1516 17th Street
Los Osos, CA 93402
March 29, 2006

RWQCB
895 Aerovista Place
San Luis Obispo, CA 93401

Dear RWQCB and Staff,

My husband and I are responsible, law-abiding citizens of Los Osos, CA, residing in a home in the Prohibition Zone. We earn a living, pay our taxes, donate to charities, and worthy causes, volunteer, assist our neighbors, vote, and report for jury duty. We recycle. We compost. We conserve energy. We conserve water. We use our water-conserving dishwasher once a week. I do three to four full loads of laundry once a week. I am not home all day, and am often away from home on weekends. The amount of toilet flushing that happens in our house in a day could be counted on one hand.

I have served various communities as a teacher for over 36 years. As an employee of the San Luis Obispo County Office of Education for almost 24 years I take my duties as a public servant seriously and consider them a public trust. As a teacher for blind and visually impaired school age students of all abilities and ages I have the grave responsibility to teach and model good citizenship and leadership.

As a public servant my job's parameters include breaking down barriers, opening lines of communication, facilitating cooperation among individuals and groups, devising creative solutions to difficult issues, assessing current functioning and needs, documenting those assessments, and maintaining functional relationships with everyone involved with my students. Most importantly, I have a duty to remember that I am an employee of the public, and in that capacity I have a duty not only to provide service, but also, in providing that service, to create better lives for those I serve. In fulfilling all my tasks as a public employee I have the added responsibility of making wise use of public funds.

Working with the public demands the ability to respect individuals from all walks of life and with all their opinions. It requires the flexibility to approach individuals as themselves and not members of a group about whom assumptions are formed and cemented into place. It requires fairness and consistency in the way all citizens are treated. This level of service requires professional objectivity and an understanding that constructive solutions result from a sense of mutual trust and respect.

Trust in any transaction is essential. Without mutual trust among my students, their families, their schools, and me, I cannot do the job I am paid by the public to do. Without trust my efforts are ineffectual, and perhaps even detrimental. In my capacity as a public servant trust emerges from the perception by those with whom I work that I

respect them, that I give them choices based on verifiable data, that they know from experience that I have their best interests at heart and that I have the training and expertise, as well as the competence, to provide the best outcome for those I serve.

Unfortunately, I have not yet experienced in the RWQCB, in its role as a public servant, the high standards I set for myself. Having been in attendance at the informational meeting held by the prosecution staff, I observed firsthand the barely disguised patronizingly exasperated tone this staff took with a roomful of confused and concerned citizens. It was clear from the responses to sincere questions that this staff was ill prepared to provide cohesive, coherent, detailed, helpful answers. When asked about the implications of the exportation of millions of gallons of water from our aquifer, one of the prosecution staff members stated at this meeting that the RWQCB is not concerned with water supply, but only with water quality.

It was disturbingly obvious in the course of their meeting that RWQCB staff had no solid data to present us with regard to the CDOs that are proposed for us. Repeatedly in response to earnest and desperate questions from common citizens who have no expertise in the area of water management staff reiterated versions of the phrases, "I feel..." or "We feel... ." Any high school composition student knows that feelings are not facts, and they do not substitute for logic and reason. The fact is that this prosecutorial staff has presented no evidence relative to our site, other than inference, that proves my husband and I are polluting the aquifer.

We continue to struggle with getting a straight answer from a very elusive staff about a simple matter of whether the two copies of our evidence are due in Sacramento on April 5th or if they simply need to be postmarked on April 5th. We also have not had an answer to our question regarding whether the local board would send the two copies to Sacramento if we were to turn all the paperwork into the San Luis Obispo office. Two different staff members gave two completely different answers.

As of today, no definitive answer was forthcoming. A staff member told my husband today that he was "pretty sure" that if the evidence were postmarked on April 5th it would get to Sacramento in "a couple of days." He seemed to believe that the April 5th deadline was only for evidence directed to the San Luis Obispo office. This is very important and necessary information for those of us who are being prosecuted and stand to lose our defense if it is not submitted in time. The question arises as to whether this situation reflects a desire to provide deliberately misleading information to the people of Los Osos who face prosecution or true incompetence and disorganization on the part of the prosecution staff.

Our understanding was that, if the water board does not receive the documents by the due date, they will not be allowed. There is no consensus among RWQCB staff if this rule applies to the evidence sent to Sacramento. It is impossible for citizens to comply with this simple directive, never mind the incredible burden of compiling our evidence in such a short time frame, when two members of the same staff give conflicting information. It

is difficult to have confidence in the competence of RWQCB prosecution team members who cannot even agree on the date or in what form evidence should be submitted for a prosecution.

It is distressing to me to read emails which, if authentic, document that communication between certain citizens of Los Osos and the chairman of the RWQCB may have taken place prior to the random issuance of CDOs to a very small number of the Los Osos citizens who are purported to be polluting the aquifer. This correspondence urged that the most stringent measures be taken against citizens of Los Osos. (reference email communication from Jerry Gregory to "Roger")

It is even more disturbing to ponder why citizens of Los Osos, with real estate interests in Los Osos, would be interested in the degradation and subsequent devaluation of property values in Los Osos. The question arises as to how it could possibly be beneficial to those with real estate interests in this town or to anyone else to have property effectively condemned by the issuance of CDOs.

It does not build trust between the RWQCB and the citizens of Los Osos to know that the chairman of this board has been in communication with those who stand to reap great benefits from the devaluation of Los Osos Prohibition Zone properties through the issuance of CDOs. Even the simple appearance of impropriety erodes the public's trust in the ability of agencies impartially to carry out their duties. This appearance of impropriety also surfaced in the water board's initial threats of individual actions coming concurrent with our election last fall to address water treatment issues and our CSD recall.

Timing is everything, and the timing of both the communications between citizens of Los Osos who advocated the most severe punitive measures against Los Osos when the election did not turn out as planned and the chairman of the RWQCB, appear to be an attempt to get the water board to punish this community. Threats by the water board of individual actions coming at the time of our local election appear to be an attempt to influence the outcome. Issuance of CDOs just two months after our election appears to show a cause/effect relationship.

The RWQCB Staff Report for Regular Meeting of July 9, 2004, (incorporate by Reference) demonstrates in its *BACKGROUND* section on page 1 the numerous circumstances which put our timely connection to a wastewater treatment system out of our hands. The Coastal Commission itself was responsible for several setbacks. The County was responsible for others.

In this document, on page 2, the RWQCB indicates that, "project delays, and noncompliance with the Time Schedule Order, are clearly beyond Los Osos CSD's ability to control." Since the CSD is the citizens, and the citizens are the CSD, then it follows that these delays have been beyond the citizens' control, as well. With regard to Time Schedule Order No. 00-131 the RWQCB report states on page 2 that, "due to delays being outside the CSD's ability to control, a current implementation schedule is

unknown." Over years and years the water board flouted its own regulations to accommodate delays beyond reasonable control.

In 2004, the water board recognized that circumstances outside anyone's control caused delays in our ability to hook up to a wastewater treatment facility in Los Osos. On page 3 of this report the RWQCB states that, "Individuals have very limited means of effectively ceasing discharges until a community sewer system is available." And on page 4 the RWQCB states that, "It should be noted, however, that the vast majority of voters in Los Osos have supported the project at every step."

Given that the RWQCB understands that individual citizens of Los Osos have limited means to effectively cease discharges until a community system is available, given that most citizens support a wastewater project, and given that all the delays in construction of a wastewater project are out of our hands and beyond our control, it seems counterproductive, dysfunctional, and absurd to single out 45 families at random for individual enforcement of CDOs. The July 9, 2004, report states that "property owners have been powerless to prevent delays in the project." It can only be concluded that punitive fines, though prohibited, are being imposed on this tiny group of 45 out of 5000 families, though we have had absolutely no way of effecting any of the outcomes which have occurred over the years in the matter of wastewater treatment.

And we remain powerless to change the water treatment situation in Los Osos, even with the threat of this individual enforcement action. It remains unclear what the water board truly hopes to accomplish by prosecuting my husband and me, along with 44 of our neighbors. It is worth noting that following correspondence between certain citizens of Los Osos and the chairman of this board, individual enforcement resulted. The RWQCB has repeatedly flouted its own regulations and now wishes to enforce Draconian measures on us, measures which do little to solve a problem beyond our control.

The RWQCB's document of July 9, 2004, states that, "the Regional Board reserves the jurisdiction to extend the time for compliance if Los Osos CSD cannot comply due to circumstances beyond its reasonable control." Measure B, which received a majority vote, moved the site for the wastewater treatment plant outside of town. In order to comply with the outcome of the vote, construction of the plant at the in-town site had to be halted. This election result was yet another circumstance beyond the control of the CSD. Since 1983, apparently, the water board has granted waiver after waiver because of circumstances beyond the control of the CSD. The RWQCB owes us a satisfactory explanation of why this most recent development is different from previous circumstances beyond our control.

Two months have passed since my husband and I received our Proposed CDO notification. Two months should be sufficient time to pull another 50 names at random from the hopper, to issue another 50 notices, yet we have heard of no new CDOs. If there are no plans to issue further CDOs until such time as our cases are resolved, the minuscule benefit derived from 45/5000 families pumping effluent every other month will show a huge cost/benefit gap. This cost benefit gap does not even address the

tremendous unfairness to these 45 families in the outlay of personal income to fund this unproven remedy. One prosecution staff member, at our informational meeting at the RWQCB headquarters in San Luis Obispo, referring to two wastewater textbooks, one of them a Metcalf and Eddy volume, referred to the practice of pumping every other month as "unheard of." Consequently my husband and I must conclude that our government officials, whom we have to trust to recommend what is best for us based on their best judgment, intend for us to spend our precious little discretionary income to engage in a wastewater treatment practice that is "unheard of." The charge of government agencies is to make the best use of public funds to provide the greatest good for the greatest number. As public servants, the RWQCB fails here, as well.

It was clear to me, however, upon my visit to the RWQCB headquarters in San Luis Obispo, that some government agencies have different ideas regarding responsible stewardship of government funds. I have yet to see a school as well appointed as this agency's Aerovista Place building. In the staff report for the RWQCB meeting of July 9, 2004, the board showed some concern for conservation of financial resources in reference to projected results from Cleanup and Abatement Orders, "approximately 5,000 Cleanup and Abatement Orders would need to be drafted by staff and issued to residents. Following such action, undoubtedly considerable staff resources would be needed to address complaints, compliance and legal challenges."

With the proposed CDOs and all their administrative entailments, it appears that the RWQCB's former concern for conserving public funds has disappeared. I am interested to know the timeline for issuance of further proposed CDOs, since this agency has released no others. Citizens of this community deserve to know over how many months or years some of us will be forced to pour funds into futile pumping while others, our next door neighbors, continue to discharge effluent with impunity.

Trust in any public agency results from a perception of fairness and equity to the best of one's ability. By randomly singling out 45 families, excluding any and all businesses, except for home-based businesses, regardless of any site specific data, the RWQCB staff has not only created a perception of profound unfairness, but also has engendered great distress and personal hardship for everyone involved. I have heard the phrase "unintended consequences" to describe the circumstances we find ourselves in with proposed CDOs and those we will find ourselves in if CDOs are issued.

In my position as a government employee, I am required to review all foreseeable outcomes of decisions I make every day involving the lives of my students and their families. Any public organization, such as the RWQCB, which is paid with public funds and spends its working days making life-changing decisions for individual citizens, has a duty to consider all possible outcomes before implementing any declaration having an impact on citizens' lives. It is impossible to believe that devaluation of our property, along with the inherent difficulty of selling property threatened with or issued a CDO, was never considered as a consequence of the water board's actions. Everything my husband and I have experienced as a result of our receipt of that manila envelope has been a consequence.

Today those of us who have been chosen as examples of what the RWQCB can do to individual property owners' property rights spend our days fulfilling our daily obligations to our jobs, our families, and our neighbors. Then we come home to hours and hours, over days and weeks and months, of mounting a defense against charges for which no site specific evidence has been presented to us. 8,000 pages of documents, contained in a cardboard box in a back room of the RWQCB's San Luis Obispo headquarters sit waiting for those of us who are able to access them during the working hours of the prosecuting agency or by those of us who are forced to take time off from our jobs to sift through them. Though we are asked to submit our documents on disk, if possible, the same convenience and courtesy are not afforded us to peruse RWQCB files.

My husband and I are exhausted from attending meetings, developing our own defense, and helping our neighbors develop their defenses. Though we feel distraught and personally drained from this extraordinary burden added onto our already full lives, though we daily experience great personal distress, we are both grateful that our 78-year-old neighbor, a widow battling cancer, and our 91-year-old friend, a widower who has no knowledge about, access to, or understanding of computers did not receive these documents in the first issuance. We are glad that we received the notification instead, who have the strength and resources to defend ourselves against a government agency which uses its authority to intimidate, harass, threaten and terrify law-abiding citizens.

Given that the notification arrived in our mailbox via standard mail in a plain manila envelope with no indication that anything important was inside, we were shocked to discover a deadline by which we were required to reveal personal information regarding the names of occupants of our residence by a certain date or face fines of $1000/day. This experience with government intimidation and invasion of our privacy was stunning and disconcerting. If our elderly neighbors had received these innocuous envelopes, they may not have even opened them. And if they had received and opened them, they might not have been able to make any sense out of the contents. I almost discarded ours, thinking it was junk mail. It is discouraging, shocking, and dismaying that a government agency in the United States of America can behave in such an imperiously cavalier manner toward taxpaying citizens and face no consequences.

I have a chronic autoimmune disease, which is exacerbated by stress. Having been in remission since last July, my symptoms are returning. The burden under which we currently live is extremely distressing for me when added to my daily activities as a full-time teacher with a part-time therapy practice. The RWQCB prosecution staff spends its days getting paid to prosecute citizens for the crime of flushing their toilets into legal septic systems permitted by the San Luis Obispo County Planning Department. When their prosecutorial workdays are done, they close the doors to their offices and drive off to their respective private lives.

We, the prosecuted, however, spend our days and nights with this prosecution. We get up in the morning with this prosecution. We eat and drink this prosecution. We take this

prosecution to work and home again. We sleep with this prosecution. We wake up in the middle of the night with this prosecution.

This prosecution is the wallpaper of our lives. While for the RWQCB it is simply a job, for which it accepts our tax money in payment, for us it is our lives, our homes, our families, and our rights as citizens. The RWQCB through this prosecution is denying my husband and me our rights to privacy, property, due process, and equal protection under the law. This prosecution is not simply about 45 families chosen for random, unlawful, "bundled" prosecution. It is about the rights of every citizen of this town, this state, and this country in a time when the rights of individuals are under attack from every quarter, where cynicism and corruption have infected the highest levels of our government. Through threats of punitive, exorbitant fines, through the misuse of administrative authority, through denying us our right to an individual hearing, this board denies our rights as citizens. This absurdly staged prosecution of a few citizens to make a pathetic example for the rest is a model of incompetence and governmental abuse.

Through my associations with this agency and the fruits of its labors, I have encountered a group of government employees who are not above reproach, and therefore, not worthy of my trust or respect. As a public servant who holds myself to the highest standards of professionalism, I find that this agency has demonstrated to me neither competence, nor ethics, nor conscience, nor a commitment to a long-term solution to the wastewater issue in Los Osos. This agency seems, instead, simply committed to the most expensive sewer project per capita ever built.

I urge the RWQCB to cease and desist misusing public funds in this misdirected effort to disrupt the lives of law-abiding citizens, an effort intended not to make a difference, but simply to make a point. Professionalism and ethics would dictate that the water board work with our duly elected CSD Board, as it has worked with previous boards, to develop a solution to the Los Osos wastewater treatment issue while respecting the rights of individual citizens.

Sincerely,

Beverley De Witt-Moylan

Beverley De Witt-Moylan
(referred to as TRE ETAL in your complaint)

Cover Letter

March 28, 2006
Dear Central Coast Water Board Directors and Staff,

I request an individual hearing. Lumping my case together with 44 different cases is unfair to me and to the other 44 cases. It is my right to be heard individually. I protest the proposed imposition of a Cease and Desist Order on my property's septic system. I believe the proposed CDO is extremely injurious to the value of my home. It is also very emotionally draining on me and and my wife. I believe that no matter what the intended consequences of this proposed CDO are, the required pumping of our septic system every two months is an unproved trial remedy of a problem extremely wide in scope and time. It also does nothing to solve the long-term solution of wastewater treatment in Los Osos.

It is injurious to my home. If my property has a CDO attached, it is a property that is valued at a fraction of its real value. This means that I cannot sell my home in a timely manner, if at all. It means I can only borrow a fraction of what I should be able to borrow on my home. This in effect condemns my home.

This proposed CDO has already had a major impact on my life. I have spent countless hours attempting to build, as you would call it, an evidentiary case-just so I can go on flushing my toilet. It has been frustrating in many ways, not just because this is an unjust action by your governing body, but also by the extreme difficulty in researching the 8000 pages of your files concerning the Los Osos ground water problem. Very few of your documents are in a PDF file or any file that can be accessed on computer. I was incredulous when Matt Thompson said the files were in one large cardboard box. When I asked where I could retrieve them on a computer, he said, "Unfortunately, we don't have them on our computer files-I'll work on that." That was on Monday, March 20.

<u>Reasons why we should not get a CDO levied on our home:</u>

1. Financial hardship
2. Pumping frequently is an unproven method of lowering the nitrates in ground water
3. The voluminous RWQCB records are extremely hard to access with virtually no time to prepare an "evidentiary case"
4. Our home was approved with a legally permitted septic system.
5. The RWQCB does not have data proving <u>our</u> septic is contributing to the nitrate problem
6. The discrimination of choosing just 45 homes at random to begin this proposed CDO when over 4500 homes are in the Prohibition Zone-no equal protection under the law
7. The disregard the RWQCB has for its own procedures regarding implementation of CDO's
8. The implementation of your CDO makes living in our home a criminal act just by using our septic system.
9. You are going after the wrong parties-the county permitted our home to be built in 1976 and they, not us, failed to act in compliance with your original 1983 sewer mandate.
10. The unconstitutionality of this proposed CDO and the unequal application of the law.
11. Site Specific Evidentiary Information

Sincerely,
William R. Moylan
William R. Moylan

Prepared by and for William R. Moylan
1516 17th St., Los Osos, CA

Document List

Copy of Document List Incorporated by Reference
Witness List

Copy of escrow instructions when we purchased our home in 1985 disclosing that a sewer was mandated for Los Osos but no mention of a cease and desist order or prohibition zone
Copy of SLO planning department completed and approved septic permit
Copy of personal e-mail from Sierra Club concerning unequal treatment by the Central Coast RWQCB
Copy of e-mail to Roger Briggs from Jerry Gregory
Copy of letter from Roger Briggs to Virgil Just dated October 31, 1997 signed by Bradley E. Hagerman
Copy of Earthjustice Press Release dated January 22, 2004 about the waiver to Central Valley farmers allowing continuing severe pollution to ground water-as an example of unequal treatment under the law
Copy of SLO Tribune articles dated Feb. 19, 2006
Copy of Sun Bulletin article dated Feb8-14
Copy of my letter to RWQCB concerning site specific reasons on why a CDO on my septic system is inappropriate
Copies of different water bills and worksheet showing average water consumption on my property
Copy of highlighted answer in FAQ sheet from Central Coast Water Board
Copy of sworn affadavit of R. Glenn Stillman about his expert opinion on the illegality of test wells and the questionable veracity of water samples taken from these wells
Copy of Amendment VIII of the U.S. Constitution
Copy of Amendment XIV of the U.S. Constitution with accompanying description of "due process"
Copies of California Water Code, Sectin 461 and Section 1834
Copies of California Evidence Code Sections 500,502,520,521,550,600-607
COPY OF ENVELOPE CONTAINING PROPOSED CEASE AND DESIST ORDER SHOWING REGULAR POSTAGE ONLY

RWQCB'S LACK OF SITE SPECIFIC EVIDENCE

ESCROW INSTRUCTIONS

TO: ESTERO ESCROW COMPANY

685 Main St., Suite C, Morro Bay, CA 93442

Escrow No. 2869-SS Escrow Officer Sharon Snyder Date 9-3-85

(F) Buyer and seller agree to sign and return escrow instructions within three days of receipt of said instructions.
(G) Buyer to approve or disapprove preliminary title report within 10 days of receipt. If written disapproval of preliminary title report is not received within specified time report is to be deemed approved.
(H) Seller, at their expense, to provide buyer with a one year home protection plan.
AS A MATTER OF MEMO WITH WHICH THIS ESCROW IS NOT TO BE CONCERNED:
(a) Buyer is aware that the construction of a sewer system has been mandated for the Los Osos Area by State Agencies. The costs of construction and operation are currently undetermined.
(b) Seller represents that the roof is free of leaks, and that septic/sewer, plumbing, electrical, heating, sprinkler systems and all included appliances will be in working order at close of escrow or upon date of possession, whichever date is earlier. Buyer or buyer's authorized agent, shall inspect property with in 48 hours prior to close of escrow and property shall be deemed acceptable unless escrow holder is notified in writing prior to close of escrow.
(c) All existing window coverings, floor coverings, light fixtures, and built in appliances are included in the purchase price.
(d) Seller is to maintain premises, lawns and shrubbery in good condition until close of escrow or buyer's occupancy, whichever date is earlier.
(e) Upon close of escrow or date of buyer's possession, seller shall remove all debris and personal property not specifically included in purchase contract.
(f) It is understood and agreed between the parties hereto that the seller will deliver to buyer, at the close of escrow or upon date of buyer's possession, all keys and door openers for the premises.
(g) Buyer and seller are aware that the property may be reassessed upon change of ownership. A supplemental tax bill may be received which may reflect an increase or decrease in taxes based on the property value. If there is an impound for taxes with lender, the amount of the periodic impound payment may change.
(h) Buyer is aware this property is located within the: (1) Diablo Canyon Emergency Response Zone, (2) Jurisdiction of the California Coastal Act, (3) California Special Studies Zone, Seismic and Geological Studies Zone.
(i) Seller to continue to show property and accept reasonable offers until contingency is removed. In the event a reasonable offer is received buyer to have 72 hour right of first refusal.

VA ESCAPE CLAUSE

"it is expressly agreed that, notwithstanding any other provisions of this contract, the purchaser shall not incur any penalty by forfeiture of earnest money or otherwise or be obligated to complete the purchase of the property described herein, if the contract purchase price or cost exceed the reasonable value of the property established by the Veterans Administration. The purchaser shall, however, have the privilege and option of proceeding with the consummation of this contract without regard to the amount of reasonable value established by the V.A."

COUNTY OF SAN LUIS OBISPO
PLANNING DEPARTMENT
ORDINANCE ADMINISTRATION DIVISION

APPLICATION and PERMIT
CONSOLIDATED

DATE 2/2/72

Address of Job 1515 12th Street — Lot — Block —

Owner GANN, WALTER R. — Mailing Address 1100 Oak Knoll

Phone 544-8005 — Set Back Date

Location Lot 10 Pcl. 11 — Block 1102 — Tract —

Assessor Parcel 38-110-02 — Contractor Owner

BUILDING

Occupancy (Use when completed) Sin. Fam. Residence — Area 1765 sq. ft. — Cost $ 37,983.00

No. Square Feet in Building 1765 — Garage 441 — No. Bedrooms 3

Exterior Walls Stucco — Pitch of Roof Slight — Roof Covering Asphalt

Number of Stories 1 — Fireplace —

Slab Floor XX — Forced Air Heat XX

Wood Floor — Other —

VALUATION

$ 37,983.00

SANITATION REQUIREMENTS

Septic Tank — Cesspool — Sewer Hook-up

ROAD IMPROVEMENT TAX

Area — Rate — Amount

BOND REQUIREMENTS

ACTION BY OTHER DEPARTMENTS

ZONING REQUIREMENTS

District R-1 — Other Setbacks —

Front Setback 25 ft — Parking 2 — Loading —

Side Setbacks R 3.5 L 3.5 ft — P.C. Action —

Rear Setback 10 ft

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 —

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.

PLANNING REVIEW

Permit Ready to Issue —

GRADING PERMIT DATA

C.Y. Yes Cut — Fill —

Date Forwarded to County Engineer —

Date Returned —

SUMMARY OF FEES

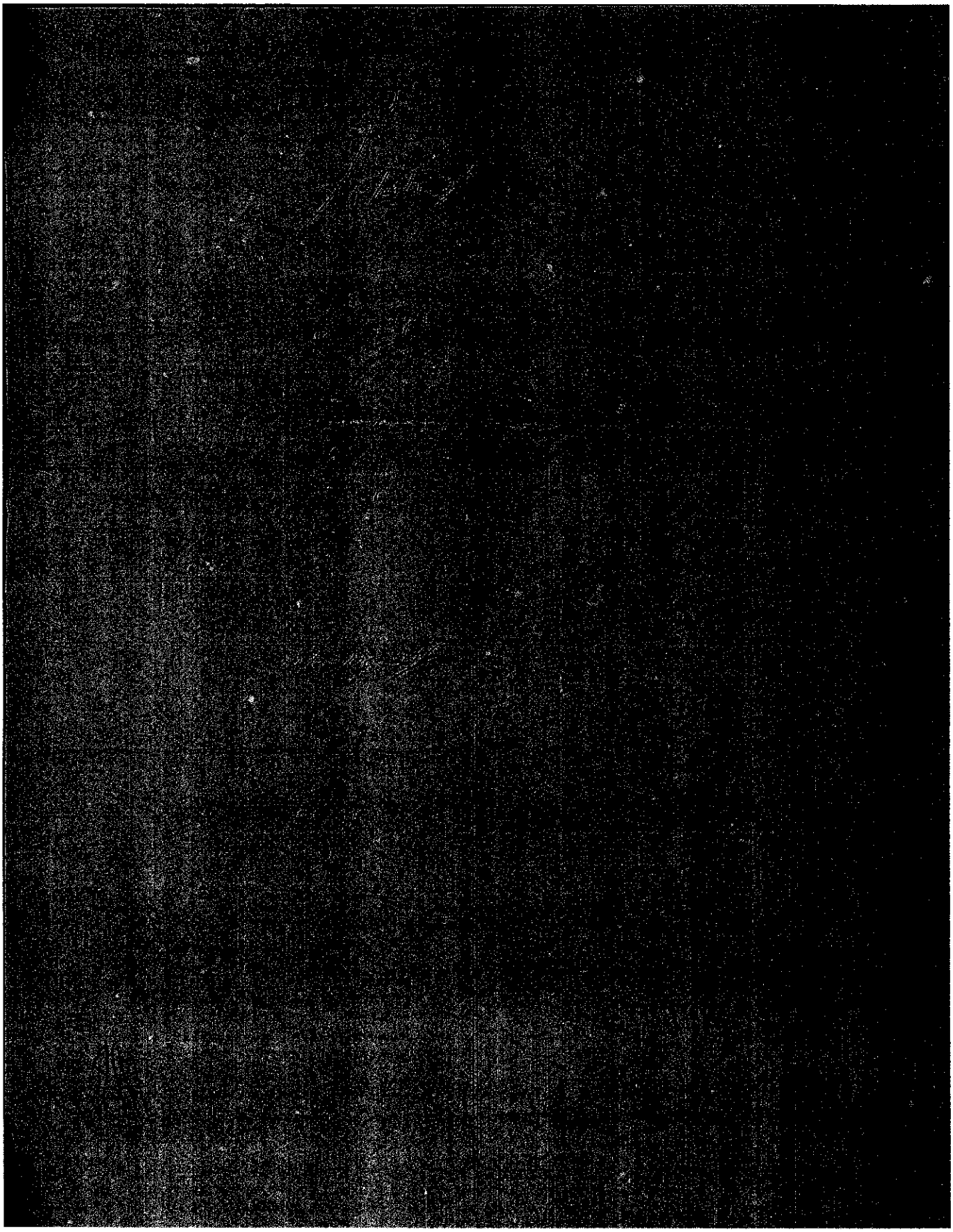
Building Permit	
Plan Check	
Electrical Permit	
Plumbing Permit	
Earthquake Fee	
Xerox Fee	
Grading Permit	
Driveway	
T-Pole	
Accessory Structure	
TOTAL	

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 —

PLANNING DIRECTOR —

By — Date 2-4-72



2986

To be completed by the applicant:

Name: Walt R. Bann Site address: 1516 17th St. [illegible]

Legal description of property: [illegible]

Lot [illegible] Block 83 Tract: El Moro

Assessor's Parcel Number: 38 - 412 - 02

Parcel "A" COAL 76-260

To be completed by staff:

Remarks: SFR

Map No.: 12-U-26 Zone: R-1

Parking: 2 spaces required

County road system: No —

Road Tax (yellow roads): YES

Coastal Zone: In ____ Out: X

Urban area: LOS OSOS

Rural area: ____

C.U.P. var. dept. review No.: ____

Parcel Map No.: COAL 76-260

Tract Map No.: —

Water source: Well ____ Community Water: X

Percolation test required: ____

Soils suitability test: ____

E.I.R. Exemption No.: —

Airport Zone: — Date: Sep [illegible]

By: [illegible]

PLOT PLAN SCALE 1"=20'-0"

APPLICATION FOR BUILDING PERMIT

Date 9-10-76

Town of El Mirage

Job Address _____ Locality Blk 83 Lots 46 and portion of 45

Owner Walt R. Gann Mailing Address 1400 Stafford Rd

Phone 548-8986 [illegible]

Contractor W. R. Gann #314945

BUILDING DATA

Is this a New Building X Alteration _____ Addition _____

Proposed Use Single Family dwelling No. of Bedrooms 3

AREAS: Bldg 1475 sq. ft. Garage 442 Carport _____ Deck or Covered Porch 65

Ext. Wall Material Siding Roof Pitch 5/12 Roof Material asphalt

Type of Heating Forced Floor (type) Concrete & Wood No. of Stories 2

Sewage Disposal Septic Source of Water Community

No. of Traps 9 Gas yes All Electric House _____

Temp. Power yes In Coastal Zone? no In County Road System? _____

Existing Structures None

Walt R. Gann
Property Owner or Agent Sign

FEES

Elec. Permit	2.50	Plumb. Permit	2.50	Valuations			
Meter	2.50	Traps	18.00	1475 @ 23.38 =	34485	Permit	181.00
						Plan Check	75.50
Footage	11.70	Gas	2.00	442 @ 7.62 =	3368	Elec.	16.35
Footage	2.65	Water Heater	2.00	65 @ 2.00 =	130	Plumb	36.50
						Earthquake	2.60
Other	~~16.35~~	Septic	12.00	@ =		Zero	1.20
Sub Total	16.35	Other		@ =		Driveway	
TP	3.00					Other TP	3.00
Total	29.35	Total	36.50	Total	37983	Total	295.21

MOYLANS

From: "Santa Lucia Chapter" <sierra8@charter.net>
To: "Santa Lucia Chapter" <alert@sierraclub.org>
Sent: Wednesday, March 15, 2006 4:22 PM
Subject: Los Osos: "Right now!" Morro Bay: "Take your time...?"

Dear Sierra Club e-alert subscriber,

On March 24th, The same water board that brought the hammer down on Los Osos for not building a sewer fast enough is proposing to give Morro Bay and Cayucus nearly 10 YEARS to upgrade their jointly operated wastewater treatment plant, after 30 years of failure to meet the minimum treatment standards of the Clean Water Act.

Not ten years to design and build a sewage plant and collection system. Ten years to upgrade the level of treatment at the existing plant. Larger California coastal communities with more complex water treatment issues have managed to upgrade their sewage plants, on average, in three to five years.

THE WATER BOARD IS PROPOSING TO PERMIT ANOTHER DECADE OF DEGRADED WATER QUALITY OFF THE CENTRAL COAST, PUTTING PUBLIC HEALTH AND THE MARINE ECOSYSTEM AT RISK.

The MB-Cayucos plant is pumping primary treated effluent -- one step up from raw sewage -- into the ocean. Morro Bay and Cayucos have been avoiding compliance with the federal Clean Water Act for 30 years by virtue of a long series of waivers from the Act.

There are only three such waivers left on the coast of California. Only one is for a sewage outfall that is ground zero of a disease epicenter for the threatened California sea otter: Morro Bay.

The Morro Bay-Cayucos Sewage Treatment Plant
-MUST NOT receive another waiver
-MUST NOT get approval for a plant upgrade timeline 9.5 years long
-MUST complete the upgrade as fast as possible, as required by law.

Read: "Morro Bay and Cayucos must not delay sewage clean-up" at
www.santalucia.sierraclub.org/SL/mar06

And please come speak or be in support:

Friday, March 24, 8:30 a.m.
Regional Water Quality Control Board
895 Aerovista Place
San Luis Obispo

Plan on taking the better part of the afternoon.

WILLIAM MOYCAN
DEFENSE

Cal EPA

Central Coast Regional Water Quality Control Board

81 Higuera Street
Suite 200
San Luis Obispo, CA
93401-5427
(805) 549-3147
FAX (805) 543-0397

Pete Wilson
Governor

October 31, 1997

Virgil Just
Citizens for Affordable Wastewater Systems
P. O. Box 6931
Los Osos, CA 93412

Dear Mr. Just:

BAYWOOD PARK/LOS OSOS GROUND WATER MONITORING

Thank you for your recent letter and report "A Detailed Examination of the San Luis Obispo County Nitrate Sampling Program". We have reviewed both and have the following comments.

1. First, I would like to clarify that the goal or mission of the Regional Board is to protect beneficial uses of State waters (ground and surface waters) for current and future generations of users. This means we do not limit protection to currently used waters (such as the deep water supplies in Los Osos), but consider all water supplies (upper and lower zones in Los Osos) important public resources worthy of protection. Also, please note that indicators of water quality degradation are not limited to exceedances of maximum contaminant levels (MCL). MCL exceedance indicates an acute problem limiting the uses of the water resource.

2. I agree that the current ground water monitoring program implemented by San Luis Obispo County should be updated/modified to provide for evaluation of potential impacts of the discharge of treated wastewater, compliance with discharge requirements, and long-term changes in ground water quality in Los Osos. This is a task Regional Board and County staffs will be undertaking in the next few months. Information provided in your submittal will be considered in this endeavor and will be helpful in identifying/locating the most effective and reliable monitoring sites.

3. In your letter, you request our participation in a "round table" discussion of scientific information, data evaluation and professional opinion regarding the groundwater monitoring issue. Regional Board staff would be happy to participate in such discussion. Please contact Sorrel Marks to schedule a date and time and specific agenda for such a meeting. Note however that the discussion goals specified in your letter (define problems, causes and solutions) are summarized in the County's Nitrate Sources Study and Evaluation of Alternatives completed in 1995. The proposed round table discussion should be directed toward moving forward with resolving water quality problems in Los Osos rather than rehashing disagreements.

Development of the proposed community sewering project included a great deal of input and scrutiny from concerned citizens, such as yourself, and is likely a better project for it. However, further delay in the form of additional studies is unwarranted and will add to the project cost; an already heavy burden for the community. Thank you again for writing. If you have further questions, please telephone Sorrel Marks at 549-3695 or Brad Hagemann at 549-3697.

Sincerely,

For Bradley E. Hagemann
Roger W. Briggs
Executive Officer

SJM\H:\lososos\cawswell.ltr\H:\LETTERS
Task: 121-01
File: SLO CSA #9, Los Osos

WILLIAM MOYLAN DEFENSE

California State Water Board Adopts Final Decision To Allow Unregulated California Farm Pollution

Environmental groups say it's a slap in the face for all Californians

January 22nd, 2004

Contact Info:
Bill Jennings, Deltakeeper, Cell: 209-505-9324
Michael Lozeau, Earthjustice, Cell: 415-596-5318
Sejal Choksi, SF Baykeeper, 415-856-0444 x107

Sacramento, CA-- In a final decision this morning the State Water Resources Control Board (State Water Board) upheld controversial discharge permit exemptions for farm pollution in the Central Valley. The decision came after a year of overwhelming public opposition to the exemptions by hundreds of public health, environmental and fishing groups, state senators and assemblypersons, editorial boards, and hundreds of thousands of concerned California residents.

Today's decision continues to allow pesticide discharges from over seven million acres of farmland to contaminate hundreds of miles of streams, rivers, lakes, bays and groundwater, and the drinking water of millions of Californians.

"The State Board's decision is a pat on the back for farmers and a slap in face for all Californians who are expected to control their pollution," said DeltaKeeper Bill Jennings. "Behind the waiver façade, there's not a single requirement to reduce pollution, implement control measures or meet water quality standards."

The State Water Board's decision effectively rubberstamps the appealed Central Valley Regional Water Board's July 2003 resolution. Both the July resolution and today's decision fail to generate adequate funding for enforcing the program; fail to ensure measurable reductions in pollutant loads by not mandating basic controls, timelines, or performance standards; and continue to gloss over the need for individual discharger accountability. In issuing the decision, the State Water Board also does not respond to the volumes of scientific documents and expert testimonies in evidence, which show that the inadequate monitoring program will fail to protect water quality.

"The State Board claims that this waiver is a 'sea change,' but we believe it's no meaningful change from the status quo," said Michael Lozeau, Earthjustice attorney representing the environmental groups. "At best, the waiver hints that growers shouldn't pollute, but it doesn't require them to reduce their pollution by a single ounce. The law requires more."

At stake was the opportunity to develop first-ever controls to limit discharges of pesticides, fertilizers, sediment, toxins and other agricultural pollutants that impact water quality. Agricultural runoff is one of the largest sources of water pollution in California and detrimentally harms both aquatic ecosystems and human health.

"We were expecting the State Board to step up to the task of regulating this major source of water pollution," said Sejal Choksi, Pesticide Program Attorney for San Francisco Baykeeper and Deltakeeper. "Instead, all of the nine Regional Boards in California now have the State Board's blessing to turn a blind eye towards agricultural runoff."

Deltakeeper, San Francisco Baykeeper, Environment California, Natural Resources Defense Council, The Ocean Conservancy and the California Sportfishing Alliance appealed the Central Valley Regional Water Board's decision to exempt growers from complying with the state's water quality laws in August 2003. They asked the State Water Board to close the unlawful loophole for agribusiness and end two decades of demonstrated environmental degradation.

Earthjustice
426 17th Street, 6th Floor
Oakland, CA 94612-2820
Phone: (510) 550-6700
Fax: (510) 550-6740
Email: eajus@earthjustice.org

Earthjustice is a non-profit public interest law firm dedicated to protecting the magnificent places, natural resources, and wildlife of this earth and to defending the right of all people to a healthy environment. We bring about far-reaching change by enforcing and strengthening environmental laws on behalf of hundreds of organizations and communities.

Roger,

Nothing in Los Osos Surprises me any more! If anything stupid can happen in this world it will happen in Los Osos.
At Rose Bowker memorial I asked you to fine the Community of Los Osos if the Recall is successful. Well, I am asking you again. Please do this immediately and with the largest fine that is legal for you to do. You and your Board has shown a termendous amount of patience with this Community. The threat of fines has been over our heads since 1983. This Community only looks at it has a threat. They do not think the RWQCB will fine us. They think they can smooth talk you in not going through with the fine. Please show them that they are wrong and that you mean business. We have been polluting the ground water way to long! Please notify the NEW CSD Board that you mean business and please put this issue infront of your Board in November. I think timing is very important to get their attention and try to protect our ability to still have the State Revolving funds. If we lose the cheaper funds than we will need to look in other directions for money and that will only mean higher interest rate and more delays.

The sad part of the election is that we had 30% of the voters vote NO, 31% voted YES and the most disturbing number is 40% did not care! So, the bottom line is 31% is dictating the direction of Los Osos.

My honest opinon is that your fine is large enough to bankrupt the CSD and place all of the services back in the hands of the County. I know they will move forward with this project

Thank you,
Jerry Gregory
528-2000

Newspaper of the Central Coast
THE TRIBUNE

EDITORIAL BOARD

Chip Visci
Publisher

Sandra Duerr
Executive Editor

Bill Morem
Opinion Page Editor

Stephanie Finucane
Associate Editor

KNIGHT RIDDER

P.O. Box 112, 3825 S. Higuera St
San Luis Obispo, CA 93406
Phone: 781-7852
Fax: 781-7905

SCHEDULE OF COLUMNISTS

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Victor Davis Hanson	Dan Walters/Phil Yost	David Brooks	Paul Krugman	Kathleen Parker	Ellen Goodman	Tom Friedman

EDITORIAL OPINION OF THE TRIBUNE

Septic district could trump pump plan

Los Osos maintenance district should be formed to order fees and inspections fairly

It's understandable that the regional water board is frustrated with Los Osos. Just as a long-awaited sewer system was under construction last September, three pro-sewer Community Services District board members were recalled and a proposed midtown site for a sewer treatment plant was killed.

We understand the regulatory agency's frustration, but we don't agree with its tactics in singling out 45 randomly chosen homeowners as test cases en route to getting the remaining 5,000-plus households to pump their septic tanks six times a year.

Water board Executive Officer Roger Briggs tells us that his agency thought about different methods other than a random sampling, "But our intent is to get to everybody, so it doesn't matter who's first."

We believe it does matter; it's a matter of fairness.

The first 45 homeowners will be paying anywhere from $200 to $300 per pumping for a longer period of time than anyone else. Briggs counters that he expects that all of the residents within the water board's zone of prohibition will be pumping every two months by the end of this year. "Thus," he says, "the disparity shouldn't be that great."

This is all uncharted territory, though. Water board officials admit that they have no experience in executing more than 5,000 cease-and-desist orders in one lump sum, so the randomly chosen 45 is a case of on-the-job learning while the bugs are worked out.

And even if the kinks are ironed out in a timely manner, we can see the agency's actions being appealed to the regional water board's parent, the state Water Resources Control Board, and then on to the courts under the principles of due process and equal protection under the law. In other words, fairness.

When the regional board holds a hearing on the random 45 on March 23, we strongly suggest it hold the proposed pumping schedule in abeyance. The agency's point has been made and no one benefits by years of legal wrangling.

Nonetheless, something must to be done to begin stemming the pollution that poorly operating septic tanks have been wreaking havoc on the community's environment.

We strongly support the formation of a septic tank maintenance district as a stopgap measure before a sewer system is built.

Such a district would charge all of the community's residents (even those homeowners outside the zone of prohibition) a monthly fee and place all septic systems on a regular inspection, maintenance and pumping schedule.

A hurdle to clear in creating a maintenance district, however, is that it requires enabling state legislation. The concept was considered in the past but dropped when it looked like a sewer system was coming on line.

We urge the Regional Water Quality Control Board to join forces with the Community Services District and work with Assemblyman Sam Blakeslee to expedite maintenance district legislation.

It's a move in the right direction — and it's fair.

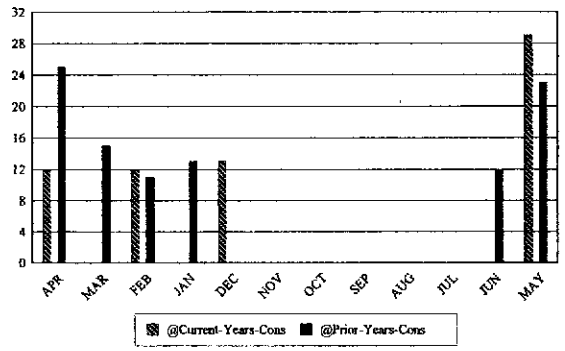
PD 5/1/04

BILL MOYLAN
1516 17TH ST
LOS OSOS CA 93402

SERVICE ADDRESS 1516 17TH ST
CUSTOMER NO. 009339 000

METER READING

PREVIOUS	PRESENT	USAGE
82.00	94.00	12.00
0.00	0.00	0.00
0.00	0.00	0.00



SERVICE DATES

FROM 02/11/2004 TO 4/10/2004

BEGINNING BALANCE	28.90
ADJUSTMENTS	0.00
PAYMENTS	-28.90
BALANCE FWD	0.00
Water	28.90
Misc	0.00
Penalty	0.00
n\a	0.00
n\a	0.00
N/A	0.00
N/A	0.00
N/A	0.00
TOTAL CURRENT BILLING	28.90
TOTAL AMOUNT DUE	28.90

WE HAVE A 24-HR. DROP BOX FOR PAYMENTS.
15% PENALTY IF PAYMENT IS RECEIVED AFTER 05/15/04.

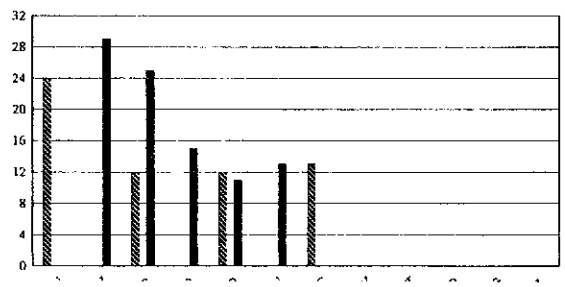
#1201

BILL MOYLAN
1516 17TH ST
LOS OSOS CA 93402

SERVICE ADDRESS 1516 17TH ST
CUSTOMER NO. 009339 000

METER READING

PREVIOUS	PRESENT	USAGE
94.00	118.00	24.00
0.00	0.00	0.00
0.00	0.00	0.00



SERVICE DATES

FROM 04/11/2004 TO 6/10/2004

BEGINNING BALANCE	28.90
ADJUSTMENTS	0.00
PAYMENTS	-28.90
BALANCE FWD	0.00
Water	56.20
Misc	0.00
Penalty	0.00
n\a	0.00
n\a	0.00
N/A	0.00
N/A	0.00
N/A	0.00
TOTAL CURRENT BILLING	56.20

PAID
#7270
1-3-06

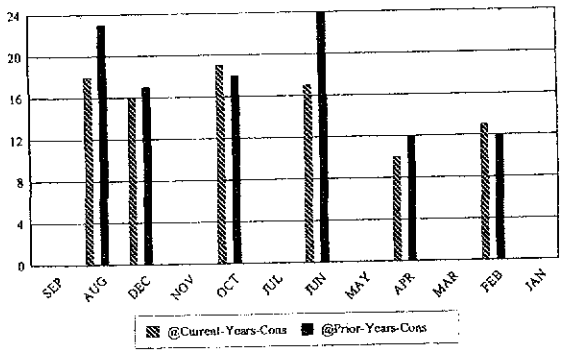
BILL MOYLAN
1516 17TH ST
LOS OSOS CA 93402

SERVICE ADDRESS 1516 17TH ST
CUSTOMER NO. 009339 000

TER READING

VIOUS	PRESENT	USAGE (CCF)
253.00	269.00	16.00
0.00	0.00	0.00
0.00	0.00	0.00

CCF = 100 CUBIC FEET
100 CUBIC FEET = 748 GALLONS



SERVICE DATES

FROM 10/11/2005 TO 12/10/2005

BEGINNING BALANCE	51.54
ADJUSTMENTS	0.00
PAYMENTS	-51.54
BALANCE FWD	0.00
Water	43.20
Misc	0.00
Penalty	0.00
n\a	0.00
n\a	0.00
N/A	0.00
N/A	0.00
N/A	0.00
TOTAL CURRENT BILLING	43.20
TOTAL AMOUNT DUE	43.20

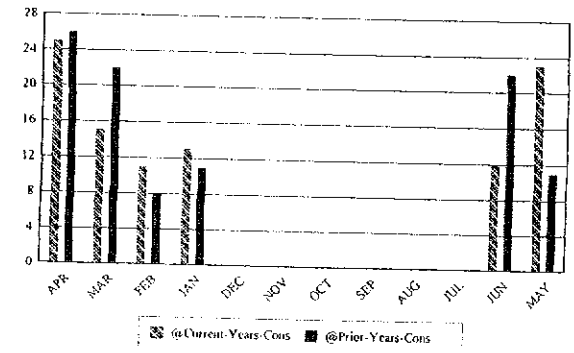
VE A HAPPY HOLIDAY & NEW YEAR!
PENALTY IF PAYMENT IS RECEIVED AFTER 1/16/06.

BILL MOYLAN
1516 17TH ST
LOS OSOS CA 93402

SERVICE ADDRESS 1516 17TH ST
CUSTOMER NO. 009339 000

IETER READING

REVIOUS	PRESENT	USAGE
3.00	28.00	25.00
0.00	0.00	0.00
0.00	0.00	0.00



SERVICE DATES

FROM 06/11/2003 TO 8/10/2003

BEGINNING BALANCE	23.13
ADJUSTMENTS	0.00
PAYMENTS	-23.13
BALANCE FWD	0.00
Water	35.53
Misc	0.00
Penalty	0.00
n\a	0.00
n\a	0.00
N/A	0.00
N/A	0.00
N/A	0.00
TOTAL CURRENT BILLING	35.53
TOTAL AMOUNT DUE	35.53

SAVANNAH MORNING NEWS on the WEB

SAVANNAH now

SEARCH

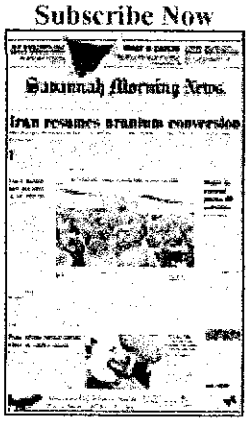
HOMES JOBS AUTOS SHOPS NEWS

HOME
NEWS
SPORTS
OPINION
OBITUARIES
BUSINESS
DIVERSIONS
CLASSIFIEDS
CITY GUIDE
FEATURES
MULTIMEDIA
COLUMNISTS
COMMUNITY
WEATHER
SERVICES
MARKETPLACE
SEARCH
SITE MAP
CONTACT US

OUR COAST.COM
ATTRACTIONS AND DINING

Search Now!

Subscribe Now



Mostly Cloudy • 79° • Winds S at 16 mph • 5 Day Forecast Here

Home water use checkup

Understanding where and how much water we use is the first step in beginning to conserve one of our most precious resources. This simple home water check-up will allow you to track your household consumption, both indoor and outdoors. After calculating your water use patterns, you can begin conserving in ways that work best with your lifestyle.

Enter information into the form below and press the "Calculate" button to calculate your daily, monthly, and yearly water use in gallons. You do not need to answer every question if they do not apply.

GENERAL QUESTIONS

1. Total number of people in your household. (Required) — 2

INDOOR WATER USE

Shower - Bath - Toilet - Faucets - Dishwasher - Laundry

BATHROOM

1. How many showers are taken each day in your household? — 1.5

2. What is the average length (in minutes) of each shower. Enter 6.3 if you are unsure. — 6.3

3. What is the flow rate (gallons per minute) of your shower head? Enter 3.8 for standard shower head; 1.6 for low flow. If you are unsure, enter: — 2.5

- 2.5 if your shower head was produced after 1994
- 3.5 if your shower head was produced between 1980 and 1994
- 6.5 if your shower head was produced before 1980

4. Total number of baths taken each week by members of your household. — 0

TOILETS

1. Average number of times each person flushes a toilet in your house per day. Enter 4 if you are unsure. — 2

2. How many gallons does your toilet use per flush? Enter 5 if you have a standard toilet; 1.6 if you have a low volume toilet. If you are unsure, enter: — 5

Events: March

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	**24**	25
26	27	28	29	30	31	

click on date

World News

Updated 09:54 a.m.

- Pakistan Holds 3 Terror Plot Suspects
- U.N. Seeks Spy Plane in Weapons Search
- Vatican Approves Revised Sex-Abuse Policy
- Israeli Soldiers Kill 2 Hamas Fighters
- N. Korea Urges U.S. Nonaggression Treaty
- Albright to Testify at Plavsic Hearings
- Anti-Chavez Protesters Block Highways

Local News

- To the troops, with love
- School sales tax opposed
- Committee backs development agreement for student housing
- Islanders voice

WILLIAM MOYLAN DEFENSE

Advertisers

FREE EMAIL
LOGIN
SIGN UP

- 1.6 if your toilet was produced after 1994
- 3.5 if your toilet was produced between 1980 and 1994
- 6.25 if your toilet was produced before 1980

FAUCETS

1. How many times each day does each household member use faucets to shave, brush teeth, wash hands and face? 3
2. How many minutes does the water run during each use? 1

WASHING DISHES

1. How many times are dishes washed by hand each day? .5
2. How many minutes does the water run during each wash? 4
3. If you have a dishwasher, how many times is it used each week? 2
4. How much water does your dishwasher use per load? Enter one of the numbers below: 9

- 9 if your dishwasher was produced after 1994
- 11 if your dishwasher was produced between 1980 and 1994
- 14 if your dishwasher was produced before 1980

LAUNDRY

1. How many loads of laundry are done by members of your household each week? 4
2. How much water does your washing machine use per load? Enter one of the numbers below: 40

- 40 if your washer was produced after 1994
- 27 if your washer was produced after 1994 and is a front-loader
- 51 if your washer was produced between 1980 and 1994
- 56 if your washer was produced before 1980

OUTDOOR WATER USE

Watering - Total - Other

LAWN WATERING & OTHER USES

1. How many times is your lawn watered each week? 2
2. How many minutes is the lawn watered per watering? 8
3. Water is also used outdoors to wash cars, fill pools, rinse outdoor furniture and clean equipment. Estimate the average number of minutes water is used outdoors for purposes other than watering each week. 5

Press the Calculate button to compute your overall water use.

Calculate | clear form

RESULTS

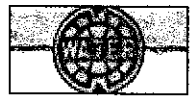
PER CAPITA DAILY WATER USE IN GALLONS IN YOUR HOUSEHOLD

INDOOR WATER USE		OUTDOOR WATER USE	
Bathroom	12	Lawn Watering	17

concern about illegal immigrants

- Ninth-grader allegedly found with marijuana on campus
- Rose Island auction called off
- Ancient art form teaches modern lessons
- Informal run is Saturday; Red Cross race postponed
- On the lookout for Eagles
- Where there's smoke ...
- Vecinos: Remembering the dream
- Vecinos calendar
- Education briefs
- Editorial: First come lights and trees, then the tourists
- Guest column: Governor's budget a positive start
- Upcoming events
- Calendar of events

Features



more features

WILLIAM MOYCAN DEFENSE

Toilets	10	Other Outdoor Uses	4
Faucets	9		
Laundry	11		
Dishwasher	1	**GENERAL WATER USAGE CONSERVATION TIPS**	
Hand Washing Dishes	3		

Click one of the categories above to learn how to reduce your water usage.

COMPARISON BETWEEN YOUR HOUSEHOLD AND THE BRYAN COUNTY, GEORGIA AVERAGE* HOUSEHOLD

	Your House	Bryan County Average
Interior per capita gallons per day	46	64
Exterior per capita gallons per day	21	40

Total Per Capita Gallons of Water Used in the House

	Per Day	Per Month	Per Year
Your Household	67	2037	24455
Bryan County Average	95	2850	34675

Comments:

Every year, your household uses 10220 gallons per capita LESS than the Bryan County per capita water useage.

*Source: Courtney Reich, Water Resources Planner, Metropolitan Planning Commission.

This calculator courtesy of FICUS-Florida Internet Center for Understanding Sustainability

www.ficus.usf.edu

Copyright 2002/2003 Savannah Morning News. All rights reserved. Privacy Policy.

Optimized for 800x600 screen resolution.

WILLIAM MOYLAN DEFENSE

Frequently Asked Questions Regarding Water Quality Issues in the Los Osos Community

Fall 2004 (Edition 6 of 6)

Central Coast Regional Water Quality Control Board

Why was Cabrillo Estates excluded from the Discharge Prohibition Zone?

The Cabrillo Estates tract (southwest edge of community) was not included in the prohibition area because hydrogeologic information at that time indicated ground water from that area flows westerly and therefore does not contribute to the water quality impairment of the greater basin. The Cabrillo Estates area also has the benefit of significant separation to ground water, and greater area for septic tank effluent, not available in most of the prohibition zone. Claims by project opponents that Cabrillo Estates was excluded because a Regional Board member lived there are simply false. Resolution No. 83-13 was adopted in 1983, at which time no Regional Board members lived in the Cabrillo Estates area of Los Osos. Former Regional Board member George Rathmell lived in Cabrillo Estates, but was not appointed to the Regional Board until 1988 (five years after the discharge prohibition area was adopted).

Why hasn't the Regional Board implemented interim measures, such as a septic tank maintenance program?

A septic tank maintenance program, (solids removal from septic tanks), would do little to improve water quality. Septic tanks typically retain solids, which are periodically pumped and hauled to a disposal site. The liquid portion of the wastewater is the portion discharged to (and impairing) ground water in Los Osos. On the other hand, dramatically increasing tank pumping to prevent discharge into the leachfields (and ground water) could improve water quality. However, this would entail using the septic tank as a holding tank and pumping it every few days. The type of septic system failure in Los Osos is not particularly amenable to improvement through implementation of a septic tank maintenance program. In Los Osos, the septic system failure cannot be "repaired" simply by pumping (maintaining) the tanks, since the tanks are operating as designed (they are retaining solids). It is the liquid portion of the sewage discharged through leachfields, which is degrading water quality in Los Osos.

Will TOC (Total Organic Carbon) and chlorination byproducts in effluent impact ground water?

Total Organic Carbon in tertiary treatment plant effluent is likely to have significantly less impact upon ground water than that from existing septic system discharges. Also, it should be noted that the Los Osos CSD project includes disinfection using ultra-violet light for disinfection rather than chlorine, therefore chlorine byproducts will be an insignificant component of the effluent.

What will happen to septage produced during decommissioning of septic tanks?

Septage disposal (during tank decommissioning) will require pumping and hauling the tank contents to an appropriate off-site disposal location. This activity will be one of many cumbersome aspects of retrofitting an existing community with a sewer system. The project will proceed at the pace allowed by proper implementation of this activity, and a great many other construction related tasks.

How will sewage spills into Morro Bay be handled?

Los Osos CSD has developed a Spill Prevention and Response Plan as part of its compliance with requirements issued by the Regional Board (Order No. R3-2004-0007). Currently, inadequately treated waste discharges to the Morro Bay daily/constantly through seeping ground water and surfacing waste. The community wastewater project will significantly improve the collection and adequate treatment of waste, as well as the ability to respond to spills (if they occur).

AFFIDAVIT OF R. GLENN STILLMAN

I, R. Glenn Stillman, herein declare that:

1. I am Vice-President and Principal Engineer with Alaska Petroleum Environmental Engineering, Inc. that has an office in Garden Grove, California.

2. I have a Bachelor of Science in Chemical Engineering from the University of Illinois - Chicago, a Masters of Science in Petroleum Engineering from the University of Alaska - Fairbanks, and have completed all course work at the University of Alaska - Fairbanks for a Masters of Science in Environmental Engineering. I have worked in the environmental,

construction and petroleum industries for over 20 years. Since March 1991, I have held California Contractor's License 615579. The classifications under this license are General Engineering "A", Hazardous Substance Removal and Remedial Actions Certificate ("HAZ"), Asbestos Certification, and C-57 (Well Drilling).

3. During my career, I have designed and drilled hundreds of wells including oil production wells, injection wells, potable water wells, water and waste disposal wells, groundwater remediation wells, and groundwater monitoring wells. I have also inspected and sampled hundreds of wells. Finally, I have been involved in the plugging and abandonment of scores of these wells. I am familiar with United States Environmental Protection Agency (USEPA) and State of California requirements for the proper installation of various wells, and the requirements for their closure. I have worked in the past with various California Regional Water Quality Control Boards, including those at Los Angeles, Santa Ana, San Diego, San Francisco Bay Area, Lahontan, and North Coast Regions.

4. I was retained by the Law Office of Matthew J. Nasuti to investigate and potentially provide

expert testimony in a federal lawsuit regarding the proposed Los Osos sewer project (hereafter referred to as the "Sewer Project"). My investigation has resulted in the following conclusions:

5. There is nitrate contamination at various locations in the upper aquifer under Los Osos in

concentrations that exceed the Maximum Contaminant Level (MCL) as promulgated by the USEPA. The MCL for nitrate reported as nitrogen is 10 milligrams per liter (or 45 milligrams per liter for nitrates reported as nitrates).

6. Based on my investigation, neither the California Regional Water Quality Control Board - Central Coast Region (RWQCB), the County of San Luis Obispo, nor the Los Osos Community Services District (hereafter collectively referred to as the "Agencies") has adequately investigated the sources of the groundwater contamination. The Agencies contend that the nitrate contamination is due to the lack of separation (i.e., distance) between residential/business sewage treatment systems (i.e., septic tanks, cesspools and leach fields) and groundwater. In order to "correct" the nitrate problem, the Agencies have mandated the construction of a $100,000,000+ sewage treatment plant that would replace the existing residential/business systems in the area of what is been specified as the "Prohibition Zone".

However, the Agencies have not proposed a plan for addressing the existing nitrate contamination (i.e., from "suspect" systems) or contamination that is being introduced into the upper aquifer from sources outside of the Prohibition Zone. As a result the Sewer Project is premature and potentially unnecessary.

7. Some of these "suspect" septic systems appear to be within the Prohibition Zone while some

of them appear to be outside of it. As a result, the nitrate "problem" will not be solved by a partial Sewer Project that only encompasses a part of the community, as there will always be a "source" of nitrate contamination present. Other "sources" in Los Osos such as the golf course (that are notorious for over fertilizing) and the horse stables are not even taken into consideration.

8. A prime example of a "suspect" septic system is the one that was installed in 1981 in a residential neighborhood inside the Prohibition Zone called Bayview Estates; for whatever reason this neighborhood was excluded from the Sewer Project by the Agencies. All of the houses in this residential neighborhood are on a hillside; their sewage gravity flows to a series septic tanks located on the north side of Bay Oaks Drive. The septic tanks are located in an area subject to flooding/ponding. The evidence of this is set forth in Exhibit A which contains true and correct copies of photographs that I took. This sewage is then pumped to a leach field on top of the hillside. There is a potable water well (State well # 30S/11E-18R01) located less than 150' north from these septic tanks at 1301 Los Osos Valley Road; the real estate office located on this property is visible in the pictures. This potable well has been sampled from 1954 through 1993; the nitrate concentrations were always less than the MCL until after the Bayview Estates system was installed in 1981. Shortly thereafter, the nitrate concentration dramatically increased, and has exceeded the MCL since 1983. A true and correct copy of the Agencies nitrate data for this well is contained in Exhibit B. This data clearly shows that the Bayview Estates treatment system is inside the Prohibition Zone, has impacted the upper aquifer and has been excluded from the Sewer Project. Apparently, the RWQCB has issued numerous Notice of Violation's to Bayview Estates.

9. There does not appear to be any "rhyme or reason" as to how the Agencies established the

boundaries for the Prohibition Zone. I could not find any Agencies documentation that set forth their criteria. The location of the Prohibition Zone (area requiring the Sewer Project), the Los Osos Groundwater Basin (area of the aquifer), and the Hydraulic Basin Boundary (area of the watershed that feeds the groundwater basin) are depicted on a true and correct area map contained in Exhibit C. The Agencies have nitrate data for about 100 groundwater wells in the Los Osos Groundwater Basin; nitrate concentrations that exceed the MCL have at some time, or during the last sampling event, been detected in 34 wells. Some of these wells are in areas that have been designated by the Agencies as being outside the Prohibition Zone. Because huge areas of potential nitrate sources are not being addressed by the Sewer Project, the Project's ability to reduce nitrates in the upper aquifer is questionable.

10. There is the high likelihood that some of the homes in Baywood Park/Los Osos are discharging their sewage into improperly designed/maintained septic systems, or into septic systems that are located too close to existing groundwater. As a result, it is very likely that these specific sites are contributing nitrate into the upper aquifer.

11. Other solutions exist which may be both superior to the Sewer Project, and much more cost

effective. Some of these solutions were proposed by James Kriessl - USEPA in his report evaluating the Los Osos situation. Regarding the Agencies contention that the residential treatment systems fail due to insufficient depth of separation from the upper aquifer, there are experts who have provided contrary information. Specifically, John Timothy Winneberger, Ph.D. was retained by the South Central Coast Regional Commission under Resolution 76-4. Dr. Winneberger's evaluation is entitled "Recommendations to the South Central Coast Regional Commission for

Management of On-Site Wastewater Disposal at Baywood, San Luis Obispo County, California", dated November 26, 1976. Therein Dr. Winneberger states: "Experts in the technology of subsurface wastewater disposal know that disposal fields exist and function quite acceptably under groundwater." A true and copy of a portion of Dr. Winneberger's report is contained in Exhibit D. If needed, a way to "correct" the suspect septic systems is to increase the separation zone to groundwater. It is feasible, on an economic and engineering basis, to extract "clean" water from the upper aquifer and pump it into the lower aquifer. That would both directly recharge the lower aquifer (i.e., used for drinking water purposes) and deal with any potential saltwater intrusion; another issue of concern to the Agencies, that they allege will be corrected by the Sewer Project. The upper aquifer extraction/lower aquifer injection option would lower the upper aquifer thereby improving the efficiencies of all septic systems, reduce the potential for saltwater intrusion into the lower Aquifer while at the same time recharge the drinking water supply. Compared to a Sewer Project with an estimated cost of $100,000,000 which will not correct all of these problems, the extraction/ injection option is a low cost, effective solution. Another simple solution is to extract nitrate contaminated groundwater for agricultural use, etc.. This will remediate the upper aquifer, as well as increase the separation distance where it is needed the most (i.e., where there is shallow water and high nitrate concentrations).

12. A major source of the nitrate contamination is the groundwater monitoring wells that were

installed in 1982 as part of Agencies environmental assessments to determine the source of the nitrate contamination. Earlier this month, I personally inspected almost 20 of these well sites; true and correct photographs of accessible groundwater monitoring wells are included as Exhibit E.

13. The vast majority of these wells have elevated nitrate analytical results, which were used by the Agencies to justify the necessity for the construction of the Sewer Project. All of the groundwater monitoring wells are "illegal" as they were improperly installed and do not meet the requirements as set forth in "California Well Standards, Bulletin 74-90, supplement to Bulletin 74-81", California Department of Water Resources, June 1991. True and correct pertinent sections of 74-81 and 74-90 and have been "highlighted" and are attached as Exhibits F and G, respectively. As stated above, the groundwater monitoring wells were either installed by the County and/or the Agencies' consultant Brown & Caldwell in 1982; therefore, the well installation was required to meet the minimum standards as set forth in 74-81.

14. A true and correct copy of the May 25, 1982 "Water Well Driller"s Report" for State well # 30S/10E-13Q01 ("13Q01" located at 333 Woodland Drive of which there is a photograph in Exhibit D) is attached as Exhibit H. The methodology used to complete this well is similar to all of the groundwater monitoring wells that were installed. In this driller's report it is stated that:

(1) a sanitary seal was placed from the surface to a depth of one foot, and

(2) that surface strata was "sealed against pollution" from eight to 12 feet below ground surface.

All of the groundwater monitoring wells are "illegal" for the following reasons:

1. Monitoring wells are required to have a minimum surface seal of 20 feet [74-

81, page 29, Section 9.A.]; 13Q01 only has a seal from the surface to one foot and from 8 to 12 feet. All wells were similarly constructed.

2. The top of these wells are below ground (pictures in Exhibit D). In addition, the PVC caps on the wells have holes drilled in them, and the caps were loose during my site inspection. I could literally unscrew a cap just by using my thumb and forefinger without any effort. "Openings into the top of the well…shall be protected against entrance of

surface water or foreign matter by installation of watertight caps or plugs" [74-81, page 36, Section 10.A].

3. The wells are "abandoned" and should be "destroyed" (i.e., legally removed by drilling out and cementing the hole) as they have not been sampled in over one year and do not meet the criteria to be considered "inactive". An "inactive" well is one that "the owner demonstrates his intention to use the well again...As evidence of his intentions for continued use, the owner shall properly maintain the well in a way such that:

i. The well has no defects which will allow the impairment of quality of water in the well or in the water-bearing formations penetrated.

ii. The well is covered such that the cover is watertight and cannot be removed except with the aid of equipment or the use of tools.

iii. The well is marked so that it can clearly been seen.

iv. The area surrounding the well is kept clear of brush or debris."

15. Review of the photographs contained in Exhibit D clearly show that none of the groundwater monitoring wells used by the Agencies for nitrate sampling meet the definition of "inactive". It should also be stressed that these were the well construction standards that were in place in 1981; they are subsequently more stringent (i.e., 74-90). Under the 1981 and the 1990 standards, these wells would be considered no more than simply "funnels" that allow surface contamination to enter a well and contaminate the groundwater; they are illegal wells and provide false and misleading analytical results.

16. The analytical results obtained from the groundwater monitoring wells are false and misleading and this is clearly shown by comparing results just after the wells were installed in 1982, and again after the winter rains in 1983. The annual rainfall from 1982 to 1983 increased almost by a factor of two (17.9 to 35.1 inches), correspondingly the nitrate concentrations increased by a factor of 1.6 (about 36 to 56 ppm nitrates reported as nitrates). This is shown on the nitrate graph, a true and correct copy is contained in Exhibit I. This shows that the groundwater monitoring wells are direct conduits for nitrates into the upper aquifer, and have been since their installation in 1982.

17. All of the data used by the Agencies to support their position requiring the Sewer Project is

based on inaccurate data. The Agencies even acknowledged this fact about two years after the groundwater monitoring wells were installed; in a December 14, 1983 "internal memo" from the Regional Water Quality Control Board it is stated that contamination is due to "poorly constructed monitoring wells...and agrees there is a potential for contamination from surface runoff". While the discussion refers to human bacteria, where there is human or other animal wastes there is nitrates. A true and correct copy of this memo is attached as Exhibit J. Some of the wells were eliminated from the Agencies sampling program due to their acknowledgment that these were "poorly constructed monitoring wells"; a true and correct correspondence documenting this is contained in Exhibit K.

18. After my inspection of the wells, in order to more definitively prove that the groundwater

monitoring wells are nitrate conduits, I collected surficial soil samples immediately adjacent to six of the wells. In addition, I collected one "background" soil sample to determine what the nitrate concentration is in an undeveloped area outside of the Prohibition Zone, and one in an area that is subject to run-off from a large horse stable. A true and correct copy of the analytical report and a table detailing the nitrate results are contained in Exhibit L. The MCL for

nitrate as nitrogen is 10 ppm. The average nitrate concentration of the soil samples collected by the groundwater monitoring wells is 10.2 ppm; this concentration exceeds the MCL. It has already been shown that these wells are illegal, which the Agencies have already admitted to, and are conduits for the nitrates to enter the upper aquifer. The background soil nitrate concentration is more than ½ of the MCL, and the horse stable effluent is a major source of nitrate that is directly deposited into Morro Bay via the storm drain system.

19. The water sampling methodology used by the Agencies is also questionable. The available

information that I could find is that three to four casing volumes of water were removed from a well prior to collecting a sample for analysis. Standard sampling methodology specifies this volume, however, field screening for certain parameters is also required (e.g., water temperature, pH, conductivity at a minimum); this screening data was not found. These field parameters are measured until they stabilize; upon stabilization it is assumed that "fresh" formation water has entered the well (i.e, water representative of the upper aquifer). It is at this time that a water sample is collected.

20. Based upon evaluation of the information contained in the previously mentioned driller's report, the Agencies were probably not sampling "fresh" formation water. They were sampling runoff into these illegal wells from the surficial nitrates that were shown to be present from my soil sampling. An eight inch diameter auger was used to bore a hole to a depth of 100 feet; groundwater was encountered at 90 feet. A 1.5 inch diameter PVC pipe was used for the casing; the casing was perforated/slotted (i.e., to let water into the PVC pipe from 97 to 100 feet). Using simple mathematics, and some assumptions (e.g., no water is coming in from the surface or from the annular space above the sand pack, and four well volumes are purged by the Agencies prior to sampling, etc.), the volume of water inside the borehole and the casing can be calculated. Based upon this evaluation, the maximum theoretical volume of water removed from the formation is only about one quart. The Agencies indicated that only three to four well volumes were purged, and the wells are illegal and there is surface water entry. Therefore, the sample results are representative of the nitrate laden surface water that has entered the well for almost the last 20 years, not from the upper aquifer that was supposed to be sampled.

21. A two-step approach to mitigation is normally recommended:

(i) Locate the source(s) for the contaminant and prevent new releases; and

(ii) If needed, pump out and either treat or dispose/recycle the contaminated water.

22. In conclusion, I have multiple concerns about the data used by the Agencies to support their contention that the Sewer Project is necessary to protect the upper aquifer. Their data was derived from illegal wells that clearly have nitrate contaminated soil entering them. These wells may not have been adequately purged prior to sampling and the water that was being sampled is nitrate contaminated surface water that entered the well, or formation water that has been contaminated by surface effluent.

23. The proposed Sewer Project will not solve the problem as only part of the community is being required to be connected to sewers, and it will not remediate areas outside of the Prohibition Zone, such as Bayview Estates where there is definitive analytical documentation that its treatment system has impacted the upper aquifer with nitrates. The Sewer Project does not call for the abandonment of the illegal wells (the nitrate "funnels"), or for conducting remedial work on the upper aquifer as was previously discussed above (i.e., extraction of clean water and injection into the lower aquifer, extraction of nitrate contaminated groundwater for agricultural use, etc. which will increase the separation and remove contaminated water). My fear is that the community will spend $100,000,000 + and see no appreciable improvement in groundwater quality. The Agencies have made no guarantee that the Sewer Project will correct the

problem. If funds have to be expended, a number of more cost-effective solutions based upon sound engineering have been "on the table" for years and they should not have been disregarded.

24. Based upon my evaluation of the nitrate data and prior to expending in excess of

$100,000,000 on a Sewer Project that will not correct the problem, a two step remedial project should be implemented. If implemented, it will remove the contaminated water from the illegal wells and/or provide valid data that can be assessed to determine if there even is a nitrate problem in Los Osos. If successful, the savings to the community would be about $99,855,000. The proposed scope of work is:

1. Pump the Brown & Caldwell illegal wells: $ 45,000

The cost includes all equipment and personnel to purge the wells to collect and analyze a representative water sample of the upper aquifer. If nitrates are detected above the MCL, that well will be pumped for a duration of one week. The purged water will be used for irrigation purposes at a local farm. For cost estimating purposes, I assumed that all 10 wells will require one week of pumping.

2. Abandonment of the ten Brown & Caldwell illegal wells and drilling of replacement wells: $100,000

The cost includes all equipment and personnel to abandon the wells pursuant to the requirements in 74-90. Ten wells will be drilled about 50 feet from the illegal wells to obtain valid data. The cost includes disposal of all the drill cuttings at a local landfill, although a local farm would probably accept the soil as it is non-hazardous. For cost estimating purposes, I assumed that all wells will be drilled to a depth of 100 feet, and that four calendar quarters of groundwater monitoring are conducted.

25. There is insufficient scientific data to support the drawing of the Prohibition Zone boundaries. I have heard and read conflicting rationales for the boundaries. Sorrell Marks - RWQCB claims that all properties outside of the Prohibition Zone are all ½ acre lots, this is not true. In addition, lot size apparently does not matter to the RWQCB which claims that vertical separation between septic system and groundwater is all that matters. Ms. Marks then claims that homes high up on the hill would be too expensive to hook up with sewers (but this does not address all the expensive homes on the valley floor that are not in the Prohibition Zone). It has been claimed that systems outside the Prohibition Zone all have more than 30 feet separation between their septic systems and groundwater, but that is not true for many of the homes. In short, I have found no scientific basis for the specific boundaries that the Agencies used to establish the Prohibition Zone.

I have personal knowledge as to the above matters and if called upon, I could and would competently testify thereto. I swear under penalty of perjury, that the foregoing is true and correct and that this affidavit was sworn to and executed on August 21, 2001 in Garden Grove, California.

R. GLENN STILLMAN

WILLIAM MOYLAN
DEFENSE

Amendment VIII - Cruel and Unusual punishment. Ratified 12/15/1791.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment XIV - Citizenship rights. Ratified 7/9/1868. *Note History*

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Generally, due process guarantees the following (this list is not exhaustive):

- Right to a fair and public trial conducted in a competent manner
- Right to be present at the trial
- Right to an impartial jury
- Right to be heard in one's own defense
- Laws must be written so that a reasonable person can understand what is criminal behavior
- Taxes may only be taken for public purposes
- Property may be taken by the government only for public purposes
- Owners of taken property must be fairly compensated

WATER CODE
SECTION 461

461. It is hereby declared that the primary interest of the people of the state in the conservation of all available water resources requires the maximum reuse of reclaimed water in the satisfaction of requirements for beneficial uses of water.

WATER CODE
SECTION 1834

1834. (a) In the event that a violation of a requirement described in subdivision (d) of Section 1831 is occurring or threatening to occur, the board shall give notice by personal notice or certified mail, pursuant to which the party shall be informed that he or she may request a hearing not later than 20 days from the date on which the notice is received, to the person allegedly engaged in the violation. The notice shall contain a statement of facts and information that would tend to show the proscribed action, and notification of the requirements of subdivision (b).

(b) Unless a written request for a hearing signed by or on behalf of the notified party is delivered to or received by mail by the board within 20 days after receipt of the notice, the board may adopt a cease and desist order, based on the statement of facts and information set forth in the notice, without a hearing.

EVIDENCE CODE
SECTION 500-502

500. Except as otherwise provided by law, a party has the burden of proof as to each fact the existence or nonexistence of which is essential to the claim for relief or defense that he is asserting.

501. Insofar as any statute, except Section 522, assigns the burden of proof in a criminal action, such statute is subject to Penal Code Section 1096.

502. The court on all proper occasions shall instruct the jury as to which party bears the burden of proof on each issue and as to whether that burden requires that a party raise a reasonable doubt concerning the existence or nonexistence of a fact or that he establish the existence or nonexistence of a fact by a preponderance of the evidence, by clear and convincing proof, or by proof beyond a reasonable doubt.

EVIDENCE CODE
SECTION 520-523

520. The party claiming that a person is guilty of crime or wrongdoing has the burden of proof on that issue.

521. The party claiming that a person did not exercise a requisite degree of care has the burden of proof on that issue.

EVIDENCE CODE
SECTION 550

550. (a) The burden of producing evidence as to a particular fact is on the party against whom a finding on that fact would be required in the absence of further evidence.

(b) The burden of producing evidence as to a particular fact is initially on the party with the burden of proof as to that fact.

EVIDENCE CODE
SECTION 600-607

600. (a) A presumption is an assumption of fact that the law requires to be made from another fact or group of facts found or otherwise established in the action. A presumption is not evidence.

(b) An inference is a deduction of fact that may logically and reasonably be drawn from another fact or group of facts found or otherwise established in the action.

601. A presumption is either conclusive or rebuttable. Every rebuttable presumption is either (a) a presumption affecting the burden of producing evidence or (b) a presumption affecting the burden of proof.

602. A statute providing that a fact or group of facts is prima facie evidence of another fact establishes a rebuttable presumption.

603. A presumption affecting the burden of producing evidence is a presumption established to implement no public policy other than to facilitate the determination of the particular action in which the presumption is applied.

604. The effect of a presumption affecting the burden of producing evidence is to require the trier of fact to assume the existence of the presumed fact unless and until evidence is introduced which would support a finding of its nonexistence, in which case the trier of fact shall determine the existence or nonexistence of the presumed fact from the evidence and without regard to the presumption. Nothing in this section shall be construed to prevent the drawing of any inference that may be appropriate.

605. A presumption affecting the burden of proof is a presumption established to implement some public policy other than to facilitate the determination of the particular action in which the presumption is applied, such as the policy in favor of establishment of a parent and child relationship, the validity of marriage, the stability of titles to property, or the security of those who entrust themselves or their property to the administration of others.

606. The effect of a presumption affecting the burden of proof is to impose upon the party against whom it operates the burden of proof

EVIDENCE CODE
SECTION 600-607

as to the nonexistence of the presumed fact.

607. When a presumption affecting the burden of proof operates in a criminal action to establish presumptively any fact that is essential to the defendant's guilt, the presumption operates only if the facts that give rise to the presumption have been found or otherwise established beyond a reasonable doubt and, in such case, the defendant need only raise a reasonable doubt as to the existence of the presumed fact.

William R. Moylan
1516 17th St.
Los Osos, CA

Central Coast RWQCB's Lack of Any Site Specific Evidence

I the RWQCB three separate times to ask
U property. I called Mr. Michael
on his answering

QCB