

Item Number 3

Supporting Document 1

Tentative Order No. R9-2021-0120

August 11, 2021

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

TENTATIVE ORDER NO. R9-2021-0120

**AN ORDER RESCINDING ORDER NO. 86-48,
WASTE DISCHARGE REQUIREMENTS FOR KATHLEEN ROSENOW AND FRANK
SPEVACELC, PINECREST PARK, SAN DIEGO COUNTY**

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

1. Order No. 86-48, *Waste Discharge Requirements for Kathleen Rosenow and Frank Spevancelc, Pinecrest Park, San Diego County* (Order No. 86-48), established requirements for the discharge of domestic wastewater from an onsite wastewater treatment system (OWTS). The OWTS consists of a septic tank and percolation pond system, a recreational vehicle dump station, two public restrooms with showers, and two residential homes. The San Diego Water Board adopted Order No. 86-48 on June 16, 1986. The Pinecrest Park OWTS is located at 3936 Highway 78, Julian, California.

Addendum No. 1 to Order No. 86-48, *An Addendum Transferring Responsibility for Order No. 86-48 from Convair Recreation Association to Warren-Neely Foundation, Inc., Pinecrest Park, San Diego County* (Addendum No. 1), modified Order No. 86-48 transferring responsibility for complying with the established waste discharge requirements (WDRs) to Warren-Neely Foundation, Inc. The San Diego Water Board adopted Order No. 86-48 on August 10, 1995.

Addendum No. 2 to Order No. 86-48, *An Addendum Transferring Order No. 86-48 to Eldon Cornette and Dian Cornette, Pinecrest Park, San Diego County* (Addendum No. 2), modified Order No. 86-48 transferring responsibility for complying with the established WDRs to Eldon Cornette and Dian Cornette. The San Diego Water Board adopted Order No. 86-48 on September 8, 1999.

Addendum No. 3 to Order No. 86-48, *An Addendum Transferring Responsibility for Order No. 86-48 from Eldon Cornette and Dian Cornette to Kathleen Rosenow and Frank Spevancelc, Pinecrest Park, San Diego County* (Addendum No. 3) modified Order No. 86-48 transferring responsibility for complying with the established WDRs to Kathleen Rosenow and Frank Spevancelc. The San Diego Water Board adopted Addendum No. 3 on October 14, 2009.

2. Order No. 86-48 and addenda must be replaced to ensure that the discharges are regulated consistent with current state policy and requirements. Discharges from small package treatment plants and OWTS such as these have certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, and flow ranges, and they require the same or

similar treatment standards. The State Water Resources Control Board issued Order WQ 2014-0153-DWQ, *General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems* (General Order), to regulate these types of discharges consistently throughout the state. Enrollment of the Pinecrest Park OWTS in the General Order will provide a level of water quality protection equal to that provided in Order No. 86-48.

3. The discharge from the Pinecrest Park OWTS is eligible for enrollment in the General Order based on information submitted in monitoring reports and obtained during a compliance inspection conducted by San Diego Water Board staff on July 26, 2017. As such, the discharge from the Pinecrest Park OTWS is more appropriately regulated under the General Order than individual WDRs.
4. The San Diego Water Board will issue a Notice of Applicability (NOA) to *Kathleen Rosenow and Frank Spevacek* for enrollment in the General Order prior to the board meeting on August 11, 2021. The NOA's effective date of enrollment in the General Order coincides with the adoption date of this rescission Order.
5. Adoption of Order No. R9-2021-0120 is not subject to the California Environmental Quality Act (CEQA, Public Resources Code, section 21000 et seq.). Pursuant to California Code of Regulations, title 14, sections 15060(c)(2) and 15061(b)(3), the action to rescind Order No. 86-48 and addenda will not have potentially significant adverse effects on the environment because the discharges that were regulated by Order No. 86-48 are now regulated under the General Order. In addition, adoption of Order No. R9-2021-0120 is exempt from CEQA pursuant to categorical exemptions listed in title 14, section 15301 (ongoing or existing projects).

The State Water Resources Control Board considered the environmental impacts associated with the adoption of the General Order, and prepared an Initial Study in accordance with title 14, section 15063. Analysis in the Initial Study and early consultation with responsible and trustee agencies did not identify any significant impacts on the environment. Therefore, a Negative Declaration was prepared. The State Water Resources Control Board adopted the Negative Declaration on September 23, 2014, through Resolution No. 2014-0054, California Environmental Quality Act, Negative Declaration, General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems. The General Order will provide a level of water quality protection equal to that provided in Order No. 86-48.

6. The San Diego Water Board heard and considered all comments pertaining to the adoption of Order No. R9-2021-0120 in a public meeting on August 11, 2021.

IT IS HEREBY ORDERED that Order No. 86-48 is 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 August 11, 2021.

TENTATIVE

David W. Gibson, Executive Officer