

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

ORDER NO. R9-2022-0120

**AN ORDER RESCINDING ORDER NO. 94-41,
WASTE DISCHARGE REQUIREMENTS FOR NAZAR AND LAUREN NAJOR
LIVE OAK SPRINGS RESORT
SAN DIEGO COUNTY**

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

1. Order No. 94-41, *Waste Discharge Requirements for Nazar and Lauren Najor, Live Oak Springs Resort, San Diego County* (Order No. 94-41), established requirements for the discharge of domestic wastewater from an onsite wastewater treatment system (OWTS). The Live Oak Springs Resort OWTS consists of four septic tanks that discharge to a mix of seepage pits and leach field systems. The Live Oak Springs Resort OWTS collects wastewater from 45 seweried recreational vehicle (RV) spaces, 26 mobile homes, 10 cabins and a laundry and shower facility. The Live Oak Springs Resort does not have an RV dump station. The Live Oak Springs Resort OWTS is located at 37820 Old Highway 80, Boulevard, California. The San Diego Water Board adopted Order No. 94-41 on May 12, 1994.
2. Order No. 94-41 must be replaced to ensure that the discharge is regulated consistent with current state policy and requirements. Discharges from small 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 Live Oak Springs Resort OWTS in the General Order will provide a level of water quality protection equal to that provided in Order No. 94-41.
3. The discharge from the Live Oak Springs Resort OWTS is eligible for enrollment in the General Order based on information submitted in a report of waste discharge dated April 22, 2022. As such, the discharge from the Live Oak Springs Resort OWTS is more appropriately regulated under the General Order than individual waste discharge requirements.
4. The San Diego Water Board received a Change of Ownership Notification from A+A MHP, LLC on March 19, 2020, in which A+A MHP, LLC agreed to abide by Order No. 94-41 starting on February 19, 2020. The San Diego Water Board will issue a Notice of Applicability (NOA) to A+A MHP, LLC, for enrollment of the Live Oak Springs Resort OWTS in the General Order prior to the board meeting on November 9, 2022. 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. R9-2022-0120 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. 94-41 will not have potentially significant adverse effects on the environment because the discharges that were regulated by Order No. 94-41 are now regulated under the General Order. In addition, adoption of Order No. R9-2022-0120 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. 94-41.

6. The San Diego Water Board heard and considered all comments pertaining to the adoption of Order No. R9-2022-0120 in a public meeting on November 9, 2022.

IT IS HEREBY ORDERED that Order No. 94-41 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 November 9, 2022.

David W. Gibson, Executive Officer