



# 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. 7005 0100 0000 1777 5979

Michael Moeller  
24808 Upper Trail  
Carmel, CA 93923

Dear Mr. Moeller:

**194 SAN REMO ROAD, CARMEL HIGHLANDS (APN: 243-181-006), MONTEREY COUNTY; PROPOSED WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR ALTERNATIVE ONSITE WASTEWATER DISPOSAL SYSTEM (RESOLUTION R3-2008-0061)**

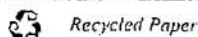
We reviewed Monterey County Department of Health's (County) June 4, 2008, application for an alternative onsite wastewater system permit for the Moeller Residence at 194 San Remo Road, APN 243-181-006. The application package contains a Report of Waste Discharge Supplemental Form for Regional Board Subsurface 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 Central Coast Water Board's Water Quality Control Plan (Basin Plan) and existing July 1979 Memorandum of Understanding between the County and Central Coast Water Board prohibit the County from approving alternative or engineered onsite wastewater treatment and disposal systems. 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 proposed system replaces a proposal for a conventional system that was previously approved by Monterey County. We understand that the engineered system is being proposed in response to the concerns of neighboring property owners. We also understand that the proposed project for the subject address is not subject to Monterey County Ordinance No. 5086 and No. 5093 because the standard system design was approved by Monterey County prior to the adoption of these ordinances.

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/ft<sup>2</sup>). The Basin Plan recommends a loading rate of 0.25 gpd/ft<sup>2</sup> 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

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Item No. 26 Attachment No. 3  
WDR Moeller Residence  
194 San Remo Rd.  
R3-2008-0061  
December 4-5 2008 Meeting

parcel at 192 San Remo Road. Monterey County Standards and Specifications contained within Title 15 of the County Code recommends a maximum loading rate of 0.3 gpd/ft<sup>2</sup> based on a pass/fail percolation test. The primary subsurface drip irrigation disposal system was designed using a loading rate of 0.4 gpd/ft<sup>2</sup> per manufacturer specifications as based on the observed onsite soil profile and characteristics. The higher design loading rate for the secondary disposal system is based on the observation of two 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 are hereby approved. We intend to request the Water 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. R3-2008-0061) contains conditions based on the Basin Plan and nonstandard Monterey County permit conditions. The nonstandard County permit conditions consist of operations and maintenance contract and deed notification requirements for the proposed system. 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

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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 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. R3-2008-0061 (DRAFT)

cc w/ attachment:

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Michael Moeller

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July 21, 2008

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Paper File: Monterey County Basin Plan Exception/Waiver Resolution folders  
Electronic File: S:\WDR\Basin Plan Exemptions\Monterey Co\SDS\194 San Remo\BPexcmpt.doc  
Task Code: 126-01

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