

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**TENTATIVE ORDER NO. R9-2024-0055**

**AN ORDER RESCINDING ORDER NO. 2001-159,  
WASTE DISCHARGE REQUIREMENTS FOR  
PHILLIPS B. & CAROL J. BAILY,  
BAILY VINEYARD & WINERY  
RIVERSIDE COUNTY**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), finds that:

1. Order No. 2001-159, *Waste Discharge Requirements for Phillips B. & Carol J. Baily, Baily Vineyard & Winery Riverside County* (Order No. 2001-159), established requirements for the discharge of winery process wastewater to an onsite percolation pond. The Baily Vineyard and Winery processing facility is located at 36150 Pauba Road, Temecula in the County of Riverside. The San Diego Water Board adopted Order No. 2001-159 on July 18, 2001.
2. Order No. 2001-159 must be replaced to ensure that the discharge is regulated consistent with current state policy and requirements. Discharges from wineries such as these have certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, and flow ranges, and they require the same or similar treatment standards. The State Water Resources Control Board issued Order WQ 2021-0002-DWQ, *General Waste Discharge Requirements for Winery Process Water* (Winery Order), to regulate these types of discharges consistently throughout the state. Enrollment of the Baily Vineyard and Winery in the Winery Order will provide a level of water quality protection equal to that provided in Order No. 2001-159.
3. The discharge from the Baily Vineyard and Winery is between 10,000 and 30,000 gallons per year and is eligible for enrollment in the Winery Order as a tier one winery based on information submitted in a notice of intent dated January 22, 2024, and an inspection by San Diego Water Board staff on May 31, 2022. As such, the discharge from the Baily Vineyard and Winery is more appropriately regulated under the Winery Order than individual waste discharge requirements.
4. Adoption of Order No. R9-2024-0055 is not subject to the California Environmental Quality Act (CEQA, Public Resources Code, section 21000 et seq.). Pursuant to California Code of Regulations, title 14, sections 15060(c)(2) and 15061(b)(3), the action to rescind Order No. 2001-159 will not have potentially significant adverse effects on the environment because the discharges that were regulated by Order No. 2001-159 are now regulated under the Winery Order. In addition, adoption of Order No. R9-2024-0055 is exempt from CEQA pursuant to categorical exemptions listed

in title 14, section 15301 (ongoing or existing projects).

The Winery Order regulates discharges from new and existing wineries and pursuant to the California Environmental Quality Act (CEQA) the State Water Board considered the environmental impacts associated with the adoption of the Winery Order by preparing a mitigated negative declaration (State Clearing House No. #2020070485) for the Winery Order on July 3, 2020, and submitting to the State Clearing House on July 24, 2020 as lead agency under CEQA in accordance with California Code of Regulations, title 14 section 15072. The Winery Order will provide a level of water quality protection equal to that provided in Order No. 2001-159.

5. The San Diego Water Board heard and considered all comments pertaining to the adoption of Order No. R9-2024-0055 in a public meeting.

**IT IS HEREBY ORDERED** that Order No. 2001-159 is rescinded.

*I, David W. Gibson, 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, San Diego Region, on [TENTATIVE].*

**TENTATIVE**

David W. Gibson, Executive Officer