Central Valley Regional Water Quality Control Board
16 February 2024 Board Meeting

Response to Written Comments on
Tentative Waste Discharge Requirements for
Bronco Wine Company
Bronco Winery
Stanislaus County

At a public hearing scheduled for 16 February 2024, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of Tentative Waste Discharge Requirements (WDRs) for the Bronco Wine Company for the Bronco Winery located in Ceres, California. This document contains responses to written comments received from interested persons and parties in response to the Tentative Order. Written comments from interested parties were required to be received by the Central Valley Water Board by 4 December 2023 in order to receive full consideration. Comments were received prior to the deadline from:

1. Jo Anne Kipps

Written comments from the above interested party are summarized below, followed by the response of Central Valley Water Board staff.

JO ANNE KIPPS COMMENTS

COMMENT 1 – Clarification and justification are needed to explain the flow limit proposed in the tentative WDRs.

RESPONSE: There was an error in Flow Limits Table 12. The limit was presented as Maximum Daily Flow of 0.65 million gallons per day (MGD); however, it should have been Monthly Average Daily Flow of 0.65 MGD. The table has been corrected.

The annual maximum flow limit of 175 million gallons (MG)/year is based on the Discharger's revised water balance that was submitted in December 2023 and stamped by a Professional Engineer. The revised water balance shows the infiltration basins and LAAs can manage the 175 MG/year volume, while still requiring additional irrigation water to maintain crop health. The annual flow limit is a new requirement as the existing WDRs only included a monthly average limit.

The proposed monthly average daily flow is the same as the existing WDRs, as the Discharger did not request a flow increase and does not have plans to expand the Facility at this time. The new annual flow limits caps the total volume that can be discharged annually.

COMMENT 2 – Additional analytical data collected from the Facility should be included in the data summary tables. Recommends revising Finding 14 to include additional data points and disclose the elevated iron concentrations.

RESPONSE: Including all data points in the WDRs is unnecessary. The WDRs focus on and present the major constituents of concern associated with each waste stream discharged to the treatment system. Although the data that are not presented could be useful for indicating potential violations of the WDRs or treatment issues or providing information on how the system could be modified if violations occur. However, this information is not directly necessary to support issuance of these WDRs and is therefore not included in the summary tables. Full data sets are available as part of the public record.

A statement was added to Finding 10, as follows, "…concentrations of EC, sodium, chloride, and manganese exceed Water Quality Objectives (WQOs). The variations between the water quality of the source wells can influence the quality of the wastewater."

COMMENT 3 – Please explain why the Discharger uses supplemental water to irrigate LAA crops on days when it has available wastewater that it instead dischargers to the IBs. In addition, include a new LAA discharge specification requiring hydraulic loading of wastewater and supplemental water to not exceed reasonable agronomic rates and minimize percolation.

RESPONSE: The Central Valley Water Board cannot dictate the means of compliance with its orders. Provided the Discharger complies with the requirements specified in the WDRs (e.g., biochemical oxygen demand [BOD] loading and land application at agronomic rates), the Discharger can choose how to irrigate the land application areas (LAAs) (i.e., either with supplemental irrigation water or wastewater). The land disposal program does not regulate how Dischargers use supplemental irrigation water from other sources that are available to them.

To address concerns regarding hydraulic overloading of the LAAs, the WDRs include Land Application Area Specification H.8, which states "Discharge to the LAAs or on-site landscaped areas shall not be initiated when the ground is saturated." The WDRs also state that the "even application of wastewater to the LAAs to prevent ponding water" is a best management practice (BMP) implemented by the Discharger and is considered a Best Practicable Treatment and Control (BPTC). These specifications are sufficient to prevent overloading of the LAAs. No changes were made.

COMMENT 4 – Revise Table 3 to include average and maximum values of discharge Total Suspended Solids (TSS) for the years 2019 to 2022.

RESPONSE: TSS was not included in the data table because this constituent is not typically of concern in winery wastewater. While TSS data is useful for

evaluating domestic wastewater treatment systems and subsurface disposal systems, it is less useful for evaluation winery wastewater quality. Additionally, TSS values for this Facility are low (10 mg/L in 2022), well below the TSS values commonly associated with winery wastewater. Average TSS concentrations for winery wastewater is 580 mg/L, with TSS concentration ranging from 40 to 2,300 mg/L (see the Winery General Order WQ 2021-0002-DWQ). Generally, TSS is not a regulated constituent in winery wastewater unless it is shown that TSS concentrations are a problem for the treatment system and wastewater quality.

No changes to the Tentative Order were made.

COMMENT 5 – An explanation on staff's confidence in the efficacy of soil treatment below the root zone to attenuate applied waste constituents, especially nitrogen, to levels protective of groundwater is needed. Due to the apparent lack of field studies on the effectiveness of soil treatment below the root zone for removing or otherwise attenuating applied BOD, TN, and other COCs (e.g., potassium, sulfate), staff will likely be hard-pressed to provide technical justification that the IB discharge is protective of groundwater and compliant with the Basin Plan.

RESPONSE: As stated in the WDRs, the discharge has impacted groundwater and contributed to salt and nitrate degradation. The objective of these WDRs is to regulate the discharge in accordance with the Basin Plan, including the Salt and Nitrate Control Programs described therein, which permit managed degradation of regional waters by salts and nitrate, respectively. This Order sets a performance based effluent limit for fixed dissolved solids (FDS) to ensure the Discharger maintains a cap on salinity levels in the effluent and is also required to conduct additional site evaluations to determine if the Facility can implement additional measures to reduce organics in wastewater. As detailed in the tentative WDRs, the Discharger is an active member of the Prioritization and Optimization (P&O) Study for the Salt Control Program (Alternative Permitting Approach) and part of the Turlock Management Zone for Nitrate Control Program, the Discharger qualifies for the Basin Plan's Exceptions Policy for Salinity and Nitrate.

No changes to the Order were made.

COMMENT 6 – Revise Table 5 to include each wells' reference elevation, include a tabular summary of groundwater elevations, and clarify when tabulated values for water depth were obtained.

RESPONSE: Well reference elevations and groundwater elevations documented in the September 2023 Monitoring Report were added to Table 5.

COMMENT 7 – Revise Finding 38 to include a disclaimer about the suitability of MW-9 and MW-10 to represent upgradient groundwater uninfluenced by the discharge. Identify MW-8 as a background well that, while apparently cross-gradient of the discharge, is nevertheless reasonably representative of area groundwater uninfluenced by the discharge. Revise Table 7 to present average values for EC, TDS, and Nitrate as N for

MW-8, MW-9, MW-10, and MW-12R based on 2019 to 2022 data. Omit TKN data from table, and instead mention in finding that TKN concentrations in all wells are consistently low (< 2 mg/L).

RESPONSE: As explained in the Tentative WDRs Finding 37, groundwater flow directions are highly variable due to seasonal precipitation, irrigation, and groundwater pumping for agricultural purposes in the area. A figure was added to the Tentative WDRs that shows the variability in groundwater flow directions. The shallow groundwater gradient in this area is flat, meaning the gradient is easily influenced from localized groundwater recharge or pumping. There is sufficient data available for the Facility to support Staff's findings. At this time, Staff has determined that reclassifying the wells is not necessary.

COMMENT 8 – Revise Finding 39 to exclude MW-1R and MW-8 from the wells identified as downgradient and recalculate values in Table 8 accordingly.

RESPONSE: Because of the aforementioned variability in shallow groundwater flow direction both across the Facility and over time, the data are presented appropriately for the groundwater conditions. Please see the response to Comment 7. No changes are proposed to the Tentative Order.

COMMENT 9 – Revise Finding 41 to include a conclusion that the IB discharge is polluting or contributing to pollute groundwater from salinity (TDS and EC) and nitrate and, as such, does not comply with the Basin Plan and the State Antidegradation Policy.

RESPONSE: The following text was added to Finding 41: Concentrations of constituents associated with the discharge are higher beneath the infiltration basins when compared to upgradient and downgradient groundwater quality, "indicating the infiltration basins are contributing to on-site groundwater impacts." Further, surrounding on-site groundwater monitoring data indicates that the impact from the infiltration basins is localized as compared to similar impacts from other nearby off-site agricultural operations (i.e, long term agricultural use of the area, nearby confined animal facilities).

Impacts to groundwater from salts and nitrate will be addressed by the Basin Plan's Salt and Nitrate Control Programs, compliance with which constitutes BPTC for salinity and nitrate, respectively, for purposes of the Antidegradation Policy. See the response to Comment 5.

COMMENT 10 – Include BOD and iron in the list of identified constituents/parameters.

RESPONSE: BOD is not included in Table 11 because there is no basin plan limit. However, BOD issues that have the potential to degrade groundwater, such as the dissolution of metals, associated with potential groundwater degradation, are discussed in the Compliance with the Antidegradation Policy section in Findings 64.

The existing MRP did not require groundwater samples to be analyzed for metals. Metals analysis for groundwater is required in the Tentative MRP. Because high BOD concentrations in effluent have the potential to increase iron concentration in groundwater, the Discharger is required to conduct a *Wastewater Organics Reduction Evaluation* (Provision J.1.a).

COMMENT 11: Please revise Finding 63 to disclose the possible influence of the discharge on groundwater passing through MW-9 and MW-10, and remove MW-1R and MW-8 from the set of downgradient quality data summarized in Table 11.

RESPONSE: Finding 66 includes a discussion of the possible impacts to groundwater from sources outside the Discharger's control. In addition, the Finding states, "Because groundwater flow directions can vary widely and numerous sources of salt and nitrate are present in the area, it is difficult to determine the magnitude of impact the discharge has had on groundwater quality, although it is clear the discharge has contributed to groundwater degradation."

Due to fluctuating groundwater flow directions, it is not necessary, at this time, to strictly classify individual wells as up-, down-, or cross-gradient. See the response to Comment 7.

COMMENT 12 - Revise Finding 63.a to include MW-12R EC data, along with a disclaimer that groundwater passing through MW-9 and MW-10 may be influenced by the discharge and therefore their use as upgradient wells for compliance purposes is preliminary and subject to revision. Reconsider the finding's characterization of upgradient groundwater quality as "poor with regards to salinity."

RESPONSE: The discussion in Finding 63.a focuses on the infiltration basins, which have the highest potential to impact groundwater. As discussed, a groundwater mound has been identified below the basins (as expected) and groundwater quality in the surrounding area is not identified as high-quality water for salt and nitrate. The phrase referenced above has been changed to "not identified as high-quality water".

COMMENT 13 - Since soil treatment can produce TDS impacts in groundwater independent of those potentially resulting from discharge FDS, the first paragraph should end with a sentence disclosing this fact.

RESPONSE: Regardless of the source of the TDS (i.e., chemical usage, high TDS in source water, high FDS from processing), an increase in FDS/TDS concentrations in effluent or groundwater would indicate an issue at the Facility or in the surrounding area. If FDS/TDS in effluent or groundwater show increasing concentrations, the Discharger is responsible for identifying the source, addressing the issue if they are responsible, and notifying the Central Valley Water Board (see requirements in Tentative WDRs Provision 6 and Tentative MRP requirement Additional Reporting, item 1.)

Staff acknowledge the potential for chemical reactions to occur as a result of high organics discharged to land. If these reactions are significant enough to impact groundwater quality, increases in concentrations trends in EC and TDS would be observed and additional steps to reduce organics will be evaluated at that time. In addition, the tentative WDRs require the Discharger to evaluate ways to reduce organics in wastewater to help reduce the potential for these reactions to occur.

COMMENT 14: Even a discharge FDS of 800 mg/L cannot account for the obvious TDS impacts to groundwater within the IB discharge mound or downgradient of RR-1. It is likely that the TDS created by BOD soil treatment contributes significantly to the TDS impacts. Because BOD can be removed prior to discharge, Antidegradation Analysis for TDS must address TDS impacts resulting from BOD soil treatment.

RESPONSE: The WDRs require the Discharger to conduct a *Wastewater Organics Reduction Evaluation* that could result in groundwater salinity improvements, to implement reasonable efforts to maintain current salinity levels in the discharge, while accounting for a reasonable amount of growth, and to comply with the Salt Control Program. Participation in the Salt Control Program P&O Study constitutes BPTC for the purposes of the Antidegradation Policy and grants the Discharger an exception to the salinity water quality objectives. See the responses to Comments 9 and 13.

COMMENT 15: Revise this finding to explain that the increased TDS in groundwater underlying the IBs and downgradient of RR-1 may be partly attributable to the release of bicarbonate alkalinity, calcium, and magnesium to groundwater as a result of BOD soil treatment. Include MW-5 and MW-7 in the analysis and, by doing so, offer a conclusion that the IB discharge, and possibly LAA discharge, appears to be causing groundwater to contain TDS in concentrations that impair its beneficial uses.

RESPONSE: As described in the WDRs, impacts to groundwater have occurred as a result of discharges to land. A groundwater mound has been observed beneath the basins, which is expected when using ponds or basins for disposal. Groundwater monitoring adjacent to the basins shows higher constituent concentrations than the on-site surrounding areas away from the basin, indicating that soil treatment and dispersion in groundwater are able to manage the salts in the discharge. Concentration trends in effluent and groundwater for FDS and TDS generally show no statistically significant trend or decreasing trends, but the degradation has been limited to the extent practical. In addition, salt issues will be addressed by continued compliance with the Salt Control Program.

COMMENT 16: Finding 67 is not supported by information presented elsewhere in the Tentative Order. The Tentative Order's FDS limit of 1,000 mg/L is higher than current discharge FDS, indicating it authorizes even more salt degradation than the current discharge. Sufficient evidence is included in the Tentative Order and Discharger SMRs to allow the Board to reasonably conclude that the IB discharge is causing groundwater pollution from salinity (TDS and EC) and nitrate and, as such, does not comply with the Basin Plan and the Antidegradation Policy.

RESPONSE: In accordance with the Salt Control Program, the proposed WDRs contain requirements intended to maintain existing saline discharge levels to the extent reasonable and practicable. To this end, the WDRs set a performance-based limit for salinity based on the capabilities of the existing wastewater treatment system and allowing for a reasonable increment of future growth. The limit set in the permit is based on a review of existing discharge and source water data because the existing WDRs do not include an effluent limit for salinity. FDS flow-weighted annual averages for monitoring years 2021 and 2022 were calculated and are presented in Table 11. The flow-weighted annual limit was based on the calculations while also allowing the Discharger flexibility in the use of their three source wells. The Discharger generally uses one source well at a time, depending on the water quality of the well. For example, as shown on Table 1, concentrations of TDS in Well 1 in 2018 was 980 mg/L. Setting an effluent limit at a concentration less than the source well would result in requiring the Discharger to take immediate and unnecessary actions because the quality of the water in the source wells are out of the Discharger's control.

In accordance with the Nitrate Control Program, the proposed WDRs require active participation in the applicable Management Zone or, alternatively, implementation of Individual Permitting Approach requirements. Maintaining compliance with the requirements of the Nitrate Control Program supports an exception from the WQO for nitrate and constitutes BPTC for nitrate for purposes of the Antidegradation Policy.

COMMENT 17: Revise the Tentative Order to (1) require the IB discharge to comply with Mass Loading Limitation E.1 and all LAA Specifications by three years following order adoption, and (2) include a provision requiring the Discharger to submit by six months a technical report proposing discharge modifications, and an implementation schedule not to exceed two years, to achieve compliance with the newly-imposed requirements for the IB discharge.

RESPONSE: The infiltration basins are regulated as ponds and basins, not as land application areas. Loading limits are not applicable for ponds or basins. However, BOD in the infiltration basins is regulated by dissolved oxygen concentrations and salts are regulated with a flow weighted annual average performance-based concentration per the Salt Control Program.

COMMENT 18: The identified measures may reduce the discharge's impact, but will not minimize it. For this to occur, the Discharger would have to implement additional BPTC measures (e.g., cessation of the IB discharge as currently conducted, pretreatment for TSS and BOD removal).

RESPONSE: The BPTCs and limitations included in the Tentative Order are appropriate for this Facility, including requiring the Discharger to evaluate the organics in wastewater and find ways to reduce organics in the discharge.

COMMENT 19: Please explain how Finding 70 can claim that the degradation is limited in the absence of monitoring data from off-site downgradient groundwater monitoring wells. Also, explain how this finding can claim the degradation reflects the Discharger's best efforts when it discharges 30% of the Facility's wastewater to the IBs for disposal by percolation and evaporation. Despite its clear deficiencies, explain how Finding 71 can claim the IB discharge is consistent with Resolution 68-16.

RESPONSE: Due to the complexity and long-term nature of agricultural land use activities surrounding the Facility, and variable groundwater flow and direction due to pumping, recharge, and other facilities' activities, off-site groundwater monitoring would have limited value for evaluating the groundwater impacts of the Facility's discharge. See prior Responses for discussion of compliance with Antidegradation Policy.

COMMENT 20: Revise Finding 76 to eliminate reference to 27 CCR 20090(a), as this applies to discharges of domestic sewage regulated by WDRs.

RESPONSE: The tentative Order was revised to remove the reference to 27 CCR 20090(a).

COMMENT 21: Because the IB discharge is causing or contributing to pollution from TDS and nitrate, it is not in compliance with the Basin Plan and, as such, does not qualify for an exemption from the Title 27's prescriptive containment standards.

RESPONSE: This is not correct. As stated in the WDRs, the discharge is exempt from Title 27 requirements pursuant to Title 27, section 20090, subdivision (b). The Central Valley Water Board has issued WDRs regulating this discharge to land and which require continued compliance with the applicable Basin Plan, including implementation of the Salt and Nitrate Control Programs, Further, the wastewater does not constitute or need to be managed as hazardous waste. No changes made.

COMMENT 22: The Facility's 3-acre unlined storm water retention basin is located due north of the winery on a parcel that, according to the RWD, is owned by a Bronco affiliate. Please confirm that the Discharger currently owns this parcel. And, please identify the location of the vineyard parcel in which Facility storm water is "spread through irrigation systems." Has the Discharger characterized the storm water?

RESPONSE: The storm water pond is located on property owned by the Discharger, as shown on Attachment B. The Facility boundary was revised to include this area based on discussions with the Discharger. Storm water from the storm water pond is not used to irrigate the LAAs, is not connected to the process water sump, and is not commingled with process wastewater or contact storm water. Therefore, the storm water basin is not regulated under these WDRs and storm water characterization is not required. Because the Discharger has changed crop types on areas not receiving wastewater and these areas are not regulated under these WDRs, the crop locations are not shown on Attachment B. No changes were made to the tentative Order.

COMMENT 23: The Current Order indicates supplemental irrigation water is applied separately to the LAAs. Has this changed? Does the Discharger have the capability to add supplemental irrigation water to the Facility's sump? If so, how often is this done. Please clarify.

RESPONSE: The Discharger does not currently have the capability to add supplemental irrigation water to the Facility sump. Supplemental irrigation water is applied directly to the LAAs from the TID canal and does not enter the wastewater treatment system. TID water is used as needed to meet crop demand as the water balance indicates the volume of wastewater generated by the Discharger is insufficient to maintain crop health. The flow limit in the tentative WDRs regulates the effluent from the treatment system, not the TID water. Should the Discharger choose to add TID water to the processing sump instead of straight to the LAAs, the flow limit would remain the same.

COMMENT 24: Please revise the Tentative Order to prescribe a monthly average daily discharge flow limitation of 0.5 mgd, determined as a 12-month running average, and a total annual discharge flow limitation of 150 MG. These limitations reflect the discharge characterized in the Discharger's RWD and SMRs. Alternatively, please revise the Tentative Order to address the deficiencies identified above.

RESPONSE: The Tentative Order has been corrected to a Monthly Average Daily Flow limit instead of a Maximum Daily Flow. The existing WDRs did not include an annual flow limit. Including an annual flow limit caps the total volume of water that can be discharged annually and therefore, is more restrictive than the existing Order. See the response to Comment 1.

COMMENTS 25: For Groundwater Limitations, revise the preface to read: Discharge of waste at or from any portion of the Facility, *infiltration basins*, and LAAs shall not cause or contribute to groundwater…"

RESPONSE: The requested change was made.

COMMENT 26: To ensure total hydraulic loadings to the LAAs (i.e., from wastewater and supplemental irrigation water) do not exceed reasonable agronomic demand, consider including the following language in this specification or in a new, stand-alone specification: *Hydraulic loading of wastewater and irrigation water shall be at reasonable agronomic rates designed to minimize the percolation of wastewater and irrigation water below the root zone (i.e., deep percolation).*

RESPONSE: The limitations in the Tentative Order regulating the application of wastewater are appropriate as written. See response to Comment 3. No changes to the Tentative Order were made.

COMMENT 27: Land Application Area H.8 states: "Discharge to the LAAs or on-site landscaped areas shall not be initiated when the ground is saturated." The Tentative Order does not mention any "on-site landscaped areas." Consider deleting this phrase or explain why it applies to the discharge.

RESPONSE: The phrase “on-site landscaped areas” was deleted from the Tentative Order.

COMMENT 28: Also, consider inserting after “saturated” clarifying language in parentheses. For example, WDR Order R5-2023-0028, G.8 includes the following: (e.g., during or immediately after significant precipitation events). Also, land application specifications in the General Winery Order (Order WQ 2021-0002-DWQ) include the following: Process water and process solids shall not be applied to the LAA within **24 hours** of forecasted precipitation with a greater than 50-percent probability of occurring, during precipitation events, or when the ground is saturated.

RESPONSE: Recent WDRs adopted by the Board have been moving away from prohibiting discharges based on forecasted precipitation. Hydraulic loading is regulated by prohibiting discharges to the LAAs during saturated conditions. This limitation is consistent with similar Facilities and allows more flexibility in operations while prohibiting overloading. No changes were made to the Order.

COMMENT 29: Has staff confirmed the Discharger has the necessary infrastructure and operational flexibility to consistently comply with Land Application Area Specification H.8? Discharger SMRs show wastewater is sometimes discharged to LAAs on days with appreciable precipitation. For example, on two days in December 2021 (13 & 14), when rainfall was over 2.8 inches, 1,379,760 gallons of wastewater was applied to RR-2.

RESPONSE: The Discharger has reviewed the Tentative Order and agrees with the limitation. The revised water balance for a 100-year annual event demonstrates they have sufficient capacity to manage a 100-year rain event. Upon adoption of the WDRs, the Discharger will be obligated to comply with discharge limitations of the WDRs; therefore, no changes to the Order were made.

COMMENT 30: Include Bronco Winery in the MRP header.

RESPONSE: The error has been corrected.

COMMENT 31: Revise the MRP to include a table listing monitoring location designations.

RESPONSE: Staff acknowledges that monitoring location table is generally included in the MRP; however, as described in Finding 16 and shown on Attachment C, there is only one sample location for the effluent, which does not necessitate a table. The groundwater monitoring wells required to be sampled are already identified in the MRP.

COMMENT 32: Several changes to the MRP were requested, including requiring additional monitoring, increased monitoring frequencies, and adding several analytes to the list of constituents to be analyzed.

RESPONSE: The sampling and reporting requirements in the MRP are based on site-specific conditions, including the length of time that monitoring has already been conducted, historical sampling frequencies, data, and status of compliance issues. The sampling proposed in the Tentative MRP is appropriate for this Facility. No changes were made.

COMMENT 33: Revise the MRP to include a definition of Standard Minerals that includes the constituents listed above and total phosphorus.

RESPONSE: The definition of Standard Minerals was added to the MRP.

COMMENT 34: The wastewater effluent monitoring table in the MRP specifies sample type as "Composite" but does not specify sample time span. Because the Facility operates 24 hours per day (Finding 9), the table should specify 24-hour composite samples.

RESPONSE: Agreed. A note was added to the MRP defining the composite sample as a 24-hour composite sample.

COMMENT 35: There is no requirement for pH monitoring. Due to the discharge's fluctuating pH, the MRP should require weekly discharge pH monitoring by grab samples.

RESPONSE: Agreed. pH monitoring was added to the Wastewater Effluent Monitoring requirements.

COMMENT 36: Revise the MRP to require Routine Monitoring be performed also of the IB discharge.

RESPONSE: Routine Monitoring applies to LAAs only. The infiltration basins are ponds, and are therefore regulated as such.

COMMENT 37: Include as a WDR order attachment the "Requirements for Monitoring Well Installation Work Plans and Installation Reports". Revise the Groundwater Monitoring section to reference this attachment.

RESPONSE: The Discharger is not required to install any additional monitoring wells at this time, which is why the attachment is not included in the Tentative Order. If at a later time additional monitoring wells are necessary, the noted requirements will be given to the Discharger. No changes were made to the Order.

COMMENT 38: Revise the Groundwater Monitoring section to require new groundwater monitoring wells be sampled on a quarterly basis.

RESPONSE: The Tentative MRP was revised to require quarterly monitoring for new groundwater monitoring wells.

COMMENT 39: Revise the MRP to include soil monitoring comparable to that required by MRP R5-2015-0040 for E&J Gallo Winery, Fresno Winery.

RESPONSE: Due to the inherent limitations of collecting soil data that is comparably consistent and that the discharge is regulated by effluent and groundwater limitations, soil sampling is not necessary for this Facility. Requirements in the MRP are based on site-specific information and applicable Water Quality Goals outlined in the Basin Plan. In addition, the referenced MRP is almost 10 years old and standard MRP requirements and site evaluations have changed over time.

COMMENT 40: The MRP does not require a summary of the LAA discharge operation comparable to other MRPs for LAA discharges.

RESPONSE: The MRP for this Facility is appropriate as written. The monitoring and reporting requirements are based on site specific information, recently adopted approaches to drafting MRPs, and MRPs for similar Facilities in the area. No changes were made to the Order.

COMMENT 41: Revise the Tentative Order to identify attachments and tables in the Table of Contents.

RESPONSE: The table of contents will be updated and formatted once the WDRs are considered final and ready for Board adoption.