CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN DIEGO REGION

ORDER NO. R9-2016-0128

AN ORDER RESCINDING ORDERS NOS. 94-74, R9-2009-0007, AND R9-2012-0056

The California Regional Water Quality Control Board, San Diego Region, (hereinafter San Diego Water Board), finds that:

1. Order No. 94-74, *Waste Discharge Requirements for Milo and Joan Crouse, Lilac Oaks Campground, San Diego County,* establishes requirements for the discharge of domestic wastewater from the Onsite Wastewater Treatment System (OWTS) at Lilac Oaks Campground. The wastewater treatment system is comprised of 7 septic tanks and a subsurface disposal system. The Lilac Oaks Campground is located in Valley Center, San Diego County. The San Diego Water Board adopted Order No. 94-74 on June 9, 1994.

2. Ownership of Lilac Oaks Campground was transferred from Mr. Larry Tardie to PCP-Lilac, LP, dba Lilac Oaks Campground on March 30, 2015.

3. The San Diego Water Board is rescinding Order No. 94-74 because it is not consistent with current State policy and requirements for OWTS. The San Diego Water Board will enroll the discharge from the Lilac Oaks Campground OWTS in Order No. WQ 2014-0153-DWQ, General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems (General Order).[1] The discharge of treated wastewater from the OWTS is eligible for enrollment in the General Order based on information provided in monitoring reports submitted to the San Diego Water Board and observations made by San Diego Water Board staff during a compliance inspection on May 23, 2016.

4. Order No. R9-2009-0007, *Waste Discharge Requirements for the Garcia Residence Onsite Wastewater Treatment System, San Diego County*, establishes waste discharge requirements for the treatment and discharge of domestic wastewater from an advanced OWTS serving a single family residence located on 3605 Fortuna Road in Encinitas, San Diego County. The San Diego Water Board adopted Order No. R9-2009-0007 on April 8, 2009.

5. Ownership of the property located on 3605 Fortuna Road, Encinitas was transferred from Mr. Mauro and Ms. Nino Garcia to Mr. Dennis and Ms. Betty Rowland on April 3, 2013. Ms. Betty Rowland informed the San Diego Water Board via email on September 15, 2016 that Mr. Andy Blough had purchased the subject property.

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[1] General Order: http://www.swrcb.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0153_dwq.pdf

6. The San Diego Water Board is rescinding Order No. R9-2009-0007 because the subject OWTS complies with the OWTS Policy. The OWTS is covered by a conditional waiver of WDRs for OWTS with design flows less than 10,000 gallons per day, and meets the requirements of the County of San Diego Department of Environmental Health's Local Agency Management Plan (LAMP).[2]

7. Order No. R9-2012-0056, *Waste Discharge Requirements for the Leuthe Residence Onsite Wastewater Treatment System, San Diego County*, establishes requirements for the treatment and discharge of domestic wastewater from an advanced OWTS for a proposed single family residence that was to be built on Camino Elena Road in Escondido, San Diego County. The San Diego Water Board adopted Order No. R9-2012-0056 on December 12, 2012.

8. Mr. William Leuthe informed the San Diego Water Board that Mr. Michael Brower purchased the property on November 14, 2013. As of October 7, 2014, neither the residence nor the OWTS have been constructed.[3]

9. The San Diego Water Board has not received formal notification of the ownership transfer in writing, and has been unable to amend Order No. R9-2012-0056 to reflect the ownership change. The San Diego Water Board is rescinding Order No. R9-2012-0056 because there is no discharge of waste, and the OWTS has not yet been constructed. Rescission of Order No. R9-2012-0056 will prevent any further waste discharge requirements fees from being incurred for a non-existent OWTS. The proposed design of the OWTS, as indicated in Order No. R9-2012-0056, would qualify for coverage by the County DEH LAMP. Any future plans to construct and operate an OWTS at the property will be referred to the County DEH for regulatory oversight under its LAMP.

10. The San Diego Water Board in a public meeting heard and considered all comments pertaining to the rescission of Orders Nos. 94-74, R9-2009-0007, and R9-2012-0056.

11. The project consists of rescission of three individual waste discharge requirements. Pursuant to the title 14, California Code of Regulations, chapter 3, article 19, section 15301, the project is exempted from the California Environmental Quality Act because adoption of Order No. R9-2016-0128 will not involve expansion or modification of the existing facilities. Adoption of Order No. R9-2016-0128 will not have any significant impact on the environment.

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[2] The County DEH prepared a LAMP, which was approved by the San Diego Water Board on April 29, 2015.

[3] Telephone conversation between Mr. Michael Brower and Ms. Kimberly Mc-Murray-Cathcart of the San Diego Water Board.

IT IS HEREBY ORDERED that Orders Nos. 94-74, R9-2009-0007, and R9-2012-0056 are rescinded.

I, David W. Gibson, 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, San Diego Region, on October 12, 2016.

David W. Gibson, Executive Officer