



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

5e

AGENDA REPORT
 Consent | Information

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Keene Simonds, Executive Officer
 Joelle Burila, Analyst I

SUBJECT: **Notice of Administrative Approval |**
“Halstead – Olivewood Lane Out-of-Agency Wastewater Services with the
San Diego County Sanitation District” (LAFCO File No. OAS25-11)

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive notice of an administrative approval issued by the Executive Officer authorizing the San Diego County Sanitation District (County SD) to provide out-of-agency wastewater service to an unincorporated property. The authorization pertains specifically to an existing single-family residence located at 1545 Olivewood Lane in Alpine within the District’s sphere of influence. The approval is based on the need to abate a documented public health and safety threat arising from a failed septic system. Approval is limited to the existing residence and is conditioned on the landowner submitting a complete annexation application within one calendar year, unless a time extension is granted. The Executive Officer has determined the project is exempt from further environmental review under State California Environmental Quality Act (CEQA) Guidelines Section 15269(c), which applies to emergency projects necessary to prevent or mitigate a health and safety threat. This notice is provided for informational purposes in accordance with adopted Commission policy.

<p>Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 E lafco@sdcounty.ca.gov www.sdlafco.org</p>	<p>Joel Anderson County of San Diego</p> <p>Jim Desmond County of San Diego</p> <p>Vacant, Alt. County of San Diego</p>	<p>Kristi Becker City of Solana Beach</p> <p>Dane White City of Escondido</p> <p>John McCann, Alt. City of Chula Vista</p>	<p>Chair Stephen Whitburn City of San Diego</p> <p>Marni von Wilpert, Alt. City of San Diego</p>	<p>Vice Chair Barry Willis Alpine Fire Protection</p> <p>Jo MacKenzie Vista Irrigation</p> <p>David Drake, Alt. Rincon del Diablo</p>	<p>Vacant General Public</p> <p>Brigitte Browning, Alt. General Public</p>
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BACKGROUND

Overseeing Out-of-Agency Services

Government Code Section 56133 delegates LAFCOs the responsibility to authorize cities and special districts to provide new or extended services outside their jurisdictional boundaries. The statute specifies cities and special districts must request and receive formal written approval from LAFCOs to provide “out-of-agency” services by contract or agreement less certain and limited exemptions. The statute further specifies cities and special districts may only be authorized to provide out-of-agency services within their spheres of influence in anticipation of later annexations. If the affected territory lies beyond the subject agencies’ spheres, out-of-agency services may only be authorized in response to documented threats to public health and/or safety as determined by LAFCO.

Delegation to the Executive Officer

San Diego LAFCO’s current policies authorize the Executive Officer to approve out-of-agency service requests for water and/or wastewater in response to documented threats to public health, safety, or welfare. In such cases, the Executive Officer is required to inform the Commission of any administrative approvals at the next available meeting for informational purposes only. All other out-of-agency service requests must be presented for formal Commission consideration and approval.¹

Applicant Request and Administrative Approval

San Diego LAFCO received a request from the County SD on behalf of an interested landowner (Tobey Halstead) on April 10, 2025 seeking approval to receive out-of-agency wastewater service at an approximate 15.4-acre unincorporated parcel at 1545 Olivewood Lane (APN 403-360-53-00). The subject parcel is presently developed with an approximate 2,426 square foot single-family residence and lies within the District’s sphere of influence and as part of its Alpine-Lakeside Sewer Service Area. The request stems from the failure of the property’s existing septic system, which is no longer functional without continuous pumping.

Upon receipt of the request and accompanying application materials, LAFCO staff coordinated with the County SD to assess the need and availability of public wastewater service for the affected territory. This review confirmed County SD is well-positioned to extend service utilizing existing on-site public infrastructure with the only improvement required being the construction of a new sewer lateral to connect the residence to the main line. The estimated average daily flow is 240 gallons per day and represents less than 0.0004% of the existing available capacity at the Point Loma Wastewater Treatment Plant.²

¹ These policies also delegate discretion to the Executive Officer in determining whether public health, safety, or welfare threats exists on a case-by-case basis. Reference to Policy L-113.

² The County SD’s current average day wastewater flow is 11.0 million gallons while its overall capacity is 25.0 million gallons. Wastewater collected within Alpine-Lakeside Sewer Service Area flows to the City of San Diego’s adjacent collection system and thereafter to the Point Loma Treatment Facility before discharge into the Pacific Ocean; the latter operated by the Metro Wastewater Joint Powers Authority with the District as one of the signatories.

Capacity considerations aside, LAFCO staff coordinated with the County of San Diego’s Department of Environmental Health and Quality (DEHQ) to assess public health considerations. DEHQ formally recommended the out-of-agency service request proceed to mitigate an ongoing threat to public health and safety. The property’s existing septic system was determined to have failed during site excavation and is no longer operational, necessitating routine off-site pumping of wastewater. DEHQ further advised replacement of the system is infeasible due to parcel size constraints, and any attempted repairs would likely provide only limited-service life due to the system’s age and deteriorated condition. Continued reliance on the failed system poses a significant and ongoing risk of exposure to inadequately treated wastewater. In response, the Executive Officer issued a conditional out-of-agency service approval on April 23, 2025 with a copy attached.

DISCUSSION

This item is for San Diego LAFCO to receive notice of the Executive Officer’s administrative approval authorizing County SD to provide wastewater service outside its jurisdictional boundary to 1545 Olivewood Lane as described above. The Executive Officer’s approval and conditions are final under policy. However, and as needed, the Commission is invited to pull the item for discussion to inform future actions.

ANALYSIS

San Diego LAFCO’s administrative approval authorizing County SD to provide out-of-agency wastewater service to the subject parcel at 1545 Olivewood Lane is consistent with applicable statutes and Commission policies. This includes the Executive Officer’s authority to act in response to a reasonably documented and imminent threat to public health and safety, following confirmation of the availability and adequacy of the District’s wastewater system. Approval is conditioned to limit service solely to the existing single-family residence with no accommodation for additional development at this time. It is further conditioned on the landowner submitting a complete annexation application within one calendar year, unless a time extension is formally granted. The Executive Officer has also determined that the project qualifies as statutorily exempt from additional environmental review under State CEQA Guidelines Section 15269(c), as the activity is intended to prevent or mitigate a verified threat to public health and safety associated with the failed septic system on the property.

RECOMMENDATION

This item is presented to San Diego LAFCO for information only.

ALTERNATIVES FOR ACTION

None.

PROCEDURES

This item has been placed on the San Diego LAFCO’s agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified.

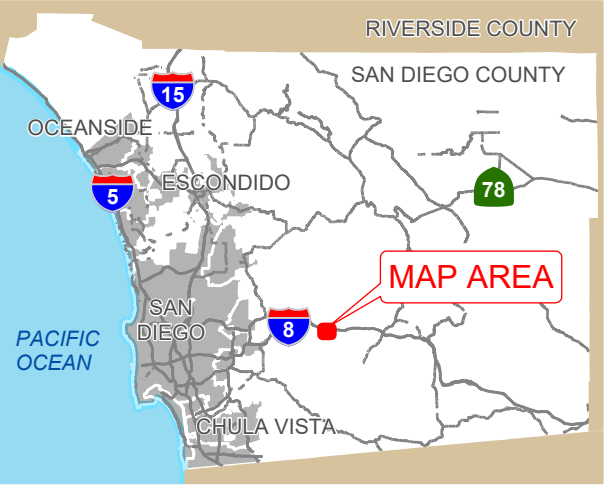
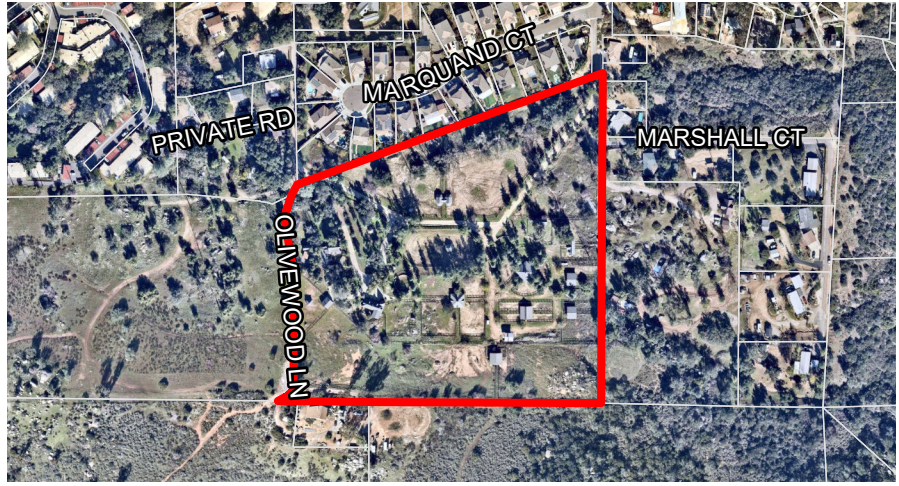
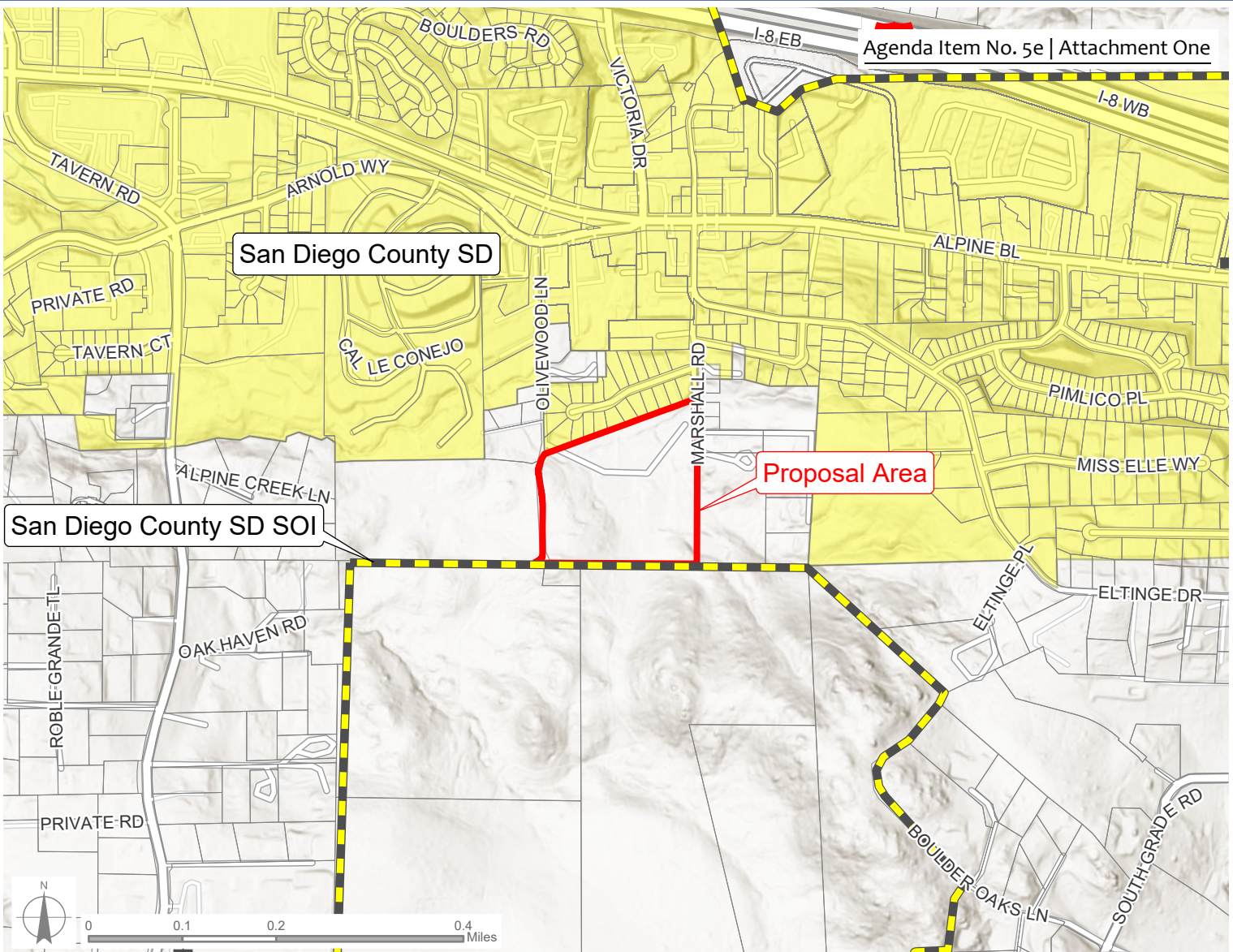
On behalf of the Executive Officer,

A handwritten signature in black ink that reads "Joelle Burila". The signature is written in a cursive, flowing style.




Joelle Burila
Analyst I

Attachments:

- 1) Map of the Affected Territory
- 2) Certificate of Administrative Approval
- 3) Related Request Documents



OAS25-11 "HALSTEAD - OLIVEWOOD LANE OUT-OF-AGENCY WASTEWATER SERVICES" | SAN DIEGO COUNTY SANITATION DISTRICT

-  San Diego County SD SOI
-  Proposal Area
-  San Diego County SD
- SOI = Sphere of Influence



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**CERTIFICATE OF ADMINISTRATIVE APPROVAL OF A
 CONTRACTUAL WASTEWATER SERVICE AGREEMENT**

**San Diego County Sanitation District / Tobey Halstead
 (LAFCO File No. OAS25-11)**

April 23, 2025

In accordance with California Government Code Section 56133, the San Diego County Local Agency Formation Commission (LAFCO) authorizes the San Diego County Sanitation District to immediately provide extraterritorial wastewater service by contract to 1545 Olivewood Lane, Alpine, CA 91901. The subject property is owned by Tobey Halstead and comprises one unincorporated parcel identified by the County of San Diego Assessor’s Office as 403-360-53-00. The authorized service is limited to supporting the approximate 2,426 square foot single-family residence currently developed on the subject property.

The contracted wastewater service agreement authorization terms in one year – April 23, 2026 – from the date of its administrative approval by the LAFCO Executive Officer unless an extension is approved. In the interim, the landowner of the subject property shall proceed with filing an annexation with LAFCO as the permanent means for the San Diego County Sanitation District to provide wastewater service.

Confirmation:

KEENE SIMONDS
 Executive Officer

April 23, 2025

Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 www.sdlafo.org lafco@sdcounty.ca.gov	Joel Anderson County of San Diego Jim Desmond County of San Diego Vacant, Alt. County of San Diego	Kristi Becker City of Solana Beach Dane White City of Escondido John McCann, Alt. City of Chula Vista	Chair Stephen Whitburn City of San Diego Marni von Wilpert, Alt. City of San Diego	Vice Chair Barry Willis Alpine Fire Protection Jo MacKenzie Vista Irrigation David Drake, Alt. Rincon del Diablo	Vacant General Public Brigitte Browning, Alt. General Public
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CONTRACTUAL SERVICE AGREEMENT APPLICATION FORM

In addition to the materials required for any change(s) of organization, submit the following items:

1. One copy of either an approved Resolution of the City Council/District Board of Directors or a letter from the City Manager/District General Manager requesting approval for a contractual service agreement.
2. One copy of the contract or agreement stipulating the terms and conditions of extending service to the property signed by the property owner(s) and the agency that is to provide the service.
3. LAFCO processing fee. Contact the LAFCO office or refer to fee schedule.

Print/Type Name: Tobey Halstead

Property Address: 1545 Olivewood Lane

Phone #: [REDACTED] Date: 4/16/25

This application is used by LAFCO staff to provide supplemental information for contractual service agreement requests.

1. What type or types of public service(s) will be provided? Sewer Annexation
2. Why is the service needed? If the service agreement is in response to an emergency health and safety situation, such as a failed septic system, provide information documenting the circumstances (e.g., letter from the County Department of Environmental Health).
3. If a jurisdictional change, such as annexation, is not possible at this time, explain the circumstances that prevent annexation and when the jurisdictional change is anticipated. _____
4. Are there any jurisdictional issues associated with the YES NO
(If yes, please complete the LAFCO Policy L-107 form)

San Diego Local Agency Formation Commission
2550 Fifth Ave., Suite 725
San Diego, CA 92103
(619) 321-3380

Revised November 2022

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PUBLIC WORKS

MARISA K. BARRIE, PE
DIRECTOR

5510 OVERLAND AVENUE, SUITE 410, SAN DIEGO, CALIFORNIA 92123-1237
(858) 694-2212

April 21, 2025

To: Keene Simonds, Executive Officer
Local Agency Formation Commission (MS 216)

From: Anthony Hooper, Sanitation District Manager
San Diego County Sanitation District
Department of Public Works (MS O384)

REQUEST FOR ADMINISTRATIVE APPROVAL OF A TEMPORARY CONNECTION AGREEMENT FOR TOBEY HALSTEAD (SINGLE FAMILY DWELLING), SAN DIEGO COUNTY SANITATION DISTRICT (ALPINE SERVICE AREA), APN 403-360-53-00

In accordance with Government Code section 56133(c), the San Diego County Sanitation District (District) seeks approval of the San Diego Local Agency Formation Commission (LAFCO) of a Temporary Connection Agreement (Agreement), to provide sewer service to a single-family residential property located at 1545 Olivewood Lane, Alpine CA 91901 and more particularly identified by APN 403-360-53-00 (Property) with a failed septic system. This letter will serve to provide LAFCO with documentation of a threat to the health and safety of the public or affected residents justifying the approval of the Agreement by LAFCO.

As detailed in the attached letter from the Department of Environmental Health dated April 7, 2025, the existing septic system on the Property was encountered during site excavation and has failed. The system is no longer functional, and wastewater must be pumped and transported from the Property. The system is old and in need of replacement. The District has coordinated with the Property owner and determined that limitations on available land area for a replacement system and the cost of completing this work make it infeasible for the Property owner to replace the system. It is not clear that the system can be repaired, and any repairs would provide only limited-service life as the current system is old and nearing the end of its useful life. The continued reliance on pumping using what remains of the failed septic system presents an ongoing and significant threat to the health and safety of the public and the Property owner from exposure to improperly treated wastewater.

Tobey Halstead, owner of the Property has requested that the District enter into the attached Agreement to allow for the provision of sewer service by the District. The District believes and requests that service be approved without first requiring annexation pursuant to Government Code section 56133(c). Nevertheless, the Property owner is requesting annexation of the Property to the District so that service may also be authorized under Government Code section 56133(b). The Property is within the Sphere of Influence of the San Diego County Sanitation District in Alpine. The public sewer mains (AL0391, AL0392, & AL0393) are inside the Property. The public sewer mains do not have a sewer lateral and will have to be installed by a contractor.

The District has received an annexation application, checks, and legal description from the Property owner to process the annexation. It is the District's intent to proceed with this process so that the Property can at some point be served without relying on an out-of-agency agreement. If this process were for any reason not to be completed, service could continue pursuant to the Agreement.

Keene Simmonds

April 21, 2025

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The District is requesting immediate administrative approval of the Agreement in order to expeditiously connect this Property to the sewer system prior to any formal annexation into the District. If you have any questions, or need further information, please call Adrian Chipres at (619)-570-7104 and he will assist you.

Sincerely,

A handwritten signature in black ink that reads "Anthony L. Hooper". The signature is written in a cursive style with a large initial 'A' and 'H'.

ANTHONY HOOPER, Sanitation District Manager
San Diego County Sanitation District
County of San Diego, Department of Public Works

Attachments 1. Contractual Service Agreement
 2. DEHQ Letter



DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY

AMY HARBERT
DIRECTOR

P.O. Box 129261, San Diego, CA 92112-9261
(858) 505-6700 or (800) 253-9933
www.sdcdehq.org

HEATHER BUONOMO
DIRECTOR OF ENVIRONMENTAL HEALTH

April 7, 2025

Tobey Halstead

1545 Olivewood Lane

Alpine, CA 91901

Dear Mr. Halstead,

I am writing this letter in response to your request, on 4/1/25, that our office provide details regarding the onsite wastewater treatment systems at your property, located at 1545 Olivewood Lane (APN: 403-360-53). I met onsite with you on 4/3/25 to observe the situation with your existing onsite wastewater treatment system(s). The primary residence is served by an onsite wastewater treatment system that was encountered during excavation for a proposed pool (PDS2025-RESACC-000149) that was permitted with Planning and Development Services. The system appears to be quite old and would likely need significant repairs for the pool construction to be completed and for the system to be returned to being fully functional. You had indicated that sewer connection was a possible option and was something that you wanted to explore as an option. The property currently is utilizing the septic tank as a holding tank until repairs or sewer connection can be established.

DEHQ would support/recommend that your parcel be allowed to annex and/or connect to sanitary sewer for the following reasons:

1. Avoids current and future repair expenses, which could be significant.
2. Expedited connection could prevent the significant expenses of routine septic tank pumping.
3. Could provide future sanitary sewer access for one or both additional structures on the property that generate wastewater and are currently served by onsite wastewater treatment systems.
4. Could allow for future development options not currently available to the property, based on the use of an onsite wastewater treatment system(s).

If you or anyone else has questions regarding this letter, please feel free to contact me.

Sincerely,

Scott Rosecrans

EHS III, REHS

619-208-0337

CONTRACTUAL SERVICE AGREEMENT

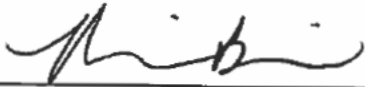
The San Diego County Sanitation District, an independent sewer agency formed and operating under the County Sanitation District Act, Health & Safety Code § 4700 et seq., hereinafter called the "District", and Tobey Halstead "parcel owner", hereinafter called the "Owner(s)", agree as of April 10th, 2025, as follows:

1. The Owner(s) represent that they hold title to that certain real property located in the County of San Diego, State of California, commonly referred to as 1545 Olivewood Lane and also identified by Assessor's Parcel Number 403-360-53-00.
2. That said real property is located outside of the District, but with the approval of the San Diego Local Agency Formation Commission ("LAFCO") may be connected to the District's facilities pursuant to Government Code § 56133 to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory. There is an existing and impending threat to public health and safety because the septic system serving the property is unable to reliably receive wastewater for treatment. This threat will be eliminated if the property is connected to District sewer facilities
3. That subject to the approval of LAFCO of this Contractual Service Agreement and payment of all applicable District fees and charges the Owner(s) shall have the privilege of connecting a sewer line from the structure located on said real property to the District's sanitary sewer system
4. That the connection to the District's sanitary sewer shall occur under the direction of the Director, Department of Public Works of the County of San Diego ("Director"), acting on behalf of the District, in accordance with the ordinances and regulations of the District, and shall be made at such place on the District's sanitary sewer and in such manner as the Director shall specify. The cost of such connection shall be paid by the Owner(s).
5. Owner(s) shall pay all fees and costs incurred by the District to process this Contractual Services Agreement, including without limitation any LAFCO fees. In addition, Owner(s) shall obtain a Wastewater Discharge Permit from District and pay all fees and charges required by District to connect the real property to the District's facilities and for the District to provide ongoing wastewater service to the real property.
6. The Owner(s), Owners' executors, administrators, heirs, successors and assigns shall pay to the District through the Department of Public Works of the County of San Diego, and prior to the connection of the property defined in this Agreement, an annual sewer service fee at the prevailing rate, prorated at time of permit issuance. Said fee shall be paid pursuant

to this Agreement and applicable District ordinances, on an annual basis thereafter, and shall be collected through the property tax rolls.


7. The District shall have the power to increase the amount of the annual sewer service charge prescribed in Paragraph 6 in proportion to any increased cost or expenses of operating the District.
8. The Owner(s) of said real property consent to the commencement of proceedings by the District to annex said property to the District. The Owner(s) agree that, upon connection of the real property to the District's sewer system, said property shall become subject to any and all ordinances, regulations, fees, taxes and assessments applicable to the property within the District whether or not the property is ever annexed into the District. Notwithstanding the foregoing, Owner(s) agree to work with LAFCO to facilitate the annexation of the property to the District within one (1) year of the Execution Date.
9. The District agrees that upon connection of said property to the District's sanitary sewer, the District shall pursuant to the terms of this Agreement accept the domestic sewage from such building discharged into its sewer lines, which obligation of the District shall continue under the Agreement until such time as the above described real property, upon which such hookup is located, is annexed to the District, or until this Agreement is terminated as hereinafter specified, which ever first occurs. Owner(s) shall be responsible for all costs incurred by District, if any, to disconnect the property from District's facilities upon the termination of this Agreement.
10. This Agreement may be terminated by the Owner(s), Owners' executors, administrators, heirs, successors or assigns by giving to the District ninety (90) days written notice of intention to terminate by serving such notice to the Clerk of the Board of Directors of the District.
11. This Agreement may be terminated by the District by giving ninety (90) days written notice of intention to terminate to the Owner(s), Owners' executors, administrators, heirs, successors or assigns, or to the occupants of the aforesaid property.
12. This Agreement is entered pursuant to the authority granted to the District in the Health and Safety Code § 4742.1 and Government Code § 56133.
13. This Agreement is subject to the LAFCO review and approval.
14. This Agreement shall take effect after execution by the parties and when administratively approved by LAFCO.

Dated this 10th day of April, 2025.



Director, Department of Public Works
San Diego County Sanitation District

Executive Officer, LAFCO Date

 for Tobey Halstead
Applicant's Signature