



California Regional Water Quality Control Board

Central Coast Region



Linda S. Adams
Secretary for
Environmental
Protection

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Arnold
Schwarzenegger
Governor

July 21, 2008

Certified Mail No. 7006 0100 0000 1777 6006

Michael Moeller
24808 Upper Trail
Carmel, CA 93923

Dear Mr. Moeller:

192 SAN REMO RD, CARMEL HIGHLANDS (APN: 243-181-005), MONTEREY COUNTY; PROPOSED WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR ALTERNATIVE ONSITE WASTEWATER DISPOSAL SYSTEM (RESOLUTION R3-2008-0060)

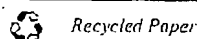
We reviewed Monterey County Department of Health's (County) June 4, 2008, application for an alternative onsite wastewater system permit for the Moeller Residence at 192 San Remo Road, APN 243-181-005. The application package contains a Report of Waste Discharge Supplemental Form for Regional Board Subsurface Disposal Exemption Submittal (for Basin Plan Exemption), design documents for an engineered onsite wastewater system prepared by Andrew Brownstone of BioSphere Consulting and a geotechnical investigation report prepared by Richard Dante of Soil Surveys, Inc.

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.

The secondary disposal system (shallow pressurized rock filled-dispersal trenches) was designed using a loading rate of 0.8 gallons per day per square foot (gpd/ft²). The Basin Plan recommends a loading rate of 0.25 gpd/ft² for the observed [average] onsite percolation rate of 35 minutes per inch (mpi) as determined from four deep soil (up to 40 feet below ground surface) percolation test pits on the subject property and adjacent parcel at 194 San Remo Road. Monterey County Ordinance No. 5093 recommends a maximum loading rate of 0.6 gpd/ft² based on the observed average percolation rate of 35 mpi. The primary subsurface drip irrigation disposal system was designed using a loading rate of 0.45 gpd/ft² per manufacturer specifications as based on the observed

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Item No. 27 Attachment No. 5
WDR Moeller Residence
192 San Remo Rd.
R3-2008-0060
December 4-5 2008 Meeting

onsite soil profile and characteristics. The higher design loading rate for the secondary disposal system is based on the observation of five additional onsite soil borings (to depths of 5.5 feet below ground surface) conducted by the system designer, shallow (near surface) soil infiltration testing conducted in similar soils within the Carmel Highlands area (220 Upper Walden Road), and the advanced treatment system effluent quality. In addition, both the primary and secondary disposal systems are designed to handle 100% of the design flow for the proposed residence. A Basin Plan exemption is therefore also required for a variance from the recommended loading rate "System Design" criteria contained within the Basin Plan for the secondary disposal system.

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 the above noted variance from the recommended "System Design" criteria for disposal system loading rate.

Your Basin Plan exemption request for the engineered system and disposal system loading rate variance from our recommended Basin Plan design criteria is hereby approved. We intend to request the Regional Board waive waste discharge requirements for the proposed engineered system at its October 16 and 17, 2008 meeting in Santa Barbara. The enclosed draft Waiver (Resolution No. R3-2008-0060) contains staff-proposed conditions based on County Ordinance No. 5093 and nonstandard County permit conditions. The Waiver is subject to Water Board approval.

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 Waiver or add additional conditions. We will advise you of the Water Board's determination of the proposed Waiver following the October 16 and 17, 2008 meeting. You may choose to attend the meeting.

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

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

Please submit all comments regarding the proposed Waiver in writing to the above address no later than August 23, 2008. 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 23, 2008**, 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 23, 2008. 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

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and Central Coast Water Board staff have time to consider the evidence before the meeting.

In addition, the Waiver is subject to a one-time waste discharge requirements fee of \$400. 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 October 16 and 17, 2008 hearing agenda.

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. R3-2008-0060 (DRAFT)

cc w/ attachment:

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Paper File: Monterey County Basin Plan Exception/Waiver Resolution folders
Electronic File: S:\WDR\Basin Plan Exemptions\Monterey Co\ISDS\192 San Remo\BPexcmpt.doc
Task Code: 126-01

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