

## California Regional Water Quality Control Board, San Diego Region

September 21, 2016

Mr. Andy Blough  
3605 Fortuna Ranch Road  
Encinitas, CA 92024

**In reply refer to:**  
**651427:oosibodu**

### **Subject: Rescission of Waste Discharge Requirements and Deferral to the County of San Diego Department of Environmental Health**

Mr. Blough:

This letter serves to inform you that the California Regional Water Quality Control Board San Diego Region (San Diego Water Board) is scheduled to rescind Order No. R9-2009-0007 (copy enclosed) and defer regulation of your Onsite Wastewater Treatment System (OWTS) to the County of San Diego Department of Environmental Health (County DEH). Order No. R9-2009-0007 prescribes waste discharge requirements (WDRs) for the treatment and discharge of domestic wastewater from the OWTS, which serves your single family residence located at 3605 Fortuna Road in Encinitas, San Diego County (APN # 264-101-54). The San Diego Water Board was informed that you purchased the subject residence from Mr. Dennis and Ms. Betty Rowland.

### **State Water Board Policy and Deferral to San Diego County DEH**

In accordance with Water Code section 13269, the State Water Board can waive the requirements<sup>1</sup> to obtain WDRs, submit a Report of Waste Discharge, and pay fees for discharges from OWTS, provided those systems have a design flow of less than 10,000 gallons per day and they meet all the requirements of County DEH *Local Agency Management Plan for Onsite Wastewater Treatment Systems*.<sup>2</sup> Please contact the County of San Diego Department of Environmental Health (County DEH),<sup>3</sup> about its local permitting requirements for the OWTS on your property.

In addition, you must comply with the following conditions specified in section 12.0 of the State Water Board *Water OWTS Policy*:

<sup>1</sup> Pursuant to the State Water Board Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy) at [http://www.waterboards.ca.gov/water\\_issues/programs/owts/docs/owts\\_policy.pdf](http://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf)

<sup>2</sup> The County of San Diego DEH's LAMP was approved by San Diego Water Board on April 29, 2015, see online at [http://www.waterboards.ca.gov/sandiego/board\\_decisions/adopted\\_orders/2015/R9-2015-0008\\_LAMP\\_Approval\\_Letter.pdf](http://www.waterboards.ca.gov/sandiego/board_decisions/adopted_orders/2015/R9-2015-0008_LAMP_Approval_Letter.pdf)

<sup>3</sup> Contact Mr. Eric Klein of the County DEH at 858-694-2551 or at [Eric.Klein@sdcounty.ca.gov](mailto:Eric.Klein@sdcounty.ca.gov)

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1. The OWTS shall function as designed with no surfacing effluent.
2. The OWTS shall not utilize a dispersal system that is in soil saturated with groundwater.
3. The OWTS shall not be operated while inundated by a storm or flood event.
4. The OWTS shall not cause or contribute to a condition of nuisance or pollution.
5. The OWTS shall comply with the applicable local agency codes, ordinances, and requirements.<sup>4</sup>
6. The OWTS shall comply with and meet any applicable Total Maximum Daily Load implementation requirements, special provisions for impaired water bodies, or supplemental treatment requirements imposed by Tier 3 of the OWTS Policy.
7. The OWTS shall comply with any corrective action requirements in Tier 4 of the OWTS Policy.

### **San Diego Water Board Meeting and Rescission of Order No. R9-2009-0007**

The San Diego Water Board is scheduled to consider adoption of Tentative Order No. R9-2016-0128 at its meeting on October 12, 2016. The enclosed Tentative Order No. R9-2016-0128, if adopted, would rescind Order No. R9-2009-0007. The San Diego Water Board has also notified the County DEH of the proposed action.

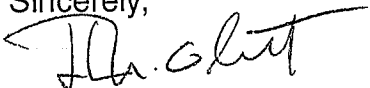
The October 12, 2016 meeting will begin promptly at 9:00 AM and will be held at the following location:

Board Meeting Room  
San Diego Water Board,  
2375 Northside Drive, Suite 100, San Diego, CA

Please review Tentative Order No. R9-2016-0128 and submit any written comments you have on Tentative Order No. R9-2016-0028 to [sandiego@waterboards.ca.gov](mailto:sandiego@waterboards.ca.gov) in Portable Document Format (PDF) or Microsoft Word format.

In the subject line of any response, please include reference code **651427:osibodu**. Please contact Mr. Fisayo Osibodu at (619) 521-8036, or at [Olufisayo.Osibodu@waterboards.ca.gov](mailto:Olufisayo.Osibodu@waterboards.ca.gov) if you have any questions or comments.

Sincerely,



JOHN R. ODERMATT, M.Sc., P.G., Senior Engineering Geologist  
Groundwater Protection Branch

JRO:oo

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<sup>4</sup> Including the County DEH *Local Agency Management Plan for Onsite Wastewater Treatment Systems*

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September 21, 2016

Enclosures: 1. Tentative Order No. R9-2016-0128

2. Order No. R9-2009-0007

cc w/o enclosure (via email): Mr. Eric Kline; County of San Diego Department of Environmental Health;  
[Eric.Kline@sdcounty.ca.gov](mailto:Eric.Kline@sdcounty.ca.gov)

Ms. Betty Rowland; [bjrow3@gmail.com](mailto:bjrow3@gmail.com)

CIWQS INFO	Number
Place ID	651427
Party ID	543077
Regulatory Measure ID	362444