



California Regional Water Quality Control Board San Diego Region



Linda S. Adams
Secretary for
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Arnold Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

November 21, 2008

Matt Witman,
Witman Ranch Inc.
P.O. Box 1959
Escondido, CA 92033

Certified Mail No.
7008 1140 0004 9971 8634

In reply refer to:
CIWQS:729088:chenning

Dear Mr. Witman:

SUBJECT: NOTICE OF VIOLATION NO. R9-2008-0157 FOR SPANGLER PEAK RANCH

Enclosed is Notice of Violation No. R9-2008-0157 concerning discharges of recycled water from the San Vicente Wastewater Treatment Plant to Spangler Peak Ranch and subsequently into the surface waters of the San Vicente Hydrologic Area (HA 907.20).

I urge you to take steps to correct the noted violations and ensure that violations do not occur in the future. Pursuant to the California Water Code, the violations are subject to additional enforcement action(s) by the California Regional Water Quality Control Board, San Diego Region (Regional Board) including issuance of a cease and desist order, imposition of administrative civil liability, referral to the district attorney for criminal prosecution, or referral to the attorney general. Administrative civil liability amounts that may be imposed by the Regional Board may range up to \$5,000 per day, and \$10 per gallon for each gallon of waste discharged.

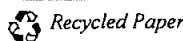
The heading portion of this letter includes a Regional Board code number noted after "In reply refer to." In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions or need further clarification, please contact Ms. Cathryn Henning via phone at (858) 636-3161 or via e-mail at chenning@waterboards.ca.gov.

Sincerely,

Julie Chan
Supervising Engineering Geologist
Groundwater Basins Branch

California Environmental Protection Agency



Mr. Matt Witman
NOV No. R9-2008-0157
Ramona, California

- 2 -

November 21, 2008

jc:cl:clh

Enclosure: Notice of Violation No. R9-2008-0157

CIWQS Entries:

Regulatory Measure: 355043

Place: 729088

Party: 490956

cc: **[via email]**

Ralph McIntosh, General Manager, Ramona Municipal Water District

Robert G. Atkins, Agricultural Commissioner, County of San Diego Dept. of Agriculture,
Weights and Measures

State Water Resources Control Board, Office of Enforcement

David Boyers

Richard McHenry

Jim Barrett, Water Department Director, City of San Diego

Paul Richter, California Department of Public Health

Ken Weinberg, Director of Water Resources, San Diego County Water Authority

Ken Greenberg, U.S. Environmental Protection Agency

California Environmental Protection Agency



California Regional Water Quality Control Board

San Diego Region



Linda S. Adams
Secretary for
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Arnold Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

November 21, 2008

IN THE MATTER OF

Spangler Peak Ranch
East end of Creelman Rd
Ramona, CA

**NOTICE OF VIOLATION
NO. R9-2008-0157**

**In reply refer to:
CGW:729088:chenning**

Site: Spangler Peak Ranch, East end of Creelman Road, Ramona, CA

YOU ARE HEREBY NOTIFIED THAT:

Witman Ranch Inc. (Discharger) is in violation of the Water Quality Control Plan for the San Diego Basin (hereinafter Basin Plan). Such violations subject the Discharger to enforcement action by the Regional Board, including administrative enforcement orders to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in the amounts of \$5,000 per day per violation;¹ referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

SUMMARY OF VIOLATIONS:

Runoff or the discharge or treated domestic wastewater to surface waters is a violation of and is prohibited by the Basin Plan as follows:

1. Basin Plan Waste Discharge Prohibition 1. The discharge of recycled water from the San Vicente Water Reclamation Plant off-site from Spangler Peak Ranch with concentrations of total dissolved solids (TDS) that exceed Basin Plan water quality objectives contributes to the degradation and pollution of ground and surface water quality and is a violation of Prohibition 1 of the Basin Plan.
2. Basin Plan Waste Discharge Prohibition 4. The discharge of recycled water to San Vicente Creek (a tributary to San Vicente Reservoir) or tributaries via surface or ground water flow paths from the application of recycled water at Spangler Peak Ranch constitutes a violation of Prohibition 4 of the Basin Plan.
3. Basin Plan Waste Discharge Prohibition 5. The discharge of recycled water with concentrations of TDS that exceed Basin Plan water quality objectives to San

¹ Under authority of California Water Code section 13350

Vicente Creek or tributaries via surface or ground water flow paths from the application of reclaimed water at Spangler Peak Ranch constitutes a violation of Prohibition 5 of the Basin Plan.

4. Basin Plan Waste Discharge Prohibition 6. The use of recycled water at Spangler Peak Ranch has resulted in sustained ponding and surfacing on lands beyond the disposal area in violation of Prohibition 6 of the Basin Plan.

Questions pertaining to the issuance of this Notice of Violation are to be directed to Ms. Cathryn Henning via phone at (858) 636-3161 or via e-mail at chenning@waterboards.ca.gov. Written correspondence pertaining to this Notice of Violation are to be directed to the following address:

Julie Chan
Supervising Engineering Geologist
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, California 92123-4340



Julie Chan, P.G.
Supervising Engineering Geologist

11/21/08
Date

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MATT WITMAN
PO BOX 1959
ESCONDIDO, CA 92033

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7008 1140 0004 9971 8634

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE



7008 1140 0004 9971 8634

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 42	Postmark Here
Certified Fee	2.05	
Return Receipt Fee (Endorsement Required)	2.15	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.22	

Sent to
 MATT WITMAN
 Street, Apt. No.
 or PO Box No. PO BOX 1959
 City, State, ZIP+4
 ESCONDIDO CA 92033

See Reverse for Instructions