

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

TENTATIVE ORDER NO. R9-2023-0005

**WASTE DISCHARGE REQUIREMENTS FOR THE RANCHO GUEJITO CORPORATION
ROCKWOOD DOMESTIC WATER SYSTEM, SAN DIEGO COUNTY**

The Rancho Guejito Corporation, as described below, is subject to waste discharge requirements (WDRs) set forth in this Order:

Table 1. Discharger Information

Discharger	Rancho Guejito Corporation
Name of Facility	Rockwood Domestic Water System, located at the Rancho Guejito Vineyard
Facility Address	17224 San Pasqual Valley Road
	Escondido, CA 92027
	San Diego County

Table 2. Discharge Location

Disposal Type	Discharge Description	Evaporation Pond Latitude	Evaporation Pond Longitude	Receiving Hydrologic Area
Evaporation Pond	Backwash water from ion exchange system and wash water from the potable water tanks	33.10360 N	116.9566 W	Las Lomas Muertas (Hydrologic Subarea 905.32)

Effective Date

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) adopted this Order on **June 14, 2023**. This Order became effective upon adoption.

I, David W. Gibson, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of this Order adopted by the San Diego Water Board on the forementioned date.

TENTATIVE
David W. Gibson, Executive Officer

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I. FACILITY INFORMATION

- A. Information describing the Rockwood Domestic Water System (Facility) is summarized on the cover page and in sections 1 and 2 of Attachment D to this Order - Fact Sheet (Fact Sheet). Section 1 of the Fact Sheet also includes information regarding the Discharger's permit application for the Facility.

II. FINDINGS

The San Diego Water Board, finds:

- A. **Legal Authorities.** This Order is issued pursuant to section 13263 of the California Water Code (Water Code) and serves as WDRs for the discharge of waste issued pursuant to division 7, chapter 4, article 4 of the Water Code (commencing with section 13260) and in accordance with the Water Quality Control Plan for the San Diego Basin.
- B. **Background and Rationale for Requirements.** The San Diego Water Board developed the requirements of this Order based on information submitted by the Discharger in the *Report of Waste Discharge for Rancho Guejito Corporation (ROWD)*,¹ water quality control plans, policies, and other available information. The Fact Sheet for this Order contains the background information and rationale for the requirements of this Order. The Fact Sheet is incorporated into and constitutes findings for this Order. Attachment C to this Order - Monitoring and Reporting Program (MRP), is also incorporated in this Order.
- C. **California Environmental Quality Act (CEQA).** The adoption of this Order for the discharge of waste to an evaporation pond is categorically exempt from CEQA under California Code of Regulations (CCR), title 14, sections 15301 (ongoing or existing projects), and 15303 (new construction or conversion of small structures). Additional details about CEQA can be found in the Fact Sheet.
- D. **Notification of Interested Persons.** The San Diego Water Board notified the Discharger, local agencies, and interested persons of its intent to prescribe WDRs for the discharge of waste described in this Order, and provided them with an opportunity to submit written comments and recommendations. The San Diego Water Board also provided an opportunity for the Discharger, local agencies, and interested persons to submit oral comments and recommendations at a public hearing. Notification details are included in section VII.A of the Fact Sheet.
- E. **Consideration of Public Comment.** The San Diego Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Public Hearing details are included in section VII.B and C of the Fact Sheet.

IT IS HEREBY ORDERED, that, to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and applicable regulations adopted thereunder, the Discharger must comply with the requirements in this Order. The Discharger is hereby

¹ Submitted pursuant to Water Code section 13260.

authorized to discharge wash water from the potable water tanks and backwash water from the ion exchange system (wastewater) subject to WDRs in this Order at the discharge locations described in Table 2 within the Las Lomas Muertas Hydrologic Subarea (HSA).

III. DISCHARGE PROHIBITIONS

- A. Discharges of waste to land which has not been specifically described in this Order or in the ROWD, and for which valid WDRs are not in force, is prohibited.
- B. Discharges of treated or untreated solid or liquid waste to waters of the United States are prohibited unless authorized by a National Pollutant Discharge Elimination System (NPDES) permit issued by the San Diego Water Board.
- C. Discharges of treated or untreated solid or liquid waste directly or indirectly to any waters of the State (e.g., ephemeral streams, groundwater, and vernal pools) are prohibited unless authorized by WDRs.
- D. Storage or disposal of waste in a manner that creates pollution, contamination, or nuisance, as defined by Water Code section 13050, is prohibited.

IV. DISCHARGE SPECIFICATIONS

- A. The Discharger must ensure the evaporation pond is capable of containing without overflow or overtopping (taking into consideration the crest of wind driven waves) all wastewater discharges, in addition to precipitation that falls into the evaporation pond from a 25-year, 24-hour peak storm event at a minimum, or equivalent alternative approved by the San Diego Water Board.
- B. The Discharger must ensure the liner for the evaporation pond maintains a hydraulic conductivity of 1×10^{-6} centimeters per second (cm/s) or less. The Discharger shall replace the liner if degradation or damage causes the liner hydraulic conductivity to exceed 1×10^{-6} cm/s.
- C. The Discharger must operate the Facility to always maintain at least 16 inches of freeboard in the evaporation pond. The Discharge must install a staff gauge to monitor freeboard in the evaporation pond.
- D. The Discharger must design, construct, and maintain the evaporation pond to prevent conditions contributing to, causing, or threatening to cause contamination, pollution, or nuisance.
- E. The Discharge of wastewater produced by cleaning the potable water storage tanks at the Facility must only occur during the dry season when rain is not forecasted, and the evaporation pond has sufficient capacity for the volume of wash water to maintain compliance with this Order.
- F. The Discharger must manage the evaporation pond to mitigate the breeding of mosquitos including, but not limited to the following:

1. Implement an erosion control program to ensure that small coves and irregularities are not created around the perimeter of the water surface.
2. Remove dead algae, vegetation, and debris from the water surface.
3. Coordinate with the local mosquito abatement or vector control district to supplement the measures described above in cases where other methods are infeasible.

V. STANDARD PROVISIONS

- A. The Discharger must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the Water Code and is grounds for (a) enforcement action; (b) termination and reissuance or modification of this Order; or (c) denial of an application for new or revised WDRs.
- B. The Discharger must allow the San Diego Water Board or an authorized representative, upon the presentation of credentials, to:
 1. Enter upon the Discharger's premises where the regulated Facility or activity is located, conducted, or where the Discharger keeps the required records under the conditions of this Order.
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order.
 3. Inspect at reasonable times the Facility, equipment (including monitoring and control equipment), practices, or operations that are regulated or required under this Order.
 4. Sample or monitor, at reasonable times for the purposes of assuring compliance with this Order or as otherwise authorized by the Water Code, any substances or parameters at any location.
- C. The Discharger must report any noncompliance with this Order. The Discharger must verbally notify the San Diego Water Board Executive Officer within 24-hour, once (1) the Discharger has knowledge of the noncompliance, or (2) notification can be provided without substantially impeding cleanup or other emergency measures. A written submission must also be provided to the San Diego Water Board Executive Officer within 5 days of the time the Discharger becomes aware of the noncompliance. The written report must contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board's Executive Officer may waive the written report on a case-by-case basis if the verbal report has been received.
- D. Upon reduction, loss, or failure of the Facility the Discharger must, to the extent necessary to maintain compliance with this Order, control all discharges, until the Facility is restored, or until an alternative method of disposal is provided. This provision applies, for example, when the primary source of power to the Facility fails or is reduced

and backup power sources are insufficient.

- E. The Discharger must maintain a copy of this Order at the Facility and must always be available to operating personnel.
- F. This Order may be modified, rescinded and reissued, or terminated at any time for reasons including, but not limited to:
 - 1. Violation of any terms or conditions of this Order,
 - 2. Obtaining this Order by misrepresentation or failing to disclose fully all relevant facts,
 - 3. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge, and
 - 4. The reduction or cessation of the discharge for any reason at any time. The Discharger must provide written notification of the change in action to the San Diego Water Board.
- G. The filing of a request by the Discharger for the modification or rescission of this Order, or notification by the Discharger of planned changes or anticipated noncompliance does not stay any condition of this Order.
- H. The Discharger must submit a new or amended report of waste discharge to the San Diego Water Board for review and response, at least 120 days prior to any proposed changes to the Facility. The report of waste discharge must be stamped and signed by a licensed professional. The following are examples of changes that require submittal of a new or amended report of waste discharge:
 - 1. Significant change in the treatment or discharge method (e.g. change in the method of treatment which would significantly alter the nature of the waste).
 - 2. Change in the discharge area from that described in the findings of this Order.
 - 3. Increase in discharge flowrate beyond that specified in the Fact Sheet.
 - 4. Other circumstances that result in a material change in character, amount, or location of the waste discharge.
 - 5. Any planned change in the Facility or activity which may result in noncompliance with this Order.
- I. This Order is not transferable to any person except after notice to the San Diego Water Board. The notice must be in writing and received by the San Diego Water Board at least 120 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the existing and the new discharger. This agreement must include an acknowledgement that the existing

discharger is liable for violations occurring before the transfer date and that the new discharger is liable from the transfer date and thereafter. The San Diego Water Board may require modification or revocation and reissuance of this Order to change the name of the discharger and incorporate other requirements as may be necessary.

- J. Where the Discharger becomes aware that it failed to submit any relevant facts or submitted incorrect information in the ROWD or in any report to the San Diego Water Board, the Discharger must promptly submit such facts or information.
- K. The Discharger must sign and certify all applications, reports, or information submitted to the San Diego Water Board as follows:
1. A report of waste discharge must be signed as follows:
 - a. For a corporation by a principal executive officer of at least the level of senior vice-president.
 - b. By a licensed professional performing engineering or geological judgments. The lead professional must sign and affix their license stamp to the report, plan, or document by direction of the person designated in paragraph "a." of this provision, only if:
 - i. The authorization is made in writing by a person described in paragraph "a" of this provision.
 - ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated Facility or activity.
 2. All other reports required by this Order and other information required by the San Diego Water Board must be signed by a person designated in section V.K.1.a of this Order or a duly authorized representative of that person. An individual is a duly authorized representative only if all the following are true:
 - a. The authorization is made writing by a person described in section V.K.1.a of this Order.
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.
 - c. The written authorization is submitted to the San Diego Water Board.
 3. Any person signing a document under this section must make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there

are significant penalties for submitting false information, including the possibility of a fine and imprisonment."

- L. The Discharger must comply with the MRP and any future revisions specified by the San Diego Water Board. Monitoring results must be reported at the frequency specified in MRP.
- M. The Discharger must provide to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, rescinding and reissuing, or terminating this Order. The Discharger must also furnish to the San Diego Water Board, upon request, copies of records required to be kept by this Order.
- N. The Discharger must submit reports required under this Order to the San Diego Water Board via the GeoTracker database at <https://geotracker.waterboards.ca.gov/>. The San Diego Water Board may also request hard copies and/or electronic copies on a compact disc (CD) or universal serial bus (USB) drive or other appropriate media, including electronic mail (email). Report submittals must include a signed cover/transmittal letter that includes the Facility name, Facility contact information, and reference code (**BBushnell:WDR100055495**), unless directed otherwise by the Executive Officer. Sections V and VI of the MRP contain additional information regarding report submittal requirements.

VI. SPECIAL PROVISIONS

- A. The waste containment, and disposal features must be protected against a 100-year frequency flood flows as defined by the San Diego County Flood Control District (FCD).
- B. All waste treatment, containment, and disposal facilities must be protected against erosion, overland runoff, and other impacts resulting from a 100-year, 24-hour storm event as defined by the FCD.

VII. NOTICES

- A. If any person uses, transports, or stores waste in a manner which creates, or threatens to create conditions of pollution, contamination, or nuisance, as defined in Water Code section 13050, the San Diego Water Board may initiate enforcement action against the Discharger, which may result in the termination of the waste discharge.
- B. This Order does not convey property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Discharger from liability under federal, State, or local laws, nor create a vested right for the Discharger to continue the waste discharge.
- C. These requirements have not been reviewed by the United States Environmental Protection Agency and are not issued pursuant to Clean Water Act section 402.

- D. Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and CCR title 23, sections 2050. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except if this date falls on a Saturday, Sunday, or State holiday, then the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order must not be affected.

ATTACHMENT A – DEFINITIONS
ORDER NO. R9-2023-0005

Part 1. – Abbreviations

Abbreviation	Definition
40 CFR	Title 40, Code of Federal Regulations
AGR	Agricultural Supply beneficial use
Basin Plan	Water Quality Control Plan for the San Diego Basin
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
DEHQ	San Diego County Department of Environmental Health and Quality
DDW	State Water Board, Division of Drinking Water
Discharger	Rancho Guejito Corporation
ELAP	Environmental Laboratory Accreditation Program
Facility	Rockwood Domestic Water System
FCD	San Diego County Flood Control District
HA	Hydrologic Area
HSA	Hydrologic Subarea
IND	Industrial Service Supply beneficial use
MBAS	Methylene blue-activated substances
MCL	Maximum contaminant level
mg/L	Milligrams per liter
MRP	Monitoring and reporting program
MUN	Municipal and Domestic Supply beneficial use
NPDES	National Pollutant Discharge Elimination System
NTU	Nephelometric Turbidity Unit
Order	Order No. R9-2023-0005, <i>Waste Discharge Requirements for the Rancho Guejito Corporation, Rockwood Domestic Water System, San Diego County</i>
QA	Quality assurance
QC	Quality control
ROWD	Report of waste discharge
San Diego Water Board	California Regional Water Quality Control Board, San Diego Region
SMR	Self-monitoring report
State Water Board	State Water Resources Control Board
TDS	Total dissolved solids
USEPA	United States Environmental Protection Agency
Water Code	California water code
WDRs	Waste discharge requirements
WQOs	Water quality objectives

See Part 2 of Attachment A (Glossary of Common Terms) for further definitions.

Part 2. – Glossary of Common Terms

Agricultural Supply

Agricultural Supply is the beneficial use of water resources as defined by the Basin Plan that includes uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.

Annually

Defined as a period of 12 consecutive calendar months beginning on January 1 and ending December 31.

California Code of Regulations

The CCR is the official compilation and publication of the regulations adopted, amended, or repealed by state agencies pursuant to the Administrative Procedure Act. Properly adopted regulations that have been filed with the Secretary of State have the force of law.

Clean Water Act

The CWA is legislation passed by the U.S. Congress to control water pollution, formerly referred to as the Federal Water Pollution Control Act of 1972 or Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500), 33 U.S.C. 1251 et. seq., as amended by: Public Law 96-483; Public Law 97-117; Public Laws 95-217, 97-117, 97-440, and 100-04.

Code of Federal Regulations

CFR is the codification (arrangement of) the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government. The CFR is divided into 50 titles that represent broad areas subject to federal regulations. CFR, Title 40: Protection of Environment is the section of the CFR (40 CFR) that deals with USEPA's mission of protecting human health and the environment.

Grab Sample

A grab sample is an individual sample of at least 100 milliliters collected at a randomly selected time over a period not exceeding 15 minutes. The sample is taken from a waste stream on a one-time basis without consideration of the flowrate of the waste stream and without consideration of time of day.

Facility

The Facility is the Rancho Guejito Corporation's Rockwood Domestic Water System located within the Rancho Guejito Vineyard at 17224 San Pasqual Valley Road Escondido, CA 92027.

Freeboard

The vertical distance from the water surface in a pond to the crest of the pond side.

Industrial Service Supply

Industrial Service Supply is the beneficial use of water resources as defined by the Basin Plan for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well re-pressurization.

Maximum Contaminant Level

MCLs are standards set by the United States Environmental Protection Agency (USEPA) for drinking water quality. An MCL is the legal threshold limit on the amount of a substance that is allowed in public water systems under the Safe Drinking Water Act MCL is for either a single isomer or the sum of the isomers.

Municipal and Domestic Supply

Municipal and Domestic Supply is the beneficial use of water resources as defined by the Basin Plan that includes uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.

Potable Water

Water that comes from surface and ground sources and is treated to levels that meet state and federal standards for consumption as drinking water.

Total Nitrogen

Total Nitrogen is the sum of concentrations of ammonia, nitrite, nitrate, and organic nitrogen containing compounds expressed as nitrogen.

Quarterly

Defined as a period of three consecutive calendar months beginning on January 1, April 1, July 1, and October 1.

Waste

Waste includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.

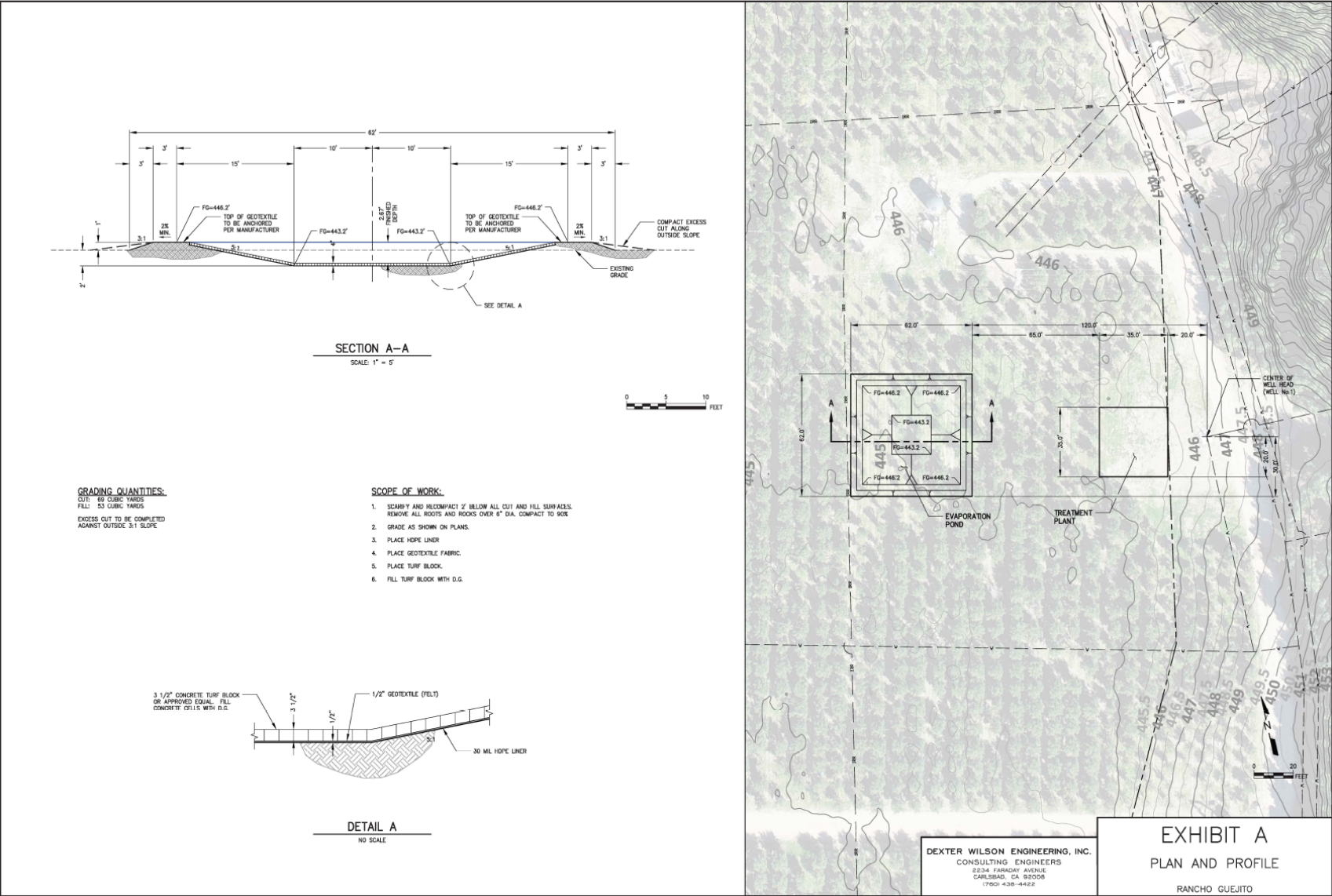
Water Quality Objectives

WQOs are the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area.

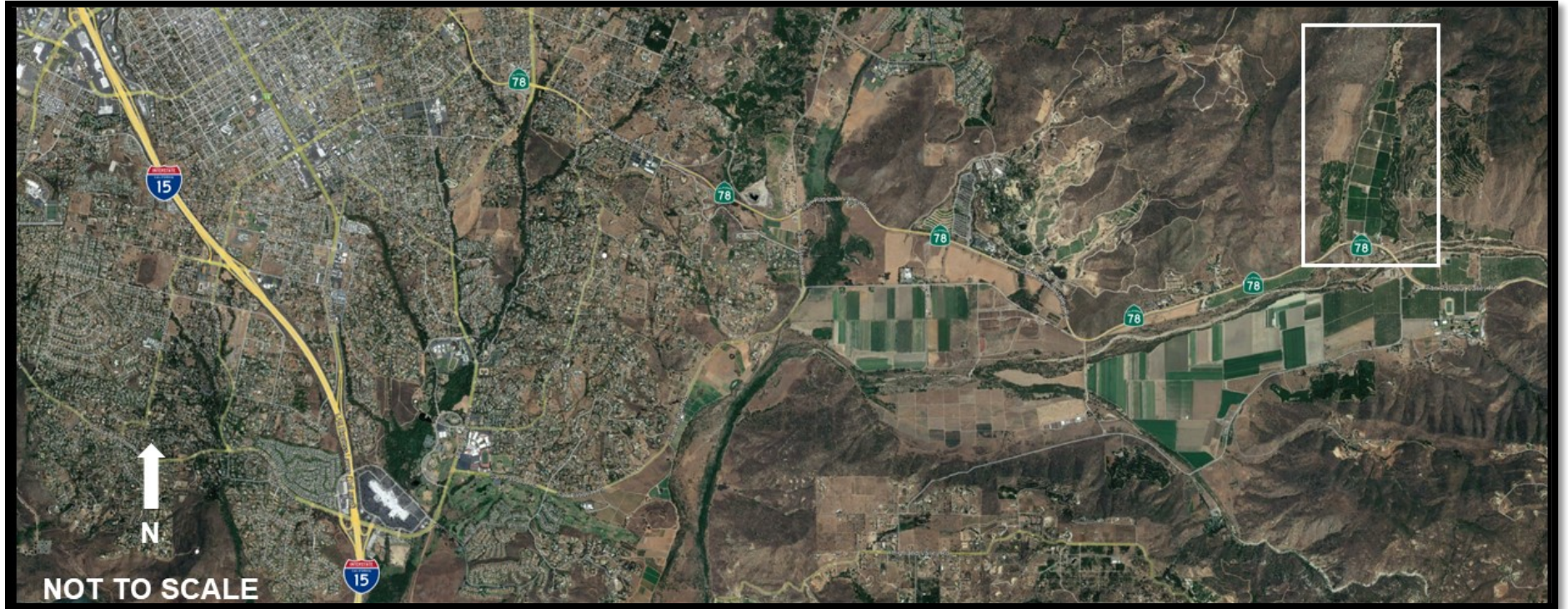
ATTACHMENT B – EVAPORATION POND PLAN AND PROFILE AND MAPS

ORDER NO. R9-2023-0005

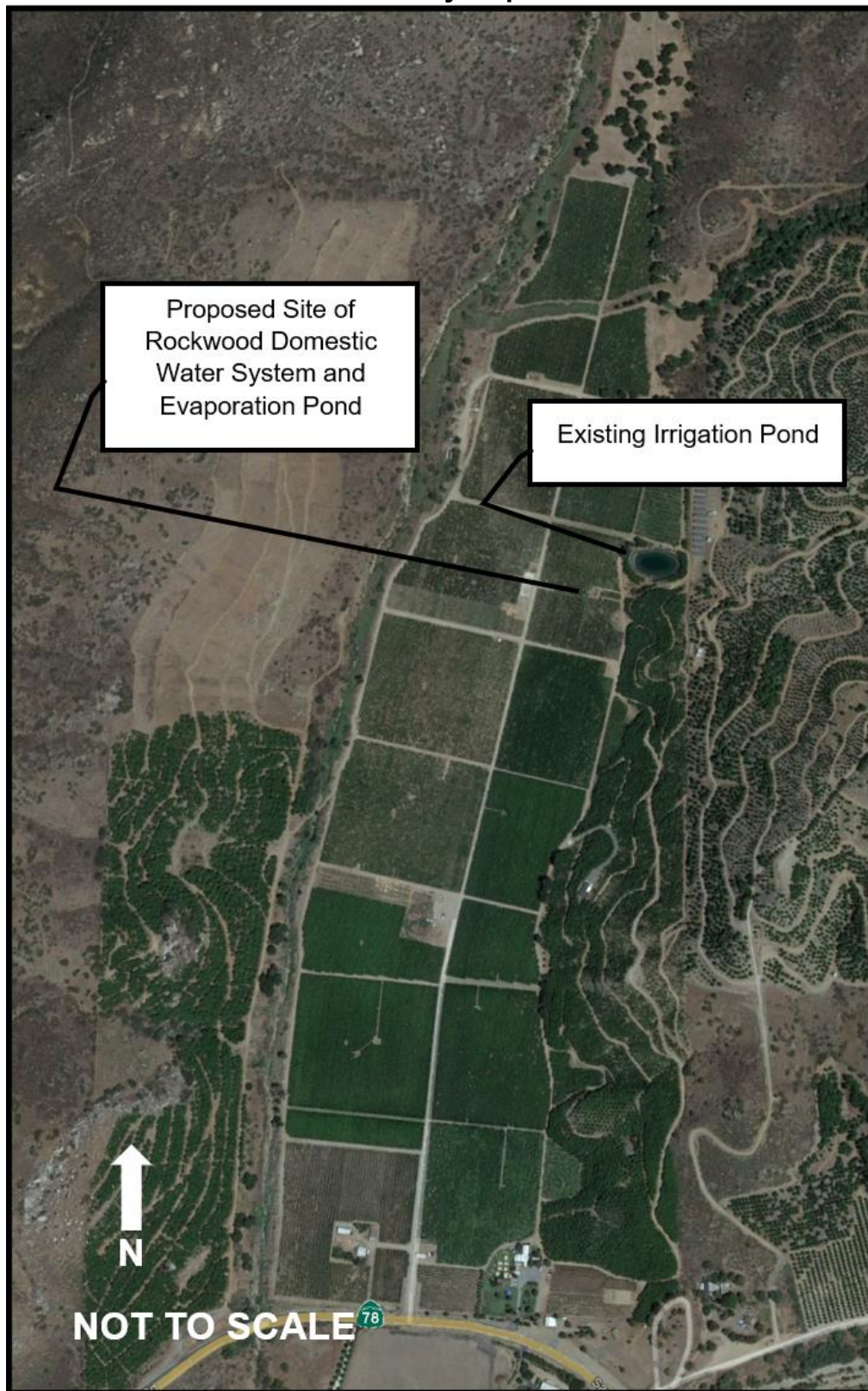
Evaporation Pond Plan and Profile



Rancho Guejito Vineyard Vicinity Map



Facility Map



**ATTACHMENT C – MONITORING AND REPORTING PROGRAM
ORDER NO. R9-2023-0005**

I. FINDINGS

- A. This Monitoring and Reporting Program (MRP) is issued to the Rancho Guejito Corporation (Discharger) pursuant to California Water Code (Water Code) section 13267, which authorizes the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) to require technical and monitoring reports. Additional information about the rationale for the MRP can be found in section VI of the Fact Sheet.
- B. The requirements of this MRP provide information to determine compliance with Order No. R9-2023-0005, *Waste Discharge Requirements for the Rancho Guejito Corporation, Rockwood Domestic Water System, San Diego County* (Order). The MRP requirements also provide information to the San Diego Water Board to assess the quality of groundwater and to protect beneficial uses. The San Diego Water Board Executive Officer can modify this MRP as appropriate.
- C. This MRP establishes conditions for the Discharger to conduct routine or episodic self-monitoring of the discharges regulated under the Order at monitoring locations. This MRP requires the Discharger to report the results to the San Diego Water Board with information necessary to evaluate discharge characteristics and compliance status.

II. GENERAL MONITORING PROVISIONS

- A. The Discharger must ensure samples and measurements collected as required by the Order and this MRP are representative of the volume and nature of the monitored discharge. All samples must be collected at the monitoring points specified in this MRP and, unless otherwise specified, before the wash water from the potable water tanks and backwash water from the ion exchange system (wastewater) joins or is diluted by any other waste stream, body of water, or substance. The Discharger must not change monitoring locations prior to notifying and receiving approval from the San Diego Water Board for the proposed change.
- B. The Discharger must ensure that the laboratory used to perform chemical analyses is accredited by the State Water Resources Control Board (State Water Board) Environmental Laboratory Accreditation Program (ELAP) for the analytical method used.²
- C. The Discharger must ensure that monitoring for all constituents is conducted according to United States Environmental Protection Agency (USEPA) test procedures approved in 40 Code of Federal Regulations, part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, as amended, unless other test procedures have been specified in this MRP.

² Information about ELAP accredited labs can be found at the following webpage https://www.waterboards.ca.gov/drinking_water/certlic/labs/

- D. Any report submitted by the Discharger presenting new analytical data is required to include the complete laboratory analytical report(s). The laboratory director must sign the laboratory analytical report and contain:
1. A complete sample analytical report,
 2. A complete laboratory Quality Assurance/Quality Control (QA/QC) report, and
 3. A discussion of the QA/QC data.
- E. If the Discharger monitors any pollutants more frequently than required by this MRP, using approved test procedures, or as specified in this MRP, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharger's monitoring report. The Discharger must also report the increased frequency of monitoring.
- F. The Discharger must retain records of all monitoring information, including all calibration and maintenance records including all original strip chart and/or electronic recordings for continuous monitoring instrumentation and copies of all reports required by this MRP, and records of all data used to complete the implementation for this MRP. The Discharger must maintain records for a minimum of five years from the date of the sample, measurement, report, or application. This period may be extended during any unresolved litigation regarding this discharge or as required by the San Diego Water Board. Records of monitoring information must include the following:
1. The date, exact place, and time of sampling or measurements,
 2. The individual(s) who performed the sampling or measurements,
 3. The date(s) analyses were performed,
 4. The individual(s) who performed the analyses,
 5. The analytical techniques or methods used, and
 6. The results of such analyses.
- G. The Discharger, per manufacture guidelines, must properly and routinely maintain and calibrate all monitoring instruments and devices used to comply with this MRP.
- H. The Discharger must sign and certify all applications, reports, or information submitted to the San Diego Water Board as detailed in section V.K of the Order.
- I. The Discharger must identify all missing or non-valid monitoring or sampling results in submitted monitoring reports. All instances of missing or non-valid results must include an explanation of their root cause and the steps the Discharger has or will take to prevent future instances. Missing or non-valid results may be considered violations of the MRP that could result in enforcement action depending on the frequency of such instances and efforts by the Discharger to prevent such deficiencies.

III. MONITORING LOCATIONS

The Discharger must establish the following monitoring locations to demonstrate compliance with the discharge specifications and other requirements in the Order:

Table C-1. Summary of Monitoring Locations

Monitoring Location Name	Monitoring Location Description
Wastewater	A location after the wastewater is discharged from the potable water tanks or ion exchange system prior to any dilution.
Evaporation Pond	The lined evaporation pond storing and evaporating the wastewater.
Production Well (PW)	The PW is used to extract groundwater for potable water supply at the Rockwood Domestic Water System (Facility), located at the Rancho Guejito Vineyard (Vineyard). The groundwater must be sampled prior to treatment.
Monitoring Well 1 (RW-OBS-1)	Monitoring Well 1 is located 225 feet downgradient from the evaporation pond and is approximately 100 feet deep.
Monitoring Well 2 (MW-2A)	Monitoring Well 2 is located 3,200 feet downgradient from the evaporation pond and is approximately 220 feet deep.

IV. MONITORING REQUIREMENTS

A. The Discharger must monitor the wastewater at a location as described in Table E-1 for the parameters listed in Table E-2 below:

Table C-2. Wastewater Monitoring

Parameter	Units	Sample Type	Minimum Sample Frequency
Flowrate	gpd	Recorder/Estimate	Continuous
pH	pH Units	Grab	Annually
Total Dissolved Solids (TDS)	mg/L	Grab	Annually
Total Nitrogen	mg/L	Grab	Annually
Nitrate + Nitrite (as Nitrogen)	mg/L	Grab	Annually

- B. The Discharger must monitor the evaporation pond at a location as described in Table E-1 for the conditions listed in Table E-3 below:

Table C-3. Evaporation Pond Monitoring

Condition	Units	Sample Type	Minimum Sample Frequency
Freeboard ¹	0.1 Feet (ft)	Observation	Quarterly
Odors	Not Applicable	Observation	Quarterly
Berm Condition ²	Not Applicable	Observation	Quarterly
Liner Condition ²	Not Applicable	Observation	Once per 5 years ³

Table Notes:

- 1) Shall be measured using staff gauge as required by section IV.C of the Order. The Discharger shall use freeboard measurements to assess liner integrity and possible leaks.
- 2) The berm and liner shall be checked for any degradation or damage that could allow for wastewater to escape the pond such as cracks, leaks, borrowing animals, excessive plant growth, etc.
- 3) Once per 5 years the Discharger shall remove the pavers and felt material covering the liner to verify its integrity.

- C. The Discharger must monitor the groundwater production well and the monitoring wells as described in Table E-1 for the parameters listed in Table E-4 below:

Table C-4. Groundwater Monitoring at PW, MW-1, and MW-2

Parameter	Units	Sample Type	Minimum Sample Frequency ²
Depth to Groundwater	0.01 ft	Grab	Annually
pH	pH Units	Grab	Annually
Total Dissolved Solids (TDS)	mg/L	Grab	Annually
Chloride	mg/L	Grab	Annually
Sulfate	mg/L	Grab	Annually
Percent Sodium	%	Grab	Annually
Total Nitrogen	mg/L	Grab	Annually
Nitrate (as nitrogen)	mg/L	Grab	Annually

V. SELF-MONITORING REPORTS

- A. The Discharger must submit the results of all other monitoring required by this MRP in Self-Monitoring Reports (SMRs) to the San Diego Water Board via the State Water Board GeoTracker system at <http://geotracker.waterboards.ca.gov/> (GeoTracker). The Discharger must upload SMRs on or prior to the SMR due dates set forth in Table E-5.

1. The Discharger must include the following indexing number in the header and subject line in all SMRs submitted to the San Diego Water Board. The indexing number for the Order is **BBushnell:WDR100055495**.

2. The Discharger must upload a summary of all monitoring results required by this MRP in a text-searchable portable document format (PDF).
 3. The Discharger must divide documents larger than 400 megabytes (MB) into separate files at logical places in the report to keep the file sizes under 400 MB.
 4. The Discharger must submit Laboratory Analytical Data for all groundwater samples in Electronic Deliverable Format (EDF).
 5. The Discharger must report the latitude and longitude of all sampling locations for which data are reported.
- B. If requested by the San Diego Water Board, the Discharger must provide any of the following to the San Diego Water Board:
1. Hard copies of the complete SMR including, the cover/transmittal letter, oversized drawings or maps, professional certifications, all data presented in the SMR, and/or
 2. An electronic copy of the complete SMR including, the cover/transmittal letter, oversized drawings or maps, professional certifications, all data presented in the SMR (in text searchable PDF format)
- C. The Discharger must summarize all reported data in a tabular format. The reports must present data to clearly illustrate whether the Facility is operating in compliance with discharge specifications.
- D. The Discharger must attach a cover letter to the SMR that includes the signature and certification requirements in section V.K of the Order. The information contained in the cover letter must clearly identify violations of the Order or state no violations occurred during the reporting period; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions if not already implemented. For identified violations, the letter must include a description of the requirement in the Order that was violated and a description of the violation.
- E. The monitoring results in each SMR must be based on the sampling frequency, monitoring period, and due dates specified in Table E-5:

Table C-5. Monitoring Periods and Reporting Schedule

Sampling Frequency	Start of Monitoring Periods	Monitoring Period	SMR Due Date
Continuous	June 14, 2023	All	Submit with Annual SMR
Quarterly	January 1, 2023	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	Submit with Annual SMR

Sampling Frequency	Start of Monitoring Periods	Monitoring Period	SMR Due Date
Annually	January 1, 2023	January 1 through December 31	March 1
Once per 5 years	January 1, 2023	NA	Submit with Annual SMR

VI. ONE TIME REPORTING DUE DATES

The Discharger must submit one-time reports to the San Diego Water Board as summarized in this section, and Table E-6 below, after adoption of the Order and accompanying attachments.

Table C-6. One Time Reporting Schedule

Report Type	Reference Section	Reviewing/Approving Agency	Report Due Date
Noncompliance Report	Order section V.C	San Diego Water Board	5 days after noncompliance
Report of Waste Discharge	Order section V.H	San Diego Water Board	120 days prior to proposed major change
Transfer of Ownership	Order section V.I	San Diego Water Board	120 days prior to proposed change

**ATTACHMENT D – FACT SHEET
ORDER NO. R9-2023-0005**

This Fact Sheet includes background information, legal requirements, technical rationale; and serves as the basis for the requirements of Order No. R9-2023-0005, *Waste Discharge Requirements for the Rancho Guejito Corporation, Rockwood Domestic Water System, San Diego County* (Order), the directives in Monitoring and Reporting Program (MRP) in Attachment C of the Order. This Fact Sheet is incorporated into and constitutes findings for the Order and MRP.

I. ORDER INFORMATION

A. Table F-1 below, summarizes the administrative information related to the Rockwood Domestic Water System (Facility).

Table D-1. Facility Information

WDID	9 000003862
Discharger	Rancho Guejito Corporation
Name of Facility	Rockwood Domestic Water System, located at the Rancho Guejito Vineyard
Facility Address	17224 San Pasqual Valley Road Escondido, CA 92027
Facility Contact, Title and Phone	Ken Moose, Water Quality Specialist 858-774-7846
Authorized Person to Sign and Submit Reports	Hank Rupp, Rancho Guejito Corporation
Mailing Address	17224 San Pasqual Valley Road Escondido, CA 92027
Billing Address	17224 San Pasqual Valley Road Escondido, CA 92027
Type of Facility	Privately Owned Treatment Works and Evaporation Pond
Threat to Water Quality	3
Complexity	C
Pretreatment Program	No
Facility Design Flowrate	1620 average gallons per month
Watershed	San Pasqual Hydrologic Area (HA, 905.30)
Receiving Water Type	Groundwater
Disposal Type	Evaporation Pond

II. FACILITY DESCRIPTION

A. **Discharger and Report of Waste Discharge.** The Rancho Guejito Corporation (Discharger) submitted to the San Diego Water Board the *Report of Waste Discharge for Rancho Guejito Corporation* (ROWD) that applied for a waste discharge requirements (WDRs) permit on April 14, 2022. Supplemental information was requested on November 14, 2022, and received on February 8, 2023. The ROWD provided the following Facility description. The Discharger owns and operates the

Rancho Guejito Vineyard (Vineyard) in Escondido with 40 acres of vineyards. Wine production is offsite. The Vineyard is open to the public for tasting and tours as well as hosting small events.

- B. **Production Well.** The Discharger extracts groundwater using a 500-foot-deep on-site production well to provide potable water for the Vineyard. Three samples of the groundwater extracted from the production well have concentrations of 9.7 milligrams per liter (mg/L) of nitrate expressed as nitrogen. The maximum contaminant level (MCL) for nitrate is 10 mg/L expressed as nitrogen. The Order does not regulate the extraction or treatment of groundwater from the production well. The extraction and treatment of the groundwater as potable supply is regulated by State Water Resource Control Board's Division of Drinking Water (DDW).
- C. **Rockwood Domestic Water System.** The Discharger will construct the Facility upon approval from DDW to treat groundwater for potable use (non-irrigation) at the Vineyard. The Facility will reduce nitrates in the groundwater from the production well below the MCL of 45 mg/L. The Facility utilizes an ion exchange system to reduce the level of nitrates to about 25 mg/L.
- D. **Evaporation Pond.** The Discharger will use an evaporation pond for the disposal of wastewater (Attachment B) from the Facility's ion exchange system and wash water from cleaning the potable water tanks. The evaporation pond will be approximately 2,500 square feet in size when measured at the top of the containment berm and have approximately 25,000 gallons of capacity. The pond will be 32 inches deep with inside slopes of 5 to 1. The anticipated maximum water depth will be 15.5 inches, as determined by a water balance calculation submitted with the ROWD, leaving approximately 16.5 inches of freeboard. The containment berm will also surround the pond to prevent irrigation and stormwater runoff from entering the pond. The evaporation pond will be lined with a 30-mil high density polyethylene (HDPE) liner. On top of the liner will be one half inch thick felt material. The HDPE and felt material will be held in place by 3.5-inch turf blocks filled with decomposed granite. The felt and turf blocks will protect the liner from damage during the removal of solids and vegetation as well as from degradation due to sun exposure.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in the Order are based on the requirements and authorities described in this section.

- A. **Legal Authorities.** The Order is issued pursuant to California Water Code (Water Code) section 13263 and serves as WDRs issued pursuant to article 4, chapter 4, division 7 of the Water Code.
- B. **California Environmental Quality Act (CEQA).**

The adoption of the Order for the discharge of waste to an evaporation pond is categorically exempt from CEQA under California Code of Regulations (CCR), title 14,

sections 15301 (ongoing or existing projects), and 15303 (new construction or conversion of small structures).

The Discharger received a notice of exemption pursuant to categorical exemptions listed in CCR, title 14, section 15301 from the County of San Diego for the construction of the Facility at the Vineyard. The San Diego Water Board, as a responsible agency, reviewed and considered the information contained in the notice of exemption related to matters within the San Diego Water Board’s jurisdiction in issuing the Order. The action to adopt waste discharge requirements for this existing facility is exempt from the provisions of CEQA, in accordance with CCR, title 14, section 15301.

The action to adopt waste discharge requirements for this small structure is exempt from the provisions of CEQA, in accordance with CCR, title 14, section 15303, which states installation of small new equipment and facilities in small structures is exempt from CEQA. The project will modify an already existing facility, the Vineyard, to include a small accessory, the Facility, to assist in its operation.

C. Water Quality Control Plan. The San Diego Water Board’s *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan)¹ designates beneficial uses, establishes water quality objectives (WQOs), and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan. In addition, the Basin Plan implements State Water Board Resolution No. 88-63, which established State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. The Order implements the Basin Plan by prescribing requirements for the disposal of wastewater that will not adversely impact water quality, beneficial uses, human health, or the environment. The beneficial uses of groundwaters listed in the Basin Plan for San Pasqual HA (905.30) of the San Dieguito Hydrologic Unit (905.00) are municipal and domestic supply (MUN), agricultural supply (AGR), and industrial service supply (IND).

Table D-2. Basin-Specific Groundwater WQOs

HSA	CONSTITUENT ¹ (mg/L or as noted)											
	(Concentrations not to be exceeded more than 10% of the time during any one-year period)											
	TDS	Cl	SO ₄	%Na	NO ₃	Fe	Mn	MBAS	B	TURB (NTU)	COLOR (UNITS)	F
San Pasqual HA (905.30)	1,000	400	500	60	45	0.3	0.05	0.5	0.75	5	15	1.0

¹The constituents are as follows: total dissolved solids (TDS), chlorides (Cl), sulfate (SO₄), percent sodium (%Na), nitrate (NO₃), iron (Fe), manganese (Mn), methylene blue-activated substances (MBAS), boron (B), turbidity (TURB), color (COLOR), and

¹ A copy of the Basin Plan is available for review at the following webpage:
https://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/docs/R9_Basin_Plan.pdf

fluoride (F).

- D. **Antidegradation Policy.** The State Water Board established California's antidegradation policy in Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (Resolution No. 68-16).² Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The discharge of waste regulated by the Order is consistent with the Basin Plan and Resolution No. 68-16 because the discharge of wastewater water to a lined evaporation pond is not expected to reach groundwater and thus not anticipated to cause any degradation.
- E. **Executive Officer Delegation of Authority.** The San Diego Water Board, by prior resolution, delegated all matters that may legally be delegated to its Executive Officer to act on its behalf pursuant to Water Code section 13223. Therefore, the Executive Officer is authorized to act on the San Diego Water Board's behalf on any matter within the Order unless such delegation is unlawful under Water Code section 13223 or as otherwise explicitly stated in the Order.
- F. **Other Plans, Permits, Policies, and Regulations.** The Vineyard is enrolled in Order No. R9-2016-0004, *General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Dischargers That Are Members of a Third-Party Group in The San Diego Region* (Third-Party General Order).³

IV. RATIONALE FOR DISCHARGE PROHIBITIONS AND DISCHARGE SPECIFICATIONS

The Order establishes requirements based on the Basin Plan and ROWD for the discharge of backwash from the ion exchange system and wash water from the potable water tanks to a lined evaporation pond at the Facility.

- A. **Discharge Prohibitions.** The Order establishes discharge prohibitions for the Facility as listed in section III of the Order.
1. **Discharge Prohibition III.A.** The Basin Plan prohibits the discharge of waste to land, which has not been specifically described in the Order or in the ROWD, and for which valid WDRs are not in force. This prohibition ensures no discharges to land occur without appropriate WDRs.
 2. **Discharge Prohibition III.B.** The Basin Plan prohibits discharges of treated or untreated solid or liquid waste to waters of the United States unless authorized by an National Pollutant Discharge Elimination System (NPDES) permit. This prohibition ensures that no discharges to waters of the United States occur without an appropriate NPDES permit and WDRs.

² The Anti-Degradation Policy can be found at the following webpage:
https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1968/rs68_016.pdf

³The Third-Party General Order can be found at the following webpage:
https://www.waterboards.ca.gov/sandiego/board_decisions/adopted_orders/2016/R9-2016-0004.pdf

3. **Discharge Prohibition III.C.** The Basin Plan prohibits the discharge of treated or untreated solid or liquid waste directly or indirectly to any waters of the State (including ephemeral streams and vernal pools) unless authorized by WDRs. This prohibition ensures that no discharges to waters of the State of California occur without appropriate WDRs.
 4. **Discharge Prohibition III.D.** The Basin Plan prohibits the treatment, storage, or disposal of waste in a manner that creates pollution, contamination, or nuisance. This prohibition ensures that the operation of the Facility does not cause pollution, contamination, or nuisance, as defined by Water Code section 13050.
- B. Discharge Specifications.** The Order establishes discharge specifications for the Facility as listed in section IV of the Order.
1. **Discharge Specification IV.A.** The discharge specification is to ensure that the evaporation pond is managed and operated to contain the backwash and wash water even in the event of a 25-year, 24-hour peak storm event.
 2. **Discharge Specification IV.B.** The hydraulic conductivity specification is to ensure that backwash and wash water are not able to percolate through the liner and into the groundwater. Discharge of backwash and wash water to groundwater has a potential to cause exceedances of WQOs.
 3. **Discharge Specification IV.C.** The freeboard specification is to ensure that backwash and wash water discharges do not overflow out of the evaporation pond. The ROWD contained a water balance that calculated a maximum water depth of 15.5 inches leaving 16.5 inches. The design of the evaporation pond has since been modified to provide for additional freeboard.
 4. **Discharge Specification IV.D.** The discharge specification is to ensure that the Discharge does not operate or maintain the evaporation pond in manner that will cause a condition contributing to, causing, or threatening to cause contamination, pollution, or nuisance defined by Water Code section 13050.
 5. **Discharge Specification IV.E.** The discharge specification for wastewater produced by cleaning the potable water storage tanks is to ensure that the infrequent annual discharge of approximately 200-300 gallons of water does not cause the pond to have less than 16 inches of freeboard.
 6. **Discharge Specification IV.F.** The discharge specification for mosquito mitigation is to ensure that the evaporation pond does not become a breeding ground for mosquitos that can act as a vector infecting humans with pathogens.

V. RATIONALE FOR PROVISIONS

- A. **Standard Provisions.** The standard provisions contain requirements that allow the San Diego Water Board to enforce the Order. Provisions include need for inspection, spill

and emergency reporting, records maintenance, and reporting of changes. Standard provisions apply to all WDRs and are consistent with San Diego Water Board findings.

- B. **Special Provisions.** These requirements ensure the Facility operates properly, within design parameters, and is protected from storm events to not cause or contribute to a condition of pollution or nuisance and to protect beneficial uses.
- C. **Notices.** Notices are included in the Order to inform the Discharger of administrative issues regarding the Order.

VI. RATIONALE FOR MONITORING AND REPORTING PROVISIONS

- A. The purpose of the MRP is to determine and ensure compliance with discharge specifications and other requirements established in the Order. The MRP also helps the San Diego Water Board and the Discharger to assess treatment efficiency, characterize the backwash, ensure water quality objectives and beneficial uses of the groundwater are protected, and minimize the effects of the discharge on the receiving water quality. The MRP also specifies requirements concerning the proper use, maintenance, methods, and the monitoring type intervals and frequency necessary to provide data that are representative of the activities and discharges regulated under the Order.
- B. The MRP is issued pursuant to Water Code section 13267, which authorizes the San Diego Water Board to require dischargers to submit technical and monitoring reports. The San Diego Water Board estimates the cost associated with the implementation of the monitoring and reporting requirements of the Order range from \$2,000 to \$4,000 per year. The San Diego Water Board needs the technical and monitoring reports submitted by the Discharger to determine compliance with the Order and to protect water quality and beneficial uses. Based on the nature and possible consequences of the discharge, the burden of providing the required reports, including the costs, bears a reasonable relationship for the need for the reports and the benefits to be obtained from the reports.

VII. PUBLIC PARTICIPATION

- A. **Notification of Interested Parties.** The San Diego Water Board notified the Discharger and interested agencies and persons of its intent to adopt the Order consistent with Water Code section 13167.5 and made the Order available on its website and board meeting agenda publication.
- B. **Written Comments.** Staff determinations are tentative until the San Diego Water Board adopts the Order. The San Diego Water Board invited interested persons to submit written comments concerning the Order as provided in the public notice.
- C. **Public Hearing.** The San Diego Water Board held a public hearing on the tentative Order during its regular meeting on the following date and time and at the following location:

Date: **June 14, 2023**

Time: **9:00 a.m.**

Location: **San Diego Water Board Meeting Room
2375 Northside Drive, Suite 100
San Diego, California, 92108**
Video broadcast of meetings are available at:
<https://cal-span.org/>

The San Diego Water Board invited interested persons to attend the public hearing. The San Diego Water Board heard public testimony at the public hearing.

- D. **Petitions of San Diego Water Board Actions.** Any person aggrieved by the action of the San Diego Water Board to adopt the Order may petition the State Water Board to review the action in accordance with Water Code section 13320 and title 23, sections 2050 and following of the CCR. The State Water Board must receive the petition by 5:00 p.m., 30 calendar days after the date of adoption of the Order, except that if this date falls on a Saturday, Sunday, or State holiday, then the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.
- E. **Information and Copying.** The Order and related documents are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday, except holidays. Copying of documents may be arranged through the San Diego Water Board by calling (619) 516-1990.
- F. **Register of Interested Persons.** Any person interested in being placed on the mailing list for information regarding the Order should contact Brandon Bushnell via phone at (619) 521-0844 or by email at brandon.bushnell@waterboards.ca.gov, reference this Facility, and provide a name, address, phone number, and email address.