

From: Pandora Nash-Karner <pandora@fix.net>
09/28/2005 12:40

To:
Bruce Buel <bbuel@losososcscsd.org>,
Stan Gustafson <usmcstan@hotmail.com>,
Richard LeGros <KPGRBL@aol.com>,
Gordon Hensley <grhensley@aol.com>,
Jon Seitz <jon@shipseyandseitz.com>,
Michael Drake <MDrake@LosOsosCSD.org>
David Edge <dedge@co.slo.ca.us>,
Shirley Bianchi <Sbianchi@co.slo.ca.us>,
Roger Briggs <Rbriggs@waterboards.ca.gov>,
Sorrel Marks <Smarks@waterboards.ca.gov>,
Gerhardt Hubner <Ghubner@waterboards.ca.gov>
Subject Can we transfer the project this week?

Gentlemen,

Granted, it's late, but could the LOCSD transfer the sewer project to the county BEFORE the current CSD-3 leave office? Contracts have been signed, the project is underway, we are in violation of the clean water act. Can an emergency agency be prepared to include transferring the project?> Please...is there any way to salvage the project?????????????????

Pandora

Received: from <pandora@fix.net>;
Date: Wed, 28 Sep 2005 12:58:57 -0700
Subject: Enforcement action on Oct. agenda?
From: Pandora Nash-Karner <pandora@fix.net>
To: Roger Briggs <Rbriggs@waterboards.ca.gov>

Dear Roger,

In order to expedite the situation and lesson the damage, can the enforcement issue be placed on the October RWQCB agenda?

Thanks,
Pandora Nash-Karner

Date: Wed, 28 Sep 2005 17:44:08 -0700
From: "Roger Briggs" <Rbriggs@waterboards.ca.gov>
To: "Pandora Nash-Karner" <pandora@fix.net>
Subject: Re: Enforcement action on Oct. agenda?

Pandora, we're just wrapping up the Oct agenda right now, and legally required lead times for a hearing may not reasonably allow it. But I've already received and reviewed a draft ACL complaint, so we're rolling. I'm shooting for getting an ACL to the District next week, even before the new bd can meet. I want them to understand what they will be stepping into before they vote on any motion to delay.
Roger

Date: Wed, 28 Sep 2005 19:14:54 -0700
Subject: Re: Enforcement action on Oct. agenda?
From: Pandora Nash-Karner <pandora@fix.net>
To: Roger Briggs <Rbriggs@waterboards.ca.gov>

Thank you Roger! I'd like to talk to you about potential strategy from the property owners to stop a new board from stopping the project. I'll call you Thursday morning.

Pandora

Date: Thu, 29 Sep 2005 04:25:28 -0700
From: "Roger Briggs" <rbriggs@waterboards.ca.gov>
To: <pandora@fix.net>
Subject: Re: Enforcement action on Oct. agenda?

I have a mtg at 8, with bd chair. should be done by 9.

Roger W. Briggs PE
Executive Officer
Central Coast Regional Board

Date: Thu, 29 Sep 2005 08:10:55 -0700

Subject: Los Osos sewer

From: Pandora Nash-Karner <pandora@fix.net>

To: <Tdoduc@waterboards.ca.gov>, <PSilva@waterboards.ca.gov>,

<ABaggett@waterboards.ca.gov>, <RKatz@waterboards.ca.gov>,

<GSecundy@waterboards.ca.gov>, <CCantu@waterboards.ca.gov>

Cc: <Lsarmiento@waterboards.ca.gov>,

Roger Briggs <Rbriggs@waterboards.ca.gov>

Thread-Topic: Los Osos sewer

September 29, 2005

To:

Tam Doduc, Chair, Peter Silva, Vice-Chair, Arthur Baggett, Member,
Richard Katz, Member, Gerald Secundy, Member,
Celeste Cantu, Executive Director, State Water Resources Control Board
California Environmental Protection Agency, Sacramento, California

Dear Honorable Board Members,

We came before you at your January 4 meeting this year, asking for your help to assist Los Osos to move forward with our wastewater project. As you know our CSD Board of Directors has been recalled with about a 1% margin, with 40% of our voters not voicing any opinion.

Our project is now under construction yet the new Board members state they will stop the project, regardless of the costs and start all over again looking for a new technology and new locations. If allowed, it will be years before any plan could be implemented. \$20 million dollars has been spent to date to design, engineer and permit our project. In the meantime the pollution continues.

It is our understanding you have the unilateral right to take over the project through the SRF loan agreement. We ask you to PLEASE help us preserve the project now under construction.

We believe, in the interests of stopping the pollution, cleaning up our groundwater basin and the bay, and putting an immediate end to the septic fouling of our two aquifers, that that State of California should intervene in our project.

If we cannot proceed with our current plan it will be at least 6 years before we will be this far along again. Our aquifer cannot afford the delay 'nor can Morro Bay. Can you help us comply with the law? Can you help us continue with our project?

Sincerely yours,

Pandora Nash-Karner

Chair, Save the Dream Coalition

**350 Mitchell Drive
Los Osos, CA 93402
805/528-7014
www.SaveTheDream.info**

**Date: Thu, 29 Sep 2005 09:29:16 -0700
From: "Roger Briggs" <Rbriggs@waterboards.ca.gov>
Good morning,**

The following message has been received this morning from Roger Briggs, Executive Director of the Regional Water Quality Control Board

I've said many times - directly to the district at their board meeting and in writing - we will take enforcement action if the CSD delays. We are now proceeding as we said we would - we are preparing an enforcement action. My plan is to have it in front of the CSD for them to fully consider before they make a decision on stopping the project and deliberately delaying compliance with a discharge prohibition. I understand the District may be meeting on the 6th. Ironically, we have a hearing scheduled on the 6th already - on another enforcement action. So I don't know if I personally will be able to attend, but I plan to have the enforcement in front of their noses in black and white. They will hopefully consider the cumulative effect of pending civil liabilities from us, damages from the contractors, sunk cost in the project (over \$25M?), pay back of loan payments to the State Board with interest, additional inflation costs for a project that they haven't defined at some unknown site (and I'm sure some other ramifications), and come to their senses.

We also plan to enforce against the individual dischargers - the septic system owners.

It's too bad your community is doing this to itself.

We recommend the new Directors cautiously weigh the grave financial and environmental consequences (to the District, and individual property owners) before attempting to stop the project, especially since the low-interest loan is in jeopardy and the Regional Water Quality Control Board is proceeding with enforcement actions if we delay.

Pandora Nash-Karner

Date: Thu, 29 Sep 2005 10:04:08 -0700
Subject: Consequences and your assistance
From: Pandora Nash-Karner <pandora@fix.net>
To: Ben Campbell <ben.campbell@barnard-inc.com>
Cc: "Marshall W. Davert, PE, PhD" <marshall.w.davert@mwhglobal.com>, Steve Hyland <Steve.J.Hyland@us.mwhglobal.com>, Roger Briggs <Rbriggs@waterboards.ca.gov>

Dear Ben,

I have just gotten off the phone with Roger Briggs. He has indicated the new Board will need to fully understand the grave financial jeopardy they are placing the District and the individual property owners in if they attempt to stop the project.

We recommend that each of the contracting firms, and MWH write letters to the new Board and describe the grave financial situation, moneys owed, damages, penalties, potential lawsuits, and demobilizing costs for stopping or even delaying the existing project.

The new Board has run on the platform to stop the sewer. They need to be shown they cannot possibly do so from a financial standpoint. And, they need to be told in such a way they will be able to save face by changing their mind.

We hope you will write to them BEFORE their first meeting and make this very clear. We recommend you have several staff members in attendance at their first meeting to read the letter into the public record.

Ben, would you also please make contact with the other two contracting firms and ask them to do the same; write letters and make an appearance at the first meeting.

We MUST save this project!

Thank you,

Pandora Nash-Karner
Save the Dream
528-7014

PS =AD I have not copied the CSD on this letter, since it would put Bruce in a very awkward position because he now represents a Board opposed to the project.

Date: Fri, 30 Sep 2005 14:32:55 -0700
From: "Roger Briggs" <Rbriggs@waterboards.ca.gov>
To: <bbuel@lososocsd.org> (Bruce Buel)
Cc: "Gerhardt Hubner" <Ghubner@waterboards.ca.gov>,
"Harvey Packard" <Hpackard@waterboards.ca.gov>,
"Matt Thompson" <Mthompson@waterboards.ca.gov>
Subject: water use

Bruce, as I said on the phone, we request the name and address of each water customer of the District. Plz include a request for monthly quantity of water and numbers of years as a customer of the CSD. You said you'd have to be sure confidentiality procedures of the District's records were cleared with counsel.
thanks,

Roger W. Briggs PE
Executive Officer
Central Coast Regional Board

From: "Bruce Buel" <bbuel@lososocsd.org>
To: "Roger Briggs" <Rbriggs@waterboards.ca.gov>

Roger
I will check now and get back to you as soon as possible.
Bruce Buel

From: "Bruce Buel" <bbuel@lososocsd.org>
To: <jon@shipseyandseitz.com>
Cc: <rbriggs@waterboards.ca.gov>
Jon (Seitz)
Please review this request and advise as soon as possible regarding any legal issues.
Bruce Buel

From: "Roger Briggs" <Rbriggs@waterboards.ca.gov>
To: "Bruce Buel" <bbuel@lososocsd.org>
Subject: Re: FW: water use
Bruce, I understand Jon (Seitz) is in Monterey (?), but checking phone messages periodically. You might need to call him.
Roger

Date: Wed, 28 Sep 2005 08:45:21 -0700
Subject: Re: Can we transfer the project this week?
From: Pandora Nash-Karner <pandora@fix.net>
To: David Edge <dedge@co.slo.ca.us>
Cc: Bruce Buel <bbuel@losososcsl.org>,
Gerhardt Hubner <Ghubner@waterboards.ca.gov>,
Gordon Hensley <grhensley@aol.com>,
Jon Seitz <jon@shipseyandseitz.com>, Richard LeGros <KPGRBL@aol.com>,
Michael Drake <MDrake@LosOsosCSD.org>,
Roger Briggs <Rbriggs@waterboards.ca.gov>,
Shirley Bianchi <Sbianchi@co.slo.ca.us>,
Sorrel Marks <Smarks@waterboards.ca.gov>,
Stan Gustafson <usmcstan@hotmail.com>

Thanks David,

I hope the CSD gets fined out of existence fast enough to save the contractors and the low-interest loan!

Pandora

on 9/28/05 7:46 AM, dedge@co.slo.ca.us at dedge@co.slo.ca.us wrote:

Hi Pandora - I understand your distress however the CSD remains the responsible local agency for the project. That means the district board could contract with the county (or other willing agency I guess) to do the project in the same manner that they contracted with a private company -however, assuming yesterday's results are certified, the new board could equally well vote to take back the project when seated. In other words "other agency options" aren't realistically on the table unless and until the CSD goes out of existence or gives up its wastewater authority.

David

From: "richard and lois" <brooxie@charter.net>
To: <leosarmiento@waterboard.ca.gov>
Cc: <rbriggs@waterboards.ca.gov>
Subject: "not intervene"
Date: Thu, 29 Sep 2005 10:51:42 -0700

As a disappointed Los Osos resident-owner I detected weakness in your "not intervene" statement. If you actually made that observation, many of us can only conclude that the Board is simply a paper tiger. Unlike those willing to defy the law, we believed your threats of fining Los Osos for avoidable delays. By that "not intervene" statement you are tempting all-out disillusionment by those of us who believed you. =

Please carry out your warning of fines. Los Osos residents need to face reality. I have, and hope that your fines will result in the dissolution of the CSD and the uninterrupted construction of the current wastewater plant. If my understanding is incorrect and simply hear-say, maybe a clarification is needed.

Richard S. Sargent
1272 4th ST.
Los Osos, CA 93402

----- Original Message -----

From: "Roger Briggs" <Rbriggs@waterboards.ca.gov>
To: <brooxie@charter.net>; <leosarmiento@waterboard.ca.gov>
Sent: Thursday, September 29, 2005 11:17 AM
Subject: Re: "not intervene"

Richard,

I'm not sure what you are referring to re: "not intervene." My guess is that it refers to us not influencing elections (against the law).

I've said many times - directly to the district at their board meeting and in writing - we will take enforcement action if the CSD delays. We are now proceeding as we said we would - we are preparing an enforcement action. My plan is to have it in front of the CSD for them to fully consider before they make a decision on stopping the project and deliberately delaying compliance with a discharge prohibition. I understand the District may be meeting on the 6th. Ironically, we have a hearing scheduled on the 6th already - on another enforcement action. So I don't know if I personally will be able to attend, but I plan to have the enforcement in front of their noses in black and white. They will hopefully consider the cumulative effect of pending civil liabilities from us, damages from the contractors, sunk cost in the project (over \$25M?), pay back of loan payments to the State Board with interest, additional inflation costs for a project that they haven't defined at some unknown site (and I'm sure some other ramifications), and come to their senses.

We also plan to enforce against the individual dischargers - the septic system owners.

It's too bad your community is doing this to itself.

Roger W. Briggs PE
Executive Officer
Central Coast Regional Board
805-549-3140
fax 805-788-3511

From: "richard and lois" <brooxie@charter.net>

To: "Roger Briggs" <Rbriggs@waterboards.ca.gov>

Subject: Re: "not intervene"

Date: Thu, 29 Sep 2005 12:38:09 -0700

MIME-Version: 1.0

My apology and source of confusion: Leo Sarmiento, probably connected with the County Board of Supervisors apparently used "not intervene" in describing the County's current position and I went off "half cocked". I am sorry to have burdened you and assure you of my highest regards and hope that when you carry through, the new Board will come to their senses.

Sincerely

Dick Sargent

Dear Mr. Briggs,

Thank you for your efforts to facilitate much-needed wastewater treatment in the Los Osos prohibition zone. I am writing to you today in regard to comments published in the Tribune.

I certainly would not dispute the failure of the Los Osos electorate and the LOCSD to administer a compliant wastewater system in a timely manner. I do find, however, that your statement of potential actions against individual property owners (clean and abatement orders, I presume) neglects to take into consideration the legal predictament of property owners in the prohibition zone. It is indisputable that the prohibition zone property owners have acted in a most responsible manner, the evidence which is the 85% approval of the assesment district in 2001 for the express purpose of funding a compliant wastewater treatment system. I hope the RWQCB takes due consideration of that fact in all it's actions.

Their predictament is compounded by the electorate approval of Measure B, which I believe makes a total mockery of the assesment district and LOCSD. Given that it's legality had been rejected in Superior Court prior the election, it brings the credibility of the electorate into question. Should the new LOCSD board fail to challenge it in protection of the assessment district which they are the administrators for, the credibility of the LOCSD would be equally damaged.

Of course, the plight of the property owners would be compounded as well by any decision of the LOCSD to terminate the present project, and, in my opinion, would constitute a breach of 'good faith' by the LOCSD in its administerial duties.

Thank you for your time, and it is my hope that the RWQCB will exercise due diligence in bringing the LOCSD into compliance with its administrative charter. Comments published today by LOCSD director Tacker that elections comprise actions "beyond the control of the LOCSD" strike me as nonsensical, as there is no differentiation between the electorate and their representative body.

Sincerely,

Joe Sparks,

Los Osos

Roger

Let me know if there's anything I can do to help. It is a sad time on many fronts.

Chris Clark

Crawford Multari & Clark Associates

641 Higuera Street ~ Suite 302

San Luis Obispo CA 93401

805.541.2622 ext 14

fax 805.541.5512

www.cmcaplans.com

Date: Fri, 30 Sep 2005 10:41:39 -0700

From: "Roger Briggs" <Rbriggs@waterboards.ca.gov>

To: <CWCLAM@aol.com>

Subject: Re: Los Osos

Chris, as you can guess, I've rec'd more than a couple emails. Here's my canned response: I've said many times - directly to the district at their board meeting and in writing - we will take enforcement action if the CSD delays. We are now proceeding as we said we would - we are preparing an enforcement action. My plan is to have it in front of the CSD for them to fully consider before they make a decision on stopping the project and deliberately delaying compliance with a discharge prohibition. I understand the District may be meeting on the 6th. Ironically, we have a hearing scheduled on the 6th already - on another enforcement action. So I don't know if I personally will be able to attend, but I plan to have the enforcement in front of the Directors in black and white. They will hopefully consider the cumulative effect of pending civil liabilities from us, damages from the contractors, sunk cost in the project (over \$25M?), pay back of loan payments to the State Board with interest, payback of grants, additional inflation costs for a project that = they haven't defined at some unknown site, additional future contractor bid inflation = due to the CSD's bad reputation with contractors (and I'm sure some other = ramifications),=20 and make a wise decision rather than a foolish one.

We also plan to enforce against the individual dischargers - the septic system owners.

It's too bad your community is doing this to itself.

From: "Jim Godfrey" <jim.clinicalcontrols@charterinternet.com>

To: "Roger Briggs" <Rbriggs@waterboards.ca.gov>

Subject: Fine Enforcement

Date: Thu, 29 Sep 2005 11:48:24 -0700

Dear Mr. Briggs,

I am encouraging the Regional Water Quality Control Board to pursue fining the Los Osos CSD and who ever else need be. I personally think the threats of fining our community must come to a halt and action by the RWQCB is the only solution for Los Osos to have a satisfactory wastewater program. Years of threats to our community has led to complacency as evidenced by the voter turnout of only 60%, which is unacceptable for such an important issue. The harsh action by the RWQCB should wake up Los Osos and alert each community member to the fact that we need safe water immediately. We have an acceptable site and work is well underway. Without an active fining system in place and functioning, the new CSD will delay this project and it will be years down the road before the problem is resolved.

Thank you for your time and consideration

Best regards, Jim

James F. Godfrey, Clinical Controls International Div., Central Coast Diagnostics, Inc.
753 Santa Ysabel, Los Osos, CA 93402

Date: Thu, 29 Sep 2005 15:36:40 -0700 (PDT)
From: Richard Leslie <richandnance@yahoo.com>
Reply-To: richandnance@yahoo.com
Subject: Oct 6th meeting
To: Roger Briggs <rbriggs@rb3.swrcb.ca.gov>

Dear Mr. Briggs,

I was dismayed to hear that you will not be able to attend the Oct 6th meeting of the Los Osos CSD. The RWQB is our last chance. I was hoping that this letter could be delivered by a representative of the Board and read at the meeting in front of the new CSD Board and the public. **Hopefully, without their even seeing it first.** Perhaps this is what you intended, but if not, may I encourage you to do so.

No matter what one says or proves to those who will be the new CSD they and their supporters refuse to hear. If one speaks before the CSD meeting with logic and facts, the two opposition members or the opposition leader, **Gail McPherson** retaliate, spin, or deny and do not allow the speaker a chance to answer back.

We, sir, the people who want a sewer, and approve the site are those who have no voice. We are shouted down, called names, liar being a favorite or despicable another. They would be afraid to do this to you. They would be afraid to retaliate or spin the RWQB. They are bullies and like bullies they are afraid to contest authority.

When we had a security officer in the back of the room, they were as quiet as mice. When the security officer was removed, it once again became the bird cage at the Atascadero Zoo.

Many seem to be renters with no vested financial interest in the community. They are afraid that a sewer will mean a change and they do not want that and they do not have to pay the fines or suffer the consequences. Just look what they can do with nothing at stake. If you send them a letter and not deliver it in front of the assembled, in front of TV and in the faces of the new board, they will simply interpret it in their own "so what" way. One wonders where they were in the RWQB meetings. Didn't they hear what was said in Watsonville? Didn't they hear what was said in Sacramento?

I have watched the RWQB since 2000 when we moved here and I see that you mean business. Yet the now new CSD has turned a deaf ear and indicated to the public that there will be no fines or that the money will be returned should there be any.

We have many people in Los Osos who are old or poor and are living on SSI. Many are so easily led through threat or innuendo. They could be so easily swayed. The sewer opposition group has taken advantage of these folks. That is probably the most grievous thing of all.

Please send a representative of the Board to deliver the letter and read it and answer questions. Perhaps Mr. Hubner. Please let the community know that this is the RWQB's line in the sand. Step beyond it and they bring the entire community down around them and there will be no one to blame but themselves. Please tell them that they have run out of choices.

We have no other property in Los Osos other than our retirement home near our children. We have no financial gain in our decision to support our original CSD, their decisions and the sewer location as they felt proper.

The presence of the RWQB on Oct 6th is our last hope for a peaceful, sensible outcome.

Respectfully,

Nancy Leslie

From: [<realvs@sbcglobal.net>](mailto:realvs@sbcglobal.net)
To: [<rbriggs@waterboards.ca.gov>](mailto:rbriggs@waterboards.ca.gov)
Subject: Los Osos Sewer Project
Date: Thu, 29 Sep 2005 20:50:27 -0700

Dear Mr. Briggs....

I've been following the utter nonsense which has been going on in Los Osos and am very concerned with the direction the construction of the waste water treatment project appears

to be heading.... I was born and raised in San Luis Obispo, graduated from Cal Poly and while an engineer working on construction of the Diablo Canyon Nuclear Power Plant, lived in Los Osos. My parents and brother still live in Los Osos.

I would ask you to stand your ground and begin actively enforcing the penalties before the anti-sewer contingent further disrupts the much needed, and overly discussed, waste water system construction. I'm not sure what their agenda really is, but it certainly is not in the best interests of the community. Unless the State steps up and puts some teeth behind the bark, the project as designed, contracted and begun will soon be brought to a halt for many more years and greatly increased cost by the new CSD Board members. The project has been badly needed and debated for 30 years that I am aware of. It's time for the Central Coast Regional Water Quality Control Board to make it perfectly clear that time for debate is over...

Thank you for your time and concern for the entire community....

Mike Hensley
(916) 408-0520
1789 Emily Lane, Lincoln, CA 95648

From: "Gail Smith-Deegan" <gailsd@hotmail.com>
To: rbriggs@waterboards.ca.gov

Subject: Enforcement for Los Osos
Date: Fri, 30 Sep 2005 08:00:24 -0700

Dear Sir:

The other night I watched with horror as my little community disemboweled itself. Many of us worked long and hard to educate our community as to the true issues surrounding the waste water project. The opponents managed to sway these poor misguided souls with their spin and outright falsehoods.

I am asking you to please put this issue once again on your agenda and move swiftly to enforce the sanctions against the LOCSO and the individual dischargers as well. I feel it is important to move fast and harsh to stop this as soon as possible. I request no delays and no softening of the blows! This group continues to tell the public that the water board will not fine Los Osos and the funds can be applied to a new project.

In yesterday's Tribune they disclosed that they did not in fact have a plan, site and funding as they had claimed during the election. They feel that they are above the law. Last night they held an illegal meeting to lay out their plans, number one on their list is to stop the project. They have put their private wants above the best interest of Los Osos. They are thumbing their nose at the water board! They are defying the water board, the county and the public.

Please enforce the sanctions as soon as possible, the longer the delay the more damage is done. The longer it takes the more they feel emboldened to defy the water board. They

are also setting a very bad example for other communities that might be considering ignoring the rulings of the board. We are looking into legal and other options that we may have to rectify this situation.

We appreciate your help in this matter. If there is anything that you can think of that could be done by a private citizen, please contact me.

Thank you for your consideration.

Gail Smith-Deegan
572 Woodland Drive
Los Osos, CA 93402
gailsd@hotmail.com
818-486-4079

Date: Fri, 30 Sep 2005 08:07:06 -0700
From: "Roger Briggs" <Rbriggs@waterboards.ca.gov>
To: "Gail Smith-Deegan" <gailsd@hotmail.com>
Subject: Re: Enforcement for Los Osos

I've said many times - directly to the district at their board meeting and in writing - we will take enforcement action if the CSD delays. We are now proceeding as we said we would - we are preparing an enforcement = action. My plan is to have it in front of the CSD for them to fully = consider before they make a decision on stopping the project and deliberately delaying compliance with a discharge prohibition. =20

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We also plan to enforce against the individual dischargers - the septic system owners. It's too bad your community is doing this to itself.

Roger W. Briggs PE
Executive Officer
Central Coast Regional Board
805-549-3140

Date: Fri, 30 Sep 2005 15:18:04 -0700 (PDT)
From: Frank <fcfocha@yahoo.com>

Subject: Los Osos
To: rbriggs@waterboards.ca.gov

Dear Mr. Briggs:

As a resident and home owner in the prohibition zone, I was very dissapointed in our election. I'm afraid many of my fellow citizens were fooled by a mean-spirited few.

Having said that, I think your office should be both swift and brutal with enforcement action against my town. The new board consists of folks who do not know the meaning of 'no'. If you give them an inch, well you know the rest. These are bullies who will attempt to push you and your department. They have no respect toward any authority because they are 'always right'.

If they do fail where warned, please follow through or they will simply use that as a template for any future action. Thank you for attempting to protect my water suppl and keep our bay clean.

Sincerely,

Francisco Focha
1851 Nancy Ave
Los Osos, CA 93402
805-528-6746

1 Oct 2005 19:08:09 -0000
From: "Leon Van Beurden" <leon@bayososbrokers.com>
To: <Rbriggs@waterboards.ca.gov>
Cc: <leon@bayososbrokers.com>, <jerrygregory@C21associateswest.com>
Subject: FW: Los Osos
Date: Sat, 1 Oct 2005 12:07:11 -0700

Dear Roger,

The new Los Osos Board isn't concerned with your ongoing threats of fines! The New Board Presidents comment in today's TT. States:" TACKER, HOWEVER, WAS NOT WORRIED ABOUT BRIGGS' THREATS. "I DON'T MIND SEEING HIM (AT A BOARD MEETING), BUT I DON'T THINK IT'S HIS PROJECT"

The state needs to Step Up or Shut UP! The State, the Water Quality Control Board and the County needs to disband the CSD and take control of this project! The threats of fines to deaf the dumb and the incompetent new Board members will only delay the project. Please do what is right for the real concerned majority property owners of Los Osos.

Thanks for your time.

Sincerely,
Leon Van Beurden

X-MAIL-FROM: <michael@reddell.net>

X-SOURCE-IP: [82.165.251.126]

Mr. Briggs,

As Residents of Los Osos, we are appalled at the outcome of this week's recall election. We want to take this opportunity to let you know that we support the position your agency has taken on the Los Osos sewer issue. It is our belief that you must keep full pressure on this new board and give them no concessions whatsoever toward moving/delaying the sewer project.

We know that you have made your position clear, and we just want to support you in it.

Michael Reddell
Margaret Sonoda
1635 9th St
Los Osos, CA 93402
805-528-7426

Roger Briggs wrote:

Mr. Reddell ,

I've said many times - directly to the district at their board meeting and in writing - we will take enforcement action if the CSD delays. We are now proceeding as we said we would - we are preparing an enforcement action. My plan is to have it in front of the CSD for them to fully consider before they make a decision on stopping the project and deliberately delaying compliance with a discharge prohibition. I understand the District may be meeting on the 6th. Ironically, we have a hearing scheduled on the 6th already - on another enforcement action. So I don't know if I personally will be able to attend, but I plan to have the enforcement in front of their noses in black and white. They will hopefully consider the cumulative effect of pending civil liabilities from us, damages from the contractors, sunk cost in the project (over \$25M?), pay back of loan payments to the State Board with interest, additional inflation costs for a project that they haven't defined at some unknown site (and I'm sure some other ramifications), and come to their senses.

We also plan to enforce against the individual dischargers - the septic system owners. It's too bad your community is doing this to itself.

Roger W. Briggs PE
Executive Officer
Central Coast Regional Board

To: Roger Briggs <Rbriggs@waterboards.ca.gov>

CC: Peggy Sonoda <peggy@peggysonoda.net>

Subject: Re: stay the course in Los Osos!

I too am sorry that this community is so myopic. Of course based on the results of the election, it appears that only the slightest possible margin of us are so blind, but that's enough to spoil the soup.

I have felt for some time that individual accountability for septic systems would be the only way to erode the support of the anti-sewer group. This is a hard pill for me to prescribe, since I personally will have to swallow it, but I think each and every septic system in the community should be condemned outright. That would do the trick over=20 night. These people think this is politics as usual. Make it personally urgent and they will come around...or leave.

Michael

Date: Thu, 29 Sep 2005 08:02:42 -0700 (PDT)
From: Martha Neder <martha_neder@yahoo.com>
Subject: Los Osos Sewer - Make us build it!
To: rbriggs@waterboards.ca.gov

Dear Mr. Briggs;

I understand the new LOCSD Board will be discussing whether or not to stop construction on the sewer project on 10/6. I also understand that the water board intends to take enforcement action if the district delays.

I urge you appear at that meeting and to detail what that enforcement action will be. As much as I hate to say it (being a property owner), I think it should include action against individual property owners. A key reason why there have been so many delays and the recall was successful is that people do not believe there will be consequences. Many people feel that it's been delayed this long with no effect on them so why not delay it longer? It's getting more expensive, but that doesn't matter if we never build it.

I also think the enforcement action should be swift and strong. Rather than kill us slowly, please make it quick so that people feel the effects and the project moves on to someone who can finish it.

Thank you,
Martha Neder

Date: Thu, 29 Sep 2005 09:07:05 -0700
From: "Roger Briggs" <Rbriggs@waterboards.ca.gov>
To: "Martha Neder" <martha_neder@yahoo.com>
Subject: Re: Los Osos Sewer - Make us build it!

Ms. Neder,

I've said many times - directly to the district at their board meeting and in writing - we will take enforcement action if the CSD delays. We are now proceeding as we said we would - we are preparing an enforcement action. My plan is to have it in front of the CSD

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FROM: <jerrygregory@c21associateswest.com>

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 tremendous 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 in front 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

Date: Thu, 29 Sep 2005 09:10:19 -0700

From: "Roger Briggs" <Rbriggs@waterboards.ca.gov>

To: "Jerry Gregory" <jerrygregory@C21associateswest.com>

Subject: Re: Los Osos

Jerry,

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