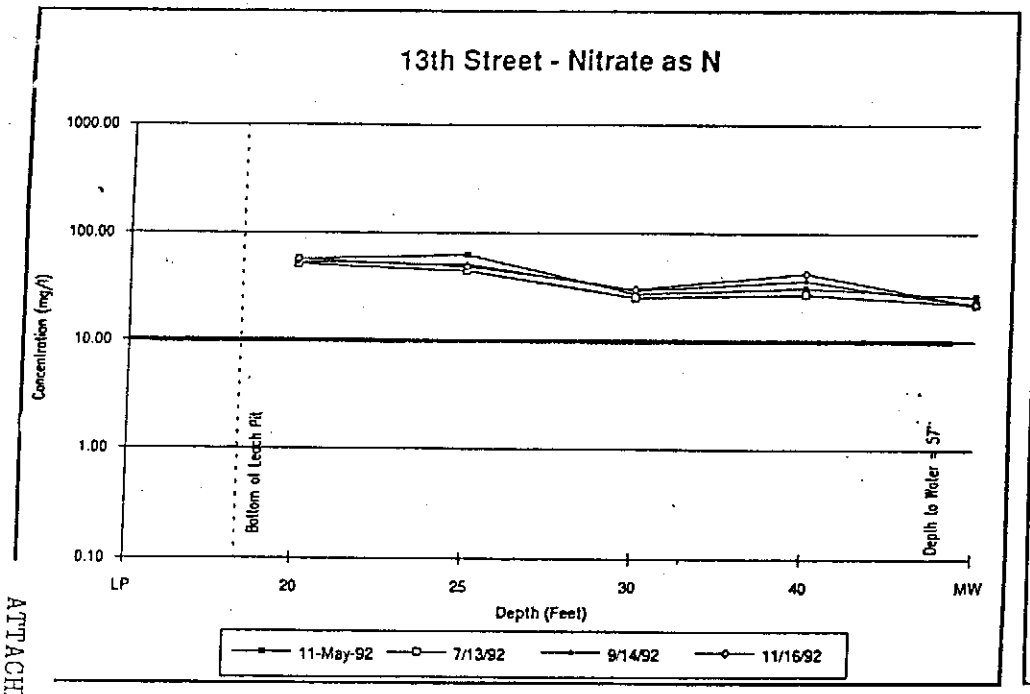
Continued Alternative Evaluation

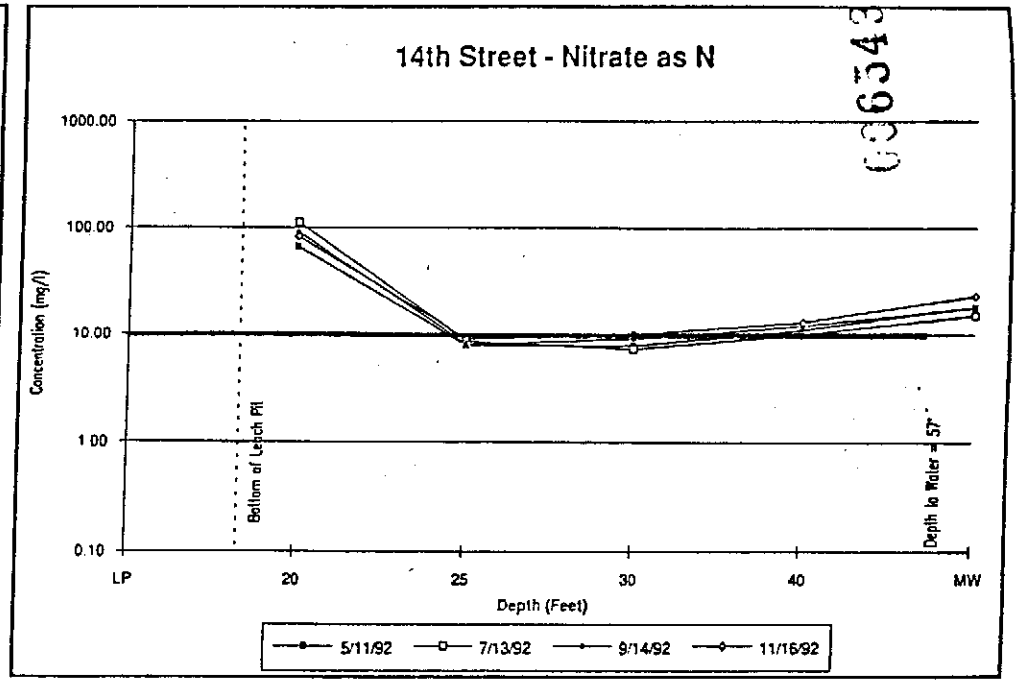
A "Blue Ribbon Committee" has been set up by Supervisor Bud Laurent to examine project alternatives. At the first meeting in December 1992, there were only about thirty people there and twenty of them were committee members so the community turnout was very slight. The community doesn't seem to be too interested in hashing out more alternatives.

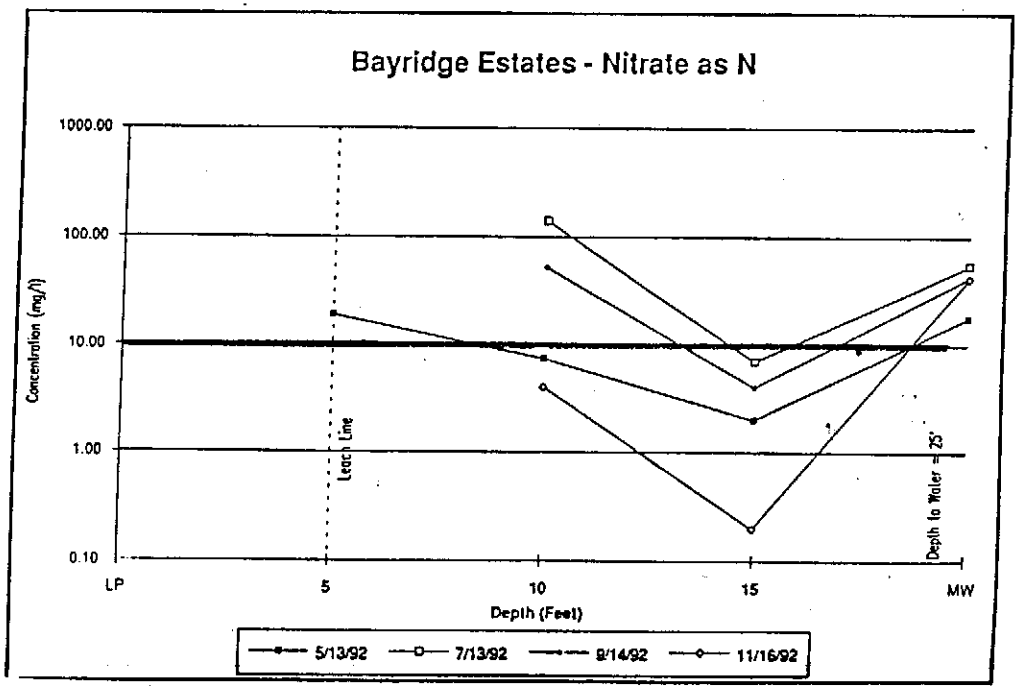
Soil Nitrogen Study

In 1991, the Board of Supervisors authorized expenditure of $100,000 for a study of the movement of nitrogen in soils below on-site sewage disposal systems in Los Osos/Baywood Park. The study involves sampling soil at various depths below selected "typical" disposal systems. It was initiated at the community's request to help ascertain whether nitrogen is leaving disposal fields, entering ground water, and is really a significant source of high concentrations of nitrate found in the shallow portions of the aquifer.

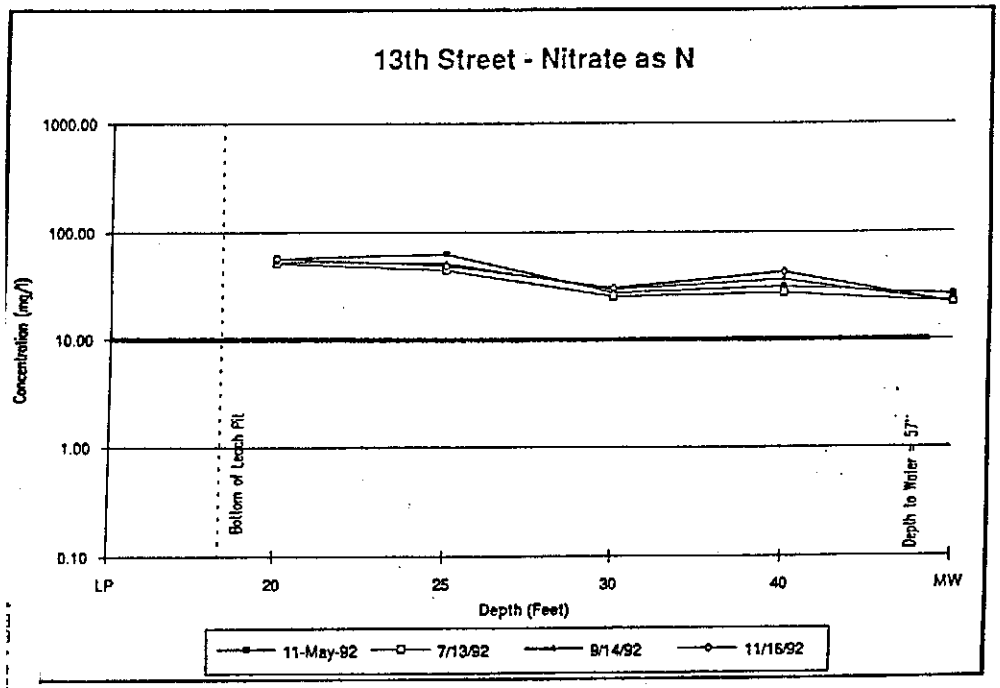
Initially, six sample sites were considered. However, due to cost constraints, the County decided to use only three sites for the study. The first two sites selected had to be abandoned due to the presence of ground water actually in the disposal field, which made sampling below the disposal field impractical. Three test sites were eventually chosen for the study and sample data from these sites are depicted on Attachment 1. It's interesting to note that the stated objective is to analyze the movement and transformation of nitrogen below "typical" disposal systems. As stated in the introductory section of this memo, many, many systems have no separation from ground water and discharge septic tank effluent directly to ground water without benefit of filtration and microbial action in the unsaturated zone. Yet, when two of the selected sites turned out to have zero separation, they were eliminated from the study. Consequently, the study will provide information for systems with significant separation from ground water. At various times of the year, as many as half of all the systems may not have that separation.

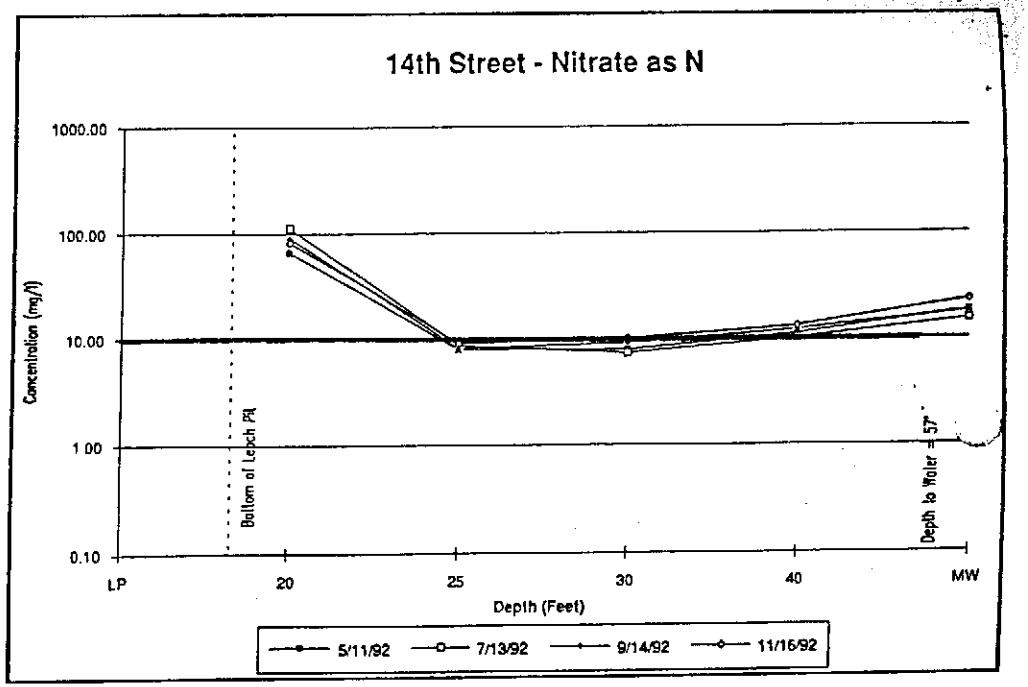


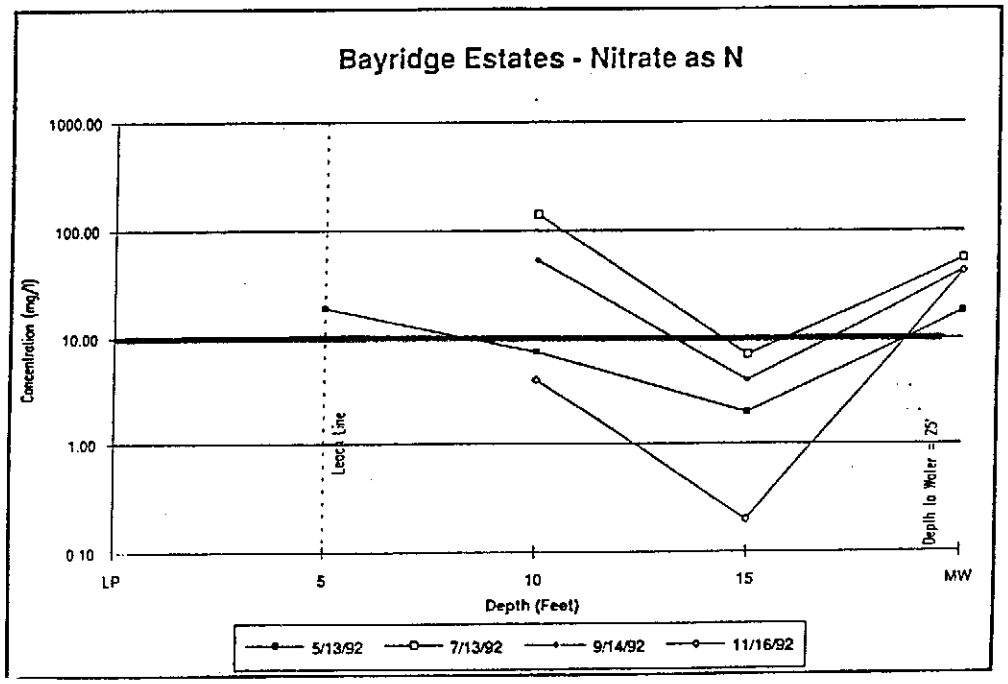




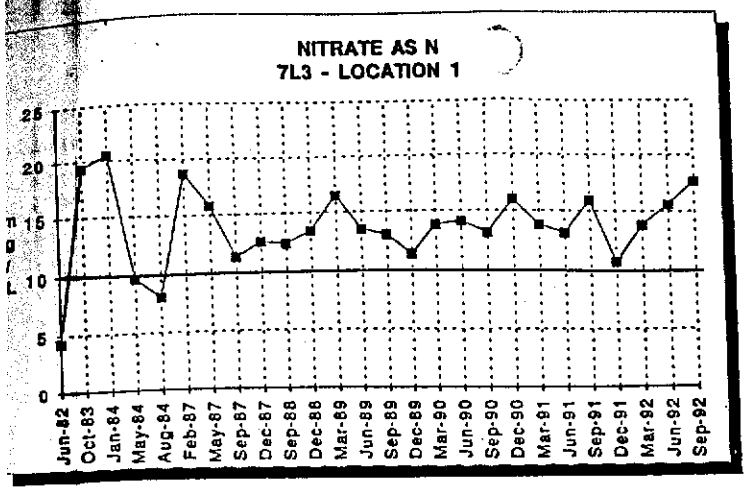
ATTACHMENT 1


13th Street - Nitrate as N
1000.00
100.00
10.00
1.00
0.10
Concentration (mg/l)
Bottom of Leach Pit
Depth to Water = 57"
LP
20
25
30
40
MW
Depth (Feet)
11-May-92
7/13/92
9/14/92
11/16/92


14th Street - Nitrate as N
1000.00
100.00
10.00
1.00
0.10
Concentration (mg/l)
Bottom of Leach Pit
Depth to Water = 57"
LP
20
25
30
40
MW
Depth (Feet)
5/11/92
7/13/92
9/14/92
11/16/92


Bayridge Estates - Nitrate as N
1000.00
100.00
10.00
1.00
0.10
Concentration (mg/l)
Leach Line
Depth to Water = 25'
LP
5
10
15
MW
Depth (Feet)
5/13/92
7/13/92
9/14/92
11/16/92

009544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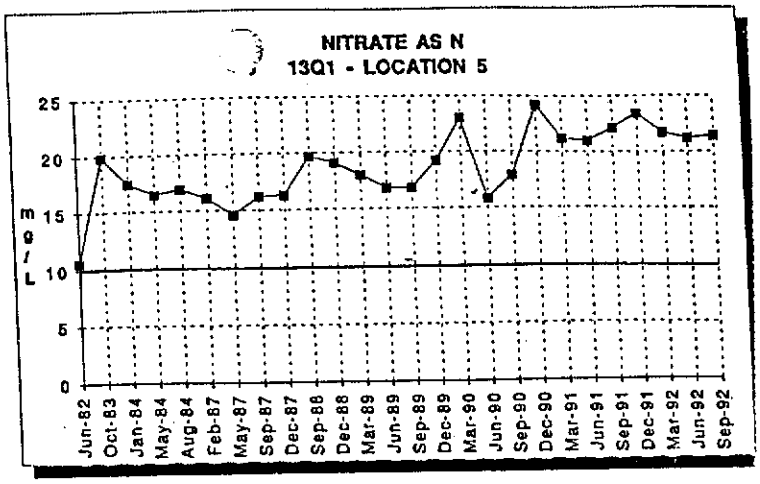
7L3 - LOCATION 1
mg/L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13Q1 - LOCATION 5
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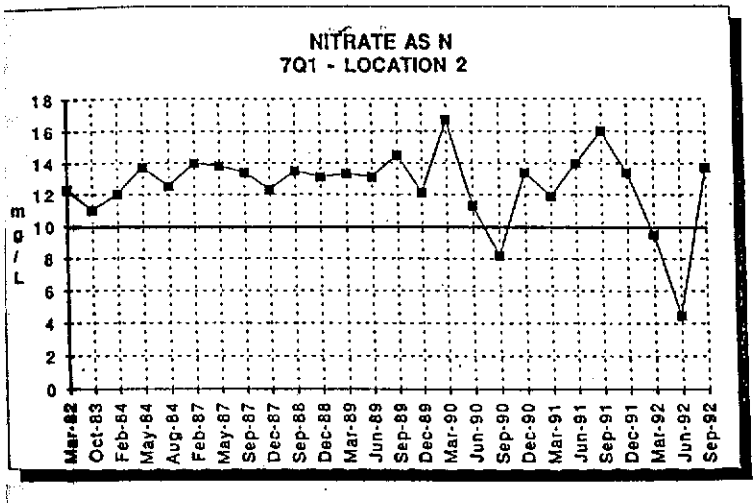
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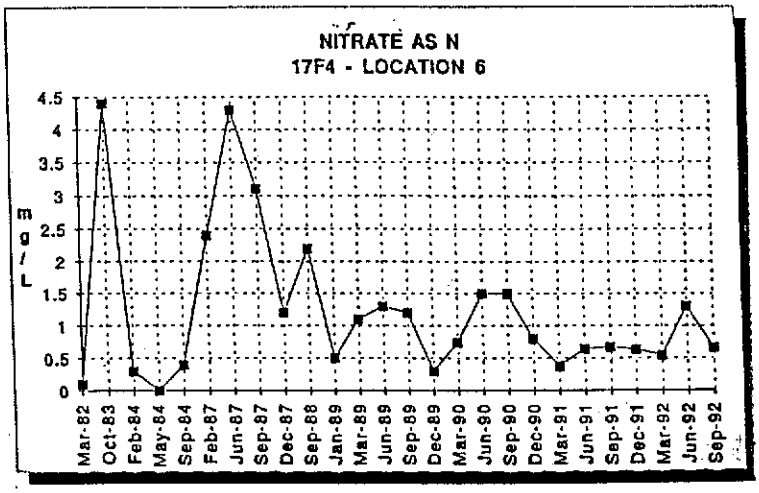
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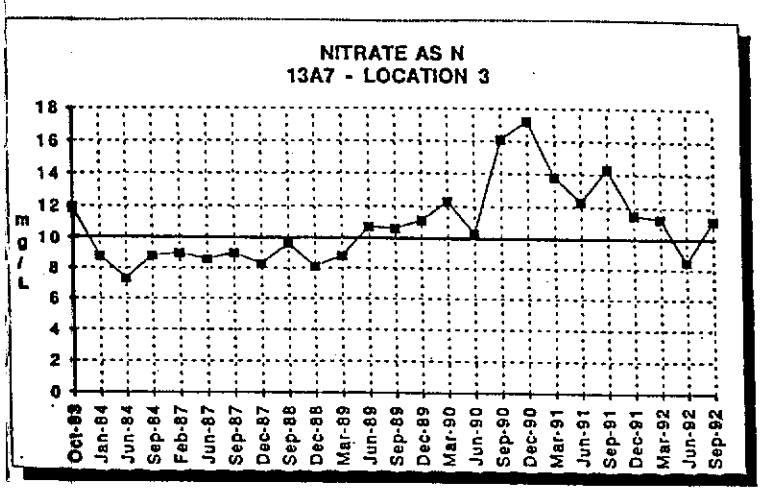
mg/L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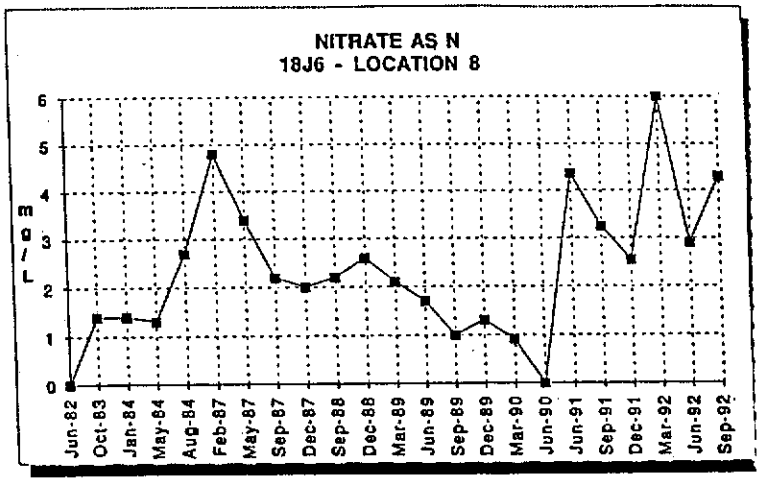
mg/L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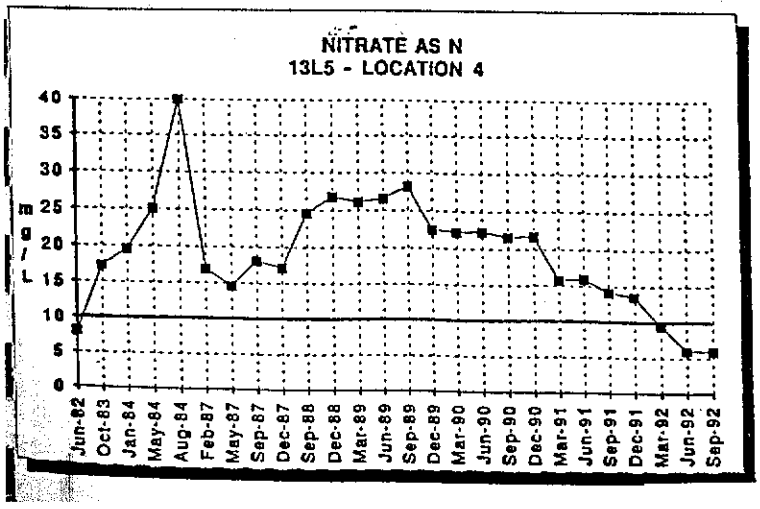
mg/L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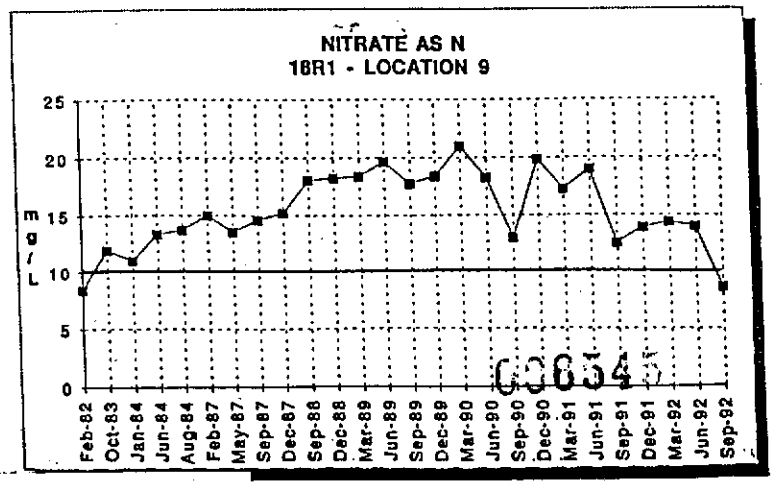
mg/L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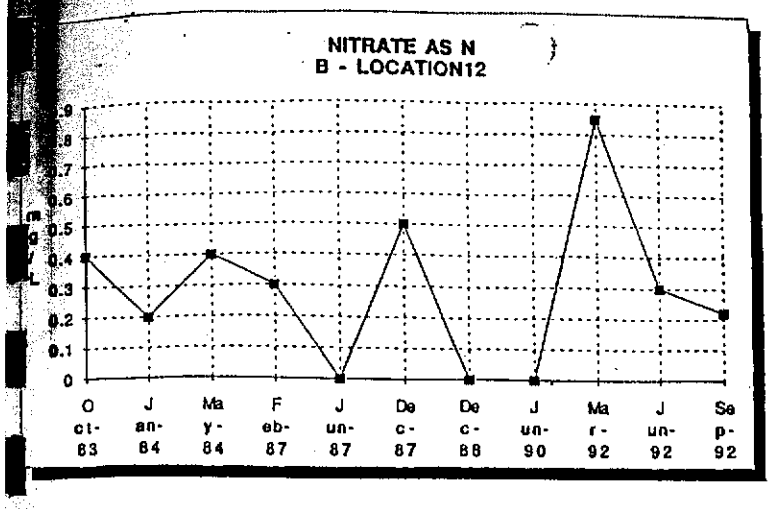
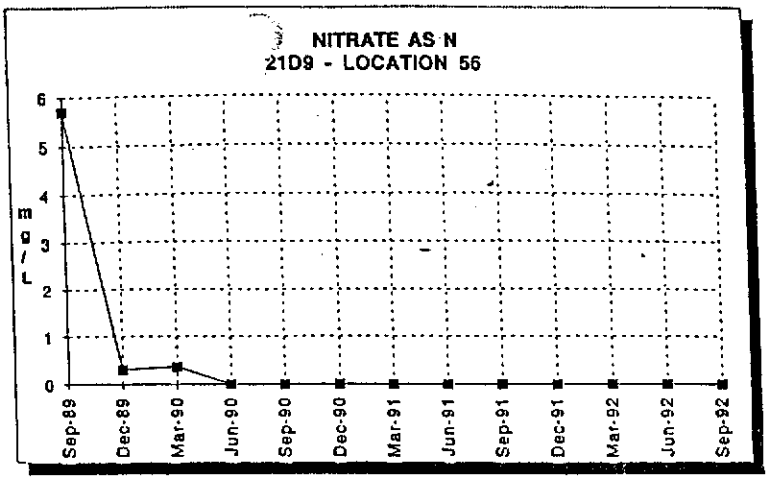
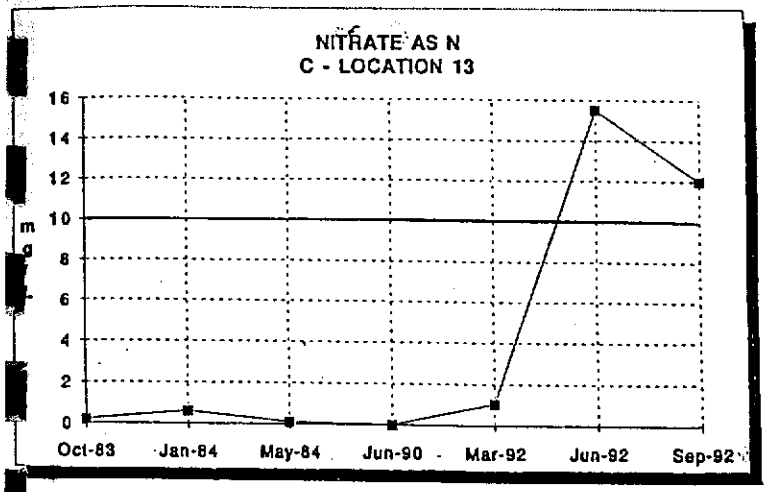
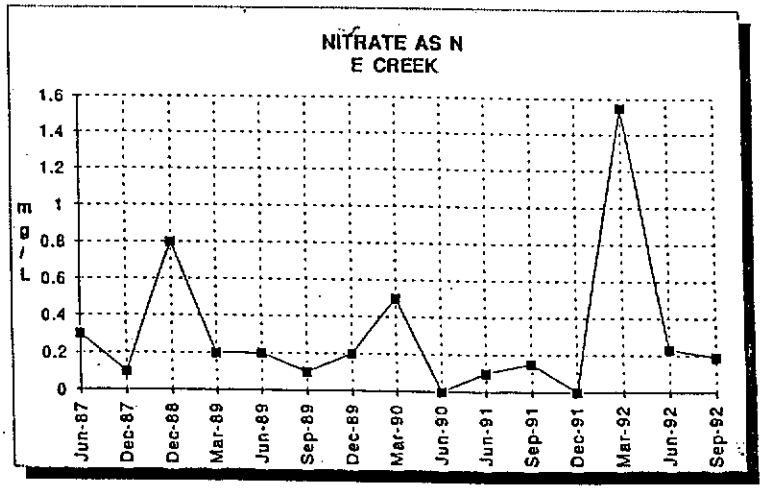
18R1 - LOCATION 9
mg/L

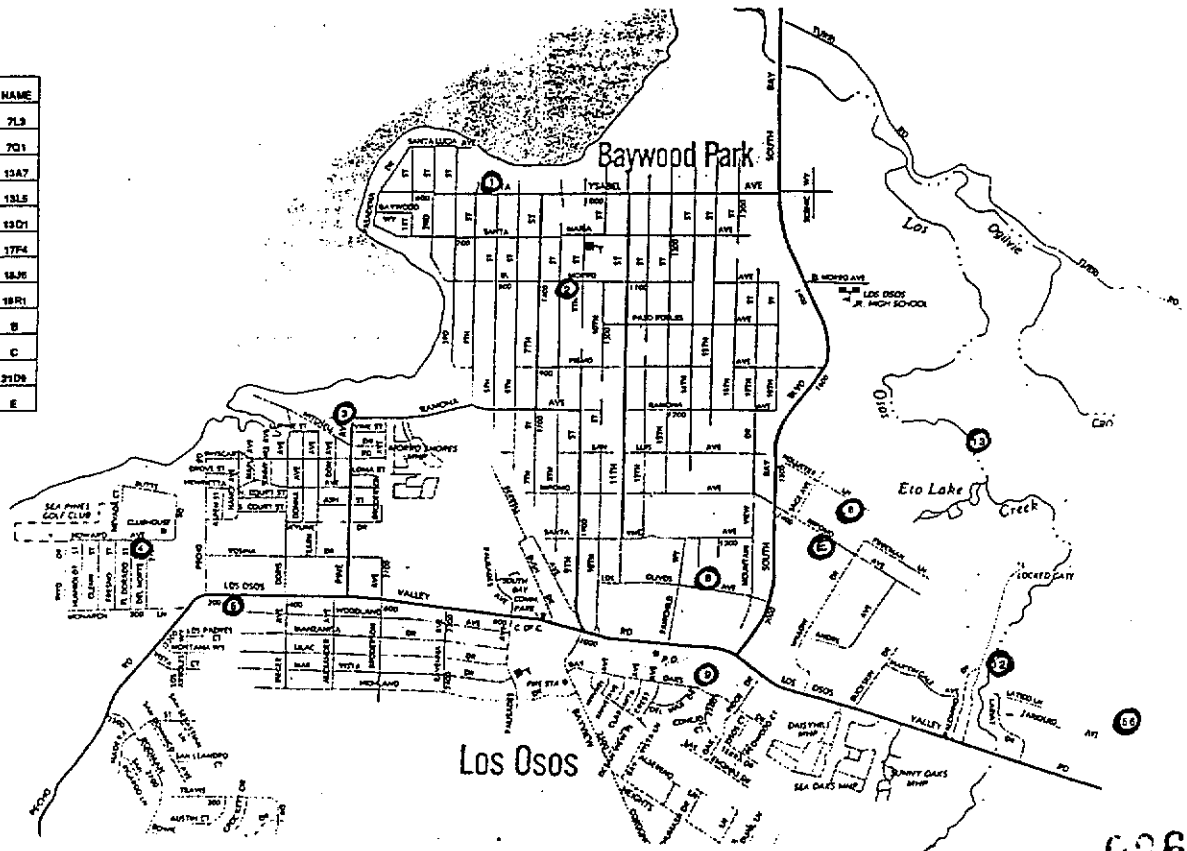








LOCATION	NAME
1	7L3
2	7Q1
3	13A7
4	13L5
5	13D1
6	17F4
8	18J6
9	18R1
12	B
13	C
56	21D9
CREEK	E



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BAYWOOD STUDY
SAMPLE LOCATION MAP
Figure 1