

Board of Directors
San Simeon Community Services District
AGENDA
Wednesday November 9, 2005 6:30 PM
Cavalier Banquet Room

Note: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

1. 6:30 PM – REGULAR SESSION
 - 1.1 Roll Call
 - 1.2 Pledge of Allegiance

2. PUBLIC COMMENT:

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

 - 2.1 Sheriff's Report
 - 2.2 Public Comment

3. STAFF REPORTS
 - 3.1 General Manager Report
 - 3.1.1 Current Project Report
 - 3.1.1.1 Update Collection System Repairs
 - 3.1.1.2 Tertiary Treatment, Plant Upgrade
 - 3.1.2 Superintendent Report (Daniels)
 - 3.1.3 Other Reports
 - 3.1.3.1 Abandoned Car Removal
 - 3.1.3.2 Street Curb Painting
 - 3.1.3.3 Abandoned Stove Removal
 - 3.1.3.4 Mouchawar Property Fencing
 - 3.2 District Counsel Report

4. ITEMS OF BUSINESS
 - 4.1 Approval of Minutes – Oct. 12, 2005
 - 4.2 Approval of Warrants – October 1, 2005 – October 31, 2005

5. DISCUSSION/ACTION ITEMS
 - 5.1 Discussion/Approval of Proposal to Perform an Alternatives Analysis in regard to CCC permit for Rip Rap
 - 5.2 Discussion/Approval of M29 Technology and Design Proposal for New Website
 - 5.3 Discussion/Approval of Psomas Proposal for Grant Assistance Services
 - 5.4 Board Committee Reports

5.5 Board Reports

6. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS
7. ADJOURNMENT

6:32 pm

All Directors present + O'Neill + Schultz

Board Mtg Notes from 11-9-05

Discussion/Action

Pay Retained

Approval of Alternatives Analysis proposal

Motion - Russell

Second - Kiech

Vote 5/0

Approval of M29 Website proposal

Motion - Russell

Second - Lorie

Vote - 5/0

Approval of Psomas Grant Asst. proposal

Motion - Kiech

Second - Russell

Vote - 5/0

Minutes - Motion - Russell
Approved with changes

Second - Fields Vote - 5/0

Warrants Motion - Russell

Second - Fields Vote 5/0

Millie Hanchett - Don't ignore Lyon Agrees with the process of the Board.

Public Comments

- Ron ~~Hanchett~~ Hanchett wants to know what district is doing to acquire water for district & landowners
- Bob Hather - property owner - stated that Cambria told him SSCSD has not communicated with them.

- Sgt Ramussen - Sheriff's Dept
30 calls / 2 arrests
- will look into Meth complaints

Special Mtg Request by Water
Committee within 2 weeks

Special Mtg Nov 22nd
3:00 pm to 5:00 pm

Water Committee presentation

County
Disaster Plan that deals
w/ San Simcon

Financial Statement

LAIIF

Reservers

Bank Account

Adgouren 8:40

Mike
Hanchett



**SAN SIMEON COMMUNITY SERVICES DISTRICT
SUPERINTENDENTS MONTHLY REPORT FOR OCTOBER 2005**

Superintendent Monthly Data Report

	May-05	Jun-05	Jul-05	Aug-05	Sep-05	Oct-05	Nov-05	Dec-05	Total
Wastewater Treated	1,959,370	2,110,710	3,029,130	2,181,570	1,635,780	1,813,846			12,730,406
Total Well Production	3,170,611	3,139,000	4,708,000	3,701,039	2,875,184	2,817,043			20,410,877
Well 1 Water Usage	2,507,555	2,419,000	2,390,000	2,925,464	186,327	1,346			10,429,692
Well 2 Water Usage	663,056	720,000	1,159,000	775,575	2,688,858	2,815,696			8,822,185
Water Well 1 Avg Depth to Water	10.70	10.63	11.64	12.00	11.86	12.38			
Water Well 2 Avg Depth to Water	10.70	12.23	13.97	13.00	11.62	12.20			
State Wastewater Treated		336,721	560,945	763,748	428,914	300,558			2,390,886
State % of Total WW Flow	0.00	15.95	18.52	35.01	26.22	16.57			
Biosolids Removal <i>Grals</i>	12,566	21,000	36,324		24,000	36,000			129,890
Wastewater Permit Exceedances		1	2	1	3	0			7
Constituent		T Coliform	T Coliform	T Coliform	T Coliform	T Coliform			
Sample Limit		230	230	230	230	0			
Sample Result		300	900 / 500	1600	1600	0			
Constituent					Tot Chlorine	0			
Sample Limit					0.93	0			
Sample Result					2.5	0			

September System Activities

1. Replaced water well two clay valve.
2. Replaced water well one and two meters.
3. Attempted repair on Water Well #1 clay valve. Valve must be replaced.
4. Boyle performed second wastewater treatment plant walk through evaluation.
5. Regional Water Quality Control Board issued complaint of mandatory minimum penalties.

Immediate Future Activities

1. Replace Water Well # 1 Cla-Val valve.
2. Contractor repairing collection system items found during video inspection.
3. Core Sampling Scheduled for geological survey in preparation for tertiary treatment upgrade.
4. Pursue immediate corrective actions from listed in Boyle technical memo.

October System Activities

1. Discussed potential backflow at well site with County Environmental Health Services and ordered backflow prevention device. Backflow device will be installed as soon as it arrives and will be tested as required.
2. Received price quotation for main body of Cla-Val valve needed at Well # 1. Quote was for \$2,682.00 not including sales tax.
3. Scheduling of annual inspection of outfall line is in progress. Discussions are ongoing with contractor regarding details.
4. Regional Water Quality Control Board representatives visited the Wastewater Treatment Plant on Thursday, October 20th and inspected facility. We have not received any comments nor report regarding their inspection as of this date.
5. Contractor continued repairs of collection system.
6. Installed wood baffle on outlet weir for Chlorine Contact Chamber to redirect flow away from final effluent sample point. This temporary fix seems to help avoid unintentional contamination of final effluent samples with chlorinated water.

Immediate Future Activities Planned

1. Complete outfall line inspection as required in our NPDES permit.
2. Contractor will continue to work on repairs to collection system.
3. Adjustments to Flow chart graph will be further refined to more accurately reflect the actual flow characteristics.
4. Cla-Val valve will be replaced at Well #1.
5. Backflow prevention Device will be installed at Well #1.



General Managers Report

3.1.1 Current Projects –

3.1.1.1 Update on collection system repairs – Included in the board packet is L.R. Pausell's report on the progress that has been made on the District's approved repairs. Of the 12 items 6 have been completed, 5 have been cut and are ready for repair and one (item 11) is ready to be repaired now that the parts needed have arrived on site.

3.1.1.2 Tertiary Treatment Plant Upgrade – Boyle Engineering was out at the plant several weeks ago to perform geotechnical borings. The boring work is complete and Boyle is now in the process of preparing some preliminary engineering work. Progress for this project is proceeding according to schedule and completion is planned in time to meet the RWQCB requirements.

3.1.2. Superintendent's Report – Report to be submitted as a supplement on Monday November 7th.

3.1.3 Other Reports –

3.1.3.1 Abandoned Car – The abandoned car on Avonne south of Otter has been reported the California Highway Patrol for tagging. This process can take several weeks depending on when the CHP tag the car and the time required before towing.

3.1.3.2 Street Curb Painting- Staff has contacted a person to paint the curbs around the District where the Red, Yellow paint has faded. This will be accomplished within two weeks.

3.1.3.3 Abandoned Stove – Staff has made several attempts to determine who placed the stove on Avonne St. with no positive results. Staff has contacted Mission Country Disposal to remove the stove on Avonne St. The cost to the District is \$39.00 pick up will be November 9th.

3.1.3.4 Mr. Mouchawar's Property Fencing- Mr. Mouchawa has installed fencing around this property at the corner of Pico and Highway 1 in the hopes that this will deter overnight campers on the property.

San Simeon Community Services District
MEETING MINUTES
Wednesday October 12, 2005 6:30 PM
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1. Roll Call: All board members except Chairman Lambeth were present. Director Kiech called the meeting to order.

2. Public Comment: No public statements were made.

2.1 Sheriff's Report: Due to a change in Commanders, no sheriff was available for a report.

3. Staff Reports

3.1 General Manager Report: General Manager O'Neill said the street sweeping was completed on Thursday. A regularly scheduled cleaning will be arranged with the company that performed the service.

Mr. O'Neill mentioned L.R. Paulsell started work in the streets doing the collection system repairs. Because they are digging over the next couple of months, he warned that residents should use caution while driving and to keep alert for workers in the streets.

Regarding the draft report on the cost and scope of grant writing, Mr. O'Neill stated the company didn't produce the draft in time for this meeting, so it will be available for the next.

3.1.2. Superintendent Report: Dan Daniels reported there were 3 coliform exceedances in the amounts of 1600, 500, and 300. The first was due to the failure of the chlorine pump in September. The other two are related to the chlorinator keeping at a constant pace. The plant doesn't follow the same pace. Plant staff is in the process of installing a chlorine analyzer which will automatically adjust the amount of chlorine needed rather than having to manually adjust it. In September, Mr. Daniels said the Cla-Valve company serviced well #2 and will soon replace the valve on well #1. The water meters have been changed at both wells. District Operations Manager Charlie Grace said the meters at the wells have, at times, been running backwards because the old valves are not preventing backflow. Once the new valves are both installed, that should prevent the wells from having to pump the water twice. Dan Daniels continued saying that Boyle performed a second walkthrough at the treatment plant which defined more problem areas. Mr. Grace said Boyle will provide costs for several items on the Gant chart.

Director Mirabal-Boubion asked if there would be a second mailing for the District to go to a second stage alert because of low well levels. Mr. O'Neill said the water levels at the wells are up and Mr. Grace said less water is being used since before the first alert.

3.2 District Counsel Report: In addition to his general duties and responsibilities, District Counsel Rob Schultz said he created two Resolutions; 05-307 authorizing emergency expenditure for the wastewater treatment plant as related to Boyle Engineering's WWTP Condition Survey and 05-308 for the confirmation of the response letter to the Regional Water Quality Control Board regarding the Notice of Violation. Also, on the riprap issue, he is trying to set up a meeting with the Coastal Commission.

4. Items of Business

4.1 Approval of Minutes Aug. 10, 2005: Director Mirabal-Boubion said the meeting was a discussion of the Regional Water Quality Control Board violations and yet there was no mention of that in the minutes. Because of the tape malfunction, there were limited notes and Mr. O'Neill mentioned he had tried to put as much information in the minutes as possible.

Motion made: Director Fields

Second: Director Russell

Approved 4-0 with addition to the minutes that the tape broke and that the minutes may not be complete

4.2 Approval of Minutes Aug. 15, 2005: Director Mirabal-Boubion would like have noted in the minutes that her abstention was made only because she had not received a copy of the report that was voted on in that meeting.

Motion made: Director Mirabal-Boubion

Second: Director Fields

Approved 4-0

4.3 Approval of Minutes Sept. 7, 2005: Director Mirabal-Boubion asked if it was accurate that Bob McLaughlin said there was \$405,000 in fines for the district. The tape will be reviewed to establish the accuracy of the comment.

Motion Made: Director Russell

Second: Director Fields

Approved 4-0

4.4 Approval of Minutes Sept. 28, 2005: Director Mirabal-Boubion, along with others, suggested changing the wording to read: "Status of Coastal Development Permit for Placement of Riprap". Another change was to read: "Mr. Schultz met with Patti Whelen, from Cannon and Associates, who stated CCC wants the District to do biological surveys and analysis of the affected coastline".

Motion made: Director Russell

Second: Director Mirabal-Boubion

Approved 4-0 with changes

4.5 Approval of Warrants September 1-30, 2005:

Motion made: Director Russell

Second: Director Mirabal-Boubion
Approved 4-0

5. Discussion\Action Items

5.1 Approval of draft Audited Financial Report by Bob Crosby of Crosby and Cindrich:

Mr. Bob Crosby CPA of Crosby and Cindrich presented his draft financial report. He apologized for not having a clear copy to present as the report was faxed due to some last minute changes that needed to be made. Mr. Crosby stated that the district appears to be in healthy status. Mike Hanchett asked Mr. Crosby whether a portion of the water fees were being allocated to a special reserve for future capital projects. Mr. Hanchett said a rate increase was set in 1996 specifically for that purpose, but he has not seen it being followed through. Mr. Crosby said the best way to show something like that would be with a footnote. District Counsel Schultz mentioned that it had been done for a couple of years; however, it didn't get carried over from EDA. Mr. Hanchett was also concerned that funds from the utilities were being used to repair the roads. Mr. Crosby said it is combined at the moment. Mr. Crosby said another line could be added showing where those funds are coming from.

The report needed two changes to the list of Board members. Director Russell needs to be changed to Bailey-Wood. Director Fields should be changed to Eric Schell.

Motion made: Director Russell

Second: Director Mirabal-Boubion

Approved 4-0 with changes to board members and water reserves fund

5.2 Approval of response letter to Regional Water Quality Control Board regarding

Notice of Violation: Mr. O'Neill will make changes so the letter corresponds to the Resolution for funds to go to the SEP rather than back into tertiary treatment.

Motion made: Director Mirabal-Boubion

Second: Director Russell

Approved 4-0 with changes

5.3 Approval of Resolution 05-308 for the confirmation of the response to the RWQCB on the issue of the Complaint for Mandatory Minimum Penalty letter dated September 19, 2005:

Motion made: Director Russell

Second: Director Mirabal-Boubion

Approved 4-0

5.4 Discussion/Direction from Board on letter from Karina Tiwana on implementing an Early Warning System for surfers and swimmers:

Charlie Grace said that the system they have is to take samples and then report them to the RWQCB. The lab results take a week to receive, so the earliest they could post a warning would be after the results were received from the lab. Mr. Schultz clarified that just because there is a violation it does not mean there is a hazard to swimmers. Dan Daniels added that just because there are exceedances does not mean that raw sewage is being sent to the ocean or that there is

a health risk to the public. Director Mirabal-Boubion said the public should be made aware of that fact. Dan Daniels explained that the coliform test is an indicator test which presumes that if certain microorganisms are living in the sample, that other more harmful ones may still be present. A positive test does not mean harmful bacteria are necessarily present. Mr. Grace stated that if a sewer line broke, that would be an emergency in which the public would be protected from immediately. Director Fields suggested having a newsletter sent out explaining all of that and possibly a letter to the newspaper.

5.5 San Simeon Chamber of Commerce requests to address the board regarding effective ways the Board, Staff and Chamber can work together to benefit the entire community:

Mike Hanchett addressed the board regarding an issue of a certain citizen sending an email of concern to one board member and others not receiving the information. The citizen was upset about a letter from the Chamber of Commerce being included in the water bill mailing. Mr. Hanchett would like to devise a plan for citizens to communicate their concerns without it bypassing some board members or interfering with the work schedules of staff. Mr. Schultz said the letter that went out in no way cost the district any money or time and it was the discretion of the General Manager to include it in the mailing. Mr. O'Neill stated on behalf of ECO that they are willing to work with the Chamber and the District to disseminate important information and the costs in many cases would be assumed by ECO. Mr. Hanchett would like to have the SSCSD website linked with the Hearst and the Chamber websites so that any one going to either of the sites will have access to public announcements there. Also, if they wish to send an email expressing a concern, they may do so from the site. Director Mirabal-Boubion mentioned there is a form for citizen complaints.

5.6 Board Committee Reports:

5.4.1 Meeting with the State of California: Mr. O'Neill, Chairman Lambeth and Director Fields met with persons from the State of California to discuss the San Simeon and Hearst sewer plants and their future plans. Director Fields said when the plant was enlarged some years ago, San Simeon contracted with the State to cover 25% of the cost. At the meeting they informed the State that the costs of the plant were changing and that would be reflected in their bill. The State said they would not be interested in using reclaimed water from the plant upgrade.

5.7 Board Reports: None

6. Board\Staff General Discussions and Proposed agenda items: Mr. O'Neill will contact M29 and report back at the next meeting. The 2004-2005 Financial Statements are due now and will need to be started. Director Russell informed the board and staff that CDF is creating an evacuation plan for San Simeon.

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7. Adjournment



San Simeon Community Services District

WARRANT REPORT

October 1 - 31, 2005

Type	Date	Open Balance	Warrant #	Check #
Fields, Alan	11/4/2005	\$ 100.00	0411-001	5275
Kiech, David	11/4/2005	\$ 100.00	0411-002	5276
Lambeth, Terry	11/4/2005	\$ 100.00	0411-003	5287
Mirabal-Boubion, Loraine	11/4/2005	\$ 100.00	0411-004	5282
Russell, John	11/4/2005	\$ 100.00	0411-005	5279
Schultz, Rob	11/4/2005	\$ 1,575.00	0411-006	5285
ECO Resources	11/4/2005	\$ 12,446.95	0411-007	5277
PERS Health	11/4/2005	\$ 135.55	0411-008	5283
GBP&B	11/4/2005	\$ 1,200.00	0411-009	5278
LR Paulsell Consulting	11/4/2005	\$ 15,727.36	0411-010	5280
PG and E	11/4/2005	\$ 599.74	0411-011	5284
State Water Resources Control Board	11/4/2005	\$ 3,008.00	0411-012	5286
SLO Auditor-Controller	11/4/2005	\$ 2,427.00	0411-014	5288

Total: \$ 37,619.60



Discussion/Action Items

5.1 - Proposal to Perform an Alternatives Analysis in regard to the CCC permit Rip Rap
Included in the Board packet is a proposal from Earth Systems Pacific for the above referenced work. (Rob Schultz)

5.2 - M29 Proposal for a new SSCSD Website

M29 Technology and Design has submitted a “not to exceed” preliminary proposal for the development of a new website for the District. The new website will have a new overall design/look which staff will present to the Board for review. The website will include the following information:

- Board of Directors with contact information and new e-mail addresses for each
- Staff contact information - General Manager, General Counsel, Office Manager, Facility Manager
- Minutes
- Agendas
- Well level graph
- Board packets
- Future meeting dates
- Emergency phone numbers
- Contract operator contact information
- Office hours
- SSCSD Chamber Link

To develop the website M29 is proposing a price “not exceed” \$7,000. Staff is asking the Board to approve the proposal with the stipulation that approval of the final design will require Board review and approval.

5.3 Psomas Engineering Proposal for Grant Assistance Services

Included in the board packets is a proposal from Psomas Engineering for a two phase approach for grant assistance services. The proposal is for phase one of the approach included the following elements:

- Project identification and prioritization
- Research, identification, and reporting on funding opportunities
- Establish funding agency relationship
- Identify District eligibility and project readiness to proceed
- Identify possible project partnerships and stakeholder support

Cost for phase one will not exceed \$15,000. Cost for phase two, grant application preparation and submission as well as funding agency follow up, can only be determined after phase one is complete and the Board wishes to move forward. Proposal details are in the board packet.



**Earth Systems Pacific**

4378 Santa Fe Road
San Luis Obispo, CA 93401-8116
(805) 544-3276 • FAX (805) 544-1786
E-mail: esc@earthsys.com

October 28, 2005

Ms. Meg Moran
Cannon Associates
364 Pacific Street
San Luis Obispo, CA 93401

**PROJECT: SAN SIMEON CSD - BLUFF PROTECTION ANALYSIS
SAN SIMEON, CALIFORNIA**

SUBJECT: Proposal to Perform an Alternatives Analysis

Dear Ms. Moran:

In accordance with your request, we are pleased to present this proposal to provide geologic analysis with respect to alternatives to the existing rock rip rap at the San Simeon Wastewater Treatment Plant in San Simeon, California. The property is located at the top of an ocean bluff and adjacent to the banks of a creek, Arroyo Del Padre Juan, which drains onto the beach. The Wastewater Treatment Plant encompasses wastewater treatment basins, two operations/office buildings, a shed, block retaining walls, fencing, asphalt concrete pavement, and associated improvements. Rock rip-rap has been placed along the ocean bluff and the creek banks as erosion protection. It is our understanding that some of the rip rap was placed following the storms of 1983, and that additional rip-rap was placed along both sides of the creek following flooding during the winter of 1995. According to a letter from the California Coastal Commission, (CCC) dated August 8, 2005, the rip rap was placed without a coastal development permit. To obtain a retroactive permit for the rip rap at the facility, an alternatives analysis must be performed to address alternatives to the rip-rap that may have a lesser geologic impact on the site area than the existing rip-rap.

SCOPE OF WORK

Our proposed scope of work will include the following:

1. A site reconnaissance and a literature review of geologic reports and maps to evaluate the geologic history and geologic conditions of the site. The study will be conducted by a Certified Engineering Geologist.
2. Geologic hazards at the site will be evaluated under scenarios with the existing rip rap protection structure, no bluff protection structure, and alternative bluff protection structures.
3. An ocean bluff/creek bank retreat analysis will be performed to determine the erosional retreat rates of the ocean bluff and creek bank.
4. Tsunami hazards will be addressed, as well as flooding due to high tides and storm surges coupled with high flows in Arroyo del Padre Juan Creek.



Ms. Meg Moran

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October 28, 2005

- 5. A wave run-up analysis will be conducted to assess wave run-up characteristics with respect to the bluff, with and without bluff protection.
- 6. A sand supply analysis will be performed to evaluate the estimated volume of sand retained by the existing rip-rap, or what would be retained if an alternative erosion protection structure were in place. The analysis will evaluate the material lost from the upper bluff terrace deposits, as well as the lower bluff sandstone bedrock.
- 7. Resource impacts of the site for all alternatives considered will be evaluated. These impacts will include bluff top drainage, bluff top erosion, and public access. Methods to avoid impacts will be identified, and mitigation measures will be discussed for any impacts that cannot feasibly be avoided.

FEEES

Based on our outlined scope of work, we propose to provide these services on a fixed fee basis. Fees to be charged are as follows:

Alternatives Analysis	\$5,500.00
Retainer, required to initiate work	\$1,800.00
Balance due upon presentation of invoice.	

SCHEDULE AND CONDITIONS

Please note that the above quotation does not include charges for meetings, plan reviews, geotechnical engineering, or other such services. Fees for additional services available through our firm will be charged at the Fee Schedule in effect at the time of the request for services.

Prior to beginning our analysis, we will need a current topographic map that encompasses the ocean bluff and the adjacent creek, and extends to the top of the bank on the opposite side. The topographic map should include elevations that extend seaward to the mean high tide line.

If the client finds the proposed scope of work, terms (attached), and fees satisfactory, the return of the attached Work Order, signed and dated by the party responsible for payment, and the specified retainer will constitute authorization for work on the project to begin. This agreement can be terminated by either party upon notification in writing. Earth Systems Pacific's responsibility for the project will end upon completion of the services described herein or termination of the agreement, unless authorization to perform additional work and agreement for payment thereof is provided by the client.



Ms. Meg Moran

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October 28, 2005

Thank you for your consideration of this proposal. If you have any questions, or if we can be of service in any way, please call this office at your convenience.

Sincerely,

Earth Systems Pacific

A handwritten signature in black ink, appearing to read "Richard T. Gorman".

Richard T. Gorman, Vice President
CEG No. 1325

Attachments: Work Order
Terms

Doc. No.: 0510-148.PRP/jc



October 12, 2005

Mr. Tom O'Neill
General Manager
SAN SIMEON COMMUNITY SERVICES DISTRICT
111 Pico Avenue
San Simeon, CA 93452

Submitted by Email: toneill@ecoresources.com

Subject: Proposal for Grant Assistance Services – San Simeon Community Services District

Dear Mr. O'Neill:

Thank you for the opportunity to provide a proposal for grant assistance service to the San Simeon Community Services District (District), which Eco Resources, Inc. (ECO) has been managing since June 2004.

Psomas understands that the District has an immediate funding need to upgrade a 30-year old wastewater plant and other District improvements. We understand that the State Water Resources Control Board has requested the District to commit to making some treatment improvements within six months and others within two years. We also understand that Boyle Engineering has prepared an engineering report for the District identifying needed improvements and has begun preliminary engineering work on some of the projects. Grant funding can provide an essential financial element of the District's extensive funding need.

Psomas is uniquely qualified to provide grant and alternative funding assistance to the District. We have extensive experience in project identification and prioritization; researching alternative funding opportunities, including grants and low-interest loans; established relationships with funding agencies; and expertise in grant writing with high success.

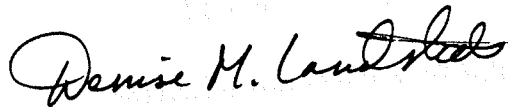
Mr. Tom O'Neill
Page 2
October 12, 2005

Psomas has prepared numerous funding proposals and has enjoyed nearly a 75 percent success rate in winning funding for projects involving water and wastewater infrastructure and facilities, storm water facilities, transportation infrastructure, community parks and programs, trail systems, and a variety of other projects for cities, counties, and special districts.

Our Grant Funding Assistance Statement of Qualifications, as attached, demonstrates our exceptional qualifications, and a well-planned approach to grant and alternative funding assistance. We are able to tailor our services to suit the needs specific to the District.

We appreciate your consideration of the attached proposal, and look forward to discussing our qualifications and proposal further. Please contact me at (714) 313-4465 (cell) or (714) 481-7910 (office) with any questions.

Sincerely,
PSOMAS



Denise M. Landstedt
Senior Project Manager
Associate

Attachment – Proposal for Grant Assistance Services
Grant Funding Assistance Statement of Qualifications

P S O M A S
PROPOSAL TO
SAN SIMEON COMMUNITY SERVICES DISTRICT
FOR GRANT ASSISTANCE SERVICES

Introduction

Psomas is uniquely qualified to provide grant and alternative funding assistance to the San Simeon Community Services District (District). Psomas has extensive experience in researching alternative funding opportunities, including grants and low-interest loans. Psomas has prepared numerous funding proposals and has been successful in winning funding for projects involving water and wastewater infrastructure and facilities, storm water facilities, transportation infrastructure, community parks and programs, trail systems, and a variety of other projects for cities, counties, and special districts.

Psomas understands that the District has immediate funding needs for a variety of projects, including upgrade to their 30-year old wastewater treatment plant. The District and Psomas will work closely together to identify and prioritize a project list for a focused grant search. Funding is potentially available from a variety of local, state and federal sources.

Psomas understands that the District is located in San Luis Obispo County and manages and wastewater facilities, including the San Simeon Waste Water Treatment Plant (Plant). The Plant has a 0.2 million gallons per day (mgd) capacity, with 0.5 mgd owned by the Hearst Castle and 0.15 mgd by the District. The Plant is currently operating at approximately 50 percent capacity. Aging infrastructure has caused water quality problems with the effluent from the Plant, resulting in fines from the Regional Water Quality Control Board.

The following presents Psomas' proposal to provide grant assistance services to the District.

Approach and Scope of Services

Psomas proposes to provide grant assistance services to the San Simeon Community Services District to include the following:

Phase 1

- Project identification and prioritization
- Research, identification and reporting on funding opportunities
- Establish funding agency relationships
- Identify District eligibility and project readiness to proceed
- Identify possible project partnerships and stakeholder support

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*Proposal for the San Simeon Community Services District
Grant Funding Assistance*

Phase 2 - Future

- Grant Application Preparation and Submission
- Funding Agency Follow Up

Psomas will institute a collaborative approach for grant assistance services through the establishment of an expert ‘Funding Team’ between the Psomas and the District. Psomas will utilize the Team’s combined expert knowledge of District projects, funding opportunities and agency relationships, and Psomas’ “Writing to Win” approach to advance the District’s competitiveness for funding.

PHASE 1

Task 1.1 Initial Meeting and Communication: Funding Team, and Project Identification, Understanding and Inventory

Psomas staff will participate in an initial meeting with District staff. The purpose of the initial meeting will be to obtain current and pertinent information; identify/prioritize projects to prepare for a focused funding search, and establish funding history, needs and goals. Psomas will work closely with key District staff to determine and understand aspects, unique characteristics, funding history and requirements, and benefits of District projects.

Psomas will prepare a Project Inventory for potential funding in sufficient detail to facilitate a focused funding search. A schedule will be agreed on for an initial funding opportunities report based on project(s) need. An additional schedule of future funding reports will be established, but no more than equal to one (1) time per month for six (6) months.

Communication throughout the duration of the grant assistance service will be principally by phone and email to ensure an informed and coordinated approach. Psomas will participate in one meeting to present and discuss the Initial Funding Report, and will participate in one additional meeting, as needed and requested.

Deliverables:

1. District Project Inventory for Potential Funding
2. Schedule for Initial Funding Report
3. Schedule for Future Funding Reports

Task 1.2 Funding Search

Psomas will utilize the Project Inventory developed in Task 1.1 to identify, research and report on existing and potential future funding opportunities that are available for each project. Research will include grants, low-interest loans, and local funding opportunities. Psomas’ funding search utilizes efficient methods of locating grant and other funding opportunities, including use of a Web-based grant locator service, funding agency Web sites, individual discussions with funding agency representatives, and attending workshops and events, as available.

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*Proposal for the San Simeon Community Services District
Grant Funding Assistance*

Identified funding programs will be investigated to determine project eligibility. Psomas will contact funding agencies as necessary to discuss proposed projects, clarify eligibility for funding, determine probability of success, verify possibility of multiple funding sources, confirm funding program requirements, and, as available, obtain a history of program funding. Funding agency contact will include relationship building between the funding agency and the District to support name recognition, responsiveness to inquiries, and project support toward funding.

Psomas will prepare and submit an initial report on funding search results, including funding detail, determination of eligibility, key requirements, contact information and, if available, summary of funding policy and history of award selection.

Psomas will continue to seek new opportunities, update identified and reported opportunities, and provide funding reports once a month for up to four months following the Initial Grant and Alternative Funding Report, based on the schedule established in Task 1.1

Deliverable:

1. Initial Grant and Alternative Funding Report
2. Monthly Grant and Alternative Funding Reports

Task 1.3 Determine Funding to Pursue and Identify Readiness to Proceed

Psomas will meet with District staff to present and discuss the Initial Funding Report. Discussion will include timing for funding application, eligibility, probability of success, and readiness to proceed. Readiness to proceed includes key requirements for the project to be highly competitive, status of each key requirement, and identifying measures required to increase readiness to proceed. Measures include status of project design, environmental documentation, required board resolutions, supporting studies/reports, establishment of project partners, and securing stakeholder support. Psomas will assist the District in determining funding opportunities to pursue.

Deliverable:

1. Report on Funding Opportunities to Pursue, including Key Requirements Toward Readiness to Proceed

PHASE 2 – Optional / Future

Detail for Phase 2 tasks will be confirmed and agreed on at the time the District decides to pursue a specific grant funding or if the District decides to include Phase 2 in an initial contract for grant assistance services.

Task 2.1 Grant Application Preparation and Submission

Psomas will meet with District staff to present and discuss the selected funding program. Discussion will include timing for funding application, eligibility, probability of success, and readiness to proceed. An Action Plan will be established for the successful submission of a grant application/proposal. The Action Plan will include the following:

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*Proposal for the San Simeon Community Services District
Grant Funding Assistance*

- 1) Key proposal items and checklist for completion.
- 2) Information resources available for the proposed project and its accuracy and relevancy.
- 3) Current and potential stakeholders, project partners, and funding partners.
- 4) Schedule for completion, including meetings, resolution requirement, draft review and comment period, and final review and submission.

Psomas will institute its “Writing to Win” approach for each proposal/application. This highly competitive approach includes enduring funding agency relationships and communication, integrating key elements of proposal development, and attending workshops, public hearings and briefings.

Psomas will assist the District in identifying potential project partners with other water or governmental agencies, and non-governmental agencies, for the support of and/or participation in the project, as directed by the District. Project partners could include financial support, in-kind services, and/or general project support. Psomas will assist the District in pursuing and obtaining letters of support, letters of agreement, and statements for intent to negotiate, as appropriate for each proposal.

Proposal/Application (Draft, Final Draft, and Final) and District Review and Comment

Psomas will develop a draft proposal/application through working closely with District staff to obtain pertinent project information, data, supporting plans, maps, drawings, cost estimates, etc. Psomas will work to develop a technically competitive proposal for each District project that satisfies each grant funding criteria, guideline, and/or requirement.

In development of draft proposals, Psomas’ will consider the following key elements:

- 1) Solid project summary – need for project (problem and evidence), project objectives, actions to meet the objectives, impacts the actions will have, and measuring success
- 2) Technical feasibility
- 3) Compelling argument for the project
- 4) Finding a competitive edge
- 5) Achievable goals
- 6) Specific, logical, clear, and concise
- 7) Demonstrates readiness to proceed, capability and commitment
- 8) Local, regional, and statewide benefits
- 9) Transferable project
- 10) Realistic project schedule
- 11) Clear project maps and exhibits
- 12) Follows submission requirements exactly as requested

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*Proposal for the San Simeon Community Services District
Grant Funding Assistance*

Psomas will submit draft applications/proposals for District review and comment. Draft proposals will be submitted to the District during development of each proposal to facilitate a streamlined proposal review process. A complete draft proposal will also be submitted for full review.

Adequate time will be scheduled for District review of draft proposals to provide for comprehensive comments/observations, and sufficient time for Psomas to incorporate and/or respond to comments. A Final Draft will be submitted for review and comment with sufficient time for final submission to the funding agency.

Psomas will provide the District with an electronic copy of the draft and final draft proposals. This method will allow for ease of the District to use 'Track Changes' to provide redline comments, as appropriate. Additional comments can be provided in an attached written and/or email correspondence.

Deliverables:

- ▶ Action Plan for completion and submission of each proposal
- ▶ Funding Workshop Report
- ▶ Project Partner Letters of Support, Letters of Agreement, and/or Letters of Intent to Negotiate
- ▶ Draft Proposal/Application
- ▶ Final Draft Proposal/Application
- ▶ Final Proposal/Application

Task 2.2 Grant Application Submission Follow Up: Public Hearings and Briefings

Psomas will follow the progress of the funding agency's proposal evaluation through continued communication with the funding agency. Psomas will also attend public hearings, at the request of the District, for each funding program that the District has submitted a proposal. Public hearings present funding recommendations, providing the opportunity for comments, questions and remarks.

Psomas will also attend briefings with funding agency representatives, as requested, to gain information on what was successful in a District proposal recommended for funding, and what were the drawbacks of proposals not recommended for funding. Copies of proposal evaluation forms are generally provided from funding agencies, as available, during the public hearings and/or briefings.

Deliverables:

- ▶ Status Reports on Funding Agency Proposal Evaluations
- ▶ Public Hearing Reports
- ▶ Briefing Reports and Evaluation Reports, as available

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*Proposal for the San Simeon Community Services District
Grant Funding Assistance*

Schedule

Psomas will begin work upon receipt of notice to proceed (NTP) from the District. Psomas proposes to complete Phase 1 tasks within four (4) weeks of the NTP, with the exception of the monthly grant reporting, which will be once a month for five (5) months following the initial funding report.

Fee Estimate

Psomas proposes to complete Phase 1 tasks of the proposed Scope of Services for grant assistance services on a time and materials basis not to exceed \$15,000. The Initial Grant and Alternative Funding Report represents approximately 40 percent of the proposed fee.

A fee estimate for Phase 2 tasks will be proposed upon the District's determination to contract for grant/funding proposal preparation.

Project Team

Denise Landstedt is a Senior Project Manager with Psomas and has successfully managed multiple funding projects. Ms. Landstedt will be the Project Manager for the District's Grant Assistance Services. She can be reached by phone at (714) 481-7910 or (714) 313-4465, or emailed at dlandstedt@psomas.com.

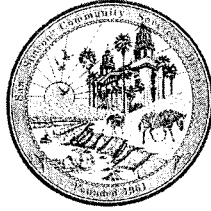
Karen Lopez, Water Resources Analyst, will assist Ms. Landstedt in all aspects of grant funding assistance including project identification, grant search, funding agency inquiries and relationships, readiness to proceed requirements, and funding report preparation.

Mike Swan, P.E., will provide expert engineering assistance, as needed, to ensure District projects are highly competitive for funding. He will apply creative engineering ideas to assist in refining projects to more closely fit the intent of a funding program.

Additional Psomas' engineering staff will assist, as needed, in project detail for identifying key requirements for enhanced readiness to proceed and competitiveness.

Detailed qualifications, including resumes and project experience, can be reviewed in Psomas' Grant Funding Assistance Statement of Qualifications (SOQ). **Note:** The SOQ was developed in early 2004, and while the qualifications and project experience remain relevant, some staffing changes have occurred and the current resumes are not yet included.

San Simeon Community Services District



111 Pico Avenue, San Simeon, California 93452
(805) 927-4778 Fax (805) 927-0399

BACTERIOLOGICAL QUALITY PROCEDURAL SAMPLING

This notification of the public is being done by the San Simeon Community Services Contract Operator in compliance with the California Safe Drinking Water Act as a means of keeping the public informed.

The monthly bacteriological sampling routinely performed by the San Simeon Community Services District was not collected and analyzed during September 2005, as required in Section 64423 of the California Safe Drinking Water Act. The bacteriological quality of domestic water is routinely determined by testing for coliform bacteria. Coliform bacteria are indicators of potential contamination and may originate from human, animal, or soil sources. If the coliform standards are met, the water served can be considered as being bacterially safe. If they are not met, drinking water may not necessarily result in illness, but that possibility exists. Routine sampling is important to periodically check water quality.

Bacteriological sampling was performed as scheduled during the month of October 2005. The October 2005 sampling as with sampling performed prior to September 2005, demonstrates that coliform standards have been met. The water served can be considered as being bacterially safe.

Consumers needing more information should contact, Tom O'Neill at 805-927-4778.

Sincerely,

Tom O'Neill

AR

Tom O'Neill
General Manager

San Simeon Community Services District



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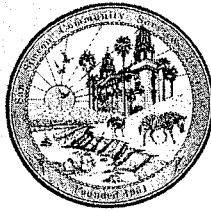
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Sincerely,

Tom O'Neill

Tom O'Neill
General Manager

AR

L. R. PAULSELL CONSULTING
CONSTRUCTION MANAGEMENT and INSPECTION
PIPELINE VIDEO INSPECTION

October 31, 2005

ECO Resources
111 Pico Avenue
San Simeon, CA 93452

Attention: Tom O'Neill

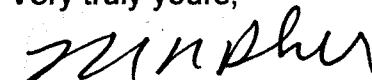
INVOICE ECO 05-12

Services performed for San Simeon Community Services District 2005 Sewer Repairs. October 3 through 31, 2005 progress payment. Items No. 2, 3, 4, 5, 8, 9, and grease removal of No. 11 are 100% complete. Items No. 6, 7, 10, and 12 have been saw cut. The materials for Item No. 11 manhole installation have been purchased and are on site. Item No. 1 is pending further review.

Crew and Equipment:	50.5 hours @ \$250.00 ea.	\$12,625.00
Rental Equipment:	\$528.44 plus 15%	\$607.71
Saw Cut Asphalt:	\$475.00 plus 15%	\$546.25
Materials:	\$1,694.26 plus 15%	\$1,948.40
	Total Amount Due	\$15,727.36

Note: Payment is due upon presentation of Invoice. Payments not received within 30 days from Invoice date will be subject to a late charge of 2.0%. **Please send payment to new address below.** L. R. Paulsell Consulting is a State of California Certified Small Business.

Very truly yours,


Lloyd R. Paulsell S.E.T.

P. O. Box 816, Crockett, CA 94525
(510) 245-7037

*Faxed to
GSP's B
for payment
11/4/05*

L. R. PAULSELL CONSULTING
CONSTRUCTION MANAGEMENT and INSPECTION
PIPELINE VIDEO INSPECTION

May 20, 2005

ECO Resources
111 Pico Avenue
San Simeon, CA 93452

Attn: Mr. Tom O'Neill

Subject: San Simeon Sewer Cleaning and CCTV Inspection:

Gentlemen:

Attached is a copy of the CCTV logs and video tape for the above project. Below are my comments after reviewing the logs and video tape, I have itemized them by pipe section.

Pico Avenue:

MH 1 to 2: This section contains roots from 160 to 223 feet downstream from MH 1. There is a sag from 214 to 226 feet downstream from MH 1, ending at MH 2. This pipe should have roots cut out and be hydro cleaned annually.

MH 2 to 34: This section has a 45 elbow at 4 feet downstream from MH 2, MH 34 is under a bush behind the sidewalk. There is a sag from 20 to 38 feet downstream from MH 2, ending at MH 34. This pipe should be hydro cleaned semi annually.

Easement:

4 (MH 34 to 3: This section has two clean outs in line and a 45 elbow cast into MH 3 base. There are multiple sags. This pipe should have the elbow removed from the base of MH 3 and be hydro cleaned semi annually. *Remove Elbow & Patch Channel 800.00*

MH 3 to 4: This section contains roots from 90 to 105 feet and 195 to 204 feet downstream from MH 3. There are multiple sags with grease build up. This pipe should have roots cut out and be hydro cleaned semi annually.

MH 5 to 3: This section is in good condition; MH 5 is buried and should be uncovered, the pipe should be hydro cleaned biannually.

P. O. Box 816, Crockett, CA 94525
Office (510) 245-7037 Fax (510) 245-7038

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Avonne Avenue:

5. (MH 4 to 6: This section has multiple sags and broken pipe with a void at the connection to MH 6. The connection to MH 6 should be repaired and the pipe should be hydro cleaned annually.

MH 6 to 8: This section has multiple sags and heavy roots at a joint 216 feet downstream from MH 6. The heavy roots were removed. This pipe should be hydro cleaned and inspected annually.

MH 8 to 9: This section is in good condition, the pipe should be hydro cleaned biannually.

MH 12 to 11: This section has multiple sags, the pipe should be hydro cleaned annually.

6. (MH 11 to 10: This section has a major offset lateral connection at 258 feet downstream from MH 11. The offset should be repaired and the pipe hydro cleaned biannually.

7. (MH 10 to 9: This section has major offsets at 3 lateral connections and multiple sags. The offsets should be repaired and the pipe hydro cleaned annually.

Penn Way:

8. (CO 7 to MH 6: This section has roots from 18 to 34 feet upstream from MH 6 and asphalt debris in CO 7. The roots should be cut out and the asphalt debris removed from CO 7. The pipe should be hydro cleaned biannually.

Easement:

CO 13 to MH 8: This section is in good condition, the pipe should be hydro cleaned biannually.

Castillo Drive:

MH 20 to 14: This section has multiple sags, the pipe should be hydro cleaned semi annually.

MH 14 to 15: This section has broken pipe at a lateral 46 feet downstream from MH 14 and multiple sags. The pipe receives frequent heavy flow releases from a force main discharge in MH 14. The pipe should be hydro cleaned and inspected biannually.

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Office (510) 245-7037 Fax (510) 245-7038



United Rentals
Trench Safety

SAN LUIS OBISPO, CA 93401
805-543-0113

RENTAL RETURN INVOICE
** COPY **

510-245-7038

Job Site

J. R. PAUNSELL
C/O HEART AND STATE DET. MFR.
SAN SIMON, CA 93452

CA 510-245-7037 J.R. 510-245-7037

Customer

PAUNSELL, LOYD
678 SAN PABLO AVE
RODEO, CA 94572

Customer # 218750658
Invoice # 2182544-004
Invoice Date 10/13/05
Date Due 10/13/05 10:00 AM
Printed At 10/13/05 11:57 AM
Job Loc C/O HEART AND STATE DET. MFR.
Job No.
P.O. #
Ordered By JOHN 245-1693
Machine No. 00000000
Attachment 0000
Terms Net 30 Days Receipt

PLEASE REMIT PAYMENT TO:
UNITED RENTALS NORTHWEST, INC.
PO BOX 671400
DALLAS, TX 75267-1400

Qty	Equipment #	Rate	Day	Week	Week	Amount
2	8' TRENCH SHORE 22-36 CYL	32.33	8.08	32.33	97.00	64.66
1	HAND PUMP FOR SHORING	32.00	10.66	32.00	97.00	32.00
1	RELEASE TOOL 48IN	13.33	4.44	13.33	43.00	13.33
1	RAMMER LG 29-3600 LBS/BLOWS * 685607 Make: MULTI QUIP Model: MT65H Ser #: M-4039	86.00	86.00	344.00	918.00	172.00
DELIVERY CHARGE						90.00
PICKUP CHARGE						90.00

PAYMENT HISTORY

DATE	TYPE	REF #	AUTH #	TRANS TYPE	AMOUNT	APPLIED
10/10/05	VISA CARD	**2001	118081	CHARGED		750.00
10/14/05	VISA CARD	**2001		CREDITED		221.56

Cardmember acknowledges receipt of goods and/or services in the amount of the total shown hereon and agrees to perform the obligations set forth by the cardmember's agreement with the issuer. X

Sub-total: 461.99
Rental protection: 39.48
Tax: 26.97
Total: 528.44
Deposit: 750.00
Amount refunded: 221.56

COPY

Amount refunded to customer: 221.56

TERMS AND CONDITIONS: This invoice is subject to the terms and conditions of the rental agreement which is attached to this invoice. The customer is responsible for the return of the equipment in good condition and on time. Failure to do so may result in additional charges and penalties. The customer is also responsible for the safekeeping of the equipment and for any damage or loss. The customer is not to use the equipment for any purpose other than that intended by the manufacturer. The customer is to use the equipment in accordance with the manufacturer's instructions. The customer is to use the equipment in a safe and sound manner. The customer is to use the equipment in a lawful manner. The customer is to use the equipment in a manner that does not constitute a nuisance to the community. The customer is to use the equipment in a manner that does not constitute a hazard to the public. The customer is to use the equipment in a manner that does not constitute a violation of any applicable laws or regulations. The customer is to use the equipment in a manner that does not constitute a violation of any applicable codes or standards. The customer is to use the equipment in a manner that does not constitute a violation of any applicable policies or procedures. The customer is to use the equipment in a manner that does not constitute a violation of any applicable contracts or agreements. The customer is to use the equipment in a manner that does not constitute a violation of any applicable laws, codes, standards, policies, procedures, contracts, or agreements. The customer is to use the equipment in a manner that does not constitute a violation of any applicable laws, codes, standards, policies, procedures, contracts, or agreements. The customer is to use the equipment in a manner that does not constitute a violation of any applicable laws, codes, standards, policies, procedures, contracts, or agreements.

CUSTOMER SIGNATURE: _____ **DATE:** _____ **RENTAL RETURNED:** _____ **DELIVERED BY:** _____

A LARGER FONT COPY OF THE TERMS AND CONDITIONS IS AVAILABLE UPON REQUEST.



Date	Order No.
10/12/2002	
Scale No.	Cum. Prod. Qty.
355802	1.00
Time Loaded	Batching & Weighing Location
	103300
	Santa Margarita HMA
	SCALE # 0

Hanson Aggregates Santa Margarita
 2 miles north El Camino Real 805-438-1590
 Santa Margarita, CA 93453

WEIGHMASTER CERTIFICATE

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture. Seller makes no warranty of any kind, express or implied, regarding the material; and all warranties, including any implied warranty of merchantability or of fitness for a particular purpose, are hereby excluded. The Material is sold by the cubic yard, cubic meter, or ton, or load. Customer acknowledges that the amount of Material ordered has been determined by the Customer, and Customer assumes full responsibility, and shall hold Seller harmless, regarding the adequacy of the amount of Material ordered.

WARNING

The aggregates in this product contains as much as 0.1% crystalline silica which has limited evidence of carcinogenicity in humans; and detectable amounts of chemicals known to the State of California to cause cancer, birth defects or reproductive harm.

Time Due on Job	
Arrive Job *	
Truck Spotted	
Start Unloading	
Finish Unloading*	
Leave Job	
Arrive Plant	

Customer Name	Customer No.	Customer P.O.	Customer Job No.	Project No.	Quantity Ordered
CASH S/S SANTA MARGARITA	1114005	*A/C CASH		27914	0.01
Payment Type	Cust/Check/Credit Card Approval No.	Driver's License No.	Phone / Cell	Miscellaneous	

JOB ADDRESS / SPECIAL INSTRUCTIONS:

*A/C CASH SALE 1

Product	Description	Unit of Measure	Total	Unit Price	Amount
800651	Type B, 12.5-mm (1/2") Maximum	Ton	1.00	50.00	54.00

Truck Type	Vehicle or License No.	Trailer or License No.	Trailer or License No.	Load No.
------------	------------------------	------------------------	------------------------	----------

Trailer/Carrier No.	Truck No.	Driver's Name	Map/Page	Zone	Mileage
---------------------	-----------	---------------	----------	------	---------

SCALE WEIGHT **GALLONS OF WATER ADDED READY MIX ONLY**

At Plant	Begin Job	Stump <input type="checkbox"/>	Middle Job	Stump <input type="checkbox"/>	End Job	Stump <input type="checkbox"/>	Cartage	0.01
		Cyl <input type="checkbox"/>		Cyl <input type="checkbox"/>		Cyl <input type="checkbox"/>		

Gross	23468	Water added at customer's request above, water/cementitious ratio and/or slump will be customer's responsibility. CAUTION: Contains Portland Cement. May irritate eyes and skin. In case of contact, flush thoroughly with water. Get prompt medical attention. DO NOT take internally. Keep out of reach of children. Buyer/Contractor is responsible for providing a contained area to wash out mixer truck. *Note: Unloading time four (4) minutes per yard. Excess time charged at rates quoted.	Sub Total	
Tare	* 21300		Sales Tax	3.94
Net	2168		TOTAL	57.94

CERTIFICATION OF TARE WEIGHT FOR MATERIAL HAULERS

I do certify that the tare weight listed is the MAXIMUM tare weight that the truck and/or trailer will weigh. I also understand that it is the responsibility of the driver to maintain the actual weight so that the actual tare weight of the vehicle SHALL AT NO TIME EXCEED THE RECORDED TARE WEIGHT LISTED. It is also my responsibility to inform the weighmaster or deputy whose name appears on this weighmaster certificate when I intend to haul material in trailers not listed above

Chapter 7, Section 12722(b) of California Business & Professions Code.

Driver: On Off

Weighmaster

Brian Quvenec DEPUTY DRIVERS SIGNATURE:

Standing Time	
This Ticket's Grand Total	57.94
Total S All Loads	

one available to sign, customer waives receipt nature. (First delivery ticket Buyer/Contractor nature release must be signed.)

Received By Signature Print Name (Customer) Driver Signature (ReadyMix)

CENTRAL PRECAST CONCRETE, INC
471 W. COLLEGE AVE
SANTA ROSA, CA 95401
(707) 546-5016

INVOICE DATE
10/07/05

INVOICE NUMBER
0156002-IN

SOLD TO:
L.R. Paulsell Consulting
P.O. Box 816
Crockett CA 94525

JOB LOCATION:
WILL CALL PLEASANTON
Pleasanton CA

(510) 245-7037

TERMS
COD

COMMENT:
San Simeon

ORDER#	SHIP DATE CONTACT	CUST PO#	SHIP VIA	ACCOUNT #
0067832	10/07/05 Robin Paulsell		W/C PLE	PAULSEL

ITEM CODE	DESCRIPTION	QUANTITY	PRICE EACH	AMOUNT
55-A1024FCSS	D&L A1024 Frame & Cover Sanitary	1.0	212.75	212.75
20-48/24EC3S	48 To24 EccMH Cone 36 W/Steps	1.0	221.00	221.00
20-48V2.5S	48 MH Vertical 30 W/Steps	1.0	184.17	184.17
20-48GRT24SS8	48in Dia Channelized Manhole Base With Holes For Grout Connect 24in Depth With Max Hole Size of 8in	1.0	569.49	569.49
60-POLYSEALCT	1-1/4" Polyseal 5 Rolls/carton Customer paid w/Check #4732	1.0	89.25	89.25

TAXABLE AMOUNT	1,276.66
FREIGHT AMOUNT	.00
SALES TAX	111.71
INVOICE TOTAL:	1,388.37



INC.

Sales Order

DATE PAGE
Oct 6, 2005 1

ORDER NUMBER
ORD104362

4025 Nelson Avenue
Concord, CA 94520
Phone: (925) 686-4430
Fax: (925) 825-1397

San Simeon CSO

Bill To: MISC L
LRS CONSULT
USA

Cust No. MISC L

Ship To: WILL CALL
4730

REFERENCE	PO NUMBER	F.O.B. POINT	SALESPERSON	ORDER DATE	SHIP VIA	TERMS
			GISSELLE HOLDEN	Oct 6, 2005	WILL CALL	COD

ORDERED	QUANTITY		ITEM NUMBER	DESCRIPTION	UNIT PRICE	UNIT	AMOUNT
	SHIPPED	B / O					
10	<i>10</i>		XP-CAULDR-149-06-08	6" X 6" CLAY X CLAY	10.880	EA	108.75
3	<i>3</i>		XP-CAULDR-149-08-06	8" X 8" CLAY X CLAY	16.720	EA	50.16

Tax Summary:		Less Included Tax		0.00
CCOST	13.11	Subtotal	158.91	
		Total Sales Tax	13.11	
		Total Order	172.02	

X _____
Signature

All cash and special order sales are final. All returns subject to a 25% restocking fee.
Terms: Net 30 days. A service charge of 2% per month (24% - annually) will be assessed on all past due invoices. In the event of litigation, ATCO CONSTRUCTION PRODUCTS, INC., shall be entitled to all their collection costs and expenses, including attorney fees.

Thank You

Customer Copy

Job San Simeon,

ACE HARDWARE CAMBRIA
MON-FRI 8-5PM, SAT 10-5PM (805) 927-9930
LEAVE YOUR RECEIPT FOR NO HASSLE RETURNS

12	CONCRETE MIX 60# BU	36.32
12	A B A 740	
12	BOX STEEL TACK 1/2"	15.99
12	TUR MIXING LARGE 14	22.99
	WARRANTY	75.00
	TOYOTA	3.50
	WHEEL	2.00
	SALE 0000	22.95

THANK YOU FOR YOUR BUSINESS
TOP 10/24/85 3:15PM 000740166 00

Tax 7.25% 2.63
36.32
38.95

Job San Simeon

THANK YOU FOR SHOPPING AT
MINER'S ACE HARDWARE 9451-S
520 ATASCADERO RD
MORRO BAY CA 93442
(805) 772-2233

Visit us online @ www.minershardware.com

10/05/05	1:47	FRANKM	596 SALE

8050	10	EA	2.29 EA
QUICK CRETE 60LB			22.90
8004R	8	EA	.25 EA
CON BRICK RED			2.00
3028	1	EA	9.60 EA
TREX BENDER BRD 16 FT			9.60

SUB-TOTAL:	34.50	TAX:	2.50
		TOTAL:	37.00
		BC AMT:	37.00

BK CARD#: XXXXXXXXXXXX2001



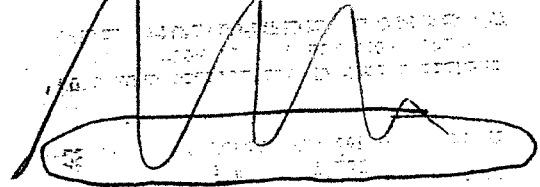
====>> JRNL# C57269
CUST # *3

<<=====

THANK YOU LLOYD R PAULSELL
FOR YOUR PATRONAGE

MINER'S NO HASSLE RETURN POLICY
YOUR RECEIPT GUARANTEES IT.

Job San Simeon



Leah, here is the original board packet. Please make the 3 changes to the minutes (last page) and file. My hand written notes should be filed with the packet. You may want to make a copy of my notes for your reference when typing the minutes.

Tom



**Board of Directors – Special Meeting
San Simeon Community Services District
AGENDA
Tuesday November 22, 2005 3:00 PM
Cavalier Banquet Room**

Note: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

1. 3:00 PM – REGULAR SESSION
 - 1.1 Roll Call
 - 1.2 Pledge of Allegiance

2. PUBLIC COMMENT:

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

 - 2.1 Public Comment

3. DISCUSSION/ACTION ITEMS
 - 3.1 Discussion/Action Regarding the Water Committee's Presentation on Proposed Ordinance for Establishing Water and Sewer Service Allocation and Transfer Requirements
 - 3.2 Discussion/Action Regarding the Postponement of the December 2005 San Simeon CSD Board Meeting.

4. BOARD/STAFF GENERAL DISCUSSIONS AND PROPOSED AGENDA ITEMS
Outfall & Flow meter inspection

5. ADJOURNMENT

SSCSD Special Mtg 11-22-05 3:00pm

Call to order at 3:10 pm

Roll call - Loraine & Schultz not present

Public Comments -

Be This is the Board water concerns
Water packet for 11-22-05
Special Mtg. The notation

~~Motion~~ last item "Notice of
~~Draft~~ Public Meeting" needs ~~Committee~~
of to have a copy made ~~approval~~
and filed under

~~Mot.~~ RWACB
Sec 20 Tar...

Roll Call 4/0 Loraine absent

- Motion to adopt water boards
recommendations as ~~presented~~ and to
bring back Draft ordinance to
board, after legal counsel review, ~~for~~ and
approval

Final

- Motion to direct staff to bring
back to Board scope of water study
and estimated costs

Motion - ~~Lee~~ Russell

Second - Fields

Vote 4/0

- Motion to direct legal counsel to determine what if any legal issues are associated with interim rate increases
- Motion by Kiech
- Second " Russell
- Vote 4/0

3.2 Pulled from agenda
Meeting will be Dec 14th

Agenda

Ordinance 101

~~EDU~~

Director vote of officers

Mike wants PD series for copying

Adjourn 4:20 pm

6:32 pm

All Directors present + O'Neill + Schultz

Board
Mtg Notes
from 11-9-05

Discussion/Action

Pay Return

Approval of Alternatives Analysis proposal

Motion - Russell

Second - Kiech

Vote 5/0

Approval of M29 Website proposal

Motion - Russell

Second - Lorie

Vote - 5/0

Approval of Psomas Grant Asst. proposal

Motion - Kiech

Second - Russell

Vote - 5/0

Minutes - Motion - Russell
Approved with changes

Second - Fields Vote - 5/0

Warrants Motion - Russell

Second - Fields Vote 5/0

Millie Franchett -
Don't ignore Lyon
Agrees with the process
of the Board.

Public Comments

- Ron ~~Hartberg~~ ^{Hartbert} wants to know what district is doing to acquire water for district & landowners
- Bob Hather - property owner - stated that Cambria told him SSCSD has not communicated with them.

- Sgt Ramussen - Sheriff's Dept
30 calls / 2 arrests
- will look into Meth complaints

Mike Hanchett

Special Mtg Request by Water Committee within 2 weeks

Special Mtg Nov 22nd
3:00 pm to 5:00 pm

Water Committee presentation

County Disaster Plan that deals w./ San Simon

Financial Statement
LAIF
Reserves
Bank Account

Adgouren 8:40

SSCSD Special Mtg 11-22-05 3:00pm

Call to order at 3:10 pm

Roll call - Loraine & Schultz not present

Public Comments -

Bob Mac - Recycled water concerns

Water Committee presentation

~~Motion to approve Water Committee
Draft Ordinance with approval
of General Counsel~~

Motion By Lambeth

Second by Fields

Roll Call 4/0 Loraine absent

Final
• Motion to adopt water boards
recommendations as presented and to
bring back Draft ordinance to
board, after legal counsel review, ~~and~~ and
approval

• Motion to direct staff to bring
back to Board scope of water study
and estimated costs

Motion - ~~Lee~~ Russell

Second - Fields

Vote 4/0

- Motion to direct legal counsel to determine what if any legal issues are associated with interim rate increases
- Motion by Kiech
Second " Russell
Vote 4/0

3.2 Pulled from agenda
Meeting will be Dec 14th

Agenda

Ordinance 101

~~EDU~~

Director vote of officers

Mike wants 90 series for copying

Adjourn 4:20 pm

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
SAN SIMEON COMMUNITY SERVICES DISTRICT
ESTABLISHING WATER AND SEWER SERVICE ALLOCATION
TRANSFER REQUIREMENTS**

WHEREAS, the San Simeon Community Services District (hereinafter referred to as "District") may provide for the allocation of water and sewer service among the various parcels of real property within the service territory of the District and among the various uses, both existing and proposed, on such parcels; and

WHEREAS, the District is desirous of promoting the most efficient use of water by promoting water conservation; and

WHEREAS, retrofitting of plumbing fixtures in existing buildings within the District promotes water conservation; and

WHEREAS, construction of new buildings that incorporates new water saving technology promotes water conservation; and

WHEREAS, permitting transfers of existing water and sewer allocations is an effective and desirable way of promoting water conservation by requiring installation of water saving plumbing fixtures at both the parcel from which water and sewer allocations are transferred and the parcel to which water and sewer allocations are transferred; and

WHEREAS, the District's Board of Directors on November 22, 2005 took testimony from the public and reviewed and evaluated the merits of permitting the transfer of water and sewer allocations within the District and rules and regulations therefore.

Section 1. Definitions. The following definitions shall be used for the following terms used in this Ordinance:

a. "Equivalent dwelling unit" or "EDU" means the average amount of water determined by the District attributable to a typical residential use in the District. The average water usage for one residence, as determined by the District from time to time, constitutes one EDU. The Chart of Equivalent Dwelling Units at Exhibit "A" determines the number of EDUs (or fraction thereof) attributable to a particular use on a parcel.

b. "Existing commitments" means service commitments made to specific parcels, including active service commitments, non-active service commitments and waiting list commitments. The lists of existing non-active service commitments attached at Exhibit "B" sets forth the inventory of non-active service commitments as of the effective date of this Ordinance.

c. "General Manager" means the General Manager of the District or the General Manager's designee.

d. "Parcel" means real property within the boundaries of the District which the County of San Luis Obispo recognizes as a separate parcel for purposes of real property taxes and assessments and which qualifies under County of San Luis Obispo ordinances as a separate building parcel.

e. "Waiting list" means the list established by the District setting forth water and sewer allocations on parcels that are not active service or non-active service commitments.

Section 2. EDU As A Basis For Allocation. EDUs shall be used as the basis for allocation of water and sewer connections by the District. The Chart of Equivalent Dwelling Units at Exhibit "A" shall be used when calculating the EDUs required for individual land uses. When a land use does not fit any of the categories set forth in the Chart of Equivalent Dwelling Units, the General Manager shall compute the required EDUs for the land use on the basis of estimated water use.

Section 3. Existing Commitments. The following categories of existing commitments are established:

a. Active Service Commitments. Active service commitments consist of parcels for which active water service is provided. Active service commitments are those with current billing for service for potable water. Active service commitments are categorized as residential and commercial.

b. Non-Active Service Commitments. Non-active service commitments consist of those parcels listed on the attached Exhibit "B" that the District has determined have pre-existing commitments for water service, but which do not use all of the EDU's allocated to the parcel.

c. Waiting List Commitments. Waiting list commitments consist of those parcels listed on the District's water and sewer service waiting list. A copy of the water and sewer waiting list is attached at Exhibit "C."

d. Updating Non-Active Service Commitments. The non-active service commitment list attached at Exhibit "B" may be supplemented in the future under the following circumstances:

1. District Property. The District Board of Directors may assign EDUs to District owned property as the Board deems reasonable and proper to a maximum of three (3) EDUs in any one year.

2. All Other Property. A property owner may petition the District in writing to have all or a portion of the existing EDUs allocated to a parcel listed as a non-active service commitment. The General Manager shall determine if there is evidence to support the fact that a valid connection to the water system had existed, or that the District had otherwise authorized water service, and that plumbing fixtures representing all or a portion of the EDUs of water allocated to the parcel have been disconnected and removed. The General Manager shall make a recommendation to the District Board of Directors based on the evidence and the Board of Directors shall approve, approve with conditions, or deny in whole or in part, the petition.

Section 4. Transfers of Positions To Another Parcel. Owners of parcels with existing commitments may transfer all or a portion of the EDU's represented by such existing commitments to another parcel or parcels within the boundaries of the District. The transfers of EDUs shall satisfy the following requirements:

a. Active Service Commitments. All plumbing fixtures associated with active service commitment EDUs to be transferred to another parcel shall be disconnected and removed. Prior to the effective date of the transfer, the General Manager shall inspect the transferring parcel to verify that the plumbing fixtures associated with the transferring EDUs have been disconnected and removed. All existing plumbing fixtures on the parcels to which active service commitment EDU's will be transferred shall meet the water conservation requirements of the District. In the event all or any portion of such plumbing fixtures do not meet the water conservation requirements of the District, such plumbing fixtures shall be replaced with fixtures that meet the water conservation requirements of the District prior to the effective date of the transfer. All new plumbing fixtures to be installed at the parcel to which the EDUs will be transferred that will utilize such EDUs shall also meet the water conservation requirements of the District. Prior to the effective date of the transfer, the General Manager shall verify that all existing and new plumbing fixtures at the parcel to which the EDUs have been transferred meet the water conservation requirements of the District.

b. Non-Active Service Commitments. All exiting plumbing fixtures, if any, on the parcel or parcels to which EDUs associated with non-active service commitments will be transferred that do not meet the water conservation requirements of the District shall be replaced with plumbing fixtures that meet such requirements. The General Manager shall verify that all such plumbing fixtures have been replaced prior to the effective date of the transfer.

c. Waiting List Commitments. All existing plumbing fixtures, if any, on the parcel to which EDUs associated with a water wait list commitment will be transferred that do not meet the water conservation requirements of the District shall be replaced with plumbing fixtures that meet such requirements. The General Manager shall verify that all such plumbing fixtures have been replaced prior to the effective date of the transfer.

d. Effective Date Of Transfer. The effective date of a transfer of EDUs from one parcel to another shall be the date that all requirements of this Section of the Ordinance have been satisfied.

Section 5. Transfer Of EDUs Within A Parcel. Owners of parcels with active service commitments or non-active service commitments may transfer EDUs or plumbing fixture or set of plumbing fixtures to a new plumbing fixture or set of plumbing fixtures at another location within the parcel. Prior to any such transfer, the Owner of such parcel shall notify the District in writing. Prior to connection of the fixture(s) related to the EDUs being transferred, the General Manager shall inspect the parcel to verify that there will be no net increase in EDUs and that the new plumbing fixtures related to the EDUs being transferred meet the water conservation requirements of the District.

Section 6. Establishment Of Fees. The District Board of Directors shall establish fees from time to time that enable the District to recover any costs of the District associated with implementation and enforcement of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED that the Board of Directors of the District does hereby order that within fifteen (15) days of passage, this Ordinance shall be published one time in a newspaper of general circulation within the District, together with the names of the Members of the Board of Directors of the District voting for and against the Ordinance.

On motion of Director _____, seconded by Director _____, and on the following roll call vote:

AYES:

NOES:

ABSENT:

Ordinance ___ is hereby adopted this 22nd day of November, 2005.

President, Board of Directors

ATTEST:

District Secretary

APPROVED AS TO FORM:

District Counsel

Draft

EXHIBIT "A"

CHART OF EQUIVALENT DWELLING UNITS

<u>Land Use</u>	<u>Equivalent Dwelling Units</u>
Motels (per unit)	.7
Motels (managers apartment)	1.0
Restaurant	1.0/184 sq. ft. of total area
Service Stations	2.3/2 restrooms
Residence (single family, condominium and mobile home)	1.0
Retail Shops	.4/950 sq. ft.
Public Restrooms	.9/restroom
Commercial Laundries	.4/washing machine
Irrigation	.5/meter

Draft

NOTICE OF PUBLIC MEETING
CENTRAL COAST WATER BOARD MEETING
Thursday and Friday, December 1-2, 2005
895 Aerovista Place, Suite 101 San Luis Obispo, CA 93401
[See Page 9 for location map]

[Staff will review and transmit all written material to the Board Members received by Wednesday of the week prior to the Board meeting, 5:00 p.m., or by any earlier due date required in a hearing notice for a specific agenda item. Please see the Conduct of Meeting section on Page 8, and below, for the Central Coast Water Board's procedures for accepting late submittals.]

[The board and staff welcome information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing and only a summary of pertinent points presented verbally. In order to give everyone an opportunity to be heard, comments should have been previously submitted in writing and a time limit on presentations may be imposed on any agenda item. Speakers should plan to summarize key points within three minutes. Please notify staff three weeks prior to meetings of a request for presentations planned for longer than three minutes, for scheduling purposes. The Chair will decide if the request should be granted, and staff will let the speakers know if the Chair granted the request.]

Thursday, December 1, 2005, 1:00 p.m.

[Item Nos. 12, 13, 14, 15, 17, 27 and 28 may be heard on Thursday, time permitting. If you wish to be present for any of these items, please contact the staff person designated on the agenda. Staff will provide updated information regarding the day and time when the Board will take up the item.]

1. Roll Call [Carol Hewitt 805/549-3503].....Board Members Present
2. Introductions [Roger Briggs 805/549-3140] Guests and Staff Present

Enforcement

3. Los Osos Community Services District, San Luis Obispo County Order No. R3-2005-0137
(Consideration of Administrative Civil Liability Penalties)
 [Sorrel Marks 805/549-3695]
4. Public Forum Board Direction
*(Any person may address the Board on any matter within its jurisdiction that is not on the agenda. Please walk to the rostrum and after receiving recognition from the Chair, give your name and address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief. The Chair generally limits the time allotted to each speaker to **three** minutes).*

Friday, December 2, 2005, 8:30 a.m.

5. Approval of October 21, 2005 Meeting MinutesBoard Motion
6. Report by State Water Resources Control Board Liaison [Gerald Secundy 916/341-5607].....Status Report
7. Uncontested Items Calendar.....Board Motion
(Agenda Item numbers 18, 19, 20, 23, 24 and 25 with a single asterisk (), are expected to be routine and non-controversial. Recommended action on these items will be taken at the beginning of the meeting without discussion. If any Interested Party, Board Member, or the Executive Officer requests that an item be removed from the calendar, it will be taken up in order).*

Status Reports

8. On-Farm Management Practice Implementation Status Report
[Amanda Bern 805/594-6197]

Watershed Management and Basin Planning

9. Guadalupe Fund: Permit Streamlining for San Luis Obispo County and Santa Barbara County Board Approval
[Howard Kolb 805/549-3332]
10. Pajaro River Nitrate Total Maximum Daily Load..... Resolution No. R3-2005-0131
(Adopt Resolution) [Larry Harlan 805/594-6195]
11. Pajaro River Sediment Total Maximum Daily Load..... Resolution No. R3-2005-0132
(Adopt Basin Plan Amendment) [Larry Harlan 805/594-6195]

Cleanup Cases

12. Spills, Leaks, Investigation, and Cleanup Status Report
Scotts Valley Dry Cleaner, 272 Mount Herman Road, Scotts Valley, Santa Cruz
[Karyn Steckling 805/542-4642]
13. Guadalupe Oil Field, San Luis Obispo County [Diane Kukol 805/542-4637] Status Report
14. Perchlorate Cases [David Athey 805/542-4644; Kristina Seley 805/549-3121] Status Report
Olin Corporation, Santa Clara County
McCormick Selph, San Benito County
Whittaker Corporation, San Benito County
United Defense, San Benito County
15. Corrective Action Plan Approval..... Status Report
Gallo Station No. 102, 200 Five Cities Drive, Pismo Beach, San Luis Obispo County
[Corey Walsh 805/542-4781]

Low Threat and General Discharge Cases

16. Low Threat and General Discharge Cases Information/Discussion/Board Approval

Statewide General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems, Water Quality Order No. 97-10-DWQ

University of California, Santa Barbara, Sedgwick Reserve, Santa Barbara County
[Todd Stanley 805/542-4769]

Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality, Water Quality Order No. 2003-0003-DWQ

Paso Robles Hot Springs and Spa, San Luis Obispo County [Tom Kukol 805/549-3689]
The Ravine Water Park, San Luis Obispo County [Tom Kukol 805/549-3689]

General NPDES Permit for Low Threat Discharges, Order No. 01-119

ExxonMobil Santa Ynez Unit Production Facility, Water Supply Well 8P-2 Testing Project, Santa Barbara County
[Todd Stanley 805/542-4769]

General Waste Discharge Requirements for Closed, Inactive, or Abandoned Non-Hazardous Landfills

California Army National Guard, Camp San Luis Obispo, Sutter Avenue Closed Class III Landfill,
San Luis Obispo County [Thea Tryon 805/542-4776]

Waiver of Waste Discharge Requirements, Resolution R3-2002-0115

Tres Hermanas Winery, Santa Maria, Santa Barbara County [Matt Thompson 805/549-3159]

Staff Closed Cases

ExxonMobil Service Station No. 18-L6B, 6990 El Camino Real, Atascadero, San Luis Obispo County
[Corey Walsh 805/542-4781]
Former French Laundry, 740 Front Street, Santa Cruz, Santa Cruz County
[Tom Sayles 805/542-4640]

Cases Recommended for Closure

Toyota of Santa Barbara, 5611 Hollister Avenue, Goleta, Santa Barbara County
[John Mijares 805/549-3696]

Enforcement

17. Enforcement Report [Harvey Packard 805/542-4639]Status Report
- *18. City of San Luis Obispo, San Luis Obispo CountyStipulated Order No. R3-2005-0130
(*Consideration of Administrative Civil Liabilities*)
[Matt Thompson 805/549-3159]
[Discharger waived right to hearing, no hearing will be held]
- *19. San Simeon Community Services District, San Luis Obispo CountyStipulated Order No. R3-2005-0120
(*Consideration of Mandatory Minimum Penalties*)
[Matt Thompson 805/549-3159]
[Discharger waived right to hearing, no hearing will be held]
- *20. California Mens Colony, San Luis Obispo CountyOrder No. R3-2005-0122
(*Consideration of Mandatory Minimum Penalties*)[Matt Thompson 805/549-3159]
21. Monarch Grove Homeowners Association, San Luis Obispo CountyOrder No. R3-2005-0090
(*Consideration of Administrative Civil Liabilities*)[Sorrel Marks 805/549-3695]
22. Authority to Settle Enforcement Matters Board Direction
(*Consideration of Executive Officer's Authority to Settle Administrative Civil Liabilities
that Include Supplemental Environmental Projects or that Exceed \$25,000*)
[Roger Briggs 805/549-3140]

Waste Discharge Requirements

- *23. California Army National Guard, Camp San Luis Obispo Class III Landfill, Order No. 94-079
San Luis Obispo County (*Rescission of Waste Discharge Requirements*)
[Thea Tryon 805/542-4776]
- *24. Madonna Plaza Shopping Center, San Luis Obispo County Order No. R3-2005-0140
(*Waiver of Waste Discharge Requirements for Chemical
Oxidation Injection of Potassium Permanganate [KMnO₄]*)
[Sheila Soderberg 805/549-3592]
- *25. Los Alamos Community Services District, Santa Barbara County Order No. R3-2005-0133
(*Update Waste Discharge Requirements*) [Todd Stanley 805/542-4769]

Administrative Items

- 26. Public Forum.....Board Direction
[This item will be heard after 1:00 p.m.]
(Any person may address the Board on any matter within its jurisdiction that is not on the agenda. Please walk to the rostrum and after receiving recognition from the Chair, give your name and address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief. The Chair generally limits the time allotted to each speaker to three minutes).
- 27. Reports by Central Coast Water Board Members..... Status Report
- 28. Executive Officer's Report [Roger Briggs 805-549-3140]..... Information/Discussion

Water Quality Certifications

(A chart is provided in the agenda listing the applications received from September 1, 2005 through September 30, 2005. A listing of pending applications for Water Quality Certifications pursuant to Section 401 of the Clean Water Act may be obtained by calling Sandy Cheek at 805/542-4633.)

Watershed Reports

Status Reports (Informational Updates; NOTE: Board may give policy direction):
Storm Water Municipal General Permit [Ryan Lodge 805/549-3506]
Buena Vista Mines, Inc., San Luis Obispo County [Harvey Packard 805/542-4639]
Update on DeLaveaga Disc Golf Course, Santa Cruz County [Peter von Langen 805/549-3688]

Cleanup Reports

Status Reports (Informational Updates; NOTE: Board may give policy direction):
Santa Ynez Airport Landfill, Santa Barbara County [Hector Hernandez 805/542-4641]
Underground Tanks Summary Report dated November 7, 2005 [Burton Chadwick 805/542-4786]

Regional Reports

Regional Monitoring Report [Karen Worcester 805/549-3333]
Total Maximum Daily Load Program [Lisa Horowitz McCann 805/549-3132]

Administrative Reports

Presentations and Training [Roger Briggs 805/549-3140]

Closed Session

Discussion of Cases in Litigation [Senior Staff Counsel Lori Okun] Closed Session
The Board will meet in closed session to discuss pending litigation, as authorized by Government Code (GC) Section 11126[e][2][A], in the cases of Voices of the Wetlands, et al, v. Regional Water Quality Control Board (Monterey County Superior Ct. No. M54889; Sixth District Court of Appeal Case No. H028021); Birkey et al. v. Olin Corporation et al. (Santa Clara County Superior Ct. No. 104CV012714); Petitions of Cambria Community Services District and Cambria Legal Defense Fund (SWRCB/OCC File Nos. A-1462, A-1462(a)); Petition of Julian Weissglass et al, SWRCB-OCC File No. A-1598; Petition of Chicago Grade Landfill, SWRCB-OCC File No. A-1678; Petitions of Olin Corporation, et al. (December 8, 2004 Section 13267 Order), SWRCB-OCC File Nos. A-1685 and A-1685(a); USA Waste of California, Inc. v. Central Coast RWQCB (Monterey County No. M74267) (requirement to provide technical or monitoring report for Jolon Road landfill); Petitions of Monterey County Water Resources Agency and County of Santa Cruz, SWRCB/OCC Petition No. A-1702 (Waste Discharge Requirements Order No. R3-2005-0044 for Arthur R. Wilson Quarry); Petition of City of Santa Cruz, SWRCB/OCC Petition No. A-1712 (Administrative Civil Liability Order No. R5-2005-0067 for Delaveaga Golf Course); Petition of Haig Kelegian, SWRCB/OCC Petition No. A-1713 (Administrative Civil Liability Order No. R3-2005-0025 for Haig Keligian); Petition of Citizens for Responsible Forest Management; Lompico Watershed Conservancy; and Sierra Club, Santa Cruz Group, SWRCB/OCC File No.A-1714 (General Conditional Waiver of Waste Discharge Requirements – Timber Harvest Activities, Order No. R3-2005-0066); Goleta West Sanitary District v. Central Coast Water Board (Santa Barbara County Superior Court Case No. 01186178). The Board may discuss significant exposure to litigation as authorized

CENTRAL COAST WATER BOARD
Central Coast Water Board Meeting Agenda

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December 1-2, 2005

by GC Section 11126[e][2][B]. The Board may also decide whether to initiate litigation as authorized by GC Section 11126[e][2][C].

Deliberation on Decision after Hearing..... Closed Session
The Board may also meet in closed session to deliberate on a decision to be reached based upon evidence introduced in a hearing, as authorized by GC Section 11126(c)(3).

Adjournment

The next regularly scheduled Board meeting will be held on Friday, February 10, 2006, at the Salinas City Council Rotunda Chambers in Salinas.

CENTRAL COAST WATER BOARD MEETING SCHEDULE 2006

Date	City	Address
February 10, 2006	Salinas	Salinas City Council Rotunda Chambers 200 Lincoln Avenue, Salinas, CA 93901
March 24, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
May 12, 2006	Watsonville	Watsonville City Council Chambers, 250 Main Street, Watsonville, CA 95076
June 1, 2006 Offsite	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
July 7, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
September 8, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
October 20, 2006	Santa Barbara	Santa Barbara County Supervisors Board Hearing Room 105 East Anapamu St. - 4th Floor, Santa Barbara, CA 93101
December 1, 2006	San Luis Obispo	Central Coast Water Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906

LEAD STAFF PERSONS

Roger W. Briggs, <i>Executive Officer</i>	805-549-3140
Michael Thomas, <i>Assistant Executive Officer/Ombudsman</i>	805-542-4623
Carol Hewitt, <i>Executive Assistant</i>	805-549-3503
Cyndee Jones, <i>Regional Administrative Officer</i>	805-549-3372
Lori Okun, <i>Senior Staff Counsel</i>	916-341-5165
Harvey Packard, <i>Division Chief</i>	805-542-4639
Sheila Soderberg, <i>Cleanup/SLIC</i>	805-549-3592
Chris Adair, <i>Northern Non-point Source/Storm Water</i>	805-549-3761
David Athey, <i>Northern Permitting/Land Disposal Unit</i>	805-542-4644
VACANT, <i>Southern Permitting</i>	-----
Eric Gobler, <i>Cleanup/Perchlorate Sites</i>	805-549-3467
Burton Chadwick, <i>Cleanup/UST</i>	805-542-4786
Lisa Horowitz McCann, <i>Watershed Assessment</i>	805-549-3132
John Robertson, <i>Southern Non-point Source/Storm Water</i>	805-542-4630
Karen Worcester, <i>Regional Monitoring/Basin Planning</i>	805-549-3333

Please send or fax correspondence to:

Central Coast Water Board
895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
Phone: 805-549-3147 Fax: 805-543-0397

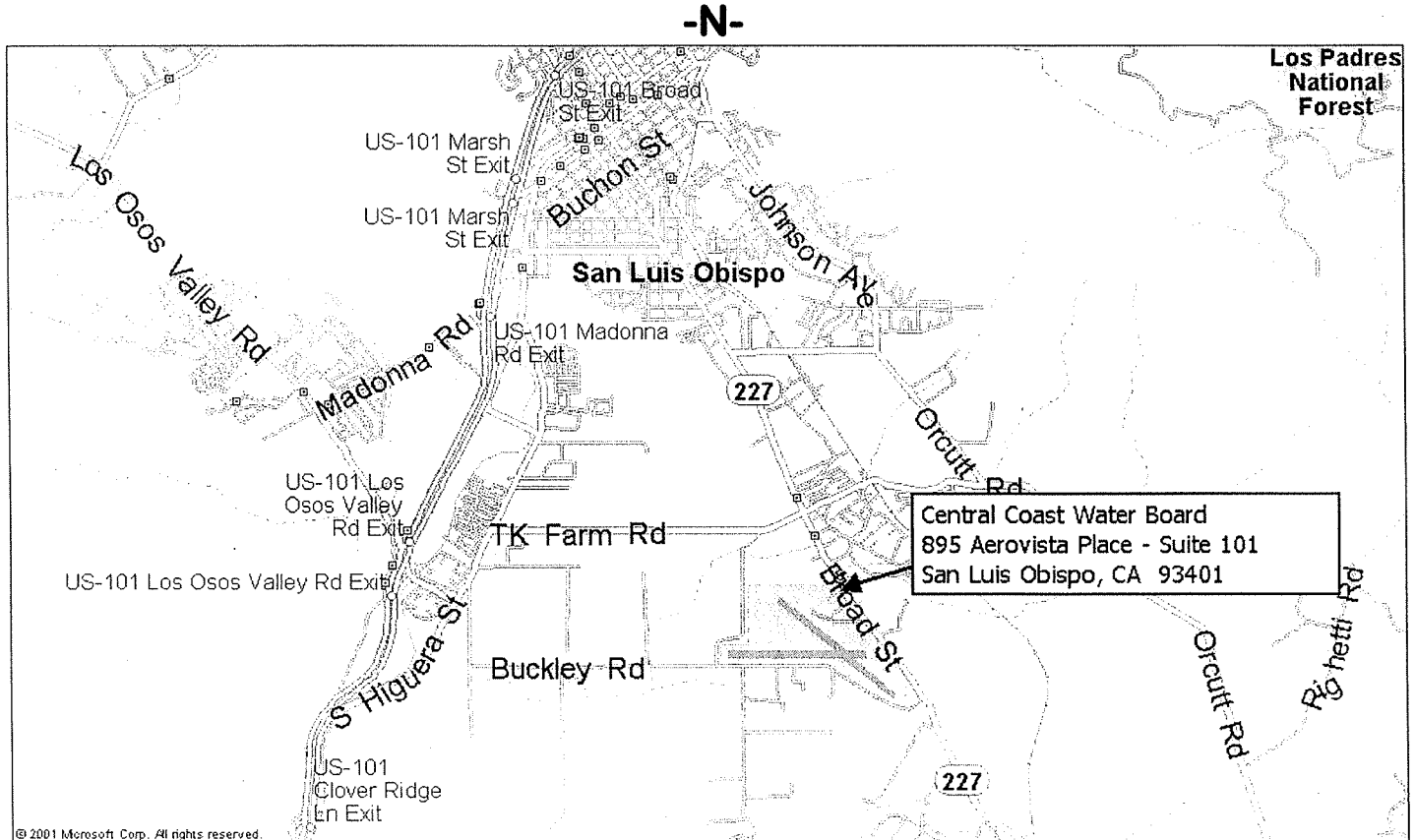
CENTRAL COAST WATER BOARD MEMBERS

Board Member	Appointment Category	Term Expires
Leslie S. Bowker Los Osos	County Government	9/30/2007
VACANT	Water Quality	9/18/2006
John H. Hayashi Arroyo Grande	Irrigated Agriculture	9/30/2007
Russell M. Jeffries Vice-Chair, Salinas	Industrial Water Use	9/30/2008
Monica S. Hunter Los Osos	Public	9/30/2008
Daniel M. Press Santa Cruz	Water Quality	9/30/2008
Gary C. Shallcross Monterey	Recreation, Fish or Wildlife	9/18/2006
VACANT	Water Supply	9/30/2009
Jeffrey S. Young Chair, Santa Barbara	Municipal Government	9/30/2005

CONDUCT OF MEETING AND HEARING PROCEDURES

- A - The primary duty of the Central Coast Water Board is to protect the quality of waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality plans for specific ground or surface water basins and by prescribing and enforcing requirements on all domestic, municipal, and industrial waste discharges. Specific responsibilities and procedures of the Regional Water Quality Control Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Act (Division 7), California Water Code.
- B - The purpose of the meeting is for the Board to obtain testimony and information from staff and concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board will vote only on matters listed on the agenda. The Board may give direction to the Executive Officer on any matter discussed during the meeting.
- C - Agenda items are numbered for identification purposes and will not necessarily be considered in the order listed.
- D - **RULES FOR LATE SUBMISSION OF WRITTEN MATERIALS:** This paragraph applies only if there are no deadlines for written testimony or comments in a separate hearing notice for an item. Written material received after the due date on the first page of the agenda and before noon on the Monday of board meeting week generally will not be provided to Board members until the day of the meeting, but will become part of the record unless the Chair rules that the late submission would prejudice the Central Coast Water Board staff or any party. Written material received after noon on the Monday of board meeting week will not be provided to Board members or become part of the record, unless the Chair rules that exclusion would create a severe hardship and that no party (including Central Coast Water Board staff) will be prejudiced by the late submission. The Chair will rule at or before the hearing. Late submissions that consist of evidence (as opposed to policy statements or comments) will generally be deemed prejudicial unless all designated parties (see below) have time to consider the evidence before the meeting.
- E - The Board and staff welcome information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing and only a summary of pertinent points presented verbally. In order to give everyone an opportunity to be heard, comments should have been previously submitted in writing and a time limit on presentations may be imposed on any agenda item. Speakers should plan to summarize key points within three minutes. Please notify staff three weeks prior to meetings of a request for presentations planned for longer than three minutes, for scheduling purposes. The Chair will decide if the request should be granted.
- F - Material presented to the Board, as part of testimony (e.g., photographs, slides, charts, diagrams, etc.) that is to be made part of the record must be left with Executive Assistant, Carol Hewitt. Photographs or slides of large exhibits are acceptable. If you plan to use visual aids such as PowerPoint, contact the Central Coast Water Board staff prior to the meeting to arrange for equipment set-up.
- G - **HEARING RULES FOR CONTESTED HEARINGS ON WASTE DISCHARGE OR WATER RECYCLING REQUIREMENTS, NPDES PERMITS, ADMINISTRATIVE CIVIL LIABILITY ORDERS AND INVESTIGATION OR ENFORCEMENT ORDERS [CWC §§ 13267, 13300-13308, 13383]:** This paragraph applies unless there are different requirements in a hearing notice for an item. Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Designated parties are any persons named in the proposed order. Central Coast Water Board staff is a designated party for administrative civil liability complaints, and for cease and desist orders that establish monetary liability and that are not issued concurrently with waste discharge requirements. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of an item by submitting such request in writing to the Central Coast Water Board no later than two weeks after the draft order is available for public comment. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.
- H - The Board Chair may specify a time limit for oral presentations and testimony. Board members may interrupt a presentation with questions or comments. The time for Board member questions and witnesses' answers will not count toward the time limit for a presentation.
- I - All Board files, exhibits, and agenda material pertaining to items on this agenda are hereby part of the record.
- J - Any person affected adversely by a certain decision of the California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), may petition the State Water Resources Control Board (State Board) according to Water Code section 13320 and Title 23 California Code of Regulation section 2050. The Petition should be addressed to Office of Chief Counsel and must be filed within 30 days of the Executive Officer's or the Board's action or failure to act. The State Board must receive the petition within 30 days of the Central Coast Water Board's meeting at which the action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request.
- K - A copy of the procedures governing Regional Water Quality Control Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Central Coast Water Board are conducted pursuant to Government Code sections 11400 et seq. but not Government Code sections 11500 et seq. The Chair may waive any procedural statutes or regulations that are not required by the U.S. or California Constitutions.
- L - The facility is accessible to people with disabilities. Individuals who require special accommodations are requested to contact John Goni (805/542-4728) at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.
- M - All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit pending before the Central Coast Water Board must submit a statement to the Board disclosing any contributions of \$100 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his or her agent within the last 12 months to any Central Coast Water Board Member.
- N - All permit applicants or persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES permit pending before the Central Coast Water Board, are prohibited from making a contribution of \$100 (or more) to any Board Member for three months following a Central Coast Water Board decision on the permit application.

Central Coast Water Board
895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401
Phone: 805-549-3147



Central Coast Water Board Offices:

From Airport turn left on Airport Drive (located between airport parking lots), go to Aerovista Park and turn right. Turn right into parking lot just before Broad Street (227).

From 101 Southbound: take Los Osos Valley Rd. exit, turn left on Los Osos Valley Rd., turn left on S. Higuera St., turn right on Tank Farm Rd., turn right on Broad St.(227), turn right on Aerovista Place and park in first parking lot on left.

From 101 Northbound: take Los Osos Valley Rd. exit, turn right on Los Osos Valley Rd., turn left on S. Higuera St., turn right on Tank Farm Rd., turn right on Broad St.(227), turn right on Aerovista Place and park in first parking lot on left.

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF DECEMBER 2, 2005

Prepared October 25, 2005

ITEM: 19

SUBJECT: MANDATORY MINIMUM PENALTY ORDER NO. R3-2005-0120; SAN SIMEON COMMUNITY SERVICES DISTRICT WASTEWATER TREATMENT PLANT

KEY INFORMATION

Location: Balboa Avenue, San Simeon, San Luis Obispo County
Discharge Type: Effluent from community WWTP
Current Flow Rate: Approximately 90,000 gallons per day (gpd)
Design Capacity: 200,000 gpd
Disposal: Via outfall and diffuser to Pacific Ocean
Recycling: None
Existing Order: WDR Order No. R3-2002-0046 (NPDES Permit No. CA0047961)

SUMMARY

San Simeon Community Services District (hereafter Discharger) committed eight NPDES Permit effluent violations in the period January 1, 2005, through June 30, 2005. Proposed Stipulated Order No. R3-2005-0120 (Attachment No. 1) assesses mandatory minimum penalties of \$24,000, in accordance with California Water Code Section 13385. The Order directs \$19,500 of the mandatory penalty to a Supplemental Environmental Project to construct tertiary treatment facilities to produce recycled water and eliminate a portion of the subject discharge to the Pacific Ocean. The Discharger waived its right to a hearing on October 25, 2005.

disinfection, and dechlorination. Effluent is discharged to the Pacific Ocean via a 900-foot long outfall and diffuser system, to a water depth of approximately 20 feet. The minimum initial dilution of the discharge is 115:1 (seawater:effluent). This discharge is regulated by Waste Discharge Requirements Order No. R3-2002-0046, NPDES Permit No. CA0047961 (hereafter Permit).

The Discharger contracts operations of the Wastewater Treatment Plant to private companies. ECO Resources of Pleasanton, California began operating the Wastewater Treatment Plant on June 1, 2004.

DISCUSSION

Facility Description. The Discharger's Wastewater Treatment Plant processes approximately 100,000 gpd of domestic wastewater from the small community of San Simeon and the Hearst Castle Visitor Center. The wastewater treatment system includes comminution, activated sludge, sedimentation,

Violations

According to the Discharger's monitoring reports, the Discharger committed the following violations of Permit effluent limitations in the period January 1, 2005, through June 30, 2005:

#	Violation Date	Constituent	Permitted Limit	Reported Value	Violation Type
1	1/7/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
2	1/18/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
3	1/25/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
4	3/1/05	Total Coliform	230 MPN/100 mL Daily Maximum	>1600 MPN/100 mL	Chronic
5	3/26/05	Total Chlorine Residual	0.93 mg/L Daily Maximum	8 mg/L	Serious
6	5/13/05	Total Chlorine Residual	0.93 mg/L Daily Maximum	6.80 mg/L	Serious
7	6/7/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
8	6/28/05	Settleable Solids	1.5 mL/L 7-Day Average	1.75 mL/L	Chronic

The Discharger has made efforts recently to address continuing effluent violations. The Discharger hired Boyle Engineering to identify several immediate, short-term, and long-term improvements to bring the Wastewater Treatment Plant back into compliance. Boyle recommends the following immediate improvements:

- Retrofit clarifier launders with V-notch weirs;
- Replace flights and baffling in clarifiers;
- Replace skimmers;
- Reconfigure return activated sludge (RAS) pump piping;
- Add inlet manifolds on RAS pump inlets;
- Repair or replace valves/gates in aeration basins;
- Improve screening in the chlorine contact chamber;
- Improve headworks to provide baseline flow to treatment process;
- Install influent flow metering;
- Improve site drainage; and
- Install mechanisms to transfer sludge and supernatant from digester.

On September 27, 2005, the Discharger passed a resolution declaring an emergency condition and "authorizing immediate expenditure of public money to safeguard public health and safety" for these immediate improvements. Staff continues to work closely with the Discharger to ensure the Discharger makes these improvements.

Mandatory Penalties. The Discharger committed two serious violations in the period January 1, 2005, through June 30, 2005. The mandatory penalty amount for the serious violations (2 x \$3,000) is \$6,000.

The Discharger committed six chronic violations in the period January 1, 2005, through June 30, 2005. California Water Code section 13385(i) requires the Central Coast Water Board to assess a mandatory minimum penalty of \$3,000 for each chronic violation. The mandatory penalty amount of for the chronic violations (6 x \$3,000) is \$18,000.

The total amount of the mandatory penalty for violations occurring in the period January 1, 2005, through June 30, 2005, is \$24,000 (\$6,000 + \$18,000).

Complaint No. R3-2005-0120. The Executive Officer issued Mandatory Penalty Complaint No. R3-2005-0120 (Attachment No. 2) on September 19, 2005, pursuant to California Water Code Section 13385. The Complaint proposed imposing a mandatory penalty in the amount of \$24,000.

Supplemental Environmental Project. California Water Code section 13385(l) states:

"(1) In lieu of assessing penalties pursuant to subdivision (h) or (i), the...regional board, with the concurrence of the discharger, may direct a portion of the penalty amount to be

expended on a supplemental environmental project in accordance with the enforcement policy of the state board. If the penalty amount exceeds fifteen thousand dollars (\$15,000), the portion of the penalty amount that may be directed to be expended on a supplemental environmental project (SEP) may not exceed fifteen thousand dollars (\$15,000) plus 50 percent of the penalty amount that exceeds fifteen thousand dollars (\$15,000)."

In this case, the portion of the penalty amount that may be directed to an SEP is \$19,500.

In a letter dated October 12, 2005, the Discharger requested \$19,500 of these mandatory penalties be directed towards a SEP to install tertiary treatment facilities, to produce recycled water and eliminate a portion of its discharge to the Pacific Ocean. This project is above and beyond the obligations of the Discharger; the Discharger's permit requires secondary treatment and disinfection, not tertiary treatment. Caltrans has installed purple distribution piping near San Simeon and would like to use the recycled water to irrigate the median of Highway 1. The project will cost at least \$200,000. The Central Coast Water Board approved directing \$79,500 towards this SEP when it approved Mandatory Penalty Order No. R3-2005-0032 on March 24, 2005. That order requires the project to be completed by September 25, 2007. The Discharger is currently actively working towards installation of tertiary treatment facilities.

Installation of tertiary treatment facilities qualifies as an SEP in accordance with the State Water Resources Control Board's *Water Quality Enforcement Policy*. The project goes above and beyond the obligations of the Discharger and is not an action required of the Discharger by any rule or regulation of any entity. The SEP will benefit water quality. The SEP will not directly benefit Central Coast Water Board functions or staff. The Water Quality Enforcement Policy specifically lists water recycling as a suitable SEP.

The California Water Code encourages water recycling, especially in water-short areas of the coastal zone such as San Simeon. Staff supports installation of tertiary treatment facilities as an SEP.

In a letter dated October 14, 2005, the Discharger provided copies of two checks to demonstrate its preparedness to settle the matter. The letter states:

"Attached are copies of two checks, one in the amount of \$4,500.00 and the second in the amount of \$19,500.00. The San Simeon Community Services District is prepared to deposit the check for \$19,500 into an SEP account established at Mid State Bank in Cambria, Ca. We are also prepared to deliver the \$4,500.00 check to the State Regional Water Quality Control Board. Both of these checks will be issued on adoption of the RWQCB order."

The Discharger also waived its right to a hearing on October 25, 2005 (see Attachment 3).

Stipulated Order No. R3-2005-0120. Proposed Stipulated Order No. R3-2005-0120 assesses San Simeon Community Services District a Mandatory Penalty of \$24,000.

The Discharger must submit written proof of payment of \$19,500 to its Tertiary Treatment Facilities Construction Account by January 1, 2006. The Tertiary Treatment Facilities Construction Account must be utilized solely for *construction* of tertiary treatment facilities, not planning, design, or permitting. If proof of payment to the Tertiary Treatment Facilities Construction Account is not submitted by January 1, 2006, the suspended liability is immediately due and payable to State Water Resources Control Board.

The Discharger must complete construction of tertiary treatment facilities as soon as possible, but no later than September 25, 2007. The Discharger must submit written certification of completion of the tertiary treatment facilities construction and a post-project accounting of expenditures related to the project no later than 30 days after completion of the project. If the final total cost of the project is less than \$99,000¹, the Discharger must remit the difference to State Water Resources Control

¹ \$99,000 is the sum of \$19,500 plus \$79,500, the amount that the Central Coast Water Board directed to the Tertiary Treatment Facilities Construction Account through adoption of Mandatory Penalty Order No. R3-2005-0032 on March 24, 2005.

Board no later than 30 days after completion of the project.

The Discharger must submit semiannual reports on the progress of construction of tertiary treatment facilities construction to the Executive Officer. The Progress Reports must denote the current balance of the Tertiary Treatment Facilities Construction Account.

The Discharger must also submit a check payable to State Water Resources Control Board in the amount of \$4,500 by January 1, 2006.

RECOMMENDATION

Staff recommends adoption of Stipulated Order No. R3-2005-0120

ATTACHMENTS

1. Stipulated Order No. R3-2005-0120
2. Complaint No. R3-2005-0120
3. Waiver of Hearing Form

S:\NPDES\NPDES Facilities\San Luis Obispo Co\San Simeon\MMP No. R3-2005-0120\Order No. 05-0120\San Simeon Staff Report.doc

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Lane, Suite 101
San Luis Obispo, California 93401

STIPULATED ORDER NO. R3-2005-0120

**MANDATORY MINIMUM PENALTY
IN THE MATTER OF
SAN SIMEON COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT PLANT
SAN LUIS OBISPO COUNTY**

The Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds the following:

1. On May 31, 2002, the Central Coast Water Board adopted *Waste Discharge Requirements Order No. R3-2002-0046, NPDES Permit No. CA0047961, for San Simeon Community Services District* (hereafter Discharger) and *Local Sewering Entity of Hearst San Simeon State Historical Monument, San Luis Obispo County* (Order No. R3-2002-0046).
2. California Water Code section 13385(h)(1) requires the Central Coast Water Board to assess a mandatory penalty of three thousand dollars (\$3,000) for each serious violation.
3. California Water Code section 13385(h)(2) provides a serious violation occurs if the discharge exceeds the effluent limitations for a Group II pollutant by 20 percent or a Group I pollutant by 40 percent or more. Group I and II pollutants are specified in Appendix A to section 123.45 of Title 40 Code of Federal Regulations.
4. California Water Code Section 13385.1(c) states that for the purposes of section 13385.1(a)(1), section 13385(f)(2), (h), (i) and (j), "effluent limitation" means a numeric or numerically expressed narrative restriction on the quantity, discharge rate, concentration, or toxicity units of a pollutant or pollutants authorized to be discharged from a location that is specified in waste discharge requirements. An effluent limitation may be final or interim, and may be expressed as a prohibition. An effluent limitation, for those purposes, does not include a receiving water limitation, a compliance schedule, or a best management practice."
5. California Water Code section 13385(i) requires the Central Coast Water Board to assess a mandatory penalty of three thousand dollars (\$3,000) for each violation, not counting the first three violations, if the discharger does any of the following four or more times in a consecutive six-month period:
 - a) Violates a waste discharge requirement effluent limitation;
 - b) Fails to file a report pursuant to Section 13260;
 - c) Files an incomplete report pursuant to Section 13260; or
 - d) Violates a toxicity effluent limitation contained in the applicable waste discharge requirements where the waste discharge requirements do not contain pollutant-specific effluent limitations for toxic pollutants.
6. California Water Code section 13385(l) states that "(1) In lieu of assessing penalties pursuant to subdivision (h) or (i), the...regional board, with the concurrence of the discharger, may direct a portion of the penalty amount to be expended on a supplemental environmental project in accordance with the enforcement policy of the state board. If the penalty amount exceeds fifteen thousand dollars (\$15,000), the portion of the penalty amount that may be directed to be expended on a supplemental environmental

project may not exceed fifteen thousand dollars (\$15,000) plus 50 percent of the penalty amount that exceeds fifteen thousand dollars (\$15,000).”

7. Order No. R3-2002-0046 includes in part the following:

Effluent Limitation No. 2:

“Effluent shall not exceed the following limits:

Constituent	Units	30-Day Average	7-Day Average	Daily Maximum
Settleable Solids	mL/L	1.0	1.5	3.0

Effluent Limitation No. 4:

“Effluent shall not exceed the following limits:

Constituent	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
Total Chlorine Residual	mg/L	0.23	0.93	6.96
Total Coliform Bacteria	MPN/100 mL	--	230	2400

8. Settleable Solids is a Group I Pollutant. Total Chlorine Residual is a Group II Pollutant. Effluent containing constituent values that are greater than serious thresholds (limit + 40% for Group I pollutants, limit + 20% for Group II pollutants) are serious violations. Total Coliform Bacteria is neither a Group I nor Group II Pollutant; therefore serious violations do not apply to Total Coliform Bacteria.
9. A chronic violation occurs when effluent contains a constituent concentration that is less than the serious threshold but greater than the permit limit.
10. According to monitoring reports submitted by the Discharger, the Discharger committed the following violations of effluent limitations of Order No. R3-2002-0046 in the period January 1, 2005, through June 30, 2005. The three violations listed prior to January 1, 2005 are included for the purpose of enumerating chronic violations subject to mandatory penalties:

#	Violation Date	Constituent	Permitted Limit	Reported Value	Violation Type
--	12/18/04	Total Coliform	230 MPN/100 mL Daily Maximum	500 MPN/100 mL	Chronic
--	12/23/04	Total Coliform	230 MPN/100 mL Daily Maximum	500 MPN/100 mL	Chronic
--	12/29/04	Total Coliform	230 MPN/100 mL Daily Maximum	1600 MPN/100 mL	Chronic
1	1/7/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
2	1/18/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
3	1/25/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
4	3/1/05	Total Coliform	230 MPN/100 mL Daily Maximum	>1600 MPN/100 mL	Chronic
5	3/26/05	Total Chlorine Residual	0.93 mg/L Daily Maximum	8 mg/L	Serious
6	5/13/05	Total Chlorine Residual	0.93 mg/L Daily Maximum	6.80 mg/L	Serious
7	6/7/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
8	6/28/05	Settleable Solids	1.5 mL/L 7-Day Average	1.75 mL/L	Chronic

11. According to Finding No. 10, the Discharger committed two serious violations in the period January 1, 2005, through June 30, 2005. The amount of the mandatory penalty for the serious violations (2 x \$3,000) is six thousand dollars (\$6,000).

12. According to Finding No. 10, the Discharger committed six chronic violations in the period January 1, 2005, through June 30, 2005. California Water Code section 13385(i) requires the Central Coast Water Board to assess a mandatory minimum penalty of three thousand dollars (\$3,000) for each violation, not counting the first three, occurring in a consecutive six-month period. In this case, at least three effluent violations occurred in the six months prior to the first violation listed in Finding No. 10, therefore none of these chronic violations are exempt from mandatory penalty. The mandatory penalty for the above chronic violations (6 x \$3,000) is eighteen thousand dollars (\$18,000).
13. The total amount of the mandatory penalty for violations occurring in the period January 1, 2005, through June 30, 2005 (\$6,000 + \$18,000) is twenty-four thousand dollars (\$24,000).
14. The Executive Officer of the Central Coast Water Board issued Mandatory Penalty Complaint No. R3-2005-0120 on September 19, 2005, pursuant to California Water Code Section 13385. The Complaint proposed imposing a mandatory penalty in the amount of twenty-four thousand dollars (\$24,000).
15. According to California Water Code section 13385(l), the portion of the mandatory penalty amount that may be directed to a supplemental environmental project (SEP) may not exceed nineteen thousand, five hundred dollars (\$19,500).
16. In a letter dated October 12, 2005, the Discharger requested that \$19,500 of the mandatory penalties be directed towards an SEP to install tertiary treatment facilities to produce recycled water and eliminate portion of their discharge to the Pacific Ocean. Installation of tertiary treatment facilities will cost at least \$200,000. The Central Coast Water Board previously directed \$79,500 to this SEP, through adoption of Mandatory Penalty Order No. R3-2005-0032 on March 24, 2005. That order requires completion of the SEP by September 25, 2007.
17. This project qualifies as an SEP in accordance with the State Water Resources Control Board's *Water Quality Enforcement Policy*, Resolution No. 2002-0040. The SEP goes above and beyond the obligations of the Discharger (the Discharger is obligated by Order No. R3-2002-0046 to produce secondary-treated and disinfected wastewater, not tertiary-treated wastewater) and is not an action required of the Discharger by any rule or regulation of any entity. The SEP will benefit water quality. The SEP will not directly benefit Central Coast Water Board functions or staff.
18. In a letter dated October 14, 2005, the Discharger provided copies of two checks to demonstrate preparedness to settle the matter. The letter states:

"Attached are copies of two checks, one in the amount of \$4,500.00 and the second in the amount of \$19,500.00. The San Simeon Community Services District is prepared to deposit the check for \$19,500 into an SEP account established at Mid State Bank in Cambria, Ca. We are also prepared to deliver the \$4,500.00 check to the State Regional Water Quality Control Board. Both of these checks will be issued on adoption of the RWQCB order."

The Discharger also submitted a signed waiver of hearing form on October 25, 2005.

19. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000, et seq.), in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.
20. Central Coast Water Board staff spent approximately 30 hours responding to these violations and preparing this Order. Accordingly, expended Central Coast Water Board staff resources are \$2,250.

IT IS HEREBY ORDERED, pursuant to California Water Code Section 13385, that San Simeon Community Services District is assessed a Mandatory Penalty in the amount of twenty-four thousand dollars (\$24,000).

San Simeon Community Services District shall submit written proof of payment to its Tertiary Treatment Facilities Construction Account in the amount of nineteen thousand, five hundred dollars (\$19,500) to the *Regional Water Quality Control Board, Attn: Matt Thompson, 895 Aerovista Place, Suite 101, San Luis Obispo, California, 93401*, by **January 1, 2006, 5:00 P.M.** The Tertiary Treatment Facilities Construction Account shall be utilized solely for construction of tertiary treatment facilities, not planning, design, or permitting. Written proof may consist of an approved Administrative Officer's report and Budget Amendment Request, or equivalent, to transfer funds to the Tertiary Treatment Facilities Construction Account. If proof of payment to the Tertiary Treatment Facilities Construction Account is not submitted by January 1, 2006, 5:00 P.M., the suspended liability shall be immediately due and payable to the State Water Resources Control Board.

San Simeon Community Services District shall complete construction of tertiary treatment facilities as soon as possible, but no later than **September 25, 2007**. San Simeon Community Services District shall submit written certification of completion of the tertiary treatment facilities construction and a post-project accounting of expenditures related to the project **no later than 30 days after completion of the project, but no later than October 25, 2007**. If this project completion report is not submitted by **October 25, 2007, 5:00 P.M.**, the entire suspended liability plus interest shall be immediately due and payable to the State Water Resources Control Board. If the final total cost of the project is less than ninety-nine thousand dollars (\$99,000), San Simeon Community Services District shall remit the difference to State Water Resources Control Board **no later than 30 days after completion of the project**. Upon request of the Discharger, the Executive Officer may extend any of these due dates if the Executive Officer determines that the delays are beyond the Discharger's reasonable control.

San Simeon Community Services District shall submit semiannual reports on the progress of tertiary treatment facilities construction to the Executive Officer by January 31st and July 31st of each year. The Progress Reports shall denote the current balance of the Tertiary Treatment Facilities Construction Account. Progress reports may be submitted with regular monthly monitoring reports.

San Simeon Community Services District shall also submit a check payable to State Water Resources Control Board in the amount of four thousand, five hundred dollars (\$4,500) to *SWRCB Accounting, Attn: Enforcement, P.O. Box 100, Sacramento, California 95812-0100* by **January 1, 2006, 5:00 P.M.** A copy of the check shall also be submitted to *Regional Water Quality Control Board, Attn: Matt Thompson, 895 Aerovista Place, Suite 101, San Luis Obispo, California 93401* by **January 1, 2006, 5:00 P.M.**

Any person affected by this action of the Central Coast Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code Section 13320, and Title 23, California code of Regulations, Section 2050. The State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA 95812, must receive the petition by January 1, 2006. Copies of the law and regulations applicable to filing petitions will be provided upon request

I, **Roger W. Briggs**, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 2, 2005.

Executive Officer



California Regional Water Quality Control Board

Central Coast Region



A. C. Lloyd, Ph.D.
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401
Phone (805) 549-3147 • FAX (805) 543-0397

Arnold Schwarzenegger
Governor

September 19, 2005

BY CERTIFIED MAIL
70040750000183149759

Tom O'Neill, General Manager
San Simeon CSD
111 Pico Avenue
San Simeon, CA 93452

Dear Mr. O'Neill:

COMPLAINT FOR MANDATORY MINIMUM PENALTY, SAN SIMEON COMMUNITY SERVICES DISTRICT, SAN LUIS OBISPO COUNTY


Attached is *Complaint for Mandatory Minimum Penalty No. R3-2005-0120* (Complaint). The Complaint is based on violations of Waste Discharge Requirements Order No. R3-2002-0046 (National Pollutant Discharge Elimination System Permit No. CA0047961) from January 1, 2005, through June 30, 2005. The attached Complaint specifies the occurrence dates and nature of the violations.

Unless you waive your right to a public hearing and pay the amount proposed in the Complaint (\$24,000), we will present an Order to the Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) for the amount proposed in the Complaint at the Central Coast Water Board meeting on December 2, 2005, at the above address. The meeting is scheduled to begin at 8:30 a.m.; however, no specific time has been set for consideration of this item.

California Water Code Section 13385(l), allows up to \$19,500 of the penalty amount to be expended on a supplemental environmental project (SEP) in accordance with the State Water Resources Control Board's *Water Quality Enforcement Policy*. You may submit a proposal for one or more SEPs. If you do choose to submit a proposal, please submit it for consideration no later than **October 12, 2005**. The *Water Quality Enforcement Policy* specifies the criteria a SEP must meet to qualify for funding at www.swrcb.ca.gov/plnspols/wqep.doc. You may find a number of SEPs listed, as well as other useful information, on our website at: www.swrcb.ca.gov/rwqcb3/sep/index.htm.

Please review the Complaint carefully and submit your comments and/or your *Waiver of Hearing* form and copy of payment, or an SEP proposal by **October 12, 2005**. If you have questions, please contact **Matt Thompson at (805) 549-3159** or Harvey Packard at (805) 542-4639.

Sincerely,


for Roger W. Briggs
Executive Officer

Attachment: Mandatory Minimum Penalty Complaint No. R3-2005-0120

California Environmental Protection Agency



Recycled Paper

Item No.19 Attachment No.2
San Simeon CSD MMP
Dec. 2, 2005 Meeting

cc:

Terry Lambeth, President
San Simeon CSD
P.O. Box 26
San Simeon, CA 93452

Rob Schultz
595 Harbor Street
Morro Bay, California 93442

Steve Richardson
ECO Resources
5820 Stoneridge Mall Road, Suite 204
Pleasanton, CA 94588

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Lane, Suite 101
San Luis Obispo, California 93401**

COMPLAINT NO. R3-2005-0120

**MANDATORY MINIMUM PENALTY
IN THE MATTER OF
SAN SIMEON COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT PLANT
SAN LUIS OBISPO COUNTY**

This complaint to assess Mandatory Minimum Penalties pursuant to Water Code section 13385(h) and (i) is issued to San Simeon Community Services District (Discharger), based on a finding of violations of Waste Discharge Requirements Order No. R3-2002-0046, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0047961.

The Executive Officer finds the following:

1. On May 31, 2002, the Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), adopted *Waste Discharge Requirements Order No. R3-2002-0046, NPDES Permit No. CA0047961, for San Simeon Community Services District and Local Sewering Entity of Hearst San Simeon State Historical Monument, San Luis Obispo County* (Order No. R3-2002-0046).
2. California Water Code section 13385(h)(1) requires the Central Coast Water Board to assess a mandatory penalty of three thousand dollars (\$3,000) for each serious violation.
3. California Water Code section 13385(h)(2) provides a serious violation occurs if the discharge exceeds the effluent limitations for a Group II pollutant by 20 percent or a Group I pollutant by 40 percent or more. Group I and II pollutants are specified in Appendix A to section 123.45 of Title 40 Code of Federal Regulations.
4. California Water Code Section 13385.1(c) states that for the purposes of section 13385.1(a)(1), section 13385(f)(2), (h), (i) and (j), "effluent limitation" means a numeric or numerically expressed narrative restriction on the quantity, discharge rate, concentration, or toxicity units of a pollutant or pollutants authorized to be discharged from a location that is specified in waste discharge requirements. An effluent limitation may be final or interim, and may be expressed as a prohibition. An effluent limitation, for those purposes, does not include a receiving water limitation, a compliance schedule, or a best management practice."
5. California Water Code section 13385(i) requires the Central Coast Water Board to assess a mandatory penalty of three thousand dollars (\$3,000) for each violation, not counting the first three violations, if the discharger does any of the following four or more times in a consecutive six-month period:
 - a) Violates a waste discharge requirement effluent limitation;
 - b) Fails to file a report pursuant to Section 13260;
 - c) Files an incomplete report pursuant to Section 13260; or
 - d) Violates a toxicity effluent limitation contained in the applicable waste discharge requirements where the waste discharge requirements do not contain pollutant-specific effluent limitations for toxic pollutants.

6. California Water Code section 13385(l) states that "(1) In lieu of assessing penalties pursuant to subdivision (h) or (i), the...regional board, with the concurrence of the discharger, may direct a portion of the penalty amount to be expended on a supplemental environmental project in accordance with the enforcement policy of the state board. If the penalty amount exceeds fifteen thousand dollars (\$15,000), the portion of the penalty amount that may be directed to be expended on a supplemental environmental project may not exceed fifteen thousand dollars (\$15,000) plus 50 percent of the penalty amount that exceeds fifteen thousand dollars (\$15,000)."
7. Order No. R3-2002-0046 includes in part the following:

Effluent Limitation No. 2:

"Effluent shall not exceed the following limits:

Constituent	Units	30-Day Average	7-Day Average	Daily Maximum
Settleable Solids	mL/L	1.0	1.5	3.0

Effluent Limitation No. 4:

"Effluent shall not exceed the following limits:

Constituent	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
Total Chlorine Residual	mg/L	0.23	0.93	6.96
Total Coliform Bacteria	MPN/100 mL	--	230	2400

8. Settleable Solids is a Group I Pollutant. Total Chlorine Residual is a Group II Pollutant. Effluent containing constituent values that are greater than serious thresholds (limit + 40% for Group I pollutants, limit + 20% for Group II pollutants) are serious violations. Total Coliform Bacteria is neither a Group I nor Group II Pollutant; therefore serious violations do not apply to Total Coliform Bacteria.
9. A chronic violation occurs when effluent contains a constituent concentration that is less than the serious threshold but greater than the permit limit.
10. According to monitoring reports submitted by the Discharger, the Discharger committed the following violations of effluent limitations of Order No. R3-2002-0046 in the period January 1, 2005, through June 30, 2005. The three violations listed prior to January 1, 2005 are included for the purpose of enumerating chronic violations subject to mandatory penalties:

#	Violation Date	Constituent	Permitted Limit	Reported Value	Violation Type
--	12/18/04	Total Coliform	230 MPN/100 mL Daily Maximum	500 MPN/100 mL	Chronic
--	12/23/04	Total Coliform	230 MPN/100 mL Daily Maximum	500 MPN/100 mL	Chronic
--	12/29/04	Total Coliform	230 MPN/100 mL Daily Maximum	1600 MPN/100 mL	Chronic
1	1/7/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
2	1/18/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
3	1/25/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
4	3/1/05	Total Coliform	230 MPN/100 mL Daily Maximum	>1600 MPN/100 mL	Chronic
5	3/26/05	Total Chlorine Residual	0.93 mg/L Daily Maximum	8 mg/L	Serious
6	5/13/05	Total Chlorine Residual	0.93 mg/L Daily Maximum	6.80 mg/L	Serious


#	Violation Date	Constituent	Permitted Limit	Reported Value	Violation Type
7	6/7/05	Total Coliform	230 MPN/100 mL Daily Maximum	300 MPN/100 mL	Chronic
8	6/28/05	Settleable Solids	1.5 mL/L 7-Day Average	1.75 mL/L	Chronic

11. According to Finding No. 10, the Discharger committed two serious violations in the period January 1, 2005, through June 30, 2005. The amount of the mandatory penalty for the serious violations (2 x \$3,000) is six thousand dollars (\$6,000).
12. According to Finding No. 10, the Discharger committed six chronic violations in the period January 1, 2005, through June 30, 2005. California Water Code section 13385(i) requires the Central Coast Water Board to assess a mandatory minimum penalty of three thousand dollars (\$3,000) for each violation, not counting the first three, occurring in a consecutive six-month period. In this case, at least three effluent violations occurred in the six months prior to the first violation listed in Finding No. 10, therefore none of these chronic violations are exempt from mandatory penalty. The mandatory penalty for the above chronic violations (6 x \$3,000) is eighteen thousand dollars (\$18,000).
13. The total amount of the mandatory penalty for violations occurring in the period January 1, 2005, through June 30, 2005 (\$6,000 + \$18,000) is twenty-four thousand dollars (\$24,000).

THE SAN SIMEON COMMUNITY SERVICES DISTRICT IS HEREBY GIVEN NOTICE THAT:

1. The Executive Officer of the Central Coast Water Board proposes that the Discharger be assessed a Mandatory Minimum Penalty in the amount of twenty-four thousand dollars (\$24,000).
2. The Central Coast Water Board will hold a public hearing on this matter on December 2, 2005, unless the Discharger agrees to waive its right to a public hearing by filling out, signing, and submitting the enclosed "Waiver of Hearing." If the Discharger chooses not to waive its right to a public hearing, the Central Coast Water Board may proceed with the scheduled public hearing and consider testimony received from interested persons during the public hearing and decide whether to accept the amount of Mandatory Minimum Penalty proposed by the Executive Officer. The Central Coast Water Board may also decide to continue the matter to a future hearing, direct the Executive Officer to reissue the Complaint to propose additional penalties under California Water Code section 13385(c) and (e), or refer the matter to the State Attorney General. The public hearing is scheduled at the regularly scheduled Central Coast Water Board meeting on December 2, 2005, at the Central Coast Water Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, California. The meeting is scheduled to begin at 8:30 a.m.; however, no specific time has been set for consideration of this item.

If you have questions regarding this matter, please direct them to Central Coast Water Board staff, **Matt Thompson**, at (805) 549-3159, or Harvey Packard at (805) 542-4639.


 Roger W. Briggs
 Executive Officer

9-19-05
 Date

**PROCEDURAL INFORMATION
FOR
MANDATORY MINIMUM PENALTY COMPLAINT
PUBLIC HEARING AND PAYMENT**

WAIVER OF PUBLIC HEARING

You may waive your right to a public hearing. If you wish to waive your right to a public hearing, a duly authorized person¹ must check, sign, and submit the following *Waiver of the Right to a Public Hearing* form and pay the mandatory minimum penalty amount specified in the Complaint **no later than October 12, 2005, 5:00 P.M.** Please follow the payment instructions below.

If you choose to waive your right to a public hearing, and if full payment and a signed *Waiver of the Right to a Public Hearing* form are received before the hearing, the hearing will not be held, and the violation will be settled. If full payment and a signed *Waiver of the Right to a Public Hearing* form are not received, the matter will be placed on the Central Coast Water Board's agenda for a hearing as stated below.

If you do not waive your right to a public hearing, the Executive Officer will present an Order to the Central Coast Water Board for the amount proposed in this Complaint at the Central Coast Water Board meeting on December 2, 2005, at the Central Coast Water Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, California. The Central Coast Water Board will proceed with the scheduled hearing, consider testimony received from interested persons during the hearing, and decide whether to accept the amount of the mandatory minimum penalty proposed by the Executive Officer, or direct the Executive Officer to reissue the complaint alleging increased liability pursuant to Water Code Section 13385(c) and (e). If the proposed Order is adopted, payment of the mandatory minimum penalty to the State Water Resources Control Board will be due and payable no later than January 1, 2006, in accordance with the Order. If the proposed Order is rejected, the Central Coast Water Board may direct the Executive Officer to issue a new complaint and schedule another public hearing. The Central Coast Water Board may also decide to continue the matter to a future hearing or refer it to the State Attorney General. The meeting is scheduled to begin at 8:30 A.M.; however, no specific time has been set for consideration of the Order.

PAYMENT OF MANDATORY MINIMUM PENALTY

No later than October 12, 2005, please make your check payable to *State Water Resources Control Board*, and note "MMP Complaint No. R3-2005-0120" on the check. Please mail the check and signed waiver form to:

**SWRCB Accounting
Attn: Enforcement
P.O. Box 100
Sacramento, CA 95812-0100**

Please also mail copies of the check and signed waiver form to:

**Regional Water Quality Control Board
Attn: Matt Thompson
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401**

¹ A duly authorized person is defined as a principal executive officer of at least the level of vice president in a corporation, a general partner or the proprietor in a partnership or sole proprietorship, a principal executive officer or ranking elected official in a public agency, or a duly authorized representative.

WAIVER OF THE RIGHT TO A PUBLIC HEARING

[] By checking this box, I agree to waive the San Simeon Community Services District's right to a public hearing before the Central Coast Water Board with regard to the violations alleged in Complaint for Mandatory Minimum Penalty No. R3-2005-0120. I agree to provide payment of the mandatory minimum penalty for the amount proposed in Complaint for Mandatory Minimum Penalty No. R3-2005-0120. I understand that I am giving up the San Simeon Community Services District's right to be heard, and its right to argue against the allegations made by the Executive Officer in Complaint for Mandatory Minimum Penalty No. R3-2005-0120, and against the imposition of, or the amount of, the mandatory minimum penalty proposed.

Signature

Printed Name

Title/Position

Date

WAIVER OF THE RIGHT TO A PUBLIC HEARING

By checking this box, I agree to waive the San Simeon Community Services District's right to a public hearing before the Central Coast Water Board with regard to the violations alleged in Complaint for Mandatory Minimum Penalty No. R3-2005-0120. I agree to provide payment of the mandatory minimum penalty for the amount proposed in Complaint for Mandatory Minimum Penalty No. R3-2005-0120. I understand that I am giving up the San Simeon Community Services District's right to be heard, and its right to argue against the allegations made by the Executive Officer in Complaint for Mandatory Minimum Penalty No. R3-2005-0120, and against the imposition of, or the amount of, the mandatory minimum penalty proposed.

Tom O'Neill
Signature

Tom O'Neill
Printed Name

General Manager-SSCSD
Title/Position

10-24-05
Date