

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

EXECUTIVE OFFICER SUMMARY REPORT

April 12, 2023

ITEM NO. 3

SUBJECT

Consideration of Tentative Order No. R9-2023-0018, *An Order Rescinding Order No. 94-136, Waste Discharge Requirements for Mr. William R. Severance, Lake Morena Trailer Resort, San Diego County* (Tentative Order No. R9-2023-0018). (Mahsa Izadmehr)

STAFF RECOMMENDATION

Staff recommends adoption of Tentative Order No. R9-2023-0018.

KEY ISSUES

Tentative Order No. R9-2023-0018 (**Supporting Document 1**), if adopted, rescinds Order No. 94-136, *Waste Discharge Requirements for Mr. William R. Severance, Lake Morena Trailer Resort, San Diego County* (Order No. 94-136). The onsite wastewater treatment systems (OWTS) at Lake Morena Trailer Resort (Facility), owned and operated by Linda and Juan Tamez (Discharger), will be regulated by the County of San Diego Department of Environmental Health and Quality (County of San Diego) under the *Local Agency Management Program for Onsite Wastewater Treatment Systems* (LAMP).¹

PRACTICAL VISION

Tentative Order No. R9-2023-0018 is consistent with the Strategize for Healthy Waters chapter of the *San Diego Water Board Practical Vision*.² Working as partners with county government helps the San Diego Water Board focus staff resources on larger projects and facilities within the region that pose a greater threat to water quality.

¹ County of San Diego LAMP:

<https://www.sandiegocounty.gov/content/dam/sdc/deh/lwqd/RWQCB%20Approved%20LAMP%20Final%202-24-15.pdf>

² Practical Vision:

https://www.waterboards.ca.gov/sandiego/water_issues/programs/practical_vision/

DISCUSSION

The purpose of this item is to provide the Board with information to assist in its consideration of Tentative Order No. R9-2023-0018. If adopted, Tentative Order No. R9-2023-0018 will rescind Order No. 94-136 and transfer regulation of the Facility's OWTS to the County of San Diego.

The Facility is located at 2330 Lake Morena Dr., Campo in San Diego County (**Supporting Document 2**). Board staff inspected the Facility's OWTS on August 30, 2022, and did not observe any violations of the requirements specified in Order No. 94-136 during the inspection.

San Diego Water Board staff reviewed the requirements specified in Order No. 94-136 with the Discharger's annual monitoring reports and determined the Facility's OWTS is eligible for oversight by the County of San Diego pursuant to the approved LAMP. The purpose of the LAMP is to allow continued use of OWTS within the jurisdiction of local agencies and expand the local program to permit and regulate alternative OWTS while protecting water quality and public health. Order No. 94-136 is outdated and as such the County of San Diego LAMP is more protective of water quality, which was developed in accordance with the State Water Resources Control Board's *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy).³ The OWTS Policy establishes a statewide, risk-based, tiered approach for regulation and management of OWTS installations and replacements and recognizes the effectiveness of local permitting agencies. Tier 2 of the OWTS Policy allows local agencies to approve OWTS, based on a local ordinance, after the Regional Water Quality Control Board approves a LAMP. The San Diego Water Board approved the County of San Diego's LAMP on April 29, 2015.

The San Diego Water Board notified the County of San Diego on October 11, 2022, that the Facility's OWTS is eligible for regulation under the authority of the County of San Diego's LAMP. While the Discharger may request to be regulated under individual waste discharge requirements, the Facility's transfer to the County of San Diego allows the San Diego Water Board to effectively and efficiently regulate OWTS that pose a greater threat to water quality, while prioritizing the use of its limited resources.

SIGNIFICANT CHANGES

The significant differences between the County of San Diego LAMP and Order No. 94-136 are:

1. The Discharger will no longer need to submit monitoring reports or pay fees to the San Diego Water Board.

³ OWTS Policy:

https://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf

2. The Discharger will be required to submit all proposed OWTS upgrades and septage pumping records, upon request, to the County of San Diego.

COMPLIANCE RECORD

The San Diego Water Board issued twelve Notices of Violation for the following violations:

- Failure to submit complete annual monitoring reports in 1995, 2001 through 2003, and 2017 through 2021.
- Failure to submit annual monitoring reports in 1991, 1992, 2002, and 2017 through 2021.
- Failure to pay the annual fee in 2010.

Since the issuance of a Staff Enforcement Letter on November 28, 2022, no violations of Order No. 94-136 have occurred.

PUBLIC NOTICE

Board staff notified the Discharger and known interested parties of this action on January 13, 2023 (**Supporting Documents 3 and 4**). Additionally, Board staff posted Tentative Order No. R9-2023-0018 on its website on January 13, 2023. The Board did not receive any comments during the public comment period. These actions satisfy the 30-day public notification and comment period requirements of Water Code section 13167.5.

SUPPORTING DOCUMENTS

1. Tentative Order No. R9-2023-0018
2. Vicinity and Facility Map
3. Transmittal Letter
4. Notice of Public Hearing and Comment Period