CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ORDER NO. R9-2016-0159

AN ORDER RESCINDING ORDER NO. 94-127

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

1. Order No. 94-127, *Waste Discharge Requirements for Mr. William Vander Woude, Valley View Dairy, San Diego County* (Order No. 94-127) established requirements for the management of wastewater and solid waste generated from the operation of the dairy and confined animal facility known as the Valley View Dairy located at 1645 Warnock Drive, Ramona, California 92065 (Dairy).[1] The San Diego Water Board adopted Order No. 94-127 on November 10, 1994.

2. The Dairy operated under waste discharge requirements (WDRs) from 1976 to 2013. Mr. Vander Woude operated the Dairy until October 4, 2005, after which the Dairy was leased until 2013 to Mr. Steve Dowle. Following Mr. Vander Woude's death, the property on which the Valley View Dairy was located transferred to the Vander Woude Family Trust. Dairy operations ceased on the property in 2013.

3. The San Diego Water Board issued Notice of Violation (NOV) No. R9-2014-0027 to Mr. Dowle on April 7, 2014, in part for failure to properly maintain manured areas in accordance with Order No. 94-127. At the time the NOV was issued, however, Mr. Dowle was undergoing a bankruptcy, and was unable to get permission to access the property by the owner, Vander Woude Family Trust.

4. The San Diego Water Board issued a letter dated September 19, 2014 to the Vander Woude Family Trust, reminding the Trust of its responsibility to comply with the requirements in Order No. 94-127. The letter outlined the violations and areas of concern specified in NOV No. R9-2014-0027. Finally, the letter provided the Trust with the options to either formally transfer responsibility for compliance with Order No. 94-127 to Mr. Dowle; or to restore the property to a clean condition and request rescission of Order No. 94-127.

5. The Vander Woude Family Trust provided documentation to the San Diego Water Board in a letter, dated June 23, 2016, that the dairy had been restored to a clean condition in accordance with a workplan previously approved by the Board. The letter further requested the Board rescind Order No. 94-127.

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[1] Located in the Ramona hydrologic subarea (905.41) of the Santa Maria Valley hydrologic area (905.40) of the San Dieguito hydrologic unit (905.00).

An inspection by Board staff on July 5, 2016, confirmed that the property had been restored to a clean condition.

6. This is an Order to rescind WDRs for the Valley View Dairy. It can be seen with certainty that there is no possibility that rescinding the WDRs will have an adverse impact on the environment. This Order is therefore exempt from the requirements of the California Environmental Quality Act in accordance with the title 14, California Code of Regulations, section 15061(b)(3).

7. The San Diego Water Board in a public meeting heard and considered all comments pertaining to the rescission of Order No. 94-127.

IT IS HEREBY ORDERED that Order No. 94-127 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 November 9, 2016.

David W. Gibson, Executive Officer