

# **APPENDIX**

## **A**

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# Kings County Planning Agency

## PLANNING - BUILDING INSPECTION

MAILING ADDRESS: KINGS COUNTY GOVERNMENT CENTER, HANFORD, CA 93230  
OFFICES AT: 1400 W. LACEY BLVD., ENGINEERING BUILDING # 6, HANFORD  
(209) 582-3211, EXT. 2670, FAX: (209) 584-8989

Mr. and Mrs. Manuel Galhandro  
9200 - 19 1/2 Avenue  
Lemoore, CA 93245

March 23, 1998

## NOTICE OF VIOLATION !!!

Dear Property Owners,

In response to numerous recent complaints, an inspector visited your dairy at 9240 - 19 1/2 Avenue, Lemoore. During this visit, we observed several serious violations.

When Kings County Zoning Permit # AA 2039 was issued in March, 1983 to allow you to reopen the old, existing dairy, several conditions were required. The permit allowed 160 milk cows, using a separator/sump system already in place. Our inspection shows that you have significantly expanded the size of your herd, and allowed the separator and sump to completely fill up with solids so as to be unusable. Both of these conditions are violations of your operating permit. Most seriously, you have scraped down a field to the south of the dairy facility to a depth of 3 feet or more and diverted your waste water into it, making an illegal waste "lagoon" of nearly 10 acres within 200 feet of neighboring residences and less than 100 feet from State Route 41. There is also a mobile home park 750 feet away.

The Kings County Zoning Ordinance requires new Conditional Use Permits for dairy herd expansions, changes in dairy waste handling and storage facilities, construction of new lagoons and any excavations in excess of 1 1/2 feet in depth. You have apparently done all of these without obtaining any permits or even contacting this agency. The changes you have made are seriously substandard and could be cause for revocation of your permit to operate this dairy.

In order to avoid revocation proceedings and/or other legal remedies, you must contact this agency with plans and designs for how you intend to alleviate the described violations within 10 days. We suggest you work with a professional dairy designer as some of the issues involved are rather technical and will be difficult to address. You must cease pumping waste into the south field as soon as possible and start the Conditional Use Permit process by no later than April 3, 1998.

Please give this matter your immediate attention.

James Rader  
Code Compliance Specialist  
(209) 582-3211 ext. 2679

cc: Planning Department  
Environmental Health Service  
California Regional Water Quality Control  
ZV98009

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This is your notification of our intention to initiate enforcement action, which could include revocation of your original permit, citation and fines, and/or possible court action to close your dairy, if you have not filed all necessary materials to allow your application to be certified complete by no later than April 10, 1999.

I urge you to give this matter your immediate attention.



James Rader  
Code Compliance Specialist  
(559) 582-3211 ext. 2679

cc: Harlan Westbrook - 923 Sycamore Avenue, Tulare, CA 93274  
California Regional Quality Control Board - Ken Johnson  
Planning Department - Sandy Roper  
Board of Supervisors - Tony Oliveira  
ZV98009

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# Kings County Planning Agency

## PLANNING - BUILDING INSPECTION

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OFFICES AT: 1400 W. LACEY BLVD., ENGINEERING BUILDING # 6, HANFORD  
(209) 882-3211, EXT. 2670, FAX: (209) 884-8589

Manuel Gaihandro  
9200 - 19 1/2 Avenue  
Lemoore, CA 93245

March 10, 1999

## NOTICE OF VIOLATION

### Final Warning!

Reference: Dairy Property, 9200 - 19 1/2 Avenue, Lemoore  
APN: 044-261-044 Zone: AG

Dear Sir,

In March of 1998, you were notified that your dairy was operating in violation of your zoning permit due to a significant expansion in herd size and changes in waste handling facilities. You responded by meeting with Planning Agency personnel to promise you would apply and complete all requirements for a new Conditional Use Permit for the larger facility. You did file application materials, but were informed that several pieces of additional information would be required before the application could be certified as complete. No action can be taken on an incomplete application. To date, that information has not been submitted and you are continuing to operate illegally.

In January of this year, I spoke with your dairy consultant, who assured me that all required materials would be submitted "within a week or so." That was two months ago and nothing new has been received. You have now been in formal violation for almost one year and this agency continues to receive complaints.

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# California Regional Water Quality Control Board

## Central Valley Region



Gray Davis  
Governor

Winston H. Hickox  
Secretary for  
Environmental  
Protection

Steven T. Butler, Chair

Fresno Branch Office  
Internet Address: <http://www.swrcb.ca.gov/~rwqcb3>  
3614 East Ashlan Avenue, Fresno, California 93726  
Phone (559) 445-3116 • FAX (559) 445-3910

RECEIVED

KINGS COUNTY  
PLANNING AGENCY

27 March 2000

### NOTICE OF VIOLATION

Mr. Manuel Galhandro  
9240 19 1/2 Avenue  
Lemoore, CA 93245

#### MANUEL GALHANDRO DAIRY, KINGS COUNTY

We recently inspected your dairy pursuant to a complaint filed with the Kings County Environmental Health Department. The complainant indicated that excessive amounts of wastewater are discharged to your disposal field on the south side of the dairy.

Our inspection indicates that wastewater is not being properly managed at your dairy. Water was observed to be ponded in the southwest corner of your corrals, and wastewater with a Specific Conductance of 6,800 µmhos/cm was observed in your irrigation ditch surrounding your disposal field. It was apparent that you are applying wastewater directly to the field, without blending, and at a time when the crop does not need the moisture. Wastewater poses a threat to the underlying groundwater if it is applied in excess of the assimilative capacity of the plants, or in excess of reasonable loading rates for soil.

An approximately 4-inch PVC pipe leads from your wastewater pond, crosses the on-site canal (supported by a stick), and discharges to a perimeter ditch surrounding your disposal field. This discharge line is susceptible to rupture and poses a threat to water quality. Therefore, the line needs to be rerouted or suspended in a manner that will minimize the threat to water quality, such as supported in a ductile iron pipe that extends to the outside of the canal levees.

You must immediately stop discharging wastewater in a manner that poses a threat to water quality. By **30 April 2000**, submit a technical report to our office that describes your waste disposal procedures for wastewater and manure. The technical report must provide the information indicated on the attached **CONFINED ANIMAL FACILITY INFORMATION REQUEST FORM**, including number of milk cows, total herd size, and total cropland available for wastewater application. If wastewater is to be discharged to neighboring property, a copy of an irrevocable wastewater disposal agreement must be included in the report. The technical report must also include a plan for rerouting or properly suspending the discharge line that crosses the on-site canal.

To assist in the proper management of the wastes produced by your dairy, and to avoid the application of excess nutrients to your cropland, we also recommend that you contact the United States Department of

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Mr. Manuel Galhandro

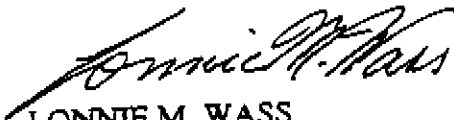
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24 March 2000

Agriculture, Natural Resources Conservation Service (NRCS) at (559) 584-9209. In many cases the NRCS will assist in the development of waste management plans at no cost to the owner. Their address is:

Natural Resources Conservation Service  
680 Campus Drive, Suite "E"  
Hanford, CA 93230

You are responsible for providing the technical report regardless of whether NRCS will be able to assist you. If you have questions regarding this matter, please call Cliff Raley at (559) 445-5130.



LONNIE M. WASS  
Senior Engineer  
RCE No. 38917

ECR:ecr

Enclosures

cc: Mr. Robert Fry, Natural Resources Conservation Service, Hanford  
Mr. Jim Rader, Kings County Planning Department, Hanford  
Lemoore Canal and Irrigation Company, P.O. Box 647, Lemoore, CA 93245

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CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

INSPECTION REPORT

17 March 2000

DISCHARGER: Manuel Galhandro  
 LOCATION & COUNTY: 9240 19 1/2 Avenue, Lemoore 93245 (Kings County)  
 CONTACT(S): Mr. John Galhandro  
 INSPECTION DATE: 24 February 2000  
 INSPECTED BY: Cliff Raley (CEG), Matt Scroggins (WRCE)  
 ACCOMPANIED BY: NA

OBSERVATIONS AND COMMENTS:

1. On 24 February 2000 we received a complaint from the Kings County Department of Public Health that the subject facility was discharging an excessive amount of wastewater to a field on the south side of the dairy.
2. The Galhandro Dairy is 1/4 mile southwest of the intersection of 19 1/2 Avenue (Highway 41) and Grangeville Boulevard in the SE 1/4 of the NW 1/4 of Section 28, T.18S., R.20E., MDB&M, and approximately 1.5 miles northwest of Lemoore.
3. DWR data for three wells near the dairy (18S20E34N01M, 19S20E05C01M, and 18S20E19N01M) indicate that the depth to groundwater was approximately 100 feet during 1998 (<http://well.water.ca.gov/eXterra/mapwelldata.cfm?SWN='18S20E34N01M'&RM=1200.365&QUAD=1198.364&MOVE=0.0>).
4. During the inspection, we observed that cows are kept in dry corrals on the north side of the dairy, and in freestalls on the south side. As shown in Photographs Nos. 1 and 2, the freestalls and a feed lane on the south side are flushed to a series of wastewater ponds. Two of the ponds are on the west side of the dairy and the third pond (not visible in Photographs Nos. 1 and 2) is on the south side of the corrals. The wastewater holding system appeared adequate to hold 120 days of wastewater, and all storm runoff through manured areas during a 25-year, 24-hour storm as required by Title 27, CCR, Section 22562(a).
5. As shown in Photograph No. 3, wastewater is discharged to a disposal field on the south side of the dairy. The field appeared to be 40 acres, or less, and not adequate to receive the amount of wastewater produced by the dairy. Vegetation was sparse in the field in areas of standing water. A perimeter ditch, shown in Photograph No. 4, contained wastewater with a Specific Conductance of 6,800  $\mu$ mhos/cm.
6. As shown in Photographs Nos. 5 and 6, a canal traverses the western boundary of the disposal field. An approximately 4-inch PVC pipe led from the wastewater pond, crossed the canal (supported by a stick), and discharged to the perimeter ditch surrounding the disposal field. There was no evidence that wastewater had been discharged to the canal. (The Specific Conductance of the canal water was approximately 350  $\mu$ mhos/cm upgradient and downgradient from the dairy). However,


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the discharge line appeared susceptible to rupture and poses a threat to water quality. Therefore, the line needs to be rerouted around the canal.

7. There is a large area south of the westernmost corrals that collects runoff during storm events (see Photograph No. 7). This corral should be graded to drain toward the flush lane. Mr. John Galhandro wrote a letter, in response to a previous Notice of Violation (NOV, dated 2 July 1998), stating that runoff from this corral is pumped into the wastewater ponds. However, the standing water was not being pumped out during the inspection.

#### SUMMARY AND CONCLUSIONS:

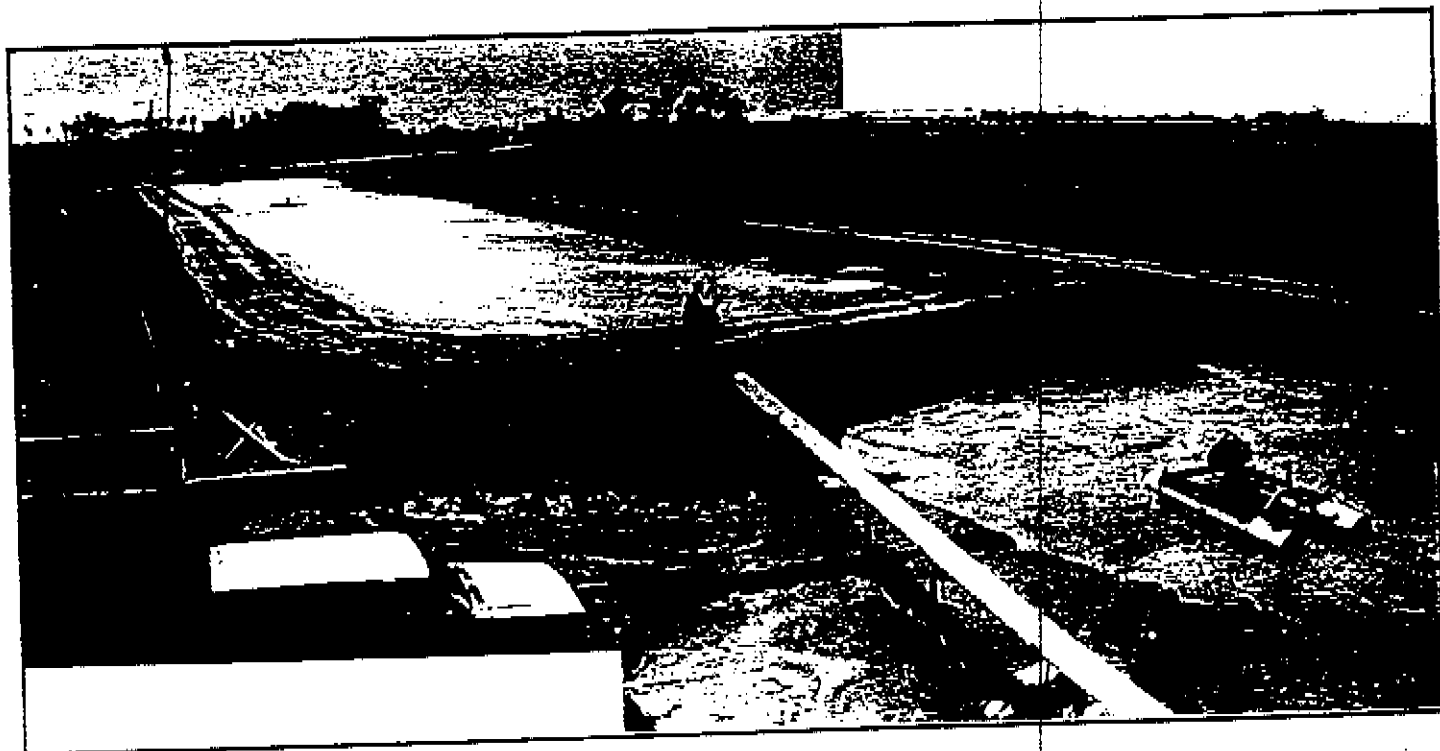
1. The wastewater holding system appeared adequate to hold 120 days of wastewater, and all storm runoff through manured areas during a 25-year, 24-hour storm as required by Title 27, CCR, Section 22562(a).
2. The dairy does not appear to have sufficient cropland for the amount of produced wastewater.
3. The corrals on the southwestern end of the dairy need to be graded to direct runoff toward the flush lane.

  
E. Clifford Raley  
CEG No. 1992



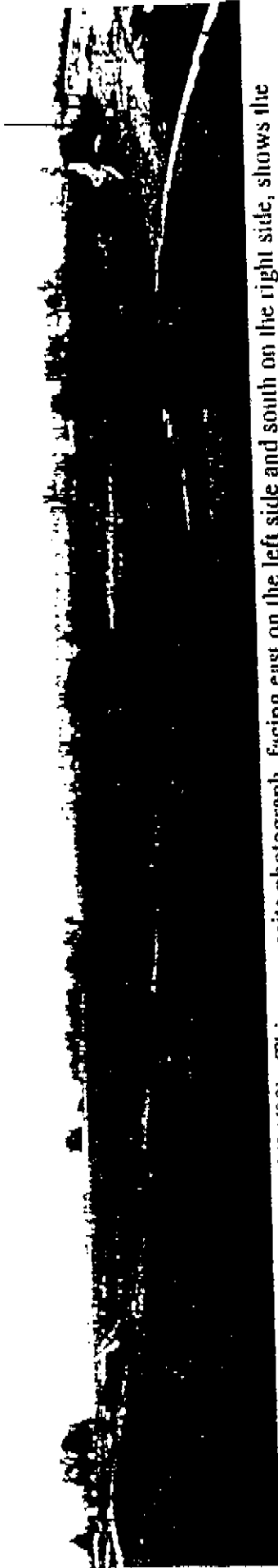


Photograph No. 1. Galhandro Dairy (2/24/00). This composite photograph, facing east on the left side and south on the right side, shows the feed lane and flushed alley that lead to the wastewater ponds on the right side of the photo. The feed lane runs east-west; Highway 41 is behind the trees on the left side of the photo and runs north (left)-south(right).

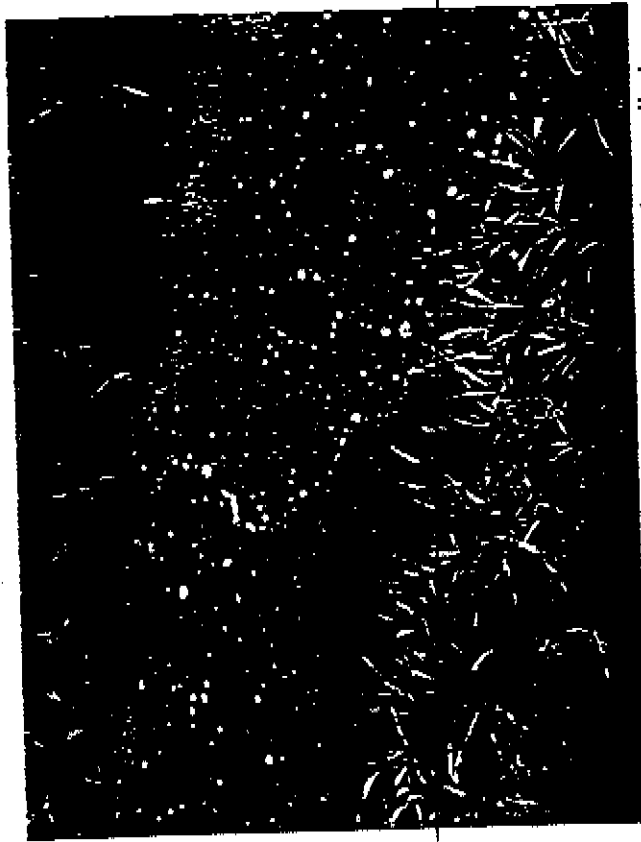


Photograph No. 2 Galhandro Dairy (2/24/00). This composite photo is a continuation of the panoramic view shown in Photograph No. 1. The view is looking south on the left side of the photo and toward the northwest on the right side. Wastewater is flushed to the ponds on the right side of the photo through a mechanical separator, and then piped to the upper wastewater pond on the 2-inch pipe shown in the center of the photo. The land on the upper right side of the photo appears to be under separate ownership because the wastewater had been discharged there. The Galhandro is located there on the upper left corner of the photo.

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Photograph No. 3. Galhardo Dairy (2/24/00). This composite photograph, facing east on the left side and south on the right side, shows the approximately 40-acre disposal field on the south side of the dairy. The field has a perimeter ditch, adjacent to the dirt road shown here. There is also a canal that is piped under a portion of the lot (beneath disced area on the left side of the photo), and flows in a channel that is visible on the right side of the photo.



Photograph No. 4. Galhardo Dairy (2/24/00). This is a close-up photograph of the perimeter ditch around the disposal field. The water had a specific conductance of 6,800 umhos/cm (Class 5 > 3,000 umhos/cm, unsuitable for irrigation, D. W. James et al, *Modern Irrigated Soils*, John Wiley and Sons, NY, 1982).

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Photograph No. 5. Gaihandro Dairy (2/24/00). The discharge line from the wastewater pond to the disposal field crosses the canal.



Photograph No. 6. Gaihandro Dairy (2/24/00). Close up of discharge line crossing the canal. Note that the line is ...



Photograph No. 7. Galhandro Dairy (2/24/00). This photograph shows ponded water near the southwest corner of the corrals. A letter in the file from Mr. John Galhandro indicates that drainage in this area is pumped into the wastewater ponds. In addition to the pond in the foreground, there is a wastewater pond to the right of the ponded area.

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# Kings County Planning Agency

## PLANNING - BUILDING INSPECTION

Bill Zumwalt, Director

MAILING ADDRESS: KINGS COUNTY GOVERNMENT CENTER, HANFORD, CA 93230  
OFFICES AT: 1400 W. LACEY BLVD., ENGINEERING BUILDING # 6, HANFORD  
(559) 582-3211, EXT. 2670, FAX: (559) 584-8989

Manuel A. Galhandro  
Manuel Galhandro Dairy  
9240 - 19½ Avenue  
Lemoore, CA 93245

April 10, 2000

### Notice of Violation and Order to Comply

Manuel Galhandro Dairy, 9240 - 19½ Avenue, Lemoore, CA 93245

Since March 23, 1998, you have been operating your dairy at 9240 - 19½ Avenue, Lemoore in violation of your existing County permit #AA2039 and other applicable laws as to herd size, required wastewater disposal area, waste handling and facility expansion. In that time, you have received repeated violation notices from this and other agencies. In spite of those notifications, you have continued to operate in a state of violation, failed to cooperate with efforts to update your permit to reflect your actual dairy facilities and herd size, failed to provide current, irrevocable wastewater agreements and continued to make additional non-permitted physical expansions. The time has long since come to correct these violations.

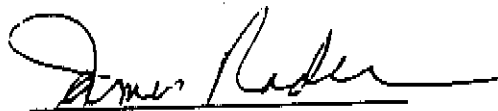
*You are hereby ordered to immediately bring your dairy facility into full compliance with AA2039. This compliance must take the form of a reduction in herd size to the permit limit of 160 lactating cows plus associated support stock.*

By May 1, 2000, you must submit to this agency a plan and schedule to bring your herd to permitted size by no later than November 1, 2000, which is the start of the rain season. It is suggested that as a first step, you immediately stop replacing milk cows as they dry out, to allow for an orderly herd reduction. Your plan must give estimates of how many cows can be removed from production and from the facility each 30 days until the permitted herd size is reached. In addition to the required plan and actions, you must submit to this agency copies of any technical reports prepared in response to the Notice of Violation issued by the Regional Water Quality Control Board on March 27, 2000.

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Failure to comply with this Notice or to bring your dairy into compliance with AA2039 will result in this matter being brought before the Planning Commission for enforcement action. This could include a variety of measures up to and including complete revocation of your permit to operate a dairy at this location.

WILLIAM R. ZUMWALT  
Director



James Rader  
Code Compliance Specialist  
(559) 582-3211 ext. 2679

cc: Planning Department - J. Beard  
Kings County District Attorney's Office - P. Hart  
California Regional Water Quality Control Board - L. Wass  
CCDA Environmental Circuit Prosecutor - S. Geis  
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## ESTIMATED TIMELINE FOR CONDITIONAL USE PERMIT NO. 98-14 (GALHANDRO)

11/3/00	Revised application submitted for CUP 98-14
11/6/00	Technical report submitted for revision to CUP 98-14
11/7/00 to 11/17/00	Staff review of revised application and technical report for CUP 98-14
11/20/00 to 12/4/00	Mail Project Review - Consultation Notice for CUP 98-14 requesting comments for project environmental review and development standards; two week comment period; comment deadline is December 4, 2000
12/4/00	Notice of Completion for Dairy Element & Program EIR (PEIR) sent to State Clearinghouse
12/5/00 to 1/19/01	ERC meeting and begin 45 day review period for Dairy Element & PEIR
12/5/00 to 2/2/01	Preparation of environmental assessment (Initial Study) for CUP 98-14
1/19/01	ERC meeting and end 45 day review period for Dairy Element & PEIR
1/22/01 to 2/23/01	Prepare Final EIR for Dairy Element and Staff Report for Planning Commission
2/2/01 to 3/5/01	Initial Study for CUP 98-14 released for public comment; includes a 30 day review period at State Clearinghouse
3/5/01	Public Hearing for Dairy Element & PEIR at Planning Commission
3/6/01	Public Comment period closes for CUP 98-14; determine EIR or Mitigated Negative Declaration

**BLUE:** CUP 98-14 tentative timeline  
**RED:** Dairy Element and PEIR tentative timeline

Post-it® Fax Note	7671	Date	12-4	# of pages	
To	Drent Newell	From	Bill Zunker		
Co./Dept.	CRPE	Co.	King Co. Planning		
Phone #		Phone #			
Fax #	661-720-9485	Fax #	509-584-8989		