



California Regional Water Quality Control Board

Central Coast Region

Sorrel

Terry Tamminen
 Secretary for
 Environmental
 Protection

Arnold Schwarzenegger
 Governor

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December 9, 2003

Tom Jones, Director
 Office of Legislative Affairs
 State Water Resources Control Board
 P. O. Box 100
 Sacramento, CA 95812-0100

Dear Mr. Jones:

LOS OSOS COMMUNITY SERVICES DISTRICT ON-SITE DISPOSAL SYSTEM MANAGEMENT PLAN, LOS OSOS, SAN LUIS OBISPO COUNTY

Resolving water quality problems in the community of Los Osos has been a priority issue for this Regional Board for more than 30 years. The Los Osos Community Services District has developed a comprehensive wastewater management plan, which includes sewerage of much of the community and implementing an on-site disposal system (septic system) management plan in the remaining unsewered areas. We support the District's approach as an environmentally, financially and technically sound means of resolving the long-standing wastewater problems.

Unfortunately, the District's current authority does not provide for effective implementation of a septic system management plan. Therefore, the District is seeking special legislation to enable implementation of an effective plan. This letter is intended to convey our support for such action and to request any assistance you might be able to provide to facilitate enabling the District to implement an effective septic system management plan. Correspondence from the District and the proposed special legislation is attached.

If you have questions or would like further information on this issue or the community-wide wastewater project, please call Sorrel Marks at 549-3695 or Gerhardt Hubner at 542-4647.

Sincerely,

Roger W. Briggs
 Executive Officer

S:/wb/coastal watershed/staff/sorrel/Los Osos general/OLA onsite mgnt plan.ltr

Attachment: October 3, 2003 letter from Bruce Buel to Assemblyman Able Maldonado

c: Bruce Buel, Los Osos CSD, P. O. Box 6064, Los Osos, CA 93412
 Amy & Jim Randeem, 2150 Doris Avenue, Los Osos, CA 93402



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October 3, 2003

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Fire Chief
Bruce D. Pickens

The Honorable Abel Maldonado
California State Assembly
State Capitol, Room 4017
Sacramento, Ca 95814

SUBJECT: Request for Legislation

Dear Abel

In August, we requested that you consider introducing a bill in the assembly to enable LOCSO to implement a septic system management program so that LOCSO could satisfy its obligation to the RWQCB. At that time we submitted a description of the proposed program and we promised to provide you with a draft bill. On October 2, 2003 the LOCSO Board of Directors unanimously adopted the attached draft legislation as a sample of the bill we need.

Your staff has kindly set a meeting for Vice President Stan Gustafson and myself to meet with you at your San Luis Obispo Office at 10 AM on Thursday October 23, 2003 so we can review our proposed bill. I will also be in Sacramento on Monday October 27, 2003 if you have any desire to meet with you Capitol staff. I can also make our District Counsel, Jon Seitz, available to assist your staff or leg counsel if you so desire.

We look forward to meeting with you and thank you for the opportunity to discuss our request with you. Feel free to call me at 805-528-9375 or e-mail me at bbuel@lososocsd.org with any questions.



Sincerely

Bruce Buel
General Manager

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CC: Board
SLO Office
Forrest Wermuth, SLO County
~~Gerhard Hubner, RWQCB~~
Jon Seitz, Shipsey and Seitz
File

WATER CODE
ARTICLE _____

SPECIAL LEGISLATION
LOS OSOS COMMUNITY SERVICES DISTRICT
ON-SITE DISPOSAL SYSTEMS

DEFINITIONS

- A. **"Board"** means the Board of Directors of the District.
- B. **"District"** means the Los Osos Community Services District.
- C. **"Exclusive disposal system handling services"** means any action by the Board, whether by franchise, contract, license, permit, or otherwise, whereby the District itself or one or more other local agencies or on-site disposal system enterprise has the exclusive right to provide on-site disposal system services within all or any part of the On-Site Wastewater Management Zone.
- D. **"On-Site Disposal System"** means a septic tank, septic leach pit, leach line, or other structure into which sewage is drained for the purposes of disposal and which is not connected to the District's Wastewater Treatment Project.
- E. **"On-Site Disposal System Enterprise"** means any individual, partnership, joint venture, unincorporated private organization, or private corporation regularly engaged in the business of providing on-site disposal handling services.
- F. **"On-Site Disposal System Services"** means the collection, transportation, storage, transfer, of septage from on-site disposal system septic tanks that are located within the On-Site Wastewater Management Zone
- G. **"On-Site Wastewater Management Zone"** means the unsewered area within the Los Osos Community Services District.

- H. **"Person"** means any individual, firm, partnership, association, corporation, estate, trust, joint venture, receiver, County, or other political subdivision, or any other group or combination acting as a unit.
- I. **"Property Owner"** means the owner of real property within the On-Site Wastewater Management Zone, as shown on the last equalized assessment roll and is the person liable for violations of the rules and regulations adopted by the District pursuant to this Article.
- J. **"Resident"** means those persons who occupy real property within the On-Site Wastewater Management Zone.
- K. **"Septage"** means the liquid and solid material pumped from On-Site Disposal System holding tanks, when the system is cleaned or maintained.

PURPOSE

The District may exercise the powers granted by this Article to achieve compliance with Section 7 of Regional Water Quality Control Board Order R3-2003-007 and other water quality Orders adopted by the Regional Water Quality Control Board to protect existing and beneficial water uses and to protect public health. The District shall have the powers set forth in this Article, which powers shall be in addition to other powers of the District authorized by law.

POWERS

A. On-Site Disposal Systems:

The District shall have the following powers:

- (1) To collect, treat, reclaim, or dispose of septage from on-site disposal systems within the On-Site Wastewater Management Zone.
- (2) To adopt standards for permitting and operation of on-site disposal systems.
- (3) To monitor, inspect and establish frequency of collection for on-site disposal systems within the On-Site Wastewater Management Zone.
- (4) To adopt and enforce, by ordinance, rules and regulations necessary to implement the District's purposes and powers authorized by this Article. Such ordinances may be adopted only after the Board of Directors conducts a public hearing after giving public notice pursuant to Section 6066 of the Government Code.

B. Rates and Charges

The District may, by ordinance, prescribe, revise and collect rates or other charges for the services and facilities it provides to the property owners and residents within the On-Site Wastewater Management Zone.

C. On-Site Disposal System Handling Services

- (1) The District may provide for on-site disposal system services by one or any combination of the following:
 - (a) The furnishing of the services by the District itself.
 - (b) The furnishing of the services by another local agency.
 - (c) The furnishing of the services by a on-site disposal system enterprise.
- (2) Notwithstanding any other provision of law, the District may determine all of the following:
 - (a) Aspects of on-site disposal system services, including, but not limited to, frequency of collection, means of collection and transportation, level of services, charges and fees, and the method and location of septage reclamation, disposal and processing.
 - (b) Whether the on-site disposal system services are to be provided by means of nonexclusive franchise, contract, license, permit, or otherwise, either with or without competitive bidding, or if, in the opinion of the Board, the public health, safety, and well-being so require, by partially exclusive or wholly exclusive franchise, contract, license, permit, or otherwise, either with or without competitive bidding. The authority to provide on-site disposal system services may be granted under terms and conditions prescribed by the Board by Resolution.

VIOLATIONS

The violation of any of the provisions of an Ordinances, other than rates and charges, adopted pursuant to this Article may be abated as a public nuisance by the Board. The Board may by regulation establish a procedure for the abatement of such a nuisance and to assess the costs, including administrative costs and attorneys fees, of such abatement to the District's Regulation may provide that the assessment may constitute a lien upon the

property of the owner in a manner provided in Section 61621.2, 61621.3, and 61621.4 of the Government Code.