

REGARDING THE LOS OSOS MEGA-SEWER ISSUE

THE JUNE 2001 ASSESSMENT DISTRICT BALLOTING

As per the **California Constitution, Article 2, Section 7, "Voting shall be secret."** Why was the CSD June 2001 Assessment District ballot **NOT** a secret ballot? Why were the voters not told this before the election?

A separate enclosed ballot marked with only the lot size or the number of sewer connection units could have been provided. This would have allowed people to vote in secret and would still provide a tally of who returned the ballots. But, this was **NOT** done in the June 2001 Assessment District balloting.

Why were we prevented from voting in secret in this way? Why were all **non-votes** counted as **"Yes"** votes in favor of the Assessment?

REGARDING DISCRIMINATION

Why was the CSD able to choose a voting system that prevented a secret ballot and intimidated about 50% of the voters, thus preventing or discouraging them from sending in their vote?

Why has the law and the governmental process allowed gerrymandering of the land in Los Osos resulting in a "prohibition zone" which has discriminated against middle and low income families, the elderly and the disabled?

Why are almost all of the residents who are poor or on fixed incomes included within the prohibition zone, while the wealthy or politically influential are located outside of this "prohibition zone"?

Why are these same poor and those on fixed incomes forced to pay the full cost of the sewer?

Why were **NOT** all residents who would potentially benefit from this sewer included in the Assessment District and within the "prohibition zone"?

Is the "prohibition zone" an admission by the Regional Water Quality Control Board of some properly functioning septic systems within the community?

NO LEGAL MANDATE FOR A SPECIFIC SYSTEM

What laws allow the Regional Water Quality Control Board to force a sewer on the community of Los Osos? The state allows them only to identify problems (if any), require corrective actions and demand solutions, but **NOT** specify any solutions.

In fact, in a letter from Roger Briggs of the RWQCB to a previous CSD Director, Pandora Nash-Karner, Briggs stated, **"It is not our duty, nor do we have the legal authority to state any method of compliance."**

This letter was written in January 1998, 10 months before the LOCSO was even created. It is clear evidence that the people who promised to bring a safe, affordable water quality plan to Los Osos, the people who had asked for the trust of the community through their votes, had already to force the sewer.

ILLEGAL MONITORING WELLS

In a **1984 Internal Memo** from **Roger Briggs** of the RWQCB to his then superiors, Briggs stated that the only contamination in the Los Osos aquifer they were able to identify came from **"poorly constructed (ground water) monitoring wells."**

Roger Briggs is now the Executive Director of the local RWQCB and at the head of the juggernaut forcing the most expensive (per-capita) sewer in the history of the United States on Los Osos.

Why does the Regional Water Quality Control Board continue to monitor and report "alleged" increased nitrate levels from illegal ground water monitoring wells which have been identified and certified as improperly constructed and not properly sealed to prevent surface contamination?

Under **CA Water Codes**, Ground Water Monitoring Wells have a one-year legal life span. The law is specific regarding their future. The law specifically "**mandates**" the RWQCB to take specific action. The wells must either be sealed with concrete so no contaminants can leak into the aquifer or they must be brought up to CA Water Code Well Standards.

The RWQCB, the County and the LOCSD all deliberately failed to obey the law. They continued to collect specious data to assist in their manufacturing of a non-existent nitrate problem with Los Osos water through August of 2002.

After these facts were publicly exposed by the Total Recall Committee in August of 2002, the CSD spent more than **\$70,000 tax payer dollars** "covering up the evidence" by having these illegal wells properly sealed.

WHY THE MEGA-SEWER?

Why are the Regional Water Quality Control Board and the LOCSD forcing the most expensive (per-capita) sewer in the history of the United States on this community when the water quality of the upper aquifer before the sewer will be essentially no different than the water quality of the sewer facility after it is constructed?

Both before and after installation by their own data, the RWQCB agrees that the nitrate level in the ground water will remain the same at about 8.5 milligrams of nitrate - nitrogen per Liter.

WHAT WILL HAPPEN TO OUR WATER?

Why is the Regional Water Quality Control Board obsessed only with the quality of the water and willing to allow the quantity of water to disappear from this community of Los Osos?

Under the proposed sewer system, a series of water recharge sites are proposed only to recharge the upper aquifer which only drains eventually downhill into Morro Bay and the Pacific Ocean.

This means eventually all of the water in Los Osos will be lost to the ocean. No attempt is being made to recharge the lower aquifer from which the community draws its quantity of pristine & excellent tasting water. Why will the Regional Water Quality Control Board allow this loss of water from our Los Osos community?

SEA WATER INTRUSION.

Why will the Regional Water Quality Control Board allow seawater intrusion into our pristine underground lower aquifer? Such sea water intrusion will contaminate and destroy our only water source for this community.

REFUSAL TO USE BETTER TECHNOLOGY

Why does the Regional Water Quality Control Board and the CSD refuse to allow the use of proven, more technically advanced engineering processes for small communities to be employed in Los Osos? Why does the Regional Water Quality Control Board and the CSD refuse to allow better, more current engineering technologies that are being used successfully with effective track records in other states and countries to be used in this community?

Why does the Regional Water Quality Control Board reject the suggestions of the United States Environmental Protection Agency which recommends various other alternative proven engineering solutions for small communities and condemns sewers?

BIO-SOLIDS DISPOSITION

How will the community of Los Osos be able to dispose of all of the Bio-solids (sewage sludge) generated by this new sewer treatment facility? We dare not burn the Biosolids and are not and should not dump them into the ocean.

Newly proposed regulations by the San Luis Obispo County's Board of Supervisors Task Force on Bio-solids will prevent or greatly reduce use as land application for its fertilizer nutrition equivalent. This leaves only disposal into our landfills at very elevated costs and these landfills are rapidly being filled with all other wastes?

Why are these matters ignored in the current sewer plan?

SOIL LIQUIFICATION, OVER FLOWS

What is going to happen when instead of about 6000 individual septic tanks and leach fields distributing the properly treated wastewater from our homes into the sandy soils of this community, the number of recharge sites will be reduced to less than 20 and the same mass of water will have to be disposed of at these few sites?

Will this concentration of water quickly overwhelm the water infiltration and water permeability of these sandy soils at these few recharge sites?

These sandy soils have hundreds of pencil thin clay layers parallel to the surface. How far downward will this water soak into these sands with many very fine clay layers which force water to move horizontally along the surface of each clay layer and eventually move northward towards Morro Bay rather than downward to recharge the lower aquifer?

What will happen when the water concentrated into less than 20 water recharge sites over fills the recharge capacity at any site?

Will this water simply run down hill over the land surface?

What will happen if we have an earthquake? Liquefaction of the land occurs when the soil is overloaded with water and the earthquake causes readjustment of the underlying soil material. This is particularly a problem on a hillside community as exists in Los Osos.

Will most of the homes below these recharge sites be susceptible to this liquefaction problem? Will this result in the destruction of many homes within the community of Los Osos?

SEWER FAILURE: MORRO BAY ESTUARY

The LOCSO has just been given permission by the CA Coastal Commission to rezone a piece of property in the middle of town that has endangered species registered on it. The mega-sewer would be built on this property which is located uphill from the Morro Bay Estuary and Morro Bay.

All massively engineered structures will eventually fail. This is a fact! The CSD mega-sewer plan does not have Redundant Tanks included in the plan. What will happen when the single massively engineered mega-sewer facility fails in the middle of town and raw sewage leaks out of the facility with no possible alternative?

What will happen when only one-days' sewage (1.2 million gallons) SPILLS into the Morro Bay Estuary? The only answer is the TOTAL DESTRUCTION of the estuary including ALL LIFE therein.

HEALTH PROBLEMS

Independent and Federal studies have proven beyond question that people who live near or next to a sewer plant have a much higher percentage of serious illness such as cancer, respiratory and kidney diseases than those who do not. So why is our LOCSO building the mega-sewer right in the middle of town.

CHEMICAL SPILLS

What happens if someone dumps one gallon of MTBE treated gasoline down their toilet or down the drain? There is no contingency plan for any disaster of this kind. There are NO Redundant Tanks!

All residents below the proposed treatment site should be concerned about the potential flow of raw sewage. Should all residents be concerned about the health implications of a failure at this single sewer system with no backup facility? Yes.

Who should be held responsible for these future failures of the new sewer system?

What will happen when the proposed mega-sewer does NOT correct the alleged nitrate problem?

Will the Regional Water Quality Control Board demand Los Osos residents do a very expensive corrective action to solve the alleged nitrate problem that is not being eliminated by the proposed sewer?

Who will be responsible when the computer models used for predicting these problems fail to provide an adequate representation of what nature has in store for the community of Los Osos?