

**Regional Water Quality Control Board
Central Valley Region Board Meeting
21 June 2024**

**Response to Written Comments for the
Barsotti Family LLC, Barsotti Juice Company, and Gael Barsotti
Barsotti Juice Company
El Dorado County
Tentative Waste Discharge Requirements**

At a public hearing scheduled for 21 June 2024, the Regional Water Quality Control Board, Central Valley Region, (Central Valley Water Board) will consider adoption of waste discharge requirements for Barsotti Family LLC, Barsotti Juice Company, and Gael Barsotti (collectively, Discharger), for the Barsotti Juice Company (Facility) in El Dorado County. This document contains responses to written comments received from an interested person regarding the tentative waste discharge requirements (WDRs) circulated on 5 March 2024. Written comments were required by public notice to be received by the Central Valley Water Board by 3 April 2024 to receive full consideration. Comments were received from Jo Anne Kipps, a private citizen, on 3 April 2024.

Written comments are summarized below, followed by responses from Central Valley Water Board staff. In addition, staff have made changes to the tentative WDRs in response to the comments.

COMMENTS

JO ANNE KIPPS – COMMENT #1:

Tentative Order indicates that the parcels comprising the area of the juice plant, proposed wastewater treatment and storage ponds, and existing and proposed land application areas (LAAs) are either owned by Barsotti Family LLC or Barsotti Juice Company and Gael Barsotti. Ms. Kipps requests that the tentative Order be revised to identify the Discharger as Barsotti Family LLC, Barsotti Juice Company, and Gael Barsotti. And identify the Facility as Juicing Plant or otherwise a label that reflects its function.

RESPONSE: Staff has revised the title page and Finding 2 to reflect correct Assessor Parcel Numbers (APNs) and identify Barsotti Family LLC, Barsotti Juice Company, and Gael Barsotti as Dischargers. Table 1 was revised to reflect correct APNs and ownership information. In addition, Finding 1 was revised to identify Barsotti Family LLC, Barsotti Juice Company, and Gael Barsotti as property owners and collectively, Discharger. The use of the word “Facility” is appropriate and is defined in Finding 1 of the WDRs.

JO ANNE KIPPS – COMMENT #2:

Confirm the APNs for the parcels containing the Facility as 085-030-060 and the southern portion of LAA 7 as 085-540-073 and revise the title page and Finding 2

accordingly. Revise the tentative Order to identify which APN parcel is associated with the Facility, its two proposed ponds, and seven LAAs. Identify the structure that is apparently associated with the Northern Canyon Cider Company and disclose the volume and character of waste generated by its operation (both processing and domestic).

RESPONSE: Staff has revised the title page and Finding 2 to reflect correct APNs. Changes were made to Table 1 to identify which APN parcel is associated with the Facility, two proposed ponds, and seven LAAs. Discharges from North Canyon Cider are not associated with the Facility and therefore not regulated by this tentative Order. No changes were made regarding comments associated with North Canyon Cider.

JO ANNE KIPPS – COMMENT #3:

Revise tentative Order to disclose Barsotti Family LLC, Barsotti Juice Company, or both, initiated the discharge and when, and mention notable changes in the quantity and quality of the discharge over time.

RESPONSE: The production of fresh apple juice started at this location for about two weeks a year beginning in the early 1980's. Juice production increased slowly over time and was not regulated under Waste Discharge Requirements (WDRs). Finding 5 was revised to include this information. In May 2021, Barsotti Family LLC submitted a Report of Waste Discharge (RWD) based on discussions with El Dorado County that waste discharges to land required WDRs from the Water Board.

JO ANNE KIPPS – COMMENT #4:

Revise Finding 5 to clarify which parcel comprise the cited 70-acre area or cite the area of the parcel containing the Facility as approximately 23 acres.

RESPONSE: Revised per comment.

JO ANNE KIPPS – COMMENT #5:

Consider revising the tentative Order to explain why it is authorizing a discharge flow that is 60 percent greater than current flows.

RESPONSE: Finding 10 was revised to reflect current flow data which is approximately 10.5 MG and the projected 10-year annual wastewater volume for potential future expansion of 14.6 MG. The increased flow rate of 14.6 MG is based on the water balance prepared by a registered professional and proposed by the Discharger, which is stated in Finding 11. Effectively immediately, the permitted wastewater flow is 10.5 MG. Upon completion of the proposed improvements and submittal of the reports pursuant to Provisions H.1.a. and H.1.b. (i.e., approval by the Central Valley Water Board, through an amendment of the WDRs) will an annual flow of 14.6 MG be permitted.

JO ANNE KIPPS – COMMENT #6:

Finding 12 indicates that LAA 1 is not cropped, LAA 2 contains natural vegetation, and wastewater will be applied to both LAAs through sprinkler irrigation systems. The tentative Order does not disclose the percentage of each sprinkler irrigation system that is actually irrigated by sprinkler system, which is important as it is the wetted area that is used to calculate the waste constituent loadings. If the RWD does not include schematics of the sprinkler system for each LAA, consider revising the tentative Order to require the Discharger to submit up to date as-built plans for the sprinkler systems in each LAA that identifies the areas wetted by each individual sprinkler system, as well as berms and ditches and runoff return features.

RESPONSE: It is the Discharger's responsibility to demonstrate that application methods are reasonable, feasible, and practicable. The tentative Order allows the Discharger the flexibility to manage the LAAs to the extent that they are in compliance with the requirements (i.e. loading limits and Land Application Area Specifications) of the WDRs. The Discharger is required to report the effluent loading rates based on actual acreage applied and identify the specific disposal fields. Therefore, based on this, the tentative Order does not require the submittal of as-built plans for sprinkler systems in each LAA. Attachment B, which is the Site Plan, indicates that the dotted line represents containment berms or a ditch surrounding the LAAs. No changes proposed.

JO ANNE KIPPS – COMMENT #7:

Finding 17 lists the improvements the Discharger proposes to make by December 2024, including installing two double-lined ponds equipped with leak detection systems, adding five separately managed LAAs, and planting grass in LAA 1. It is premature to reward the Discharger with a substantial discharge flow increase prior to its completion of the improvements identified in Finding 17. Consider revising Discharge Limitation C.1 to establish an interim annual discharge flow reflecting current conditions at 9.1 MG and authorize the increased flow limit of 14.6 MG only after Provisions H.1.a. and H.1.b is satisfied.

RESPONSE: Current discharge flows are much higher than previously shown in the tentative Order. Discharge Limitations C.1 was revised to include an interim flow limit of 10.5 MG effective immediately. The interim flow limit was based on current flows provided by the Discharger. Upon completion of the proposed improvements and submittal of the reports pursuant to Provisions H.1.a. and H.1.b. (i.e., approval by the Central Valley Water Board, through an amendment of the WDRs) will an annual flow of 14.6 MG be permitted.

JO ANNE KIPPS – COMMENT #8:

Google Earth shows two surface impoundments located in the northwest corner of APN 085-030-057 just north of LAA 3. Some images show algal masses within the ponds and what appear to be flow paths of discharges to one of the ponds from the western shoulder of Hidden Valley Land immediately west of LAA 4 and possibly from the northeastern corner of LAA 3. Confirm that these ponds are part of the discharge operations and that there is technical evidence to demonstrate that they are adequately

designed, constructed, and maintained to preclude overflow to the adjoining parcel (APN 085-510-012), and to the surface water drainage that transects this parcel. Revise the tentative Order to document findings from this inquiry. Consider including monitoring and reporting requirements for these ponds, at least the larger pond (e.g., twice annual monitoring for total nitrogen, total organic carbon, TDS, and FDS).

RESPONSE: The ponds in question are not part of the discharge operations, do not receive wastewater, and are located outside of the discharge areas. The area in question is a topographic low spot and historically wet. Additionally, there is containment (berm and/ or ditch) surrounding the LAAs. No changes are proposed.

JO ANNE KIPPS – COMMENT #9:

Revise Discharge Specification E.3 to require that the DO content in the upper foot of all ponds be at least 1.0 mg/L at all times. Revise the MRP to require pond DO monitoring be performed in the morning (e.g., from 8:00 am to 10:00 am), as this is when pond DO level may be lowest as a result of algae respiration.

RESPONSE: As a means of monitoring odor, DO is monitored in the pond. There is no documentation of odors at the Facility. Discharge Specification E.3 is consistent with other food processor WDRs and no changes are proposed. The MRP was revised to require DO monitoring to be performed in the morning from 8:00 am to 10:00 am.

JO ANNE KIPPS – COMMENT #10:

Consider revising the MRP to include a table of monitoring locations similar to the MRP issued to the Central Valley Meat Company, Inc et al., Hanford Beef Processing Facility, Kings County MRP.

RESPONSE: Sampling locations are shown on Attachment C. No changes are proposed.

JO ANNE KIPPS – COMMENT #11:

The standard minerals footnote in Effluent Monitoring specifies dissolved iron and dissolved manganese, but not dissolved arsenic. The standard minerals footnote in Water Supply Monitoring specifies iron and manganese, but not their dissolved forms. Revise the standard minerals footnotes in Effluent Monitoring to specify dissolved arsenic and in Water Supply Monitoring to specify dissolved iron and dissolved manganese.

RESPONSE: Revised per comment.

JO ANNE KIPPS – COMMENT #12:

The Pond Monitoring section of the MRP does not require the Discharger to operate and maintain the leachate collection and removal system (LCRS) sumps beneath the proposed treatment pond and storage pond. Revise Pond Monitoring section of the MRP to require the Discharger to operate and maintain the LCRS sumps in accordance

with its Liner Operation and Maintenance Plans submitted pursuant to Provision H.1.b.; and report leachate flow in gallons per minute at least monthly similar to the MRP issued to the Central Valley Meat Company.

RESPONSE: Revised Pond Monitoring section of the MRP to require the Discharger to operate and maintain the LCRS sumps in accordance with its Liner Operation and Maintenance Plan submitted pursuant to Provision H.1.b. and included monthly monitoring of the leachate flow.

JO ANNE KIPPS – COMMENT #13:

Revise the MRP Pond Monitoring to include reporting of solids depth to the nearest 0.1 foot.

RESPONSE: Revised per comment.