
North Coast Regional Water Quality Control Board

March 3, 2016

Joey Borges
Borges Dairy
P.O. Box 934
Smith River, CA 95567

Dear Mr. Borges:

Subject: Notice of Violation for Failure to Submit a 2015 Annual Report as Required by the North Coast Regional Water Quality Control Board, Conditional Waiver of Waste Discharge Requirements for Existing Cow Dairies in the North Coast Region, Order No. R1-2012-0003, WDID# 1A12082DDN

This letter serves to notify you that as of March 1, 2016, we have not received a 2015 Annual Report for Borges Dairy. The Monitoring and Reporting Plan section II of the Conditional Waiver of Waste Discharge Requirements for Existing Cow Dairies in the North Coast Region, Order No. R1-2012-0003 (Waiver), requires, pursuant to Water Code section 13267, that dairies enrolled for coverage under the Waiver submit:

1. Annual Reports to the Regional Water Board by November 30 of each year; and
2. Photos of best management practices implemented onsite, to ensure water quality protection.

On October 21, 2015, the California Dairy Quality Assurance Program (CDQAP) held a workshop in Ferndale to help dairy operators fill out the 2015 Annual Report. Several reminders of the workshop were distributed to dairies in advance of the meeting.

On January 6, 2016, the Regional Water Board sent an email to borgesdairy@yahoo.com providing reminders of the requirement to submit an Annual Report. A blank Annual Report was attached to the email. Staff also telephoned and left you a voicemail message on January 7, 2016.

Pursuant to Water Code section 13268, subdivision (a), any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b) of section 13268. Pursuant to Water Code section 13268, subdivision (b), paragraph (1), civil

liability may be administratively imposed by a regional board in accordance with Article 2.5 (commencing with section 13323) of Chapter 5 for a violation or subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

Please complete the enclosed Annual Report form and submit to us along with your photos of best management practices by **April 8, 2016**. Submittal of the above required information should remedy this Notice of Violation. If you have any questions regarding this matter, please contact:

Cherie Blatt at (707) 576-2755 or Cherie.Blatt@waterboards.ca.gov or her supervisor James Burke at (707) 576-2289 or James.Burke@waterboards.ca.gov.

Sincerely,

Fred Blatt
Division Chief
Nonpoint Source & Surface Water Protection Division

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Enclosure: Annual Report Form for Dairy Waiver

Certified - Return Receipt

cc: Borges Dairy borgesdairy@yahoo.com