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Basin Planning

STATE WATER RESOURCES CONTROL BOARD
WORKSHOP--DIVISION OF TECHNICAL SERVICES
JANUARY 4 AND 5, 198[illegible]

ITEM: 21

SUBJECT: CONSIDERATION OF AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN BY THE ADDITION OF A PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL SEWAGE DISPOSAL SYSTEMS WITHIN THE LOS OSOS/BAYWOOD PARK AREA, SAN LUIS OBISPO COUNTY

DIS-CUSSION: In March 1975, the California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan). It was approved by the State Board in April 1975.

On September 16, 1983, the Regional Board adopted an amendment to Chapter 5 of the basin plan in Resolution No. 83-13 (attached) calling for a prohibition of individual and community waste disposal systems in the Los Osos/Baywood Park area effective November 1, 1988.

The Regional Board staff report and Resolution No. 83-13 provides a thorough dissertation of the facts justifying the prohibition action. Following is a summary of information from that report and Regional Board Resolution No. 83-13:

- The prohibition area is an unincorporated area south of the City of Morro Bay, with current population at less than one-half its projected residential zoning, which would accommodate in excess of 27,000 people. The area's growth rate between 1970 and 1980 was 212 percent of the 1970 population. This population increase has led to a problem of increasing degradation of the upper ground water aquifer from wastewater discharged from private disposal systems. Housing units numbered 4,749 in 1980, all of which utilize some form of private waste disposal system. Water supply is entirely from ground water within the Los Osos ground water basin.

- The prohibition area's ground water is being contaminated by septic tank/leachfield wastewater disposal systems. These systems contribute an estimated 91 percent of the nitrogen going to ground water, leading to nitrate concentrations which exceed safe drinking water standards, causing a hazard to public health. In 1978, County Service Area #9's municipal well was abandoned due to nitrate concentrations exceeding 45 mg/l. Since then, ground water degradation has been increasing in the upper reaches of the basin. There are preliminary indications that ground water is also being contaminated by fecal coliform; 50 percent of the

wells tested showed total coliform counts exceeding the safe drinking water standards. It is the opinion of the Regional Board staff that with population growth, the lower, purer aquifer may become contaminated.

- o Surface water sampling also indicates total coliform in violation of the basin plan limits for contact recreation. Numerous complaints of surfacing effluent, foul odors, slime buildup, and system failures have been documented.

- o The Regional Board requests the State Board to recognize the problem as qualifying for an "A" priority on the Clean Water Grant Project Priority list.

- o The Regional Board staff assessed proposed alternative measures to prevent further degradation of the ground water and the environmental ramifications of each. The alternatives included (a) regional treatment at Morro Bay, (b) community treatment with ocean disposal, (c) community treatment with land disposal, and (d) no action.

- o Resolution No. 83-13 calls for continued ground water monitoring within the prohibition area by San Luis Obispo County.

Consideration of the Regional Board's draft resolution at the September 16, 1983 public hearing resulted in the adopted version (Resolution No. 83-13). The changes were due largely to public comment and a consensus of the nine Regional Board Members. The most notable adopted changes were:

a. Resolution No. 83-13 prohibits discharges of waste from all on-site and community sewage disposal systems effective November 1, 1988; the draft version prohibited additional systems immediately and existing systems after July 1, 1987.

b. Resolution No. 83-13 allows the addition of 1,150 housing units to the prohibition area until full prohibition commences on November 1, 1988. This figure is based on a population projection representing a 20 percent allowable community growth over the next five years. Although the additional systems would result in an increase in nitrogen loading to the ground water, it was the conclusion of the Regional Board that the increase would not result in the degradation of the quality of the lower ground water aquifer.

In reviewing the records and evidence presented by the Regional Board in its staff report, the Brown and Caldwell Phase I Report, the Department of Water Resources' Los Osos/ Baywood Groundwater Protection Study, data and geologic/geohydrologic analysis prepared by the State Board staff, and San Luis Obispo County Environmental Health Department files, the State Board staff concludes that the Regional Board action

of establishing a waste discharge prohibition in the Los Osos/Baywood Park area is justified. The record cites conditions which constitute contamination and pollution as defined in Section 13050 of the Water Code.

The State Board staff further concludes that the Regional Board prepared documents and followed appropriate procedures to satisfy the California Environmental Quality Act and the federal Clean Water Act requirements.

POLICY ISSUE: Should the State Board approve the Regional Board's amendment to Chapter 5 of the basin plan?

FISCAL IMPACT: This activity is budgeted within existing programs, and no additional fiscal requirements will occur as a result of approving this item.

STAFF RECOMMENDATION: That the State Board approve the prohibition as set forth in Regional Board Resolution No. 83-13 amending the basin plan.

Policy
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STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO.

CONSIDERATION OF AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL COASTAL BASIN BY THE ADDITION OF A PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL SEWAGE DISPOSAL SYSTEMS WITHIN THE LOS OSOS/BAYWOOD PARK AREA, SAN LUIS OBISPO COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Coast Region, (Regional Board) adopted the Water Quality Control Plan for the Central Coastal Basin (basin plan) in March 1975. The basin plan was approved by the State Board in April 1975.

2. Division 7, Section 13240 et seq., of the California Water Code, specifies that basin plans shall be periodically reviewed and may be revised; and on September 16, 1983, after a public hearing, the Regional Board adopted Resolution No. 83-13 amending the basin plan.

3. The amendment revises Chapter 5 to add a prohibition of individual and community waste disposal systems in the Los Osos/Baywood Park area of San Luis Obispo County, effective November 1, 1988 and specifying an acceptable 1,150 additional on-site systems in the interim.

4. Water supply to the prohibition area is entirely from the Los Osos ground water basin. The Los Osos ground water basin appears to consist of a single, saturated, unconfined aquifer system with a few isolated confined areas.

5. Recent population growth (212 percent from 1970 to 1980) has resulted in a population of 10,993 persons (1980). Current zoning will accomodate a population of excess of 27,000 persons.

6. On-site soil absorption or evapotranspiration systems are the sole means of wastewater disposal.

7. Chemical analysis of shallow wells indicated that 38 percent of the wells tested contained nitrate concentrations which exceed State Drinking Water Standards.

8. Bacterial analyses of 42 wells disclosed that coliform concentrations exceeded State drinking water standards in 26 of the wells tested.

9. Surfacing effluent, foul odors, and disposal system failures have been documented and inspected by the San Luis Obispo County Health Agency and the California Department of Health Services.

10. The Los Osos basin ground waters have been designated as suitable for agricultural, municipal, industrial, and domestic water supply. The Regional

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Board has concluded that beneficial uses of the ground water and surface waters are adversely affected by the continued use of individual sewage disposal systems and that there appears to be a trend of increasing degradation of the upper ground water aquifer and a threat to the lower, purer aquifer.

11. The Regional Board concluded that although an additional 1,150 septic systems would increase nitrogen loading to the ground water, the increase would not result in the degradation of the quality of the lower ground water aquifer.

12. The Regional Board requests the State Board to recognize the problem as qualifying for an "A" priority on the Clean Water Grant Project Priority list.

13. Regional Board staff prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act (Public Resources Code, Section 21080.5) and the federal Clean Water Act; the Regional Board found that adoption of this prohibition will not have a significant adverse affect on the environment.

14. The Regional Board satisfied the public notice requirements of the California Water Code, Section 13244, and has responded to comments received.

15. The State Board finds, consistent with the California Water Code, Section 13280, that there is substantial evidence in the record that the continued discharge of waste from individual on-site sewage disposal systems will unreasonably degrade water quality.

16. In satisfaction of the requirements of the California Water Code, Section 13283, the State Board finds that the record includes a review of possible alternatives to prohibiting discharges from individual on-site disposal systems.

17. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. That the basin plan amendment be approved as adopted by Regional Board Resolution No. 83-13 and the basin plan be amended as follows:

"8. Discharges of waste from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/Baywood Park area, and more particularly described as:

'Groundwater Prohibition Zone'
(Legal description to be provided for area prescribed by Regional Board)

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"Failure to comply with any of the compliance dates established by Resolution No. 83-13 will prompt a Regional Board hearing at the earliest possible date to consider adoption of an immediate prohibition of discharge from additional individual and community sewage (SIC) disposal systems.

"Discharges from individual or community systems within the prohibition area in excess of an additional 1150 housing units (or equivalent) are prohibited, commencing with the date of State Water Resources Control Board approval."

2. State Board approval of the prohibition does not constitute a commitment to amend the Clean Water Grant Project Priority list, nor does it ensure federal and/or state funding of any project construction.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 19, 1983.

Michael A. Campos
Exeuctive Director

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ATTACHMENT 1

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 83-13

Revision and Amendment of Water Quality Control Plan by the Addition of a Prohibition of Waste Discharge from Individual Sewage Disposal Systems Within the Los Osos/Baywood Park Area, San Luis Obispo County

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board), adopted the Water Quality Control Plan for the Central Coastal Basin (hereafter Basin Plan) on March 14, 1975; and,

WHEREAS, the Regional Board, after notice and public hearing in accordance with Water Code Section 13244, periodically revises and amends the Basin Plan to ensure reasonable protection of beneficial uses of water and prevention of pollution and nuisance; and,

WHEREAS, in protecting and enhancing water quality, the Basin Plan specifies certain areas where the discharge of waste, or certain types of waste, is prohibited; and,

WHEREAS, Article 5, Chapter 4, Division 7, of the California Water Code defines criteria for such prohibition areas (Section 13240 et seq.); and,

WHEREAS, Los Osos/Baywood Park is an unincorporated community, with a 1980 population of 10,933 persons located south of the City of Morro Bay, in San Luis Obispo County; and,

WHEREAS, current zoning will accommodate a population in excess of 27,000 people and an average residential lot size of about 6600 ft^2; and,

WHEREAS, on-site soil absorption or evapotranspiration systems are the sole means of wastewater disposal in the Los Osos/Baywood Park area; and,

WHEREAS, the Los Osos/Baywood Park area soil permeability is rapid and there are substantial areas with high groundwater; and,

WHEREAS, the majority of lots are too small to provide adequate dispersion of individual sewage disposal system effluent; and,

WHEREAS, the San Luis Obispo County Environmental Health Department has provided documentation concerning the problem of liquid waste disposal in the Los Osos/Baywood Park area; and,

WHEREAS, the County of San Luis Obispo is preparing an environmental impact report (EIR) in accordance with the California Environmental Quality Act and a project report that identifies adverse environmental impacts from continued use of septic tanks in the Los Osos/Baywood Park area and discusses alternatives to existing wastewater management practices; and,

WHEREAS, "Los Osos-Baywood Park/Phase I Water Quality Management Study" cites conditions which constitute contamination and pollution as defined in Section 13050 of the California Water Code; and,

WHEREAS, chemical analyses of wells in Los Osos/Baywood Park indicates 38% of the shallow wells tested in the Phase I study, taking water from the Old Dune Sands deposits portion of the qauifer, contain nitrate concentrations which exceed State Health Department Drinking Water Standards of 45 milligrams per liter; and,

WHEREAS, bacterial analyses of 42 wells tested in the Phase I study resulted in 26 wells indicating total coliform in violation of State Health Drinking Water Standards, and 2 wells indicating fecal coliform in violation of Basin Plan limits for groundwater; and,

WHEREAS, surface water bacterial analyses tested in the Phase I study indicated total and fecal coliform levels exceeding Basin Plan recommended limits for water contact recreation (REC-1); and,

WHEREAS, a letter from the California Health and Welfare Agency, Department of Health Services, states their concerns regarding the high nitrate levels in the waters of Los Osos/Baywood Park area, and recommends adequate measures be taken to correct the nitrate problems to bring the waters into compliance with California Drinking Water Standards; and,

WHEREAS, a letter from the San Luis Obispo County Health Agency Director cites violation of the public health limit for nitrates and recommends elimination of shallow groundwater usage and adoption of a discharge prohibition; and,

WHEREAS, the Regional Board is obligated to include a program of implementation for achieving water quality objectives in its Basin Plan; and,

WHEREAS, present and anticipated future beneficial uses of Los Osos/Baywood Park creeks include recreation and aquatic habitat; and,

WHEREAS, Los Osos Basin groundwaters are suitable for agricultural, municipal, domestic, and industrial water supply; and,

WHEREAS, a Regional Board staff report finds beneficial uses of Los Osos ground and surface waters are adversely affected by individual sewage disposal system discharges, there appears to be a trend of increasing degradation, and public health is jeopardized by occurrences of surfacing effluent; and,

WHEREAS, drafts of proposed revisions and amendments of the Basin Plan, prohibiting discharges from Los Osos/Baywood Park individual sewage disposal systems, have been prepared and provided to interested persons and agencies for review and comment; and,

WHEREAS, Regional Board staff has prepared documents and followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional Equivalent), and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217), and the Regional Board finds adoption of this prohibition area will not have a significant adverse effect on the environment; and,

WHEREAS, on September 16, 1983, in the San Luis Obispo City Council Chambers, 990 Palm Street, San Luis Obispo, California, after due notice, the Regional Board conducted a public hearing at which evidence was received pursuant to Section 13281 of the California Water Code concerning the impact of discharges from individual sewage disposal systems on water quality and public health; and,

WHEREAS, pursuant to Section 13280 of the California Water Code, the Regional Board finds that discharges of wastes from new and existing individual disposal systems which utilize subsurface disposal in the affected area will result in violation of water quality objectives; will impair beneficial uses of water; will cause pollution, nuisance, or contamination; and will unreasonably degrade the quality of waters of the State; and,

WHEREAS, the Regional Board finds the aforestated conditions in need of remedy to protect present and potential beneficial uses of water and to prevent pollution and nuisance.

NOW, THEREFORE, BE IT RESOLVED, that the Water Quality Control Plan, Central Coastal Basin, be amended as follows:

Page 5-66, after Item 7, following the legal description for Pasatiempo Pines (added by Resolution 83-09), insert the following prohibitions:

"8. Discharges of waste from individual and community sewage disposal systems are prohibited effective November 1, 1988, in the Los Osos/ Baywood Park area, and more particularly described as:

"Groundwater Prohibition Zone

(Legal description to be provided for area prescribed by Regional Board).

"Failure to comply with any of the compliance dates established by Resolution 83-13 will prompt a Regional Board hearing at the earliest possible date to consider adoption of an immediate prohibition of discharge from additional individual and community sewage disposal systems."

Discharges from individual or community systems within the prohibition area in excess of an additional 1150 housing units (or equivalent) are prohibited, commencing with the date of State Water Resources Control Board approval.

BE IT FURTHER RESOLVED, that the above area is consistent with the recommendations of the staff report as shown on "Attachment A."

BE IT FURTHER RESOLVED, that the Regional Board does intend standard exemption criteria, first paragraph of Page 5-67 of the Basin Plan, to apply to this action.

BE IT FURTHER RESOLVED, that compliance with the above prohibition of existing individual or community sewage disposal systems shall be achieved according to the following time schedule:

Task	Compliance Date
Begin Design	November 1, 1984
Complete Design	November 1, 1985
Obtain Construction Funding	December 1, 1985
Begin Construction	April 1, 1986
Complete Construction	November 1, 1988

BE IT FURTHER RESOLVED, that reports of compliance or noncompliance with schedules shall be submitted to the Regional Board within 14 days following each scheduled date unless otherwise specified, where noncompliance reports shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance.

BE IT FURTHER RESOLVED, the County will continue a monitoring program, approved by the Regional Board staff, that will monitor ground water quality within the prohibition boundaries as set forth in this resolution, and also a monitoring program which covers areas outside the prohibition boundaries but within the urban reserve line as shown in Attachment A.

BE IT FURTHER RESOLVED, that the Regional Board has determined this action will not have a significant adverse impact on the environment and the Executive Officer of the Regional Board is hereby directed to file a Notice of Decision to this effect with the Secretary of the Resources Agency.

BE IT FURTHER RESOLVED, that the State Water Resources Control Board is hereby requested to amend forthwith the Clean Water Grant Project Priority List to recognize the necessary structural solution for Los Osos/Baywood Park as a Priority "A" project.

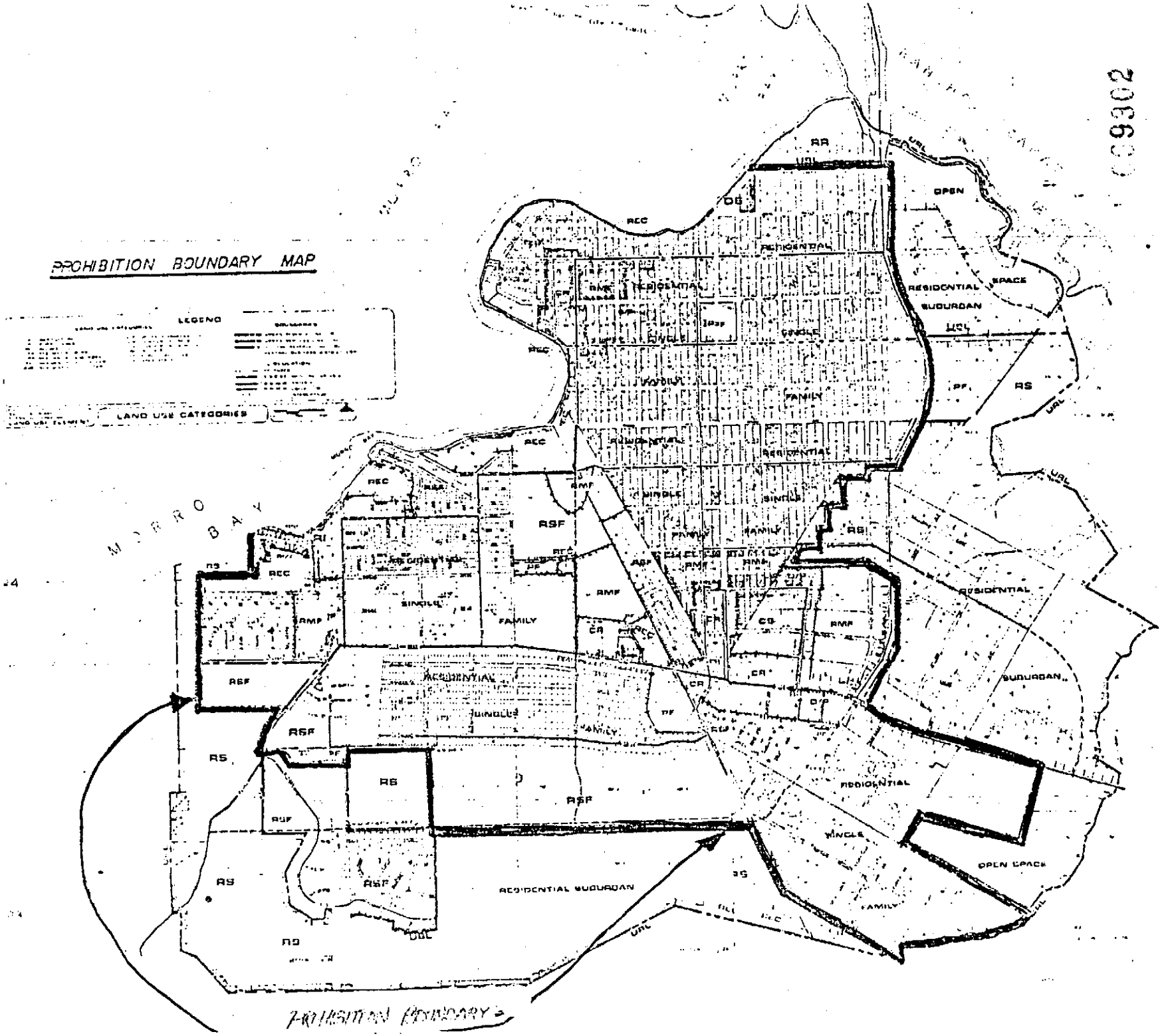
BE IT FURTHER RESOLVED, that if the Board holds a hearing and adopts an immediate prohibition as described above, the prohibition is effective as of the date the Regional Water Quality Control Board adopts a prohibition of discharge from additional individual and community sewage disposal systems.

BE IT FURTHER RESOLVED, the Executive Officer of the Regional Board is hereby directed to submit this revision of the Basin Plan to the State Water Resources Control Board for approval pursuant to Section 13245 of the California Water Code.

BE IT FURTHER RESOLVED, upon approval by the State Water Resources Control Board, Chapter 5 of the Water Quality Control Plan is revised by the addition of the above prohibition.

I, KENNETH R. JONES, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on September 16, 1983.

Executive Officer


PROHIBITION BOUNDARY MAP
LEGEND
LAND USE CATEGORIES
MORRO BAY
RR
OPEN
RESIDENTIAL
SPACE
SUBURBAN
RS
RSF
RMF
REC
CR
CS
PF
FAMILY
SINGLE
URL
RESIDENTIAL SUBURBAN
OPEN SPACE
PROHIBITION BOUNDARY

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