

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER R5-2013-0084

RESCISSION OF CEASE AND DESIST ORDER 94-282  
AND SPECIAL ORDER 97-017  
FOR  
MARIPOSA COUNTY  
DON PEDRO SEWER ZONE 1  
WASTEWATER TREATMENT FACILITY  
MARIPOSA COUNTY

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

1. Mariposa County (Discharger) owned and operated a former wastewater treatment facility (WWTF) in section 32, Township 3 South, Range 15 East, MDB&M and recycled the treated wastewater onto the Lake Don Pedro Golf Course owned and operated by Mr. Frank Leonardi (User).
2. On 16 September 1994, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) 94-281, Cease and Desist Order (CDO) 94-282, and Water Reclamation Requirements (WRRs) 94-278.
3. WDRs 94-281 prescribes a monthly average dry weather flow of 0.040 million gallons per day (mgd) and a daily maximum flow of 0.065 mgd of treated wastewater from the former WWTF to the Lake Don Pedro Golf Course.
4. WRRs 94-278 prescribes reclamation requirements for the use of recycled water on the golf course where Mr. Frank Leonardi is named the User and Mariposa County is named the Producer.
5. CDO 94-282 was issued to the Discharger for ongoing violations associated with inadequate treatment and disposal capacity, the discharge of partially treated wastewater, over irrigation of the golf course, pond overflows, and discharge of wastewater to surface waters and surface water drainage courses. The CDO includes time schedules for the Discharger to implement interim (CDO Item two) and long term (CDO Item three) measures to achieve compliance with WDRs 94-281.
6. The Discharger could not meet the schedule in CDO 94-282. On 24 January 1997, the Central Valley Water Board adopted Special Order 97-017, to extend the schedule in CDO 94-282.

7. To comply with the CDO, the Discharger purchased 80 acres of land, and constructed a new WWTF (section 31, Township 3 South, Range 15 East, MDB&M), including a headworks with a magnetic flow meter, extended aeration basin, clarifier, chlorine contact basin, a HDPE lined storage pond, four concrete lined sludge drying beds with decanting structures, and 40 acres of sprayfields (Use Area).
8. On 22 February 2005, Mariposa County adopted a Mitigated Negative Declaration (SCH# 2004051148) and filed a Notice of Determination in accordance with California Environmental Quality Act (CEQA) for the construction of the new WWTF.
9. The old WWTF has been decommissioned and no longer exists.
10. The Discharger has complied with CDO 94-282 and Special Order 97-017.
11. WRRs 94-278 was rescinded at the April 2013 Board Meeting of the Central Valley Water Board.
12. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.), in accordance with California Code of Regulations, Title 14, section 15321(a)(2).
13. On 31 May 2013, in Rancho Cordova, California, after notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider rescission of Order 94-282.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, Title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filling petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/)

or will be provided upon request.

**IT IS HEREBY ORDERED** that Cease and Desist Order 94-282 and Special Order 97-017 are rescinded.

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-3-

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 31 May 2013.

*Original signed by:*

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PAMELA C. CREEDON, Executive Officer