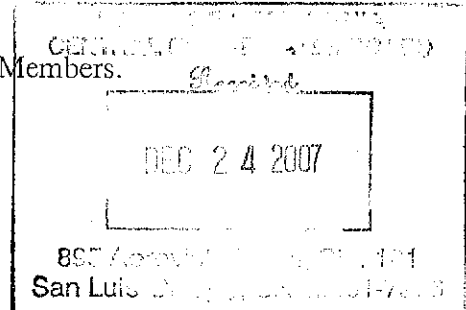


Bill Bookout  
Oceano Nursery  
1311 Paso Robles Street, Oceano California 93445

December 21, 2007

State of California Regional Water Quality Control Board Members.  
895 Aerovista place, Suite 101  
San Luis Obispo, California 93401-7906  
Phone # 1-805-549-3147—Fax 31-805-543-0397



Dear Regional Water Quality Control Board Members,

In response to Mrs. Sorrel Marks' Faxed letter written by Harvey Packard on December 17, 2007 I am submitting a video of the December 18, 2007 Flood of the Oceano Community, State Highway 1, Oceano Nursery and how Pismo Oceano Vegetable Exchange's onsite storm water detention/percolation pond handled this minimal rain.

I am again providing the Regional Water Quality Control Board Members, with the documents provided December 6, 2007 to the Central Coast Water Board for their board member review, as these are not listed on the attachment list signed by Harvey Packard for Roger W. Briggs Executive Officer Regional Water Quality Control Board; December 17, 2007 letter:

- 1) December 13, 1984 letter from Oceano Community Service District to SLO County Chief Building inspector Fred Norton.
- 2) County Construction Permit Document-Comments And Corrections "Floor Drain System
- 3) December 26, 1984 Letter to POVE from County Building Inspector John P. little.
- 4) March 27, 1985 County of San Luis Obispo Department of public health letter.
- 5) County Of San Luis Obispo Construction permit Completed 5-22-85
- 6) County of San Luis Obispo POVE Warehouse Stamped May 30, 1984
- 7) Department Of Transportation January 16, 1986 letter.
- 8) October 3, Creek Environmental laboratories, Inc. report of Analytical results, Ground Water Contamination 81 Nitrate
- 9) April 29, 1983 Southern Pacific Transportation letter.
- 10) April 21, 1983 OCSD Letters.
- 11) Roger Briggs September 20, 2007 Response.
- 12) March 21, 1985 J.W. Design & Construction letter
- 13) September 13, 2007 Central Coast Water Board letter
- 14) March 10, 1993 Pismo Oceano Vegetable Exchange letter to CRWQCB
- 15) September 15, 1987 Department of Transportation Memorandum
- 16) May 24, 1985 Letter to file from Cal Trans Bob McNew Regarding John Goni and Pove Agreement of separation of Drainage.
- 17) May 20, 1992 Department Of Transportation letter.
- 18) November 28, 1989 Department of Transportation Legal Opinion.
- 19) May 31, 1985 Bob McNew letter to file.

I do not feel my Public Records requests have been properly answered by your Department. The Community of Oceano, State of California, and County Of San Luis Obispo citizen's safety has been put into danger along with our wetlands and Ocean.

The Document provided in your RWQCB December 17, 2007 Fax; *Staff Report for regular meeting of July 11, 1997*, sent by Sorrel Marks is highly questionable. I would like a few Questions answered in regards to this report not only for myself also for the public safety. Please pay close attention to the video provided!

- A) **Does the POVE discharge from their hydro cooler and cold storage area condensate or the water coming out of their hydro coolers wash chemicals off of vegetables and then drain this water into the POVE pond?** If so how is this water treated before it goes into and out of the POVE percolation pond? *See December 13, 1984 letter from Oceano Community Service District to SLO County Chief Building inspector Fred Norton.*
- B) The statement **“discharges are to an onsite storm water detention/percolation pond”** Who at the RWQCB gave this authorization?

*“Original Plans for the facility estimated that 1800 gallons per day of water would be discharged at this facility. However during routine inspections, only 500 gallons per day of drainage water were being discharged.”* **I would like copies of these original Plans that you have mentioned for myself and the public.**

- C) **The March 10, 1993 Pismo Oceano Vegetable Exchange letter to CRWQCB written by Dennis Donovan General manager of POVE** states approximately 1800 Gallons-per-day of drainage water was discharged at this facility during the 1992 period. How did Staff come up with 500 Gallons per day of drainage water was being discharged after this report from Dennis Donovan? Who was responsible for these routine inspections
- D) **October 3, 2006 Creek Environmental laboratories, Inc. report of Analytical results, Ground Water Contamination 81 Nitrate.** “Discharged, Monitoring Data indicates the discharges comparable to ground water in the vicinity with regard to total dissolved solids (approximately 800 mg/l) and otherwise pollutant free.” I would like copies of this Monitoring Data and the name of the company who made these tests? When was the last time the RWQCB tested ground water in this vicinity?
- E) **“The Retention pond is used primarily for storm runoff from nearby streets”.** Why is the POVE pond full 365 days a year? Who at the RWQCB brought this to staffs attention and what findings did they come up with to give this opinion? Is their any required maintenance of this POVE Pond and drainage?
- F) **“Staff has reviewed the Monitoring data and the facility inspection reports since Order no.86-171 was adopted.”** I would like copies of this monitoring data? The RWQCB Statement “The low flows, ample capacity, and characteristics of the discharge (Essentially pollutant free) Indicate wastewater discharges from Pismo Oceano Vegetable Exchange do not pose a significant

threat to water quality.” Who was the staff at the RWQCB that recommended rescinding these requirements? Please, review the following documents.  
*December 13, 1984 from Oceano Community Service District to SLO County Chief Building inspector Fred Norton.*  
*County Construction Permit Document-Comments and Corrections “Floor Drain System December 26, 1984 Letter to POVE from County Building Inspector John P. little.*  
*March 27, 1985 County Of San Luis Obispo Department of public health letter.*  
*County Of San Luis Obispo Construction permits Completed 5-22-85*

On Page 8 of your February 8, 2008 EO Report cooling and condensate waters from Pismo-Oceano Vegetable Exchange. Why has the Regional Water Quality Board not paid attention to the **March 27, 1985 County of San Luis Obispo Department of Public Health Letter?** # 2 submit an application to the RWQCB for waste discharge permit? CC John Goni, Regional Water Quality Control Board. John Goni agreed with Dennis Donovan POVE on May 24, 1985 “that the wastewater from the vegetable washer should be separate from the Highway drainage?

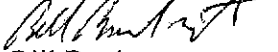
In the statement: “The Water Board pursued regulation of discharge partly in response to concerns expressed in the 1985 letters included as attachments to Mr. Bookout’s submittals.” How did the Regional Water Quality Control Board respond to the **County Of San Luis Obispo Department Of Public Health Letter March 27, 1985?** This letter and Mr. John Goni of the Regional Water Quality Control Board inspection of the P.O.V.E. wastewater pond on March 25, 1985 states that POVE is to submit an Application to the RWQCB for Waste Discharge Permit.

POVE was obviously given a permit by the County of San Luis Obispo for their Construction Permit Completed 5-22-85 final? The RWQCB Statements of authorized discharge of wastewater from the facility in 1986 does not add up?

The only solution for public safety at this time is for Cal Trans and the County of San Luis Obispo to use their powers of eminent domain immediately to enlarge the POVE retention percolation pond removing the POVE building and hydro coolers permitted by the County of San Luis Obispo It is not acceptable to store Storm Water Runoff on a State Highway 1 and my property for the Counties of San Luis Obispo, States of California (Cal Trans), Union Pacific Railroads, Oceano Community Service District and Pismo Oceano Vegetable Exchanges financial benefits. Review Cal Trans January 16, 1986 letter to Pismo Oceano Vegetable Exchange Dennis Donovan!

The Flooding of Highway 1 is not an act of God! When the County of San Luis Obispo issues building permits and allows drainage water to run 200 + feet up hill through a 24 inch corrugated metal pipe to a man made onsite storm water detention/percolation pond that does not retain storm water when it rains!

Sincerely



Bill Bookout