

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

EXECUTIVE OFFICER SUMMARY REPORT

FEBRUARY 9, 2022

ITEM NO. 3

SUBJECT

Consideration of Tentative Order No. R9-2022-0008, *An Order Rescinding Order No. 88-24, Waste Discharge Requirements for Indian Oaks Trailer Ranch, Riverside County* (Tentative Order No. R9-2022-0008). (Brandon Bushnell)

STAFF RECOMMENDATION

Staff recommends adoption of Tentative Order No. R9-2022-0008.

KEY ISSUES

Tentative Order No. R9-2022-0008 (**Supporting Document 1**), if adopted, rescinds Order No. 88-24, *Waste Discharge Requirements for Indian Oaks Trailer Ranch, Riverside County* (Order No. 88-24). The onsite wastewater treatment systems (OWTS) at Indian Oaks Trailer Ranch (Facility), owned and operated by Smith Family Trust (Discharger), will be regulated by the County of Riverside under the *Local Agency Management Plan for Onsite Wastewater Treatment Systems* (LAMP).¹

PRACTICAL VISION

Tentative Order No. R9-2022-0008 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.

DISCUSSION

The purpose of this item is to provide the Board with information to assist in its consideration of Tentative Order No. R9-2022-0008. If adopted, Tentative Order No. R9-2022-0008 will rescind Order No. 88-24 and transfer regulation of the Facility's OWTS to the County of Riverside.

¹ County of Riverside LAMP: <https://www.rivcoeh.org/Portals/0/PDF/Land-Use/LAMP.pdf?ver=2018-12-05-133532-290>

² Practical Vision:

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

The Facility is located at 38120 East Benton Rd, Temecula, in Riverside County (**Supporting Document 2**). San Diego Water Board staff inspected the Facility OWTS on August 25, 2021. San Diego Water Board staff did not observe any violations of the requirements specified in Order No. 88-24 during the inspection.

San Diego Water Board staff reviewed the requirements specified in Order No. 88-24 and the Discharger's annual monitoring reports and determined the Facility's OWTS is eligible for oversight by the County of Riverside under the 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. Furthermore, Order No. 88-24 is outdated and is not as protective of water quality as the County of Riverside LAMP, 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). 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. The OWTS Policy allows local agencies to approve OWTS, based on a local ordinance, after the Regional Water Quality Control Board approves the LAMP. The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) approved the County of Riverside LAMP on November 17, 2016.³

The San Diego Water Board notified the County of Riverside Department of Environmental Health on September 22, 2021, that the Facility's OWTS is eligible for regulation under the authority of the County of Riverside's LAMP. While the Discharger may request to be regulated under individual waste discharge requirements, the Facility's transfer to the County of Riverside 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 Riverside LAMP and Order No. 88-24 are:

1. The Facility will no longer need to submit monitoring reports or pay fees to the San Diego Water Board.
2. The Facility will be required to submit all proposed OWTS upgrades and septage pumping records, upon request, to the County of Riverside.

³Attachment 3 of the OWTS Policy designates the Colorado River Basin Water Board as the regional board to review and approve the County of Riverside's LAMP.

COMPLIANCE RECORD

The San Diego Water Board issued nine Staff Enforcement Letters for the following violations:

- Failure to submit complete annual monitoring reports in 1999, 2002, and 2009.
- Failure to submit timely monitoring reports in 2001, 2002, 2007, 2008, 2009, 2018, 2019, and 2020.

Since the issuance of a Staff Enforcement Letter for a late monitoring report submittal in October of 2021, no violations of Order No. 88-24 have occurred.

PUBLIC NOTICE

San Diego Water Board staff sent notification of this action to the Discharger and known interested parties on October 27, 2021 (**Supporting Documents 3 and 4**). Additionally, the San Diego Water Board posted Tentative Order No. R9-2022-0008 on its website on October 27, 2021. The San Diego Water Board received no 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. R9-2022-0008
2. Vicinity and Facility Maps
3. Tentative Order No. R9-2022-0008 Transmittal Letter
4. Notice of Public Hearing and Comment Period