
State Water Resources Control Board

June 12, 2025

Deanna M. Carvalho Rocha
M & M Carvalho Trust Ranch
23570 West Geer Avenue
Hilmar, CA 95324

Victor Fanelli
M & M Carvalho Trust Ranch
7689 Washington Road
Hilmar, CA 95324

**SUBJECT: INVITATION TO SETTLEMENT DISCUSSIONS REGARDING
FORTHCOMING CLEANUP AND ABATEMENT ORDER**

Dear Ms. Rocha:

My name is Carson Capps and I am an attorney with the State Water Resources Control Board Office of Enforcement. I represent the Central Valley Regional Water Quality Control Board ("Regional Board") in their ongoing efforts to bring your facility, the M & M Carvalho Trust Ranch, into compliance with the Bovine General Order (Order R5-2017-0058). I am writing today to inform you of an impending Cleanup and Abatement Order ("CAO") that the Regional Board staff intends to issue in response to violations of the Bovine General Order and other threats to human health and the environment. We would like to provide you with an opportunity to provide your input on the attached draft CAO ahead of its issuance.

If you would like to provide a written response or set up a meeting to discuss the requirements of this CAO, please contact Daniel Gamon at the Regional Board via email at Dan.Gamon@waterboards.ca.gov or via phone at (916) 464-4724, or myself by 5 p.m. on June 26, 2025. Failure to respond to this offer will be considered a rejection and the Regional Board will proceed with the issuance of the CAO.

Following a complaint informing the Regional Board that human waste was being pumped into an onsite irrigation pipeline, Regional Board staff conducted multiple inspections of the Facility which culminated in a Notice of Violation issued on February 10, 2023. On March 29, 2024, the Regional Board received a Form for Transfer of

Owner/Operator Coverage signed by Victor Fanelli. The Regional Board responded on September 26, 2024, informing Victor Fanelli that the Facility's coverage under the Bovine General Order could not be terminated without Deanna M. Carvalho Rocha's signature on the Form and a demonstration that the Facility has been closed in accordance with Bovine General Order requirements. To date, the Regional Board has not received the requested items.

The attached Cleanup and Abatement Order will require the following items be performed:

1. **Immediately stop** the disposal of human waste in the wastewater pond, standpipe, and field valve on-site of the Bovine Facility and comply with Bovine General Order Pond Section 5.c, Prohibition A. 4, Prohibition A. 5, Provisions H. 7, Provisions H. 8, Provisions H. 11, and Provisions H. 16.
2. **30 days after the adoption of this Order**, submit a Pond Cleanout Plan, describing the cleanout procedure of the wastewater pond in accordance with the Bovine General Order Requirements. The wastewater pond should be scraped to clean soil 30 days after the owner/operator receives approval for the Pond Cleanout Plan. Manifests must be submitted that track the exact volumes and final destination of removed waste.
3. **30 days after the adoption of this Order**, submit a signed affidavit that disposal of human waste to the wastewater pond ceased and neither the pond nor piping system be used for the storage or discharge of human waste in the future.
4. **30 days after the adoption of this Order**, submit a Closure Plan to terminate your coverage under the Bovine General Order that ensures protection of surface water and groundwater.
5. **No more than 30 days after completion of site closure**, submit a Post-Closure Plan which documents that all closure activities were completed as proposed and approved in the Closure Plan. The Post-Closure Plan shall include sample results confirming that no residual human waste is present in the standpipe and field valve.

A more detailed description of the procedural history and regulatory context can be found in the attached draft CAO. As discussed in the CAO, failure to comply with the Order will result in further formal enforcement, including the assessment of Administrative Civil Liability of up to \$5,000 per day of violation, pursuant to the California Water Code sections 13350 and/or 13268.

Deanna M. Carvalho Rocha
Victor Fanelli
M & M Carvalho Trust Ranch

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Sincerely,

A handwritten signature in black ink, appearing to read 'Carson Capps', is shown within a light gray rectangular box.

Carson Capps
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State Water Resources Control Board
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