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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PUBLIC WORKS**

Mr. Mark Hutchinson
Environmental Programs Manager
San Luis Obispo County Department of Public Works
County Government Center
1055 Monterey Street, Room 207
San Luis Obispo, CA 93408

VIA OVERNIGHT DELIVERY

Dear Mr. Hutchinson:

Re: Los Osos Wastewater Project Draft Environmental Impact Report

We represent the Bear Valley Land Stewardship Alliance (BVLSA) in Los Osos Valley in regard to the Los Osos Wastewater Project (LOWP) Draft Environmental Impact Report (DEIR). The purpose of this letter is to comment on the DEIR on behalf of BVLSA.

We acknowledge and commend the selection of the Tonini property as the environmentally superior location for the LOWP (identified as Project 4 in the DEIR). This decision is logical in that it consolidates all of the wastewater facilities in Los Osos Valley onto one property. The other project options would have spread the LOWP facilities across Los Osos Valley.

Consolidating the LOWP onto one property follows the same logic of cluster housing on open land, mainly to avoid spreading impacts. Environmental impacts from traffic, roadways, night lighting, noise, and odors in Los Osos Valley would be confined to the best extent practical if the Tonini property is used for the LOWP. The location also makes sense from a maintenance and operations standpoint.

We would also like to comment on issues that may arise in transitioning from the DEIR to the final EIR. In this regard, we understand the County's guidance in several recent public meetings that comments on the DEIR should not be on the particular locations selected for disposal, those being the Broderson and Tonini sites. The disposal locations are fixed. Comments may be

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directed at the treatment facility and storage ponds, including their locations, but relative to environmental impact assessments that may have not been addressed completely or were overlooked. This is not to exclude comments supporting impact descriptions and decisions.

Although we acknowledge the Tonini property as the environmentally superior location for the LOWP, we also recognize that the ultimate locations for the treatment facility and storage ponds could change. How and in what manner these may change (or not change) will, of course, depend on the nature of public comments to the DEIR, results from a "community survey," how your office interprets the comments and survey, and the final decision by the San Luis Obispo County Board of Supervisors.

With that said, we recognize that Project Options 1, 2, and 3 consist of using various combinations of the cemetery, Giacomazzi and Branin properties for the treatment facility and storage ponds. Other sites considered nearby include the Andre and Robbins properties. All five properties, however, should be excluded from consideration should any reevaluation occur concerning the location of the LOWP. In addition to being proximate to existing neighborhoods, these properties drain towards Warden Creek and Lake, which are on the properties. Warden Creek and Lake and the Morro Bay National Estuary would be at close risk to accidental sewage spills. Some of these properties are also classified as being within flood zone hazards identified by the County. Flooding is not compatible with sewage treatment, storage, and spray field disposal. We hope that the unique physical characteristics of these properties were included as important reasons for rejecting Project Options 1, 2, and 3 and selecting Project 4 as the environmentally superior location for the LOWP.

The DEIR did not appear to strongly highlight the near certainty of odor impacts to neighborhoods in Los Osos Creek Valley if Project Options 1, 2, or 3 is implemented, in comparison to Project 4. There was no apparent distinction made, or the distinction was subtle.

Odor impacts were conveyed in a letter dated September 4, 2007 to the County Board of Supervisors and Public Works Department. The letter includes a signed petition from largely all of the property owners living in close proximity to the cemetery, Giacomazzi, and Branin properties. The petition list includes signatures from 60 property owners and six nonproperty owner residents (of voting age). The letter and the petition oppose any sewer project in these areas. The letter specifically states that odor impacts would occur, and includes a detailed description of how they would occur. The mechanism stems from the low-lying nature of Los Osos Creek Valley functioning as a "sink" of cooler denser air. A slight offshore wind also develops nearly every night. The combination would result in sewage odors being conveyed and retained in Los Osos Creek Valley on a frequent basis if Project Options 1, 2, or 3 is implemented.

In contrast, sewer odors would have a lower probability of affecting neighborhoods in Los Osos Creek Valley if Project 4 is implemented, depending on the design and operation of the LOWP and because it is more distant from neighborhoods. This may have been considered in selecting

Mr. Mark Hutchinson

January 29, 2009

Page 3

Project 4 as the environmentally superior location for the LOWP over the other project options. If this was the case, it was not clearly apparent in the DEIR.

It should be noted that implementing Project Options 1, 2, or 3 would not eliminate the need to still purchase the Tonini property for spray field disposal. Implementing any of these project options would require the purchase of two or more properties (Tonini plus unidentified "others"). Acquisition of "other" properties in Los Osos Valley may not be possible and, at minimum, would significantly delay completion of the LOWP.

If any reevaluation is to occur regarding the location of the LOWP, our position is that the Mid-town site should be the only site reconsidered, with perhaps the original Tri-W treatment facility. In other words, the treatment facility could be built on the Mid-town property with effluent storage and disposal still occurring on the Broderson and Tonini properties.

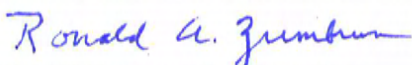
Should a reconsideration of location occur, we strongly believe that the Mid-town site should be considered as the preferred site for the Los Osos sewer, or ranked similarly to the Tonini site. A primary reason is that the Mid-town site was the preferred site for the LOWP based on a prior EIR. Also, the Mid-town property remains undeveloped and is still owned by the Los Osos Community Services District.

Therefore, should the location for the LOWP be reevaluated, only the Mid-town site should be considered and preferably selected as the final site for the treatment facility. Otherwise, the Tonini site represents the next reasonable option used in combination with the Broderson leach field.

Finally, we assume if Project 4 goes through that various pump stations will need to be installed in Los Osos Valley and Los Osos Creek Valley. If this occurs, we would like to see each pump station associated with overflow sewage capture and retention equipment (e.g., overflow tanks). This would minimize the potential of accidental sewage spills reaching Los Osos Creek, Warden Lake, and Warden Creek in the event of pump station failures.

Thank you for the opportunity to comment on the DEIR.

Respectfully submitted,



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Managing Attorney