



# California Regional Water Quality Control Board

## Central Coast Region



Linda S. Adams  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.waterboards.ca.gov/centralcoast>  
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Arnold  
Schwarzenegger  
Governor

July 8, 2009

**Certified Mail No. 7007 0710 0004 4117 5789**

Donna Garren  
5452 Qual Meadows Drive  
Carmel, CA 93923

Dear Ms. Garren:

**277 LOWER WALDEN RD, CARMEL HIGHLANDS (APN: 241-241-009), MONTEREY COUNTY; PROPOSED WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR ALTERNATIVE ONSITE WASTEWATER DISPOSAL SYSTEM (RESOLUTION R3-2009-0057)**

We reviewed Monterey County Department of Health's (County) April 20, 2009, application for an alternative onsite wastewater system permit for the Garren property at 277 Lower Walden Road, APN 241-241-009. The application package contains a Report of Waste Discharge Supplemental Form for Regional Board Subsurface Disposal Exemption Submittal (for Basin Plan Exemption), design documents for an engineered onsite wastewater system prepared by Andrew Brownstone of BioSphere Consulting and three geotechnical investigation reports prepared by Grice Engineering.

The Basin Plan and existing July 1979 Memorandum of Understanding between the County and Central Coast Water Board prohibit the County from approving engineered onsite wastewater systems. The engineered system is being proposed in response to our March 7, 2007, and May 7, 2007 letters to the County regarding the ongoing use of onsite wastewater systems in the Carmel Highlands area and subsequent County Ordinance No. 5086 and No. 5093.

The proposed system consists of an advanced treatment system with ultraviolet disinfection and a subsurface drip irrigation disposal system. A secondary backup disposal system is also being proposed pursuant to County requirements that consists of shallow pressurized rock-filled dispersal trenches. Based on our review of the information provided in your application, the subject property and proposed system design meet or exceed all applicable Basin Plan numeric criteria for citing a conventional "septic system" with the exception of citing the disposal areas on slopes slightly in excess of the maximum recommended slope criteria of 20%. Your Basin Plan exemption request for the engineered system is hereby approved.

Item No. 10 Attachment No. 4  
August 31, 2009 Meeting  
Garren Property, Carmel Highlands  
Monterey County

*California Environmental Protection Agency*



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We intend to recommend the Regional Board waive waste discharge requirements for the proposed engineered system at a regularly scheduled meeting in San Luis Obispo. The enclosed draft waiver (Resolution No. R3-2009-0057) contains staff-proposed conditions based on County Ordinance No. 5093 and nonstandard County permit conditions. The waiver is subject to Water Board approval.

The Central Coast Water Board will hold a public hearing to consider the issuance of the proposed resolution for the waiver of waste discharge requirements on Friday, September 11, 2009 in the:

Central Coast Water Quality Control Board Offices  
895 Aerovista Place, Suite 101  
San Luis Obispo, California 93401

Interested persons are invited to submit comments regarding the proposed waiver resolution in writing to the Central Coast Water Board at its office in San Luis Obispo no later than **August 13, 2009**. All comments or objections received prior to that date will be considered in the formulation of staff recommendations regarding the waste discharge. The Central Coast Water Board will not accept comments or other written submissions on the draft Waiver after **August 13, 2009**, unless the Central Coast Water Board Chair rules that exclusion would create a severe hardship, and that the late submission will not prejudice any party or the Central Coast Water Board. Any person submitting late comments must explain why the materials were not submitted by August 13, 2009. The Central Coast Water Board Chairman will rule on late submittals at or before the hearing. Late submissions that consist of evidence (as opposed to policy statements or comments) are generally prejudicial unless all designated parties and Central Coast Water Board staff have time to consider the evidence before the hearing.

Interested persons are invited to attend the hearing and may make oral comments relevant to the proposed action. Oral comments should summarize written comments. The Chair of the Central Coast Water Board will impose time limits on oral comments.

The proposed waiver resolution, staff report, related documents, and all comments received may be inspected and copied at the office of the Central Coast Water Board, 895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-5427, on weekdays between the hours of 8:00 a.m. and 5:00 p.m. Please direct comments and questions to **Matthew Keeling at (805) 549-3685 or mkeeling@waterboards.ca.gov**, or Burton Chadwick at (805) 542-4786 at this office.

The proposed waiver resolution and associated attachments can also be viewed and downloaded from our website at:

**<http://www.swrcb.ca.gov/rwqcb3/Permits/Index.htm>**

In addition, the waiver is subject to a one-time waste discharge requirements fee of \$560. The check should be made out to the State Water Resources Control Board and



submitted to the address on the letterhead above. Please submit payment immediately so we can place the proposed Waiver on the September 11, 2009 hearing agenda.

Staff has no objection to the County issuing a building permit for the proposed system at this time. However, this letter does not authorize sewage discharges to the proposed system. You may choose to proceed with construction of the proposed system at your own risk given the Water Board retains the authority to deny the proposed resolution (waiver) or add additional conditions. We will advise you of the Water Board's determination of the proposed resolution following the September 11, 2009 meeting. You may choose to attend the meeting.

Questions regarding this matter may be directed to **Matthew Keeling at (805) 549-3685 or mkeeling@waterboards.ca.gov**, or Burton Chadwick at (805) 542-4786.

Sincerely,

*for*   
Roger W. Briggs  
Executive Officer

Enclosure: Waiver Resolution No. R3-2009-0057 (DRAFT)

cc w/ attachment:

Richard LeWarne  
County of Monterey  
Division of Environmental Health  
1270 Natividad Road  
Salinas, CA 93906

Andrew Brownstone  
BioSphere Consulting  
1315 King Street  
Santa Cruz, CA 95060

Paper File: Monterey County Basin Plan Exception/Waiver Resolution folders  
Electronic File: S:\WDR\Basin Plan Exemptions\Monterey Co\SDS\277 Lower Walden Rd\R3-2009-0057 draft notice.doc  
Task Code: 126-01

