



INFORMATION YOU CAN USE  
ANSWERS TO FREQUENTLY ASKED QUESTIONS ABOUT:

## **CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD**

### ***Q - What is the Central Coast Regional Water Quality Control Board?***

A – The Central Coast Regional Water Quality Control Board (Regional Board) is a State government agency that is responsible for protecting water quality in the six counties stretching from Santa Barbara to southern Santa Clara County. The Regional Board is part of the State Water Board and the California Environmental Protection Agency.

### ***Q – When was the Regional Board formed and what is their authority?***

A – The Regional Board was formed in 1949 to regulate wastewater discharges from Industrial and municipal treatment plants. The idea was to create a local board that would make better decisions than a body located in Sacramento. In 1969 the Porter Cologne Water Quality Act expanded the Regional Board's authority to protect all ground and surface waters. This authority includes the ability to levee significant fines on polluters.

### ***Q – Who makes up the Regional Board?***

A – The Regional Board consists of nine individuals from the six county areas. The individuals are appointed by the Governor to four year terms. The appointees are all volunteers and have knowledge regarding water quality issues. Individuals represent constitutes such as, water quality, water supply, local government, recreation, fish or wildlife and others.

### ***Q – What are the Regional Board's responsibilities?***

A – The Regional Board has two major areas of responsibility. The first is regulation of all water and sewer discharges from municipalities, industries, private sources, landfills and storm water sources. The second is water quality planning functions. This involves the adoption of a Water Quality Control Plan (Basin Plan) and keeping it current via amendments. The Basin Plan defines the beneficial uses of our surface and ground water, how clean the water should be and how to keep the water clean.

**Q – *What Regional Board Issues are currently affecting the City?***

A – The Regional Board is requiring the City to produce and gain approval of our Storm Water Master Plan under the National Pollutant Discharge Elimination System Program (NPDES). The Regional Board is also amending the Basin Plan in order to update septic system regulation and oversight.

**Q- *What Impact do Regional Board decisions or permits have on the City?***

A – Regional Board decisions impact the City in many ways. For example, the City has a permit to discharge treated wastewater to percolation ponds along the Salinas River. The permit allows the City to treat our household sewage in order to protect our groundwater from pollution and build on lots that are less than an acre. The Regional Board also allows the City to regulate individual septic systems. Local septic system regulation allows for much quicker approval when individuals or developers build houses.

Upcoming Regional Board decisions may also change the way land can be developed. The Regional Board is considering new low impact development standards that offer more protection of streams and watersheds. The cost and impact is yet to be determined. City staff will be actively working with the community to obtain public input and manage the resulting impacts.

**Q – *Are the Regional Board changes or decisions final?***

A – No. City staff will make a strong effort towards shaping the Regional Board's decisions through comment letters and attending hearings in a way that reflects the community's preferences. Regional Board decisions can be appealed to the State Water Resources Control Board. If this appeal is not successful, then the Regional Board could be sued in State Court or legislation could be pursued putting other rules into law.



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## **NPDES PHASE II STORM WATER MANAGEMENT PLAN**

***Q – What is NPDES and where did it come from?***

A – NPDES stands for National Pollutant Discharge Elimination System. The NPDES program was established under the Federal Clean Water Act in 1977. The NPDES program protects and restores surface waters of the United States. Surface waters include wetlands, lakes, creeks and rivers.

***Q – What does the NPDES program do?***

A- The United States Environmental Protection Agency (EPA) is responsible for implementing the NPDES program to protect and restore surface waters. The program started with regulation of domestic and industrial wastewater discharges. The program was subsequently amended to include storm water discharges from municipal storm drain systems. The amendment included NPDES Phase I and II requirements.

***Q- Who do the NPDES Phase I and II requirements affect?***

A - NPDES Phase I regulations are for Cities with populations greater than 100,000. NPDES Phase II Storm Water regulations were amended in 1999 and affect Cities with population greater than 10,000 (City of Atascadero.) The Phase II regulations require operators of small storm drain systems to permit their storm water discharges according to NPDES Phase II requirements. The City is in the process of complying with the Phase II requirements.

***Q – Does the City have to comply with the NPDES Phase II regulations?***

A – Yes. The City owns and operates a storm water system.

***Q – How will the City comply with the NPDES Phase II requirements?***

A – The City has prepared a draft Storm Water Management Plan and has submitted the plan to the Central Coast Regional Water Quality Control Board (Regional Board) in 2003.

***Q – What has the City done to get the Storm Water Management Plan Approved?***

A - The following timeline outlines staff's work and progress towards satisfying the State Board's Phase II General Permit Requirements:

- In February 2002, the City Council (Council) directed staff to begin development of a Storm Water Management Plan.
- In March 2003, the Council directed staff to submit the Storm Water Management Plan to the Regional Board.
- By December 2004, the City and Regional Board had completed three Storm Water Management Plan comment and resubmittal cycles.
- By November 2007, staff had not received any further comments from the Regional Board. Regional Board staff indicated that the City of Atascadero's Plan adoption would be delayed because of problems with staffing and heavy opposition to other Cities plans from environmental groups.
- In November 2007, the Regional Board notified the City and all 20 other agencies that it was going to propose a new timeline and process for adopting the outstanding storm water management plans. The process and timeline was presented and approved at the Regional Board's December 7, 2007 meeting.
- On February 15, 2008, Regional Board staff notified Atascadero and other Cities of the new timeline and requirements.

**Q – What are the new Storm Water Management Plan Requirements?**

A – The new requirements for Storm Water Management Plan adoption: Maximization of clean storm water infiltration to minimize runoff volume and flow rate; protection of riparian areas, wetlands and their buffer zone; minimization of pollutants in creeks; and provisions for long-term watershed protection. For example the protection of riparian areas requires a 30-foot setback from riparian areas or wetlands. This is an important issue in Atascadero. The City may conduct its own studies and recommend alternatives that may fit our community more closely.

**Q – Where are we now?**

A - City staff has contacted Regional Board staff in order to better understand the Regional Board's revised adoption process. City staff believes this will provide extra time to develop a sound plan that addresses the City's storm water quality issues and provides more time for public participation. City staff will notify the Council and public as soon as we get additional detail regarding the following Regional Board process:

- Stage I: Regional Board Staff Assessment of Water Quality Challenges in Atascadero.
- Stage II: Regional Board staff will review our Storm Water Management Plan and provide comments and request changes to the Plan.
- Stage III: City staff will address Regional Board staff's comments and resubmit. This process of comment and resubmit will continue until both parties agree to the Plan.
- Stage IV: Final Regional Board staff review and public posting of the Storm Water Management Plan.
- Stage V: If the City and Regional Board Staff agree to the content of the Plan and a hearing is not requested by an interested party then the Executive Officer of the Regional Board approves the Plan and the process is over. If the objections are raised by Regional Board Staff, City Staff or interested party, the Storm Water Management Plan will be put on a Regional Board Meeting agenda to address the objections. The Storm Water Management Plan from here could be appealed to the State Board and then State Court or Legislative relief may be sought.
- Regional Board Staff have estimated the Plans could be approved in February 2009, if there are no objections. City Staff believes the process may take longer.



INFORMATION YOU CAN USE  
ANSWERS TO FREQUENTLY ASKED QUESTIONS ABOUT:

## REGIONAL BOARD SEPTIC SYSTEM BASIN PLAN CHANGES

### ***Q - What is the Regional Water Quality Control Board?***

A – The Central Coast Regional Water Quality Control Board is a State Government Agency that is responsible for protecting water quality in the six counties stretching from Santa Barbara to southern Santa Clara County. The Regional Board is part of the State Water Board (administrative and appellate oversight) and California Environmental Protection Agency. The Board adopts Regional Basin Plans.

### ***Q – What is the Basin Plan?***

A – The Basin Plan is developed by the Regional Board that describes the requirements that are needed in order to protect Surface and Groundwater Quality in the Regional Board Jurisdiction. The Regional Board is proposing to amend the basin plan.

### ***Q – What are the proposed Septic System Basin Plan Amendments?***

A – The changes include a number of Basin Plan requirements including minimum parcel size for residents that want to build second units, a requirement for the City to develop a septic system management plan, and a new definition of a watercourse. To see all the proposed changes, visit the Regional Board's web site at:

<http://www.waterboards.ca.gov/centralcoast/Permits/Index.htm>

Look for the following:

1. Proposed Waiver of Waste Discharge Requirements for Onsite Wastewater Systems Discharges, Resolution No. R3-2008-006
2. Proposed Amendment to the Water Quality Control Plan, Central Coast Basin, Resolution No. R3-2008-00005, Revising Criteria for Onsite Wastewater Systems

**Q – How will the proposed changes affect the City?**

A – The extent of the impact will not be known until the final changes are adopted by the Regional Board. However, the Regional Board’s changes may impact the City in the following areas:

- The City may need to negotiate a new Memorandum of Understanding with the Regional Board in order to continue oversight of septic systems.
- The City may be required to change the second unit ordinance to increase minimum parcel sizes to two acres for residences proposing second units.
- The City may need to require new setbacks for 25-year flood zones (previously 10- year.)
- The City may need to develop a management program which includes inspections of existing systems, requirements for existing septic system maintenance and a funding mechanism.

**Q – Has the City responded to the proposed changes?**

A – Yes. The City’s response is located on our web site at:

<http://www.atascadero.org/regionalboardbasinplanresponseletter>

**Q – Can the Public still provide comments to the Regional Board?**

A – Yes. The Public can still send comments to the Regional Board. Comments can be phoned, faxed, emailed, or mailed to the contact sources listed below. The Regional Board will be considering the Basin Plan changes at its May 9<sup>th</sup> meeting in San Luis Obispo. The Public can also comment at the hearing. Go to the following web address to download a Regional Board meeting agenda:

<http://www.waterboards.ca.gov/centralcoast/Board/Meetings/2008meetings.htm>

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