November 15, 2006

Central Coast Regional Water Quality Control Board
995 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Dear Central Coast Regional Water Quality Control Board Members:

I, [redacted], have been randomly selected by the Central Coast Regional Water Quality Control Board prosecution team for alleged violations of a septic system discharge prohibition. Prior to purchasing my home in 1992, the septic tank was inspected and repaired to the specifications and approval of the San Luis Obispo Department of Planning. After moving in, my new neighbors and I obtained the proper permits for removal the eucalyptus trees which posed a continued threat to our septic systems. The bottom of my septic pit is approximately 25 feet above the perched aquifer. My tank was last pumped in August of 2006 by Al's Septic Pumping Service, and reported to be functioning normally. This was five months prior receiving a proposed CDO. The enforcement actions proposed and the actions of the Prosecution Team have violated my due process rights.

Was any consideration given to whether the 45 selected properties were actually impacting the ground water or surface water? The RWQCB staff has neglected to enforce 83-13 for over 20 years and now the first communication with the citizens of Los Osos is random CDOs on individual property owners, including conscientious, cooperative citizens with properly working septic systems, in low risk locations that have not increased their septic usage? In over 20 years the RWQCB staff had no idea which citizens were properly maintaining their septic systems or, as was evident in the May 2006 hearing, little idea as to how a well maintained septic system functions.

At no time during the purchase of my home was I informed that I would be discharging illegally from my new home. Upon purchase I was informed that I would not be allowed to add bedrooms and bathrooms until the issue was resolved. The community had not yet been given an opportunity to challenge the Prohibition Zone or the evidence used for justification.

The Memorandum of Understanding between the County and the RWQCB gave the County responsibility for the septic systems of Los Osos. The County is the discharger. New sources of discharge were prohibited in this agreement. My house/septic system was permitted on April 4 of 1977, before the MOU. The Cease and Desist Order, delivered to my mailbox in late January, of 2006 was my first communication from the RWQCB regarding a discharge violation I have not increased usage of my septic tank, and no one from the RWQCB staff has ever inspected or tested my septic system. I am not illegally discharging. I am a cooperative citizen of Los Osos. I object to the CDO that

is proposed against me and my property when responsibility lies with the regulating and permitting agencies.

Upon moving to Los Osos I had difficulty determining the true extent of the impact of septic tanks on the groundwater. Nitrate results of tests used to justify the Prohibition Zone were questioned by many as studies had conflicting findings. It was difficult to determine the true facts. Test results for the early studies were obtained from uncertified wells and questionable scientific methods were used. Was the purpose of the studies to obtain results that would qualify Los Osos for a loan or to honestly evaluate the condition of the aquifer?

Building has continued over the water table, both inside and outside the Prohibition Zone. When developers wanted to build, rules were bent and buildings were constructed regardless of the increased discharges. The citizens of Los Osos have questioned, "If there was really a problem, would the building be allowed to continue?" The inconsistent message presented to the citizens by the County and the RWQCB has caused confusion and dissention in Los Osos. Since challenges to the Prohibition Zone were never allowed by the RWQCB, many residents continue to question the evidence and motives.

I have heard it said that I should have a CDO because my home is on a 25 foot lot. I live in a small one bedroom home with 75 foot lots to my north and west. Next door to my south was a small two bedroom home on a 25 foot lot. Since moving here in 1992 the combined number of residents in the two homes ranged from two to four, with three total residents for the past 8 years. A total of three residents on two 25 foot lots are comparable to the occupancy of a three bedroom house on a 50 foot lot.

I have submitted a picture of the house next door to mine. The developer who purchased this very small one story home was issued a building permit to double the cubic footage, after I had been issued a proposed CDO. Obviously an increase in size will allow this home to comfortably accommodate more people. This home is on a 25 foot lot and has a septic pit as I do. It now has the potential to increase discharges, therefore, the permitting agencies must not perceive discharges in this are to be a problem. Since our side by side lots are at the same elevation and have the same soil composition, my septic system must not be a problem.

My home sits on the north side of this new construction and no longer receives any sunlight due to the massive increase in height. I will now have to build a second story to receive any sunlight in my windows and skylights. Will I receive the same rights to add space without bedrooms and bathrooms so my home can again receive sunlight? Or will I have to wait for a sewer connection to again see sunlight in my home? I always knew that I would also have to build up to make my house habitable if the house next door added a second story, but I was truly shocked to find that I was challenging a proposed CDO during the building process. The inconsistent policies of the RWQCB staff have

caused extreme mental anguish and distress as I have endured the constant clamor of construction while taking numerous days away from work to prepare for my defense for each new case brought against the innocent 45 citizens of Los Osos.

Building has been allowed over the LO Valley Basin, both inside and outside the PZ since 1983. Was it allowed for those with power and influence? Was it allowed because the scientific justification for the PZ was known to be faulty? Was it negligence by the very agency entrusted with the protection of our waters? Was it allowed because the RWQCB staff wanted to increase the degradation of the basin to validate their previous actions? The RWQCB staff can not blame the County for continued building because they made the agreement with them and neglected to provide oversight. Any increase in discharges and/or groundwater pollution over the years is the responsibility of the RWQCB staff. And at no time was any effort made by the County or RWQCB staff to develop a septic management plan, which could have had a considerable effect on protecting the water basin and the bay if the contentions of pollution were true.

The Prosecution Team should not be seeking CDO on individual property owners in Los Osos. These hearings are a blatant attempt to change the political will of the people through intimidation and electioneering. This process is prejudiced against individual property owners who can not afford the level of representation required to challenge the RWQCB prosecution team and SWRCB staff, and the concurrent efforts to fine the CSD out of existence have limited the support our community can supply. Law firms with experience working with the RWQCB/SWRCB on water issues require a minimum retainer of $20,000 to $50,000. Costs will quickly mount while working through the Regional and State Waterboards. Experienced firms realize that a fair trial will not occur until the case is appealed to the courts with an impartial judicial process. This system may be effective for corporations and large municipalities with legal staff, but it is inherently unfair to individuals for alleged violations that are well beyond the scope of individual control. The 45 citizens of Los Osos are unfairly burdened with proving innocence in this undemocratic process. The final injustice is that lacking prohibitively expensive legal representation, each citizen must stand alone before this board to defend our individual property. Our rights have been violated.

Mr. Roger Briggs, with 18 years at the CCRWQCB, has had far more influence on the present circumstances than I, yet he is excused from testifying and allowed vacation out of the country rather than answer our questions. We were notified in June and July that Roger Briggs would be leaving the country in mid October. The prosecution staff was a month late in responding to the Chair's ruling regarding evidence submission. My October 4, 2006 Request for Deposition of Roger Briggs was quashed because it was not timely, but Prosecution documents were not posted for review until October 4, 2006. Mr. Briggs is the key figure in this hearing due to his involvement in the enforcement actions, the basin plan, and all supporting evidence. I can not have a fair hearing I if the Prosecution Team continues to conduct the hearing and Mr. Briggs is not available as a witness at the hearing. My due process rights have been violated.

At the May hearing we were told that all efforts would be made to conduct the hearings during the summer so teachers could avoid missing time in the classroom. It is approaching winter, and the December 14 and 15 dates are school days. For 10 months the 45 chosen citizens of Los Osos have dedicated a large potion of there lives to defending the community against persecution for a situation over which we have no control. Our community is trying to move forward, but this enforcement action is forcing us to focus our efforts exposing the past.

The RWQCB staff continues to portray the citizens of Los Osos as anti-sewer, but the Waterboards prevented the November 2005 compromise plan that would have had us well on the way to a completed project. I did not stop the project. Efforts by Assemblyman Blakeslee and the Waterboards to continue the project at a preferred location were railroaded and the selected course of action by the RWQCB staff was to "fine the CSD out of existence". The town has repeatedly asked for an affordable environmentally sustainable wastewater system OUT OF TOWN. I am currently paying an assessment for a wastewater plan and will hook up when a system is made available to my property. The RWQCB continues to try to dictate the manner of compliance. Los Osos is not anti-sewer but anti TriW.

In spite of all the obstacles, the current Los Osos CSD has actively pursued a sustainable wastewater plan (Ripley Plan), a septic management district, and a public education program. They have improved relations with the County, and worked with many agencies to pass AB 2701. This rapid rate of progress was made while defending the CSD and individuals from CDOs, and managing the financial disaster left by the previous board. This CSD board has intelligent and dedicated environmentalists. The Waterboards needs to stop trying to bend the will of the people and instead focus on the common environmental goals. The 2010 date is unreasonable as many from the Waterboards have attested. Lies, intimidation, and manipulation have been attempted by the RWQCB staff over the years along with numerous backroom deals. Any document with 2010 as a target date will only continue on this path. It is time for a cooperative effort with open, honest communication, and the use of current, valid, and reliable science to determine how to best protect the environment.

I reserve the right to incorporate documents, arguments, witnesses, testimony, and evidence from all other designated parties including the CSD and their legal representatives, Exhibit A and B to support my individual case.

Sincerely,

[redacted]

COUNTY OF SAN LUIS OBISPO
PLANNING DEPARTMENT
ORDINANCE ADMINISTRATION DIVISION

Courthouse Annex
San Luis Obispo, California - 93401
Telephone 543-1550, Ext. 215

APPLICATION and PERMIT

COMPLETED

DATE 4/4/77

Date November 8, 1976

Address of Job 1709 14th Street Locality Baywood Park/Los Osos

Owner HOPCROFT, ROBERT Mailing Address 1705 14th Street

Phone 528-0671 Los Osos, CA 93402

Location: Lot 4 Block 119 Tract Town of El Morro

Assessor Parcel 38-542-17 Contractor owner

BUILDING

Occupancy (Use when completed) S.F. Residence/w deck
No. Square Feet in Building 633 Garage No. of Bedrooms 1
Exterior Walls redwood Pitch of Roof 2:12 Roof Covering Hot mop rock
Number of Stories 1 Fire place
Slab Floor XX Forced Air Heat
Wood Floor Other wall heater

VALUATION:
$ 14,860.00

SANITATION REQUIREMENTS
800 Gallon Septic Tank
250 Sq. Ft. Leaching

ROAD IMPROVEMENT TAX
Yes XX No
Receipt # 3196

BOND REQUIREMENT

ACTION BY OTHER DEPARTMENTS
B-2

ZONING REQUIREMENTS
District R-1
Front Setback 25 ft
Side Setbacks R 3 L 3 ft
Rear Setback 10 ft
Other setbacks
Parking 1 Loading
P.C. Action

MOBILE HOME
Occupancy (PRIMARY RESIDENCE, FAMILY, LABOR, OTHER) No. Bedrooms
Manufacturer Size Year
Awning Carport Cabana Porch
State DMV License
Mover or Installer
Contractor's License #
Source of Water
Well Approval Date

PLANNING REVIEW

Permit Ready to Issue

GRADING PERMIT DATA
Cu. Yds. Cut Fill
Date Forwarded to County Engineer
Date Returned

COASTAL ZONE
Project in Permit Area? Yes No XX
Note: If your project is in the Coastal Zone Permit Area you are advised to contact the Coastal Commission for further information regarding project approval.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all County Ordinances and State Laws regulating building construction.

Signature of Permittee Robert H. Hopcroft

PLANNING DIRECTOR

By [signature]

SUMMARY OF FEES

Building Permit	$ 72.00
Plan Check	$ 36.00
Electrical Permit	$ 13.60
Plumbing Permit	$ 28.50
Earthquake Fee	$ 1.04
Xerox Fee	$ .20
Grading Permit	$
Driveway	$
T-Pole	$
Accessory Structures	$
TOTAL	$ 151.34

No. 30221

PA-32

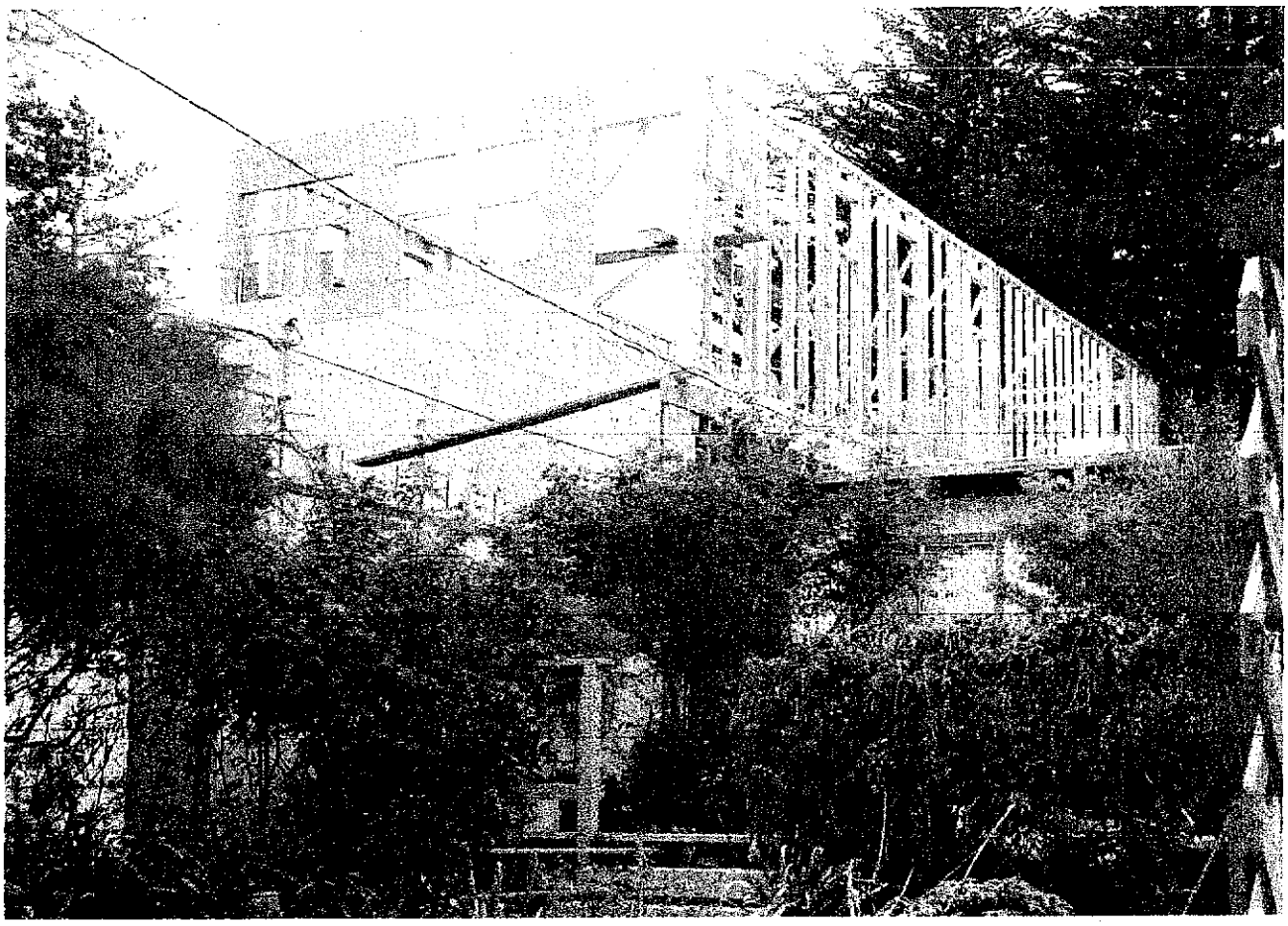

Photo #1 Construction next door

Mail Message Novell.

Close Previous Next Forward Reply to Sender Reply All Move Delete Read Later Properties

From: "Matt Thompson" <Mthompson@waterboards.ca.gov>
To: [redacted]
Date: Wednesday - March 1, 2006 3:08 PM
Subject: Re: CDO Alternative
Mime.822 (2228 bytes) [View] [Save As]

[redacted]

Thanks for your email. I appreciate you exploring options to comply with the Cease and Desist Order's interim requirements to reduce pollutant loading and your desire to have a positive effect on the environment. Composting toilets may initially sound promising, but are not a viable alternative. The Uniform Plumbing Code does not allow composting toilets unless approved by by the local health officer. Dr. Greg Thomas of San Luis Obispo County Environmental Health Department has indicated that he will not approve composting, portable, or incinerator toilets in Los Osos.

--Matt Thompson

Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401

V (805) 549-3159
F (805) 788-3572

>>> "[redacted]
I received a Cease and Desist order (# R3-2006-1034) and am very interested in installing a composting toilet as an alternative. This would be reducing nitrates entering my septic tank by over 22%.
I have found general information on your Waterboard website as well as the EPA website, but I am having difficulty finding anyone locally with experience with this technology. Is this a reasonable alternative to persue?
I am a full time special education teacher and don't have time or energy to waste on ideas that are unlikely to be approved, but I sincerely like to find an alternate that has a positive effect on the environment.

[redacted]

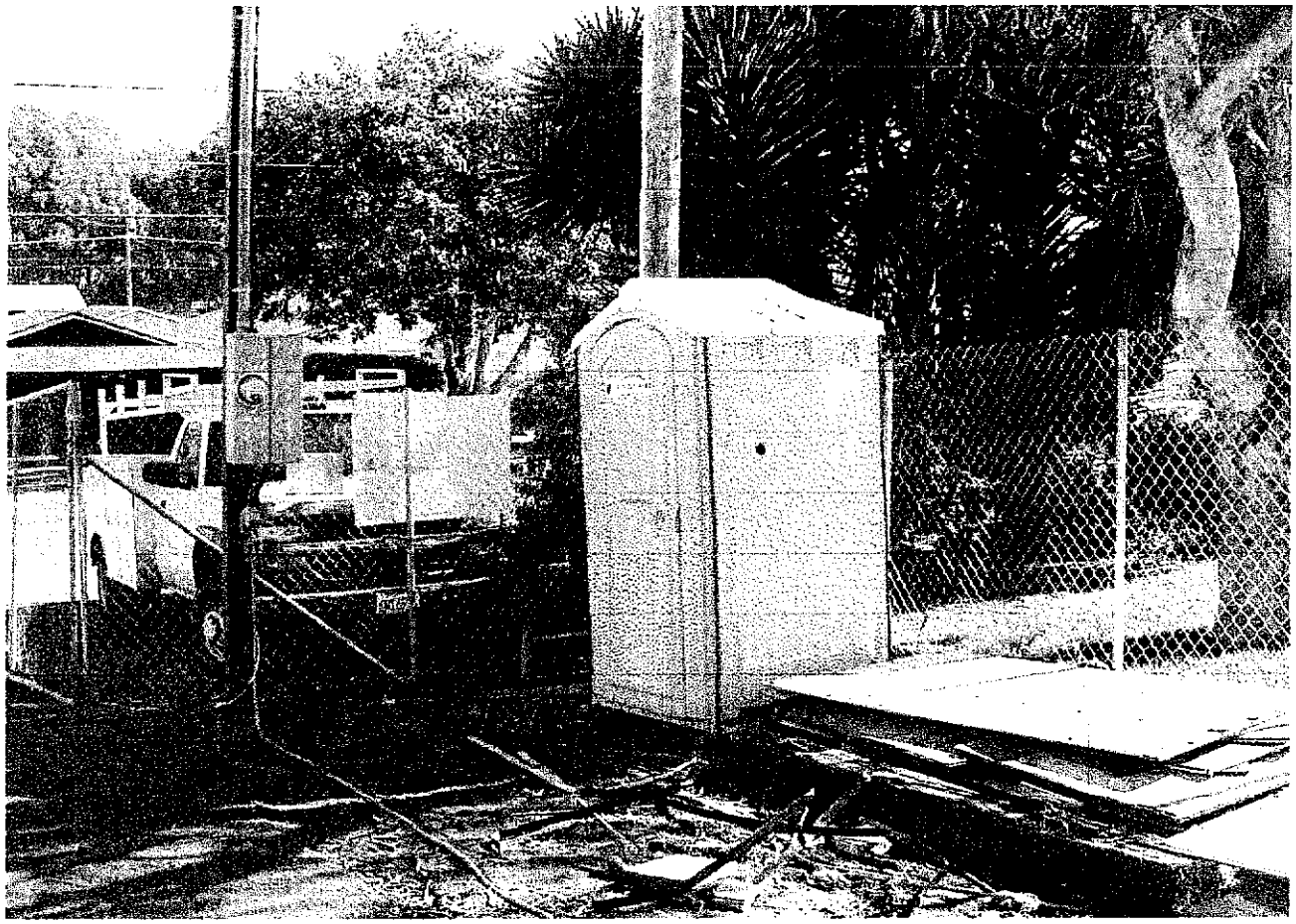

Photo #2

Portable Toilet on Lot next to CDO recipient on 11-15-06

ID	ierN	Category	DocDate	Document Description
CSD	1			Any doucuments submited by CSD or other designated parties
Personal	2	septic system	8/15/2005	Al's Septic Plumbing Service Invoice # 3257
Personal	3	septic system	4/7/1992	Frank Merrill Back-Hoe Services - system repair
Personal	4	septic system	6/11/1992	SLO County Department of Planning - Hazardous tree removal
Personal	5	septic system	4/13/1992	SLO County Department of Planning - permit for septic system repair
SWQCB	6	Compost toilet	3/11/2006	Non discharging systems at http://www.waterboards.ca.gov/ab885/docs/techonsite/chapter3.pdf
USEPA	7	Compost toilet	Sep-99	http://www.epa.gov/owm/mtb/comp.pdf
Personal	8	SLO County	4/4/1977	Building Permit
General	9	Photo	Sep-06	Construction in Prohibition Zone
General	10	Email	3/1/2006	regarding alternative compliance
General	11	Photo	11/15/2006	Portable toilet

	A	B	C	D	E	F	G
1	Last Name	First Name	Address	Phone #	e-mail	Affiliation	
2	Harris	Spencer	1390 Oceanaire Dr. SLO 73405	543-1413		Cleath & Assoc.	Hydrologist
3							
4	Schicker	Lisa	1543 8th St.	305-9166	lisaschicker@charter.net	CSD Board, LOTTF advisor	
5	Cesena	Chuck	591 Ramona Ave	534-0131	CLCesena@charter.net	CSD Board, LOTTF	
6							
7	Mc Pherson	Gail	2582 Pecho Valley Rd	534-1913	mcp@charter.net	LOTTF	Expert-Wastewater Sewer plant operator
8	Ruehr	Dr. Thomas	2276 Palisades, LO 93402	528-0151	truehr@calpoly.com	LOTTF/Cal Poly	Expert-Soil scientist
9	Calhoun	Ann	1698 16th St.	528-5465	churadogs@aol.com	Media- Bay News	centralcoastmission news.com
10	Thompson	Matt		549-4623		RWQCB	Enforcement
11	Patterson	James R	SLO 93408			SLOCO BoS	Supervisor
12	Garcia	Percy	3453 El Camino Real, Atas				Lab-denitrification study
13	Sprague	Stanley		714-319-1228	scsprague@sbcglobal.net	Consultant-Water	
14	Shipe	Rob	P.O. Box 6753	528-6772			
15	Senet	Steve				CSD Board	
16							
17	CSD Witnesses						
18							
19							
20							
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AL'S SEPTIC PUMPING SERVICE,INC.
P.O. BOX 6996
LOS OSOS, CA 93412
528-0432 541-8283 773-0123 927-1722

Invoice

Date	Invoice #
8/15/2005	3257

Bill To	Job Address
Rhian Gulassa 1709 14th Street Los Osos, CA. 93402	Rhian Gulassa 1709 14th Street Los Osos, CA. 93402

P.O. No.	Terms	Due Date	Maintenance	Leach Failure	Escrow	Other
PL8/11/05	Net 30	9/14/2005	XXX			

Description	Qty	Rate	Amount
Service call to pump exposed septic holding tank. Tank operating at normal level. Owner on site for disclosures.			
Pumping and disposal		275.00	275.00
Thank you ! We appreciate your business !			
Please include the invoice number or job address with your payment. Thank you.			
We gladly accept MasterCard or VISA,			

To be paid in full upon receipt. All invoices not paid within 30 days subject to finance charge 1.5%

Total	$275.00
Payments/Credits	$-275.00
Balance Due	$0.00

Page No. of Pages

PROPOSAL AND ACCEPTANCE

Frank Merrill
528-4900
Back-Hoe Services
P.O. Box 1497, Morro Bay, CA 93442
Telephone: (805) 528-4900 License: 337347

PROPOSAL SUBMITTED TO: JOE DENMAN	PHONE: 528-1001, 2496	DATE: 4-7-92
STREET: 1442 15TH ST	JOB NAME: 1709 14TH ST	
CITY, STATE AND ZIP CODE: LOS OSOS CA 93402	JOB LOCATION: 1709 14TH ST LOS OSOS	
ARCHITECT: N/A / DATE OF PLANS: N/A	APN 038,542,077	JOB PHONE:

We hereby submit specifications and estimates for:

INSTALL ONE SEEPAGE PIT TO S.L.O. COUNTY BUILDING DEPT. STANDARDS FOR A THREE BEDROOM HOUSE.

WE ARE NOT RESPONSIBLE FOR DAMAGE TO DRIVEWAY, LANDSCAPING, OR IRRIGATION LINES.

READ AND APPROVED BY:

[signature]

USA # 96815

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

ONE THOUSAND TWO HUNDRED THIRTY + NO/100 dollars ($ 1,230.00).

Payment to be made as follows:

IN FULL NO LATER THAN APRIL 24, 1992

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature [signature]

Note: This proposal may be withdrawn by us if not accepted within [illegible] days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature [signature]

Date of Acceptance 4-9-92

Signature

Exhibit B
Designated Parties Master List Submitted 11/15/2006

	Documentary Evidence	Doc Date	ID (CDO-CSD)
848.	LOCSD Resolution to support interim compliance plan –Voluntary compliance with CCRWQCB Enforcement for PZ.	10/5/06	141.
849.	Press release from Blakeslee-Gov signs AB 2701	9/20/06	142.
850.	O&A Ripley Pacific Project Report	9/06	143.
851.	Town hall meeting-Video, PDF copy PPT presentation mms://www.slo-span.org/Video_Files/LOCSD/LOCSD_06-08-04/LOCSD_06-08-04.wmv	8/4/06	144.
852.	Orenco Collection system –Turn key options –saving time & cost/ comparisons. http://www.losososcsd.org/pdf/LOCSD%20Presentation%20101906.pdf	10/19/06	145.
853.	Draft Report Update Ripley Pacific http://www.losososcsd.org/pdf/Ripley_Drft_Rpt_Update_072806.pdf	7/28/06	146.
854.	Spalding Report		147.
855.	Civil Subpoena -Gregory		148.
856.	Civil Subpoena-Karner		149.
857.	SLO Co PW Staff Report/Project Implementation		150.
858.	Assessment of Multiple Benefits of Integrated Water- Energy Eficiency Ca Institute for Energy Efficiency http://www.losososcsd.org/pdf/Wilkinson_Energy_Intensity_CA_Water.pdf	I	151.
859.	LOCSD Meet CDO w/ Voluntary compliance http://www.losososcsd.org/pdf/Resolution_2006-27.pdf	10/6/06	152.
860.	Energy down the drain-NRDC Pacific Institute Oakland CA http://www.losososcsd.org/pdf/Energy_Down_the_Drain.pdf	8/04	153.
861.	Conservation History		154.
862.	Hearing Regulations Title 23. Div 3 General provisions 648 –Definitions		155.
863.	Composting Toilets Rhian To Matt Thompson.Response to email RE: alternatives to discharge.		156.
864.	Upper Aquifer water mgmt plan		157.
865.	Blank		158.
866.	Exparte Issue Sept 8 transcription of tape	9/10/06	159.
867.	Tim Rochte How to submit evidence	2/1/06	160.

Exhibit B
Designated Parties Master List Submitted 11/15/2006

	Documentary Evidence	Doc Date	ID (CDO-CSD)
868.	Telephone notes-Mary Ellen	2/23/06	161.
869.	Complaint against Roger Briggs-Bud Sanford	1/1/06	162.
870.	Overview info Rob Shipe efforts for public education	2/06	163.
871.	Ron Shipe Extension request	9/5/06	164.
872.	10/4/06 Deposition by Rob Shipe of Roger Briggs (video/CD transcript ordered)	1/18/05	165.
873.	April 5, 2005 Revised Appendix A	4/5/05	166.
874.	Effect of CSD Bankruptcy on Individual CDOs	7/21/06	167.
875.	Bear Pride Newsletter	4/06	168.
876.	Blakeslee Letter/Resolution	6/9/06	169.
877.	County's Response to LAFCO	5/12/06	170.
878.	Draft Revised Revenue Plan tables based on awarded bids	2/05	171.
879.	NRDC – Energy Down the Drain	8/04	172.
880.	SLO County Estero Area Plan	11/02	173.
881.	SWQCB Ex Parte Communications	7/25/06	174.
882.	LOCSD Wastewater Treatment Facility Final EIR	3/1/01	175.
883.	Final Waste Discharge Requirements - Order No. R3-2003-007	2/7/03	176.
884.	Ground Water Management Plan for the LO Valley Basin	7/05	177.
885.	CCRWQCB Hearing Transcripts	4/28/06	178.
886.	CCRWQCB Hearings – Dr. Wickham - Septic		178.
887.	RWQCB Staff Memo enforcement team	1/18/06	179.
888.	LAFCO Letter Re: Collaborative Options	5/12/06	180.
889.	LOCSD Amended Engineer's Report	6/28/01	181.
890.	LOCSD Disposition of Harvest Water	6/11/04	182.
891.	LOCSD Geotechnical Report Vol.1	3/9/04	183.
892.	LOCSD Geotechnical Report Vol.2	3/29/04	184.
893.	LOCSD Nitrate Monitoring Program, Ground Water Mon	4/05	185.
894.	LOCSD Nitrate Monitoring Program, Ground Water M	10/05	186.
895.	LOCSD Payment Evaluation	1/28/05	187.
896.	LOCSD Report Addendum and Response to Comments Cleath & Assoc	6/04	188.

Exhibit B
Designated Parties Master List Submitted 11/15/2006

	Documentary Evidence	Doc Date	ID (CDO-CSD)
897.	LOCSD Revised Project Report Design Documents	3/24/03	189.
898.	LOCSD Simulated Effects of a Proposed Sewer Project	11/6/03	190.
899.	LOCSD Value Engineering Report	5/8/03	191.
900.	LOCSD Wastewater Revenue Program	11/04	192.
901.	LOCSDACLPresJan06	1/06	193.
902.	Los Osos CSD document list	11/05	194.
903.	Memo BP Amendment Res.83-13	9/27/83	195.
904.	MOU_SLO	12/78	196.
905.	RWQCB Notice_Proposed_Settlement	11/06	197.
906.	Objection to Individual Requests for Designated Party Status	2/21/06	198.
907.	OCR Text Wastewater Facilities Final Project Report	3/7/01	199.
908.	OSWT_Tech_Preservation_of_Ag_Lands_Report_-_CSU-Chico	1/03	200.
909.	request Blakeslee assistance 2006-06	3/06	201.
910.	Res. 83-12 Consideration of Amendment	9/16/83	202.
911.	Res.84-13	1/24/84	203.
912.	Resolution_2006-27	10/5/06	204.
913.	Response_to_May12_2006_LAFCO_Letter	5/26/06	205.
914.	Ripley_LOWWUpdate_Prsntn_080406	8/4/06	206.
915.	rs2005-0083 Attachment A		207.
916.	Sato-Response to questions-Presentation	6/19/06	208
917.	Sato-Response to questions	7/20/06	209.
918.	Sea Water Intrusion Report	10/05	210.
919.	StaffReportSept06	8/29/06	211.
920.	SW Intrusion Fina lGrant	10/05	212.
921.	tacker.ltr12 Records Request	10/13/05	213.
922.	Wastewater Facilities Final Project Report	3/7/05	214.
923.	Water Master plan	7/05	215.
924.	Wilkinson Energy_Intensity_CA_Water	1/00	216.
925.	Blank		

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	Documentary Evidence	Doc Date	ID (CDO-CSD)
926.	LOCSD -RWQCB Quarterly Rpt, Blesky	4/13/06	218.
927.	Tribune (Nathan Welton) Public Records Request –2005 Blakeslee compromise failure	12/06	219.
928.	Fax to Art Baggett to freeze ISA and contracts	5/14/05	220.
929.	Lawsuits filed CCLO v LOCSD Challenge funding approval vote	5/24/05	221.
930.	Letter w/ election results to Monowitz from Schicker RE: CDP	4/11/05	222.
931.	Letter to SWRCB Baggett from McPherson RE: SRF Loan-Pending recall & lawsuits	1/14/05	223.
932.	Letter From BWS to Gustafson & CSD RE: Bids-H& SC 5470 4/5 approval required for assessing fees	4/07/05	224.
933.	Voter Initiative –Measure B	3/05	225.
934.	Email John Fouche & Darrin Polhemus SWRCB SRF Loan-RE phone call Affordability criteria response	12/21/04	226.
935.	Friendly words Quotes from PRR for individual fines (Confirmed text)	NA	227.
936.	BOS –Bianchi opposes compromise solution	10/20/05	228.
937.	Simulated Effects of a Proposed Sewer Project on Nitrogen Concentrations in the LO Valley Groundwater Basin-Key conclusions/recommendations	11/03	229.
938.	Cal Cities Feedback request from LOCSD w/ attached Hydro geologic information Kennedy-Jenks report	11/2/00	230.
939.	County website –failing septic systems	12/12/05	231.
940.	Affidavit of R. Glenn Stillman-PZ boundaries etc.	8/21/01	232.
941.	Response to 3/17/06 request for low income assistance –CDO w/response	4/28/06	233.
942.	3 years addresses for septic compliance w/pumping & inspection for homes sold in LO.	NA	234.
943.	Workshop doc, MOU, and 83-13 draft plus 19.20.224comm sewage disposal systems building code	1978-1983	235.
944.	Original assessment ballot package –formation of an assessment district	5/4/01	236.
945.	LOCSD SSMP onsite inspection forms	5/2/06	237.
946.	Declaration of Mary Ellen Schroeder-Matt Thompson/Harvy Packard	3/24/06	238.
947.	Assemblyman Chuck De Vore –Human events article-Unchecked Power	4/25/06	239.
948.	Memo re legal notice for payment of assessment	7/9/01	240.
949.	Residential disclosure CDO	5/03	241.
950.	Regulatory taking and inverse condemnation explained, Stuart Lieberman	9/28/00	242.
951.	Armstrong v United States	na	243.
952.	Regulatory takings after Lucas, Henry N Butler	5/9/06	244.

Exhibit B
Designated Parties Master List Submitted 11/15/2006

	Documentary Evidence	Doc Date	ID (CDO-CSD)
953.	Notice of Chairman's ruling regarding subpoena documents submitted on Oct 4	10/16/06	245.
954.	Objections/Motion to quash notice of taking deposition and deposition subpoenas	10/10/06	246.
955.	Declaration of Reed Sato in support of objections/motion to quash subpoenas and deposition notice and opposition to petition	10/10/06	247.
956.	Settlement Agreement w/sign page	11/1/06	248.
957.	RWQCB Briggs to Leonard Jones	12/14/84	249.
958.	Jerry Gregory To RWQCB Guidance for granting exemptions		250.

Friday, November 17, 2006
(Copy of letter sent previously but not posted)

Michael Thomas
Assistant Executive Officer
Central Coast RWQCB
895 Areovista Place, Ste 101

RE: Response to Reed Sato and CCRWQCB Request

Dear Mr. Thomas:

I am aware of several citizens, including myself, who are assisting with hearings for designated parties. There are as many reasons for assistance as there are levels of assistance. For some it is translating regulatory language. Others it is encouragement and reminders. Still others, it is because of their inability to prepare and present their case independently. Some are unable to attend the hours of hearings. To my knowledge none of the "volunteer assistants" including myself are attorneys, or intend to be named as "attorney-in-fact."

Water Board notice dated June 28, 2006 *"only designated parties or their attorneys shall be entitled to present evidence or arguments to the water board for each designated party; anyone other than attorneys admitted to practice by the State Board of California who intends to represent or speak for Designated Parties in this proceeding(i.e., act as an "attorney-in-fact") must provide the water board with a notarized power of attorney from each Designated Party they intend to represent. The notarized power of attorney must clearly state that the person authorized to act as "attorney-in-fact is specifically authorized to:*

a. *Represent the Designated Party's interest in the Water Board proceedings to consider proposed individual Cease and Cease Orders for Los Osos residents.*
b. *Speak for the designated Party at the Hearings.*
c. *Receive service of process for the party for all documents related to the proceeding."*

"Designated Parties who grant power of attorney to a representative (attorney-in-fact), as noted above, will be bound by their representative's statements or testimony in these proceedings."

The full fledged legal representation that you are requiring confirmation of, and transfer of liability for, is a far cry from the simple and kind citizen assistance I am providing. This assistance may entail providing transportation, preparing and processing paperwork, delivering materials and research, explaining what the staff or hearing board members are saying, or helping with rebuttals and questions so their defense is understood by the hearing board.

In the final Paragraph of the response to the Chairs request on hearing issues (June 19, 2006) Mr. Sato requires a similar legal transfer of representation to "Ms McPherson if she is to assist anyone in any way." "Notarized lists" "Power of Attorney" and "under penalty of perjury" requirements are hardly needed and will not be obtained.

I have not to date, and it is not my intention to provide legal representation to any party, but to provide support and assistance in preparation and presentation of materials. I requested standing as a designated party several times based on the definition your board provided. However, Ms. Okun denied my requests each time.

I intend to continue assisting Designated Parties in the hearings and to support their defense against the injustice of individual Cease and Deist Orders. Many designated parties have testified that they are unable to afford legal representation, as well as not sure they will be comfortable presenting the total of their testimony before the hearing board alone. While they may not require attorneys, or cannot afford such, they do require some help.

Several noted *"Ms McPherson is not providing legal representation but practical help. Her administrative help as well as my right to exercise my right of free speech, with assistance, should be preserved. In this uneven playing field any expertise in support of our individual or collective cause is welcome and will be used."*

Just translating your notices and complex procedures and schedules for the general public's understanding has been needed. Your procedures and enforcement actions were designed for industrial and corporate polluters, and wrongly applied to individuals. This "force fit" application of CDO's enforcement against the people- instead of holding the responsible government agencies accountable is the real issue to consider- not my assistance.

Many feel as this CDO defendant, Special Education Teacher, *"The process to this point has been prejudiced against me personally because I can not afford the level of representation required to challenge the RWQCB and SWRCB. Law firms with experience working with the RWQCB/SWRCB on water issues require a minimum retainer of $20,000 to $50,000. Costs will quickly mount while working through the Regional and State Water Boards. Experienced firms realize that a fair trial will not occur until the case is appealed to the courts with an impartial judicial process. If I were to acquire legal counsel, the high costs would cause me to lose my home before I ever made it into the court system. Without legal counsel, I could lose my home through unfair governmental actions. Free legal services contacted by defendants refused to take on a case involving the Water Boards prior to entering the courts on appeal due to the inherit bias in Water Boards hearings.*

This system may be effective for corporations and large municipalities with legal staff, but it is inherently unfair to individuals for alleged violations that are well

beyond the scope of individual control. Large entities have the power to negotiate with RWQCB, but I am powerless, therefore, I do not have any control over the outcome of the hearings regardless of guilt or innocence. My due process rights have been violated.

I ask you to consider that many individuals that are facing this long and arduous process do so in alone in self-defense, only because of the government agencies (at all levels) failed to succeed in delivering a wastewater solution to Los Osos. I ask that these taxpayers, who pay the salaries and costs for the very services to deliver a wastewater project, and now ironically pay for the enforcement against them, be afforded the dignity of assistance with the most basic help.

If they freeze up and can't think when presenting their case, if they are ailing or of an age that they cannot perform in this setting, but do want to participate, please allow this assistance for them to make their case. If they are on the spot, and fail in their ability to recall some of the questions, or need help with cross examination of staff, or other witnesses, please allow assistance. This is not the job of an attorney. It is that of good neighbor. The assistance may come from others, not necessarily me, but from among a group of citizens who face this trial together.

I ask that you reconsider the issue of assistance in this light and allow the Designated Parties, all of them, to provide for their best defense, with free speech and civil rights held firm in an atmosphere of fairness.

Very Sincerely Yours,

Gail Briggs McPherson
2582 Pecho Valley Rd
Los Osos, Ca 93402

Last Name	First	Location/address	Affiliation/issue
Achadjian	Katcho	San Luis Obispo, California	SLOCO BoS
Alexander	Dr.John	Cayucos, California	Expert-Wastewater
Allbright	Joyce	Los Osos, California	TaxpayerWatch
Asquith	Don	Los Osos, California	geologist
Baggett Jr.	Arthur G	Sacramento, California	SWRCB
Barrow	Al	Los Osos, California	CASE
Batson	Curt	San Luis Obispo, California	SLOCO Environ Health
Beardwood	Jack	Bay News	Wastewater Reporter
Beavers	Alan	Los Osos, California	
Beeton	John	San Luis Obispo, California	SLOCO Public Works
Berman	Dan	Morro Bay, California	Director, MBNEP
Bhuta	Dr. Pravin	Los Osos, California	LOTTF advisor
Bhuta	Lila	Los Osos, California	LOTTF advisor
Bhuta	Mary	Los Osos, California	Concerned Citizen LO
Bianchi	Shirley	San Luis Obispo, California	SLOCO BoS
Biggs	Julie	Los Osos, California	CSD Attorney
Blakeslee	Sam	San Luis Obispo, California	State Assemblyman
Bleskey	Dan	Los Osos, California	CSD General Manager
Boddeker	George	Los Osos, California	citizen researcher
Bowker	Leslie S	Los Osos, California	RWQCB
Brady	John	Los Osos, California	Golden State Water
Braverman	Dan	Los Osos, California	csd volunteer
Brentnall	Peter	Los Altos, California	Author
Brewer	Peter	Morro Bay, California	SSMP researcher
Briggs	Roger		Witness/prosecutor
Broadwater	David		SLOCO
Buel	Bruce	Los Osos, California	CSD Past
Calhoun	Ann	Los Osos, California	Media- Bay News
Cantu	Celeste	Sacramento, California	SWRCB
Capps	Lois	San Luis Obispo, California	US Congresswoman
Carruthers	Ralph	Los Osos, California	Appraiser
Cesena	Chuck	Los Osos, California	CSD Board, LOTTF
Chipping	David	Los Osos, California	geologist, CNPS, LOCSD committee member
Christie	Andrew	San Luis Obispo, California	Sierra Club

Christie	Sarah	San Luis Obispo, California	SLOCO Planning
Clary	Steve		Mont. Watson Harza
Cleath	Timothy	San Luis Obispo, California	Cleath & Assoc.
Congalton	Dave	Santa Maria, California	Radio Host,
Coy	Bill	Cayucos, California	SLOCO Past
Crawford	Ron	Santa Margarita, California	Historian
Crizer	Bob	Los Osos, California	TaxpayerWatch
Cunningham	Frank	Morro Bay, California	Prior LOCSD engineer
Daniels	Bruce		RWQCB Past
Doduc	Tam M	Sacramento, California	SWRCB
Douglas	Peter	Santa Cruz, California	Coastal Commision
Edge	David	San Luis Obispo, California	SLOCO
Edwards	Jeff	Los Osos, California	Developer
Evoy	Barbara	Sacramento, California	SWRCB
Falkner	Margaret	Los Osos, California	CSD Staff
Foster	Tad		Attorney
Fouche	John	Los Osos, California	CSD Board, LOTTF
Fouche	John		LOCSD director
Fredricks	Sharon	Los Osos, California	TaxpayerWatch
Freiler	Frank	Los Osos, California	CSD Past Pres
Gaglione	Rosie	San Luis Obispo, California	SLOCO Public Utilities
Garcia	Percy	Atascadero, California	RWQB Doc 27 &28
Gayman	Mary		Sewer expert
Gibson	Bruce	San Luis Obispo, California	New BOS
Gibson	George	San Luis Obispo, California	SLOCO Public Works
Girvin	Les	Los Osos, California	MBWWTP
Godfrey	Jim	Los Osos, California	TaxpayerWatch
Greening	Eric	Atas.	Env. Activist
Gregory	Jerry	Los Osos, California	TaxpayerWatch
Grimm	Gary	Berkeley, California	CSD Attorney
Grob	Michael	Sacramento, California	Pacific Legal Foundation
Gustafson	Stan	Los Osos, California	CSD Past
Haas	Greg		
Hall	John		wastewater expert
Harper	Jan	Los Osos, California	CSD Staff
Harris	Spencer	San Luis Obispo, California	Cleath & Assoc.

Hatch & Parent	Wesley Strickland	hatch and parent law firm	Golden State Water
Hawley	Cinthea	Cambria, California	Parker & Hawley Attrn
Hayashi	John	San Luis Obispo, California	RWQCB
Heatherington	Pam	Atascadero, California	ECOSLO
Hensley	Gordon	Los Osos, California	CSD Past
Hilton	Douglas	Superior Court	judge
Hollis	Thomas	Los Osos, California	
Hood	Paul	San Luis Obispo, California	LAFCO
Hornaday	Jeff	Arroyo Grande	former new times reporter
Hunter	Jack	Los Osos	LOTTF
Hunter	Monica	San Luis Obispo, California	RWQCB
Hyatt	Abraham	San Luis Obispo, California	Media
Hyland	Steve	MWH engineering	Mont. Watson Harza
Iseman	Toni	Laguna Beach, California	Coastal Commision
Isler	Chris	Los Osos, California	TaxpayerWatch
Jefferies	Russell M	San Luis Obispo, California	RWQCB
Jones	Michael	1387 9th St.	
Karner	Gary	Los Osos, California	TaxpayerWatch
Karner-Nash	Pandora	Los Osos, California	CSD Past Tax W
Katz	Richard	Sacramento, California	SWRCB
Keman	Toni	Santa Cruz, California	Coastal Commision
King	Noel	San Luis Obispo, California	SLOCO Public Works
Kitamura	Ann	Morro Bay, California	MBNEP
Kitts	Christopher	Los Osos, California	Cal Poly
Kreissel	Jim		US EPA (ret)
Lauffer	Michael	Sacramento, California	SWRCB Attorney
Laurant	Bud		SLOCO BoS Past
Legros	Richard	Los Osos, California	
Lenthall	Jerry	San Luis Obispo, California	SLOCO BoS
Lesinski	Cheryl	Los Osos, California	MBNEP
Leslie	Carroll	Los Osos, California	Volumes of Pleasure
Lloyd	Alan		Cal EPA
Lombardo	Pio	Lombardo and Associates - MA and CA	Wastwater engineer
Margetson	Richard	Los Osos, California	Concerned Citizen LO
			LOTTF, LOCSD
Mc Pherson	Gail	Los Osos, California	Wastewater Comm

McClendon	John		
McGovern	Cheryl	San Francisco, California	US EPA Region 9
McNulty	Tim		SLOCO
Milanes	George	Los Osos, California	CSD Staff
Miller	Michael	1205 Bayoaks Dr.	CCLO
Miller	Rob	Los Osos, California	Wallace & Assoc
Monowitz	Steve	Santa Cruz, California	Coastal Commision
Moore	Tim	Risk Sciences	Wastewater and regulatory expert
Morem	Bill	Los Osos, California	Media
Morgan	Warren	Los Osos, California	Golden State Water
Murphy	Tom		onsite wastewater systems
Nyznyk	Rick	Ventura, California	
Ochs	Ed	Los Osos, California	The Rock Newspaper
Ogren	Paavo	San Luis Obispo, California	SLOCO Public Works
Okun	Lori	Sacramento, California	SWRCB
Oneil/Brown	Kerry	San Luis Obispo, California	SLOCO Planning
Onstot	Steve	bws	locsd attorney
Orton	Nancy	San Luis Obispo, California	SLOCO Planning
Ovitt	Harry	San Luis Obispo, California	SLOCO BoS
Owen	Linde	Los Osos, California	CCLO - LOCAC
Packard	Harvey	San Luis Obispo, California	RWQCB
Paige	Steve	Los Osos, California	Sustainable Designer
Parker	Deborah	Cambria, California	Parker & Hawley Attrn
Patterson	James R	San Luis Obispo, California	SLOCO BoS
Pavek	Debra	Los Osos, California	LOTA
Payne	Antonitte		
Pedago	Madeline	Los Osos, California	TaxpayerWatch
Peters	Laura	SWRCB	P.E.
Petersen	Ted	Los Osos, California	
Piersen	Wayne	SWRCB	SWRCB
Piquet	Roger	Superior Court	judge
Polhemus	Darren	Sacramento, California	SWRCB
Press	Daniel M	San Luis Obispo, California	RWQCB
Rabenalt	Bill	Shell Beach, California	Media

Racano	Joey	Los Osos, California	Concerned Citizen LO
Reilly	Mike	Santa Cruz, California	Coastal Commision
Riao	Larry	Los Osos, California	wastwater expert
Ripley	Dana	Pleasanton, California	Ripley Pacific Co
Risch	Norman	1665 10th St.	
Robertson	Christine	State Assemblyan's office	SWRCB negotiations
Robertson	Christine		
Ruehr	Dr. Thomas	Los Osos, California	LOTTF/Cal Poly
Sanford	Budd	Los Osos, California	
Sarmiento	Leo	SWRCB	SRF Loan admininstrator
Sawyer	Steven	Los Osos, California	CCLO
Schicker	Lisa	1543 8th St.	CSD Board, LOTTF advisor
Schroder	Mary Ellen		
Schwarzenegger	Arnold	Sacramento, California	citizen contact and CPR report
Secundy	Gerald D	Sacramento, California	SWRCB
Seitz	Jon	San Luis Obispo, California	CSD Past
Senet	Steve	1850 Ferell Ave.	CSD Board, LOTTF
Shallcross	Gary C	San Luis Obispo, California	RWQCB
Sheaffer	Jack	Sheaffer International Engineering	Author
Shipe	Rob		
SLO County	Env Health	San Luis Obispo, California	current septic tank oversight
Solomon	Clement	National Onsite Demonstration	wastewater expert
Souza	Curt	Dept Health Service	Ventura County
Sprague	Stanley	Sprague Consultants	wastewater expert
Stark	Bob	Los Osos, California	engineer
Stillman	Glenn	Alaska Petroleum Environmental Engineering, Inc.	
Strauss	Alexxis	EPA Region 9	water professional
Sullivan	Shawna	Los Osos, California	MBNEP
Swanson	Keith	Los Osos, California	CCLO
Tacker	Julie	1188 4th St.	CSD Board
Tangemam		San Luis Obispo, California	judge
Tarnotsky	Lou	Los Osos, California	TaxpayerWatch
Thomas	Michael	San Luis Obispo, California	RWQCB
Thompson	Matt	San Luis Obispo, California	RWQCB

Thompson	Todd	Sacramento, California	P.E., Program Manager LOTTF, LOCSD
Tkach	James	1768 8th St.	Wastewater Comm
Tolle	Barry		
Vandersloot	Jan	Orange County, California	Ocean Outfall water expert
Vanhuizen	David	P.E.	wastewater engineer and expert
Vega	Karen		CSD Staff
Vick	Judy	1238 3rd St.	
Walsh	Jerri	Los Osos, California	Concerned Citizen LO
Wan	Sara	725 Front St #300 Santa Cruz 95060	Coastal Commision
Watkins	Faith	Los Osos, California	CSD Staff
Watterworth	Hank	Los Osos, California	citizen, developer
Welton	Nathan	Telegram Tribune Newspaper	tt reporter
Wickham	James D	NERL, RTP, NC 27711	US EPA
Wilcox	Gail	San Luis Obispo, California	SLOCO
Woods	Sandi	Los Osos, California	CSD Staff
Wulkan	Mike	San Luis Obispo, California	SLOCO Planning
Young	Jeffery S	San Luis Obispo, California	RWQCB
Ysui	Mark		Mont. Watson Harza
Zimmer	Jana	Santa Barbara	CSD Past

Additional witnesses submitted by designated parties.

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Assistant Building Official
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Dept. of Planning and Building
County Government Center
San Luis Obispo, CA 93408-2040

Matt Janssen
Supervising Planner
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He is the person that is dealing with the RWQCB wanting to approve each building application in the PZ.

Stephen Hicks
Supervising Plans Examiner
781-5709 shicks@co.slo.ca.us

Barry Tolle
Enviromental Health Specialist
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