

Popenoe, Steve@Waterboards

From: Patty Wade <admin@bianchiwine.com>
Sent: Monday, April 21, 2014 1:50 PM
To: Popenoe, Steve@Waterboards
Cc: Steve Trujillo; Murphy Moore
Subject: RE: Tentative Order comment letter
Attachments: SKMBT_C36014042112520.pdf

Attached is the signed comment letter from Mr. Glenn Bianchi.

Thanks,
Patty Wade

From: Steve Trujillo
Sent: Monday, April 21, 2014 12:00 PM
To: Patty Wade
Subject: FW: Tentative Order comment letter

Hi Patty, Can you give this comment letter to Mr. B to be signed. It has to be sent back to the Water Board today by 5:00 pm. Thank you very much.

From: Lacey Mount <lmount@dellavallelab.com>
Sent: Thursday, April 17, 2014 3:40 PM
To: Steve Trujillo
Cc: Murphy Moore
Subject: Tentative Order comment letter

Hello Steve,
Attached is the comment letter Nat Dellavalle and I prepared for the Water Board. The proposed changes we think should be made are included. Mr. Bianchi needs to sign it before it goes to the Board.

The deadline is Monday, April 21 at 5:00 PM.

As long as Mr. Bianchi signs it, it can be faxed to (559) 445-5910 (ATTN: Steve Popenoe), or emailed to him at steve.popenoe@waterboards.ca.gov.

Thank you for the opportunity to help with this,
Lacey

Lacey L. Mount, D.P.M.
559-351-2741 mobile

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Laboratory, Inc.

Chemists and Consultants

April 15, 2014

Steve Popenoe
California Regional Water Quality Control Board
1685 E Street
Fresno CA 93706-2020

Re: Modern Development Company, LP
dba Bianchi Vineyards
Emerald Glen Winery
Tentative Waste Discharge Requirements Order R5-2014-XXXX

Dear Steve:

The purpose of this letter is to comment on the tentative Waste Discharge Requirements (WDR) proposed by the Central Valley Regional Water Quality Control Board (Board) for Modern Development Company's Bianchi Vineyards/Emerald Glen Winery. There are several points throughout the WDR and associated Monitoring and Reporting Program (MRP) where clarification is needed.

Bianchi Vineyards maintains a seven acre Chenin Blanc vineyard on the property (Land Application Area, "LAA"). This LAA includes a mixed species cover crop that includes clover. No synthetic fertilizer applications have been made to this vineyard in over a decade. The purpose of the vineyard is to take up wastewater. Commercial grape production is secondary for those seven acres. The crop was selected because the resulting agricultural product could be used on site.

Well results are within current State Maximum Contaminant Levels (MCL) and US EPA drinking water standards for nitrate (WDR Finding 20). Provisions regarding changes in on site practices are already written into the tentative Order. Should the crop or management thereof change, the Board will be notified. Given that more nitrogen (N) is removed than applied under the current cropping system, budgeting N in the Wastewater and Nutrient Management Plan (WNMP) is not needed. Nitrogen would still be included in the soil, well water and wastewater monitoring already proposed.

Regarding specific provisions in the WDR:

Land Area Application Specifications

D. 6. "Discharge to the LAA shall not be performed within 24 hours of a storm event of measurable precipitation or when soils become saturated."

The language is ambiguous. How are Bianchi Vineyards personnel to know that the storm forecasted will actually happen, much less drop measurable precipitation? A change to state specifically "during a storm event, within 24 hours *after* a storm event of measurable precipitation, or..." would be appreciated.

D. 9. c. "Low-pressure and unpressurized pipelines and ditches accessible to mosquitoes shall not be used to store recycled water."

The only water being recycled on-site is the blended effluent distributed onto the LAA. After the pumps are shut off some water will remain in the standpipe. We request a change to "...intentionally store recycled water."

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D. 10. "Irrigation of the LAA shall occur only when appropriately trained personnel are on duty."

The current irrigation system is flood. Irrigation periods are in excess of six hours. The proposed language suggests anyone trained to operate the irrigation system cannot clock out to take a break or a meal. We propose the change of "on duty" to "available."

D. 13. "Discharge to the LAA shall not be performed during rainfall or when the ground is saturated."

The proposed rule is covered by D. 6 (discussed on Page 1).

Solids Disposal Specifications

F. 5. "Any proposed change in solids use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change."

The language is rigid. We would like to see a statement added for emergency flexibility. "In the event of equipment failure or similar emergency, Bianchi Vineyards personnel will notify of the Board of any temporary changes to solid use or disposal as soon as possible."

Provisions

G. 3. "In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities."

Engineers and geologists are not agronomists or soil scientists. The business code is clear. Engineering and geological documents must be prepared by or under direction of a licensed engineer or geologist. Many of the reports required by the tentative Order are agronomic or soil science reports and should be prepared by a Certified Professional Agronomist or Soil Scientist (CPAg or CPSS). There is no statutory requirement that agronomic or soil reports be prepared under the direction of an engineer or geologist.

Regarding specific provisions in the MRP:

LAA Reporting

B. 1. "The type of crop(s) grown, planting and harvest dates, and the quantified nitrogen and fixed dissolved solids uptakes including potassium..."

Please specify a method for "fixed dissolved solid" uptake into a plant. We recommend a change to "...and the crop nutrient uptake, including quantified nitrogen and potassium (as estimated by representative plant tissue analysis or if necessary, technical references)."

In general, we question the utility of including Cation Exchange Capacity and Buffer pH in Orders pertaining to San Joaquin Valley soils. Lime equivalents is a better indicator of buffering capacity than CEC. Buffer pH as defined in the Western Standard Methods only applies to soils with less than 5.5 pH. Buffer pH, or lime requirement, is useful for estimating the amount of lime required to restore buffering capacity.

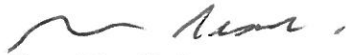
The Western Standard Methods has alternative methods for reporting cations in soils above a 5.5 pH. Ammonium acetate extractable cations are applicable for evaluating plant nutrient availability, and are appropriately expressed as mg/kg or meq/100 g. Soluble cations extracted from a saturated paste are appropriate for evaluating soil salinity and sodicity, and are expressed in milliequivalents/liter (meq/L).

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We are available to answer any further questions or concerns. On behalf of all Bianchi Vineyards personnel and affiliates, we appreciate this opportunity to comment.

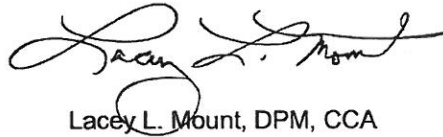
Sincerely,



Glenn Bianchi, Owner



Nat Dellavalle, CPSS



Lacey L. Mount, DPM, CCA

LLM/NBD: mc