



Central Valley Regional Water Quality Control Board

19 February 2025

Fernando Rios,
Regulatory and Compliance Coordinator
Setton Pistachio of Terra Bella, Inc.
9370 Road 234
Terra Bella, CA 93270

CERTIFIED MAIL
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TENTATIVE RESCISSION OF CEASE AND DESIST ORDER R5-2020-0038, SETTON PISTACHIO OF TERRA BELLA, INC., TERRA BELLA PISTACHIO FACILITY, TULARE COUNTY

TO ALL CONCERNED PERSONS AND AGENCIES:

Enclosed is a tentative order rescinding Cease and Desist Order R5-2020-0038 for the Setton Pistachio of Terra Bella Inc. (Setton), Terra Bella Pistachio Facility (Facility) in Tulare County. The Central Valley Regional Water Quality Control Board (Central Valley Water Board) will be considering the adoption of the tentative Rescission Order at its 24/25 April 2025 meeting. Any comments or recommendations you or others may have concerning the tentative Rescission Order must be submitted in writing to this office by **5:00 p.m. on 21 March 2025**. Absent a showing of good cause and lack of prejudice to other parties, the Board chair may exclude comments and evidence received after this deadline.

In order to conserve paper and reduce mailing costs, a paper copy of the tentative Rescission Order has been sent only to the Discharger. Others are advised that the tentative Rescission Order will be available, typically within 24 hours, on the Central Valley Water Board's [Tentative Orders Website](https://www.waterboards.ca.gov/rwqcb5/board_decisions/tentative_orders/) under the heading "Discharger-Specific Items for Future Approval and/or Regional Water Board Meetings" (https://www.waterboards.ca.gov/rwqcb5/board_decisions/tentative_orders/).

The Central Valley Water Board meeting where the above matter will be considered is scheduled for the following time and location.

Date: 24/25 April 2025
Time: To Be Determined
Place: Central Valley Regional Water Quality Control Board Office
1685 E Street
Fresno, CA 93706
(Physical Meeting Location with Remote Meeting Option)

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

This public meeting is currently scheduled to take place in-person and via video and teleconference, but the format may be changed in the future. Any person wishing to obtain information about changes to the date, time, location, or format of the meeting should visit the [Board's website](https://www.waterboards.ca.gov/centralvalley/board_info/meetings) (https://www.waterboards.ca.gov/centralvalley/board_info/meetings).

Persons wishing to make non-evidentiary policy statements at the Board meeting (such statements will generally be limited to three (3) minutes) are **not** required to submit written comments, but the Board appreciates receiving those comments in writing by the due date listed above so that they may be included in the packages that the Board members receive ahead of the meeting.

The Central Valley Water Board is implementing a Paperless Office system. Please email any comments to centralvalleyfresno@Waterboards.ca.gov and send a carbon copy to Mario.Jaramillo@Waterboards.ca.gov. In the subject line of the email, please include **“Setton Pistachio of Terra Bella, Inc., Terra Bella Pistachio Facility Rescission R5-2020-0038 Comments”** and address the email to Mario Jaramillo.

If you have any questions regarding the tentative Rescission Order, or if you do not have Internet access and wish to request paper copies, please contact Mario Jaramillo at (559) 445-5093 or Mario.Jaramillo@Waterboards.ca.gov.

Original signed by Omar Mostafa

Omar Mostafa, P.E.
Senior Water Resource Control Engineer

Enclosure: Tentative Rescission Order of Cease and Desist Order R5-2020-0038
(Paper Copy to Discharger Only)

cc electronically:

- Chris Moskal, Esq., State Water Resources Control Board - Office of Chief Counsel, Sacramento (via email)
- Kennedy Knight, State Water Resources Control Board - Office of Chief Counsel, Sacramento (via email)
- Alex Mushegan, Supervising Engineer, Central Valley Water Board, Fresno (via email)
- Ryan Hayashi, Deputy Director, San Joaquin Valley Air Pollution Control District, Fresno (via email)
- Annette Ballatore, Esq., District Counsel, San Joaquin Valley Air Pollution Control District, Fresno (via email)
- Brian Clements, Director of Permit Services, San Joaquin Valley Air Pollution Control District, Fresno (via email)

- Jacob Whitson, Director of Compliance, San Joaquin Valley Air Pollution Control District, Fresno (via email)
- Reed Schenke, Director, Tulare County Resource Management Agency, Visalia (via email)
- Nilsa Gonzalez, Deputy Director, Tulare County Division of Environmental Health, Visalia (via email)
- Lee Cohen, General Manager, Setton Pistachio of Terra Bella, Inc., Terra Bella (via email)
- Jeff Gibbons, Plant Manager, Setton Pistachio of Terra Bella, Inc., Terra Bella, (via email)
- John Kinsey, Esq., Wanger Jones Helsley PC, Fresno (via email)
- Theresa Dunham, Esq., Kahn, Soares & Conway, LLP, Sacramento (via email)
- Mariah Thompson, Esq., California Rural Legal Assistance, Inc., Fresno (via email)
- Kevin Bundy, Esq., Shute, Mihaly & Weinberger LLP, San Francisco (via email)
- Lupe Cipres, Interested Party, Terra Bella's Voice for Change, Terra Bella (via email)
- Fred Beltran, Interested Party, Terra Bella's Voice for Change, Terra Bella (via email)
- Nayamin Martinez, Interested Party, Central California Environmental Justice Network, Fresno (via email)