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## Central Valley Regional Water Quality Control Board

02 August 2022

Joseph Martinez / BAM LTD Partnership  
Martinez Ranches  
8777 Halley Rd.  
Winters, CA 95694

**Certified Mail**  
**7021-0950-0000-9918-6492**

### NOTICE OF APPLICABILITY

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS WITHIN THE CENTRAL VALLEY REGION  
ORDER R5-2020-0002-0094  
JOSEPH MARTINEZ AND BAM LTD PARTNERSHIP, MARTINEZ RANCHES, SOLANO COUNTY**

On 20 February 2020, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region*, Order R5-2020-0002 (the Waiver).

We are in receipt of your Form 200 dated 29 December 2021 and your Notice of Intent (NOI) dated 28 December 2021, which state that the conditions described in your 2016 Notice of Applicability (NOA), R5-2015-0005-0072, are still valid and that you intend to comply with the Tier 3 conditions of the Waiver for your walnut and pistachio processing. Martinez Ranches (the Facility) is located at 8542 Halley Road, Winters, in Solano County. The Facility is owned by Joseph Martinez and operated by Martinez Ranches, Inc., while the land is owned by BAM Limited (LTD) Partnership.

The discharge of wastewater from pistachio hulling is not covered under this Waiver. The pistachio processing discharge, including pistachio processing wastewater and pistachio solids, is still regulated by Monitoring and Reporting Order R5-2016-0811. Insufficient data have been submitted to the Central Valley Water Board at this time to allow for the inclusion of pistachio processing wastewater in this Order.

Tier 3 allows land application of up to 1,000,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids (walnut hulls, stems, leaves) associated with that volume of wastewater. A minimum of one acre of land application area per 100,000 gallons of discharged wastewater and associated residual solids is required. Any process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted

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

facility. All domestic waste is handled separately from process waste, via a septic system and leach field permitted by Solano County.

Based on the information provided in the NOI and supporting documents, we have determined that the walnut processing discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order R5-2020-0002-0094 for discharge of your walnut processing wastewater. A copy of the Waiver is enclosed and is available on the State Water Board's [Adopted Orders: Waivers webpage](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers) ([http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)) under the heading "Waivers for Small Food Processors and Small Wineries".

Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). Nut hulling waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the NOI.

## **DISCHARGE DESCRIPTION**

The Facility, located on assessor's parcel number (APN) 104-05-030, processes approximately 3,500 tons of walnuts annually in the autumn (September through November) and generates approximately 230,000 gallons of walnut hulling wastewater on an annual basis. Calcium hydroxide is added to the wastewater effluent to control odors in the water. Wastewater is not generated at the facility during the off-season.

Wastewater is captured on a concrete pad beneath the huller then drains through a concrete and polyvinyl chloride (PVC) ditch trench to a steel tank. The wastewater collection tank has a capacity of approximately 7,500 gallons. During periods of wastewater generation, a high-capacity pump is used to transfer the wastewater from the collection tank to a water truck for dispersal. Wastewater volume is measured by the truckload, based on 3,000 gallons per load. Wastewater is discharged to 345 acres of orchards or hay fields via water truck as supplemental irrigation or to dirt and gravel roads for dust control on Discharger's land. The application rates do not result in ponded water or runoff.

Approximately 3,600 tons of residual solids are generated during the walnut processing season. The solids are contained in orchard carts and are immediately returned to the orchard and dispersed using a manure spreader attachment or are spread on designated fields identified for future orchards. The solids are spread over 142 acres with an application rate not exceeding a depth of two inches.

## **MONITORING AND REPORTING**

Attachment B of the Waiver includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form for Tier 3, contained in Attachment B of the Waiver.

The Annual Monitoring Report must be submitted to our office by **February 1** of the following year, even if there is no discharge during the reporting year. For example, the 2022 Annual Monitoring Report is due by **1 February 2023**.

## **GENERAL INFORMATION AND REQUIREMENTS**

The Waiver includes specific and general conditions with which you must comply, and you must maintain control over the discharge and operate in accordance with the information provided in your 2021 NOI and this Notice of Applicability (NOA).

Please review this NOA carefully to ensure that it completely and accurately reflects the facility name, location, and details of the proposed discharge. Failure to comply with the requirements of the Waiver may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the NOI or in the Conditions of Discharge (Attachment A) of the Waiver is prohibited. If the character of waste or the method of waste disposal changes from that described in your NOI, you must submit an updated NOI or Report of Waste Discharge (RWD) to describe the new operation.

Note that the Waiver will expire on **20 February 2025**, after which you must do one of the following:

1. Submit a new NOI with a filing fee (if required) to obtain coverage under a subsequently adopted waiver,
2. Submit a NOI with a filing fee to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

## **CENTRAL VALLEY SALINITY ALTERNATIVES FOR LONG-TERM SUSTAINABILITY (CV-SALTS) SALT AND NITRATE CONTROL PROGRAMS**

The Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. The Basin Plan Amendments were conditionally approved by the State Water Board on 16 October 2019 and the Office of Administrative Law on 15 January 2020.

- a. For the Nitrate Control Program, the facility falls within a Non-Prioritized Groundwater Basin, so no action is required at this time.
- b. For the Salt Control Program dischargers that are unable to comply with stringent salinity requirements for EC of 700  $\mu\text{mhos/cm}$  to protect AGR beneficial uses or 900  $\mu\text{mhos/cm}$  to protect MUN beneficial uses will need to meet performance-based requirements and participate in a basin-wide planning effort to develop a long-term salinity strategy for the Central Valley (i.e., participate in the Priority and Optimization Study per Option 2). This facility must comply with the requirements of the Salt Control program. Should the Central Valley Water Board become

aware of site-specific information indicating that a discharge does not comply with the requirements of the Salt Control Program, it will follow up on a site-specific basis to ensure compliance with the program. The Discharger has been assigned **CV-SALTS ID 2965**, and has opted to pursue the P&O Study.

## DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: [centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@waterboards.ca.gov).

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Martinez Ranches, Solano County  
Program: Non-15 Compliance  
Order: R5-2020-0002-0094  
CIWQS Place ID: 820292

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board  
ECM Mailroom  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

Now that the Notice of Applicability has been issued, the Board's Compliance and Enforcement section will take over management of your case. Kenny Croyle is your point of contact for any questions about the Waiver. If you find it necessary to make a change to your permitted operations, Kenny will direct you to the appropriate Permitting staff. You may contact him at (916) 464-4676 or at [Kenny.Croyle@waterboards.ca.gov](mailto:Kenny.Croyle@waterboards.ca.gov).

for Patrick Pulupa  
Executive Officer

Enc.: Conditional Waiver of WDRs, Order R5-2020-0002  
Order R5-2020-0002 Attachment B: Monitoring and Reporting Program  
Pistachio Processing Monitoring and Reporting Program, Order R5-2016-0811

cc w/o enc: Trey Strickland, Solano County Environmental Health Dept, Fairfield  
Kenny Croyle, Central Valley Water Board, Rancho Cordova