



California Regional Water Quality Control Board

Central Coast Region



Linda S. Adams
Cal/EPA Secretary

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Arnold Schwarzenegger
Governor

Interoffice Memo

DATE: November 7, 2008

TO: Dorothy Rice
Executive Director
State Water Resources Control Board

FROM: Roger Briggs *Burton Charles for*
Executive Officer
RWQCB, Central Coast Region

SUBJECT: REQUEST TO WITHDRAW RESOLUTION NO. R3-2008-0005, AMENDING THE WATER QUALITY CONTROL PLAN REVISING ONSITE WASTEWATER SYSTEM CRITERIA, FROM STATE WATER RESOURCES CONTROL BOARD HEARING CONSIDERATION

Based upon discussions with State Water Board staff and the Office of Chief Counsel, the Basin Plan Amendment requires additional clarification regarding onsite management plans. Therefore, pursuant to the advice provided by Mr. Rik Rasmussen, TMDL Section Chief, on November 4, 2008, I hereby request, on behalf of the Central Coast Water Board, that the State Water Board withdraw public hearing consideration for adoption of Resolution No. R3-2008-0005.

Background

At its May 9, 2008, public meeting, the Central Coast Water Board voted unanimously to amend the Basin Plan with updated criteria for onsite wastewater systems. Resolution No. R3-2008-0005 updates and revises existing Basin Plan criteria for siting, design, management and maintenance of onsite wastewater systems. Most of the revisions provide clarifying language to existing requirements. However, some revisions replace discretionary language of recommendations (should) with mandatory language of requirements (shall). Language in the Basin Plan will be strengthened and clarified in a manner expected to result in improved long-term water quality protection in areas served by onsite wastewater systems. The revisions are also expected to improve consistency and customer service by reducing the need for subjective interpretation of imprecise language. After adoption of the Basin Plan amendment by the Central Coast Water Board, the administrative record was submitted to the State Water Board for review.

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

State Water Board staff is currently performing technical review of the Basin Plan Amendment and have identified language within the document that requires further clarification. A State Water Board Meeting on the matter has not yet been scheduled.

Justification

Based upon discussions with State Water Board staff and the Office of Chief Counsel, the Basin Plan Amendment requires additional clarity regarding onsite management plans. Therefore, Central Coast Water Board staff does not believe that the State Water Board review process should continue until such revisions can be incorporated into the amendment. Staff plans to prepare revisions to the Basin Plan amendment for public comment, hearing and Central Coast Water Board consideration in spring 2009. We request that the administrative record for Resolution No. R3-2008-0005 be retained at the State Water Board, this material will be supplemented with additional information resulting from an anticipated March 2009 action.

If you have questions regarding this request, please don't hesitate to call me at 805/549-3140.

cc: Rik Rasmussen, TMDL Section Chief, Division of Water Quality
Michael Buckman, Planning, Standards, and Implementation Unit, Division of Water Quality

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