

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

SPECIAL ORDER NO. R5-2007-0095

REQUIRING SPECIFIC FACILITIES
TO COMPLY WITH
WASTE DISCHARGE REQUIREMENTS GENERAL ORDER NO. R5-2007-0035
FOR EXISTING MILK COW DAIRIES

The California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board), finds that:

1. The Central Valley Water Board has adopted individual waste discharge requirements (WDRs) for the milk cow dairies in Attachment A. These WDRs have been scheduled to be updated to ensure that they are current with respect to regulations and other aspects of the Central Valley Water Board's program.
2. On 25 October 1996, the Central Valley Water Board adopted Special Order No. 96-274 Requiring Specific Facilities to Comply with the General Waste Discharge Requirements for Milk Cow Dairies (General Order No. 96-270). Facilities currently operating under General Order No. 96-270 are listed in Attachment B. These WDRs have been scheduled to be updated to ensure that they are current with respect to regulations and other aspects of the Central Valley Water Board's program.
3. The existing milk cow dairies listed in Attachments A and B were placed under individual WDRs or General Order No. 96-270 because they failed to meet the conditions needed to maintain a waiver of WDRs. The Central Valley Water Board has determined that these facilities should continue to be regulated by WDRs and that the requirements in the Waste Discharge Requirements General Order No. R5-2007-0035 for Existing Milk Cow Dairies (General Order No. R5-2007-0035) are appropriate for all facilities that meet the eligibility requirements contained in General Order No. R5-2007-0035. Requiring these facilities to comply with General Order No. R5-2007-0035 will allow the Central Valley Water Board to update the requirements on these existing dairies without having to prepare individual WDRs.
4. General Order No. R5-2007-0035 is limited to existing milk cow dairies that were fully constructed and operating as of 17 October 2005 and which have subsequently undergone no expansion in the size or scope of its herd, facilities, or operation. Findings in General Order No. R5-2007-0035 concluded that adoption of General Order No. R5-2007-0035 was

categorically exempt from the California Environmental Quality Act (CEQA) consistent with Title 14 California Code of Regulations Section 15301, which exempts from CEQA the permitting of existing facilities involving negligible or no expansion. The Central Valley Water Board has determined that the dairies listed in Attachments A and B of this Special Order are existing milk cow dairies consistent with the definition in General Order No. R5-2007-0035. Therefore, the adoption of this Special Order is categorically exempt from CEQA, consistent with Title 14 California Code of Regulations Section 15301.

5. Findings in General Order No. R5-2007-0035 also concluded that General Order No. R5-2007-0035 was categorically exempt from CEQA, consistent with Sections 15302 and 15304 of Title 14 California Code of Regulations. Section 15302 categorically exempts the replacement or reconstruction of existing structures and facilities from CEQA where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Section 15304 categorically exempts from CEQA minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for agricultural purposes. The Central Valley Water Board has determined that the placement of the dairies listed in Attachments A and B under General Order No. R5-2007-0035 may require the improvement, replacement, or reconstruction of existing facilities at these dairies that may result in minor alterations to land, water, and/or vegetation. Therefore, adoption of this Special Order is categorically exempt from CEQA, consistent with Title 14 California Code of Regulations Sections 15302 and 15304.
6. The Central Valley Water Board has notified interested agencies and persons of its intent to prescribe waste discharge requirements for the facilities listed in Attachments A and B and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
7. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to this Order.

IT IS HEREBY ORDERED THAT:

1. Upon notification to an owner and/or operator (Discharger) of a dairy facility identified in Attachments A or B by the Executive Officer that General Order No. R5-2007-0035 applies to the Discharger for that facility, that facility will no longer be regulated pursuant to the previously-issued individual waste

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For Existing Milk Cow Dairies

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discharge requirements or General Order No. 96-270 and the previously-issued individual waste discharge requirements will be rescinded or coverage under General Order No. 96-270 will be rescinded, as appropriate.

2. Dischargers at dairy facilities identified in Attachments A or B will be notified by the Executive Officer that General Order No. R5-2007-0035 applies to the Discharger for that facility only after it has been verified that the facility was fully constructed and operating as of 17 October 2005 and has subsequently undergone no expansion in the size or scope of its herd, facilities, or operation, as defined in General Order No. R5-2007-0035.
3. Existing Waste Discharge Requirements for facilities listed in Attachments A and B will remain in effect if the discharger is not notified by the Executive Officer and directed to comply with General Order No. R5-2007-0035.

I, PAMELA C. CREEDON, 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, Central Valley Region, on 2 August 2007.

PAMELA C. CREEDON, Executive Officer

PAL: 9 August 2007

ATTACHMENT A TO SPECIAL ORDER NO. R5-2007-0095

FACILITIES UNDER INDIVIDUAL WASTE DISCHARGE REQUIREMENTS TO BE COVERED UNDER WASTE DISCHARGE REQUIRMENTS GENERAL ORDER NO. R5-2007-0035 FOR EXISTING MILK COW DAIRIES

Dairy Number	Order No. Adoption Date	Current Facility Name and Address	Facility Name at Time Former Waste Discharge Requirements Were Issued	Total Existing Number of Mature Dairy Cows	Existing Acres of Cropland Receiving Dairy Waste
FRESNO COUNTY					
1.	90-281 28 Sep 1990	Sozinho Dairy #2 8489 East Elkhorn Avenue Selma, CA 93662	DeGroot & Visser Dairy	1,300	1,300
2.	90-096 23 Mar 1990	Zonneveld Dairies 1523 East Cerini Avenue Laton, CA 93242	Same as Current Name	5,400	2,000
3.	90-181 22 Jun 1990	Fred Rau Dairies 10255 West Manning Avenue Fresno, CA 93706	Same as Current Name	1,810	3,000
GLENN COUNTY					
4.	91-006 24 Jan 1991	John Machado and Sons Dairy 6230 County Rd 7 Orland, CA 95963	John Machado Dairy	330	80
5.	91-008 25 Jan 1991	Pinheiro Dairy 6368 County Rd 7 Orland, CA 95963	Ed N. Pinheiro Dairy	350	40

Dairy Number	Order No. Adoption Date	Current Facility Name and Address	Facility Name at Time Former Waste Discharge Requirements Were Issued	Total Existing Number of Mature Dairy Cows	Existing Acres of Cropland Receiving Dairy Waste
<i>KINGS COUNTY</i>					
6.	85-232 23 Aug 1985	John DeJong Dairy 3742 Lacey Boulevard Hanford, CA 93230	Same as Current Name	1,735	640
7.	88-203 9 Dec 1988	Lima Dairy 8519 24 th Avenue Lemoore, CA 93245	Same as Current Name	1,650	800
<i>MERCED COUNTY</i>					
8.	92-124 26 Jun 1992	Vieira Dairy Farm 511 Applegate Rd Atwater, CA 95301	Moss Dairy	950	300
9.	94-133 20 May 1994	Joe Gomes Dairy 17265 Swanson Rd Delhi, CA 95315	Same as Current Name	400	77
10.	92-228 4 Dec 1992	Coelho Dairy 939 S Canal School Rd Gustine, CA 95322	Cozzitorto Family Dairy	325	0
11.	94-037 25 Feb 1994	Jose M. Jorge Dairy 13699 S Cherokee Rd Gustine, CA 95322	Areias/Lorenzo/Silva Dairy	1,180	480
12.	93-037 26 Feb 1993	Correia Family Dairy 26380 W Fahey Rd Gustine, CA 95322	Same as Current Name	850	165

Dairy Number	Order No. Adoption Date	Current Facility Name and Address	Facility Name at Time Former Waste Discharge Requirements Were Issued	Total Existing Number of Mature Dairy Cows	Existing Acres of Cropland Receiving Dairy Waste
13.	93-102 25 Jun 1993	Frank Dores and Sons Dairy 25469 W Hearst Rd Gustine, CA 95322	Luis Oliveira Dairy #2	650	96
14.	91-086 22 Mar 1991	Hillcrest Dairy 1901 N Hayden Rd Le Grand, CA 95333	R.V. Planada Dairy	4,750	1,700
15.	94-217 5 Aug 1994	Manuel Costa Jr. Dairy 22578 W Henry Miller Rd Los Banos, CA 93635	Costa Dairy	510	85
16.	94-039 25 Feb 1994	Raphael Pacheco Dairy 22884 Ingomar Grade Rd Los Banos, CA 93635	Machado Brothers Dairy	875	205
17.	92-098 29 May 1992	Evaristo Vaz Dairy 21876 W Sunset Ave Los Banos, CA 93635	Same as Current Name	900	250
18.	91-094 26 April 1991	Bill Mesman Dairy 14903 S Volta Rd Los Banos, CA 93635	Same as Current Name	320	40
19.	92-108 29 May 1992	Tavares Farms Family Trust Dairy (Gerard Dairy) 1192 E Gerard Ave Merced, CA 95340	Tavares Family Trust Dairy #3	820	390
20.	90-257 28 Sep 1990	Maximinio Silveira Dairy 4210 Lingard Rd Merced, CA 95340	Manuel B.Vieira Dairy	1,050	250

Dairy Number	Order No. Adoption Date	Current Facility Name and Address	Facility Name at Time Former Waste Discharge Requirements Were Issued	Total Existing Number of Mature Dairy Cows	Existing Acres of Cropland Receiving Dairy Waste
21.	94-038 25 Feb 1994	Fagundes Brothers Dairy #2 14478 Cox Ferry Rd Snelling, CA 95369	John Lewis Dairy	992	2,109
22.	94-010 28 Jan 1994	Rick Jones Dairy 1511 Van Clief Rd Stevinson, CA 95374	Same as Current Name	600	404
23.	94-011 28 Jan 1994	E & M Silva Dairy 11071 Youngstown Rd Turlock, CA 95380	Emanuel B. Silva Dairy	420	86
24.	90-273 28 Sep 1990	JVJ Dairy #1 - Meadow Dairy 8632 W Meadow Dr Winton, CA 95388	JVJ Dairy #1	1,325	152
25.	89-238 8 Dec 1989	P H Ranch Inc 6335 W Oakdale Rd Winton, CA 95388	PH & RV Dairy	2,200	666
26.	94-058 28 Jan 1994	2-Vel Dairy 11586 N Shaffer Rd Winton, CA 95388	Same as Current Name	640	550
27.	94-009 28 Jan 1994	Flores Dairy 1935 Youd Rd Winton, CA 95388	Arnaldo Flores Dairy	500	150

Dairy Number	Order No. Adoption Date	Current Facility Name and Address	Facility Name at Time Former Waste Discharge Requirements Were Issued	Total Existing Number of Mature Dairy Cows	Existing Acres of Cropland Receiving Dairy Waste
SAN JOAQUIN COUNTY					
28.	91-216 22 Nov 1991	Angelo Dairy 11313 E Collier Rd Acampo, CA 95220	S.D. Seifert Dairy	290	INA ¹
29.	90-057 23 Feb 1990	Pires Dairy 23800 Jack Tone Rd Acampo, CA 95220	Tony Silva & Sons Dairy	295	100
30.	92-012 24 Jan 1992	Manuel Mendonca #2 14089 S Brennan Rd Escalon, CA 95320	Frank Machado Dairy	500	120
31.	91-210 22 Nov 1991	Frank V Borba & Sons Dairy 23335 E Dodds Rd Escalon, CA 95320	Same as Current Name	847	660
32.	90-302 2 Nov 1990	Koolhaas Dairy 26805 Dodds Rd Escalon, CA 95320	J & M Nunes Dairy	860	INA
33.	91-095 26 Apr 1991	Vander Werff - Rigg Dairy 24567 E Lone Tree Rd Escalon, CA 95320	Pete Vander Werff Dairy	774	282
34.	91-112 29 May 1991	Stuyt Dairy 22000 Mariposa Rd Escalon, CA 95320	Same as Current Name	510	65

¹ Information not available.

Dairy Number	Order No. Adoption Date	Current Facility Name and Address	Facility Name at Time Former Waste Discharge Requirements Were Issued	Total Existing Number of Mature Dairy Cows	Existing Acres of Cropland Receiving Dairy Waste
35.	85-117 31 May 1985	Nascimento Dairy 15620 N Jack Tone Rd Lodi, CA 95240	Sierra View Farms Dairy #3	590	130
36.	91-213 22 Nov 1991	E Luiz and Sons Dairy, Inc 18035 N Jacob Brock Rd Lodi, CA 95242	Everett Luiz & Sons Dairy, Inc	1,165	800
37.	91-162 26 July 1991	Van Exel Dairy #1 20002 N Thornton Rd Lodi, CA 95242	Van Exel Dairy	1,260	1,600
38.	94-041 25 Feb 1994	Ed Machado Dairy 6721 Perrin Rd Manteca, CA 95336	Teicheira Brothers Dairy	300	480
39.	94-040 25 Feb 1994	Dutra Farms Inc 5496 W Ripon Rd Manteca, CA 95337	Same as Current Name	1,540	140
40.	91-214 22 Nov 1991	Machado/Machado Dairy 26230 S Union Rd Manteca, CA 95337	Frank R. Machado & Sons Dairy	1,970	650
41.	91-128 28 Jun 1991	Morris Dairy 8892 S Van Allen Rd Stockton, CA 95215	Same as Current Name	571	375
SOLANO COUNTY					
42.	91-012 25 Jan 1991	B & G Dixon Dairy 8118 Sikes Rd Dixon, CA 95620	B & G Dairy	943	651

Dairy Number	Order No. Adoption Date	Current Facility Name and Address	Facility Name at Time Former Waste Discharge Requirements Were Issued	Total Existing Number of Mature Dairy Cows	Existing Acres of Cropland Receiving Dairy Waste
STANISLAUS COUNTY					
43.	94-134 20 May 1994	Dotinga Dairy 5737 Crow Rd Oakdale, CA 95361	Same as Current Name	1,200	205
44.	91-215 22 Nov 1991	Hilltop Holsteins 4900 E Dodds Rd Oakdale, CA 95361	Ray-Mar Dairy	1,388	350
45.	89-132 11 Aug 1989	Bergwerff Farms Inc 7113 Mettler Rd Oakdale, CA 95361	Same as Current Name	627	330
46.	94-218 5 Aug 1994	J & J DeRaadt Dairy 6460 Smith Rd Oakdale, CA 95361	3H Dairy	1,100	55
47.	91-010 25 Jan 1991	S & H Dairy 4125 Bentley Rd Oakdale, CA 95361	Same as Current Name	2,310	270
48.	91-058 22 Feb 1991	Gil Tex Dairy 5601 Mountain View Rd Turlock, CA 95382	Gilbert Teixeira Dairy	465	60
TULARE COUNTY					
49.	94-251 16 Sep 1994	Pacheco Dairy 5730 Avenue 256 Tulare, CA 93274	Same as Current Name	2,949	2,406

Dairy Number	Order No. Adoption Date	Current Facility Name and Address	Facility Name at Time Former Waste Discharge Requirements Were Issued	Total Existing Number of Mature Dairy Cows	Existing Acres of Cropland Receiving Dairy Waste
50.	93-097 25 Jun 1993	Triple H Dairy 13244 Avenue 212 Tulare, CA 93274	Warren J. Mouw Dairy	1,735	245

ATTACHMENT B TO SPECIAL ORDER NO. R5-2007-0095

**FACILITIES UNDER GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. 96-270 TO BE COVERED BY
WASTE DISCHARGE REQUIREMENTS GENERAL ORDER NO. R5-2007-0035 FOR EXISTING MILK COW DAIRIES**

Dairy Number	Current Facility Name and Address	Facility Name at Time Placed Under Order No. 96-270	Total Existing Number of Mature Dairy Cows	Existing Acres Of Cropland Receiving Dairy Waste
<i>GLENN COUNTY</i>				
1.	Silveira Dairy 6259 County Rd 25 Orland, CA 95963	Gonsalves Dairy	697	300
2.	Couto Dairy 1980 County Rd QQ Willows, CA 95988	Couto Brothers Dairy	340	598
<i>KINGS COUNTY</i>				
3.	Cloverdale Dairy 19142 10 ½ Avenue Hanford, CA 93230	Same as Current Name	5,200	1,700
<i>MERCED COUNTY</i>				
4.	JVJ Dairy #2 - Parkview Dairy 13640 W Collier Rd Delhi, CA 95315	Parkview Dairy	1,675	589
5.	M & A Dairy 14651 S Carlucci Rd Dos Palos, CA 93620	Same as Current Name	460	548
6.	Luis C Nunes & Sons #2 10268 S Hwy 33 Gustine, CA 95322	Rocha and Sons Dairy	600	275

Dairy Number	Current Facility Name and Address	Facility Name at Time Placed Under Order No. 96-270	Total Existing Number of Mature Dairy Cows	Existing Acres Of Cropland Receiving Dairy Waste
7.	Maria Silveira Dairy 10511 Ingomar Grade Rd Gustine, CA 95322	Manuel I. Silveira Dairy	400	165
8.	Jose De Melo Dairy 15049 Midway Rd Los Banos, CA 953635	Louie J. Silva Dairy	300	105
9.	Fernando Oliviera Dairy 22072 W Pioneer Rd Los Banos, Ca 93635	Same as Current Name	390	60
10.	Silva and Brasil Dairy 17994 Terceira Rd Los Banos, CA 93635	Joe Alvernaz Dairy	280	80
11.	Terra Dairy 8988 Meadow Dr Winton, CA 95388	Same as Current Name	233	133
SACRAMENTO COUNTY				
12.	Carmo Dairy 10775 Franklin Blvd Elk Grove, CA 95757	Manuel Carmo Dairy	550	70
13.	Avis Dairy 4400 Point Pleasant Rd Elk Grove, Ca 95757	Joe Avis Dairy	450	INA ¹
14.	B & J Dairy 9950 Arno Rd Galt, CA 95632	Martin and Corderio Dairy	1,100	1,100

¹ Information not available.

Dairy Number	Current Facility Name and Address	Facility Name at Time Placed Under Order No. 96-270	Total Existing Number of Mature Dairy Cows	Existing Acres Of Cropland Receiving Dairy Waste
SAN JOAQUIN COUNTY				
15.	Seifert Dairy Farm "#1 And #2" 8505 E Collier Rd Acampo, CA 95220	Seifert Dairy Farm	2,850	1,856
16.	Silva Bros Dairy 12997 E Peltier Rd Acampo, CA 95220	Same as Current Name	1,100	140
17.	Manuel Mendonca Dairy #1 13942 Brennan Rd Escalon, CA 95320	Manuel Miranda Dairy	260	49
18.	Joe Da Silva Dairy 27398 Dodds Rd Escalon, CA 95320	Same as Current Name	1,500	INA
19.	Tony Borba Dairy Inc 23844 E Dodds Rd Escalon, CA 95320	Same as Current Name	600	180
20.	Rui and Jennifer Brasil Dairy 29094 E Lemon Ave Escalon, CA 95320	Joe Areias Dairy	300	100
21.	Jose H. Correia Dairy 24544 E Lone Tree Rd Escalon, CA 95320	Jose Correia Dairy	550	73
22.	Wagner Dairy LP 22176 E Skiff Rd Escalon, CA 95320	Wagner Dairy	1,820	580

Dairy Number	Current Facility Name and Address	Facility Name at Time Placed Under Order No. 96-270	Total Existing Number of Mature Dairy Cows	Existing Acres Of Cropland Receiving Dairy Waste
23.	D J Caton Dairy 15635 S Steingul Rd Escalon, CA 95320	Same as Current Name	540	200
24.	Manuel Da Silva Dairy 15836 S Steingul Rd Escalon, CA 95320	Da Silva Brothers Dairy	680	450
25.	Faria Dairy #2 10127 Temple Creek Rd Escalon, CA 95320	Same as Current Name	300 heifers	130
26.	Faria Dairy Inc 3 11495 S Van Allen Rd Escalon, CA 95320	Durval Gomes Dairy	295	100
27.	Vander Schaaf Dairy #2 15355 S Van Allen Rd Escalon, CA 95320	Vander Schaaf Dairy	1,450	400
28.	Doornenbal Dairy # 2 16345 S Van Allen Rd Escalon, CA 95320	Joe Doornenbal Dairy	420	300
29.	Kaehler Dairy Farm 1025 E Armstrong Rd Lodi, CA 95242	Same as Current Name	889	370
30.	Martin Dairy 11493 N Davis Rd Lodi, CA 95242	Tony Martin Dairy	725	288

Dairy Number	Current Facility Name and Address	Facility Name at Time Placed Under Order No. 96-270	Total Existing Number of Mature Dairy Cows	Existing Acres Of Cropland Receiving Dairy Waste
31.	M & M Moules Dairy 12951 E Harney Ln Lodi, CA 95240	Same as Current Name	350	77
32.	Lima Ranch 13436 N Thornton Rd Lodi, CA 95242	Same as Current Name	1,600	500
33.	Frank J Borges Dairy 8350 E Brady Ave Manteca, CA 95337	Same as Current Name	1,400	INA
34.	Circle J M Dairy 8940 E Melton Rd Manteca, CA 95337	Same as Current Name	1,200	220
35.	John A Machado Dairy Farms 24916 S Manteca Rd Manteca, CA 95337	Joe J. Machado and Sons Dairy	2,100	1,025
36.	Machado Dairy #2 19405 E Mariposa Rd Stockton, CA 95215	Machado Dairy Farm #2	600	300
37.	Deuel Vocational Institute Dairy Dept of Corrections 23500 Kasson Rd Tracy, CA 95376	Same as Current Name	700	445
STANISLAUS COUNTY				
38.	Clover Knolls Dairy Inc 14633 26 Mile Rd Oakdale, CA 95361	Same as Current Name	787	400

Dairy Number	Current Facility Name and Address	Facility Name at Time Placed Under Order No. 96-270	Total Existing Number of Mature Dairy Cows	Existing Acres Of Cropland Receiving Dairy Waste
39.	Martin Land and Cattle 6100 Hinds Rd Oakdale, CA 95361	August Martin Dairy	683	240
40.	George Azevedo & Sons Dairy 8673 Rodden Rd Oakdale, CA 95361	Silva Farms Dairy	600	310
41.	W & J Dairy 9161 Warnerville Rd Oakdale, CA 95361	Sikkema Star Holsteins Dairy	1,182	132