

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

TENTATIVE ORDER NO. R9-2023-0040

**AN ORDER RESCINDING ORDER NO. 94-119,
WASTE DISCHARGE REQUIREMENTS FOR VERNON AND JANE SHEARS,
TWIN LAKES RESORT, SAN DIEGO COUNTY**

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

1. Order No. 94-119, *Waste Discharge Requirements for Vernon and Jane Shears, Twin Lakes Resort, San Diego County* (Order No. 94-119), established requirements for the discharge of domestic wastewater from an onsite wastewater treatment system (OWTS). The Twin Lakes Resort¹ OWTS consists of 12 septic tanks and a recreational vehicle (RV) dump station that discharge to a leach field. The Twin Lakes Resort OWTS collects wastewater from 150 tenants, 52 permanent mobile homes, 92 RV spaces, two standard restrooms, a restroom with showers, and a laundry room. The Twin Lakes Resort OWTS is located at 25275 Potrero Valley Road, Potrero, California. The San Diego Water Board adopted Order No. 94-119 on September 8, 1994.
2. Order No. 94-119 must be replaced to ensure that the discharge is regulated consistent with current state policy and requirements. Discharges from small package treatment plants and OWTS such as these have certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, and flow ranges, and 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. The San Diego Water Board received notification in 2004 that ownership of the Twin Lakes Resort transferred to LB Three, LLC and that the facility name changed from Twin Lakes Resort to LB Twin Lakes. Enrollment of the LB Twin Lakes OWTS in the General Order will provide a level of water quality protection equal to that provided in Order No. 94-119.
3. The discharge from the LB Twin Lakes OWTS is eligible for enrollment in the General Order based on information submitted in monitoring reports and obtained during a compliance inspection conducted by San Diego Water Board staff on August 23, 2022. As such, the discharge from the LB Twin Lakes OWTS is more

¹ The San Diego Water Board received notification in 2004 that ownership of Twin Lakes Resort transferred to LB Three, LLC and the facility is currently doing business as LB Twin Lakes.

appropriately regulated under the General Order than individual waste discharge requirements.

4. The San Diego Water Board will issue a Notice of Applicability (NOA) to LB Three, LLC, for enrollment of the LB Twin Lakes OWTS in the General Order prior to the board meeting on June 14, 2023. 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. R9-2023-0040 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. 94-119 will not have potentially significant adverse effects on the environment because the discharges that were regulated by Order No. 94-119 are now regulated under the General Order. In addition, adoption of Order No. R9-2023-0040 is exempt from CEQA pursuant to categorical exemptions listed in title 14, section 15301 (ongoing or existing projects) and consistent with Finding 32 of the General Order.

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. 94-119.

6. The San Diego Water Board heard and considered all comments pertaining to the adoption of Order No. R9-2023-0040 in a public meeting on June 14, 2023.

IT IS HEREBY ORDERED that Order No. 94-119 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 June 14, 2023.

TENTATIVE

David W. Gibson, Executive Officer