

**Regional Water Quality Control Board
Central Valley Region
Board Meeting – 10/11 December 2015**

**Response to Written Comments for Ventura Coastal, LLC, Tipton Citrus Juice Plant,
Tentative Waste Discharge Requirements and Cease and Desist Order**

At a public hearing scheduled for 10/11 December 2015, the Regional Water Quality Control Board, Central Valley Region, (Central Valley Water Board) will consider adoption of revised Waste Discharge Requirements (WDRs) for the Ventura Coastal, LLC, Tipton Citrus Juice Plant in Tulare County.¹ This document contains responses to written comments received from interested parties regarding the Tentative WDRs (TWDRs) ~~and CDO~~ circulated on 25 September 2015. Written comments from interested parties were required by public notice to be received by the Central Valley Water Board by 26 October 2015 to receive full consideration. Comments were received on 26 October 2015 from Provost & Pritchard Consulting Group (Provost & Pritchard) on behalf of Ventura Coastal, LLC.

Written comments are summarized below, followed by responses from Central Valley Water Board staff. Based on the comments, Central Valley Water Board staff has made some changes to the TWDRs. Staff also made a few minor changes to improve clarity and fix typographical errors. Where staff responses below present specific changes made to the TWDRs, additions are in bold text and deletions are in strikeout.

PROVOST & PRITCHARD'S COMMENTS

PROVOST & PRITCHARD – COMMENT No. 1: Finding 18 on Page 4 should be modified as follows:

“...81.6 acres (Plot 2), 94 acres (Plot 3) and 72.4 acres (Plot 4). **Plots 2, 3, and 4 are further divided in half for a total of six land application fields, ranging from 30 to 40 acres each.**”

RESPONSE: Finding 18 in the TWDRs has been modified to reflect this change.

PROVOST & PRITCHARD – COMMENT No. 2: Provost & Pritchard requests that Finding 19 on page 4 be replaced with the following:

“According to the Discharger’s Management Plan, wastewater was applied to all three plots as pre-irrigation prior to planting in the spring. The rest of the time, wastewater was applied to one or two plots on rotation while the other plots were actively farmed and irrigated with a mix of fresh water and wastewater. Based on the Discharger’s self-monitoring data, from 2013 through 2014, wastewater was discharged predominantly to Plot 4 (72.4 acres) with occasional applications to Plot 2 and no crops were reportedly grown within the plot receiving only wastewater. Conversely, the log of field applications of wastewater from January 2013 to July 2015 specifies that wastewater was applied to all plots and subplots on rotation. Future management plans and self-monitoring reports will reflect shifts in cropping and wastewater application practices under field management.”

RESPONSE: Finding 19 in the TWDRs has been modified as follows:

¹ As explained under “Other Changes”, below, a companion Cease and Desist Order (CDO) was initially proposed to accompany the WDRs, but many of the tasks required by the draft CDO were accomplished by the Discharger prior to the Board’s consideration of the WDRs, and the CDO is therefore unnecessary.

“Historically, wastewater was applied to ~~all the~~ three plots as pre-irrigation water prior to planting. The rest of the time, wastewater was applied to **only one or two** of the plots on rotation, while the other ~~two plot(s)~~ were actively farmed and irrigated with fresh water. No crops were reportedly grown within the plot(s) receiving wastewater. ~~According to~~ **Based on** the Discharger’s self-monitoring reports, from 2013 through 2014, wastewater was discharged predominantly to Plot 4 (72.4 acres) with occasional applications to Plot 2. **Conversely, the field log for January 2013 to July 2015 provided by Cox Farming, which began managing the land application area in 2012, specifies that wastewater was applied to all plots and subplots on rotation. Future management plans and self-monitoring reports will reflect these shifts in cropping and wastewater application practices.**”

PROVOST & PRITCHARD – COMMENT No. 3: Finding 20 on Page 5 should be modified as follows:

“...The concentration of the Plant’s wastewater ~~on only one plot~~ and the uneven application...”

RESPONSE: Finding 20 in the TWDRs has been modified to reflect this change.

PROVOST & PRITCHARD – COMMENT No. 4: Please note that Cox Farming has laser leveled the fields and shortened the irrigation checks to increase irrigation distribution uniformity.

RESPONSE: This information is reflected in Finding 20 on page 5 in the TWDRs.

PROVOST & PRITCHARD – COMMENT No. 5: Provost & Pritchard requests the following change to paragraph 4 on page 1 of the information sheet:

“According to the Discharger, the influent pumps to the ponds were damaged in 2013 and the discharge bypassed the ponds and was sent directly to the land application areas from **March 2013** ~~May of 2013~~ to August of 2015.”

RESPONSE: The Information Sheet has been modified to reflect this change.

PROVOST & PRITCHARD – COMMENT No. 6: Provost & Pritchard requests the following change to paragraph 3 on page 2 of the information sheet:

“Plots 2 through 4 make up the 248-acre land application area, which is divided into three fields ranging in size from approximately 81.6 acres (Plot 2), 94 acres (Plot 3), and 72.4 acres (Plot 4). **Each plot is further divided in half for a total of six fields, ranging from 30-40 acres each. As of 2008 the plots were** ~~are~~ divided into long checks (approximately 110 feet wide by 2,600 feet long), **however in 2012 the land application areas were laser leveled and checks were shortened.** Historically, wastewater was applied to all three plots as pre-irrigation water prior to planting in the spring. The rest of the time wastewater was applied to one **or two** of the plots, while the other ~~two plot(s)~~ were actively farmed and irrigated with **a mix of fresh water and wastewater**, ~~and no crops were grown within the plot receiving the wastewater. According to the Discharger’s self-monitoring reports, from 2013 through~~

~~2014 wastewater was discharged predominantly to Plot 4 (72.4 acres) with occasional applications to Plot 2."~~

RESPONSE: Paragraphs 3 and 4 on page 2 of the Information Sheet has been modified as follows:

"Land owned by the Discharger is divided into four plots. Plot 1 includes the Plant and open space around the Plant. Plots 2 through 4 make up the 248-acre land application area, which is divided into three fields ranging in size from approximately 81.6 acres (Plot 2), 94 acres (Plot 3), and 72.4 acres (Plot 4). **Each Plot is further divided in half for a total of six fields, ranging from 30 to 40 acres each. In 2008 the Plots were reportedly** ~~are~~ divided into long irrigation checks or furrows (approximately 110 feet wide by 2,600 feet long). Historically, wastewater was applied to all three plots as pre-irrigation water prior to planting in the spring. The rest of the time wastewater was applied to only one or two of the plots, while the other ~~two~~ ~~plot(s)~~ were actively farmed and irrigated with fresh water, and no crops were grown within the plot receiving the wastewater. ~~According to the Discharger's self-monitoring reports, from 2013 through 2014 wastewater was discharged predominantly to Plot 4 (72.4 acres) with occasional applications to Plot 2. The wastewater is applied to the checks or furrows within the land application area via flood irrigation. The~~ Concentration of the Plant's wastewater on only a portion of the land application area and the potentially uneven application resulting from oversized checks can overload the soil and cause groundwater degradation and/or pollution.

In 2012, the Discharger leased the land application area to Cox Farming. Since 2012, Cox Farming has made several improvements to the land application area including laser leveling the fields, shortening the irrigation checks to increase irrigation uniformity, started blending wastewater with fresh water to irrigate crops, and improved crop rotation plans within the land application area."

OTHER CHANGES

During the comment period Ventura Coastal discovered that their farm manager, Cox Farming, who leased the land application area in 2012 had already implemented several improvements to the land application area, including: laser ~~leveling~~ leveling the fields, shortening the irrigation checks to increase irrigation uniformity, and started blending wastewater with fresh water to irrigate crops, and improved crop rotation plans. After finding out about these changes, Ventura Coastal informed Central Valley Water Board staff and contacted Provost & Pritchard to evaluate the changes in light of the proposed WDRs and CDO.

Provost & Pritchard prepared a Nutrient and Wastewater Management Plan that documented the improvements and changes made by Cox Farming and determined that they were sufficient to ensure that the discharge would be able to comply with the Land Application Area Specifications in the proposed WDRs. Specifically Land Application Area Specification E.1 through E.7; to establish crops on the entire land application area, meet a cycle average BOD loading rate not to exceed 100 lbs/acre/day, meet a pH between 5.0 and 9.0 standard units, ensure even application of wastewater and supplemental irrigation water to minimize waste constituent loading, and ensure the annual nutritive loading and hydraulic loading rates, including the nutritive value of organic and chemical fertilizers, manure from

non-commercial livestock, and of the wastewater, not exceed the annual crop demand. The Nutrient and Wastewater Management Plan also included a detailed monitoring plan and forms to ensure compliance with the proposed Monitoring and Reporting Program. In addition, Provost & Pritchard evaluated salinity control measures within the Plant and prepared a Salinity Control Plan with a time schedule to improve salinity control features within the Plant.

Based on our review of these reports it was determined that the CDO was no longer necessary. Therefore, the TWDRs and Information sheet were modified to remove mention of the CDO and a provision was added to the proposed WDRs with a time schedule to implement the remaining components in the Dischargers Salinity Control Plan. Specifically:

1. Finding 26 in the TWDRs was removed and the remaining findings adjusted.
2. Finding 51 in the TDRs was modified as follows:

Based on current sampling data, the Discharger will not be able to comply with the effluent limit for FDS on a consistent basis. **On 6 November 2015, the Discharger submitted a Salinity Control Plan, with a schedule to evaluate and implement salinity control measures to ensure compliance with the effluent limit for FDS. This Order includes a Provision with a time schedule for the Discharger to select and implement the necessary salinity control measures specified in its Salinity Control Plan and** ~~Therefore this Order is accompanied by a CDO, which requires the Discharger to prepare and implement a Salinity Control Plan to minimize the salinity of the discharge to the extent feasible, with a time schedule to come into compliance with the effluent limit for FDS of 700 mg/L.~~

3. Effluent Limitation C.1 shall be modified as follows:

Upon the completion of the tasks in Provision H.15, the monthly average Fixed Dissolved Solids (FDS) of the discharge shall not exceed 700 mg/L, compliance to be determined monthly. [Monitored at EFF-001]

4. Provision H.15 was added:

H.15 Salinity Control: The Discharger shall evaluate and implement the salinity control measures specified in the Plant's Salinity Control Plan, submitted on 6 November 2015, to reduce the salinity of the discharge, and specifically sodium, to the maximum extent feasible to ensure compliance with Effluent Limitation C.1.

The Discharger shall comply with the following time schedule in implementing the work required by this Provision:

	Task	Due Date
a.	Begin evaluation of the salinity control measures identified in the Salinity Control Plan.	(3 months) following adoption of this Order

	Task	Due Date
b.	Begin implementation of selected salinity control measures.	(9 months) following adoption of this Order
c.	Provide progress updates quarterly as part of the Monitoring and Reporting Program's quarterly monitoring reports.	Quarterly
d.	Submit a technical report demonstrating complete implementation of the Salinity Control Plan and compliance with Effluent Limitation C.1.	In accordance with the time schedule but no later than (2 years) following adoption of this Order

5. In the Information Sheet, Paragraph 1 on page 3 was deleted, and paragraphs 2 and 3 on page 6 were modified as follows:

Consistent compliance with the effluent limitation for FDS is not immediately practicable. Therefore, the tentative Order ~~is accompanied by a Cease and Desist Order (CDO), with a time schedule to prepare and implement a Salinity Control Plan and allow the Discharger to~~ **includes a Provision with a time schedule to implement salinity control measures within the Plant and** come into compliance with this effluent limitation.

The tentative Order includes Discharge Specifications and Land Application Area Specifications that require the application of waste constituents to the land application areas be evenly applied over the available land application area to minimize waste constituent loadings and ensure reasonable agronomic rates to preclude creation of a nuisance or unreasonable degradation of groundwater. The tentative Order also requires the annual nutritive loading of the wastewater application area, including the nutritive value of organic and chemical fertilizers, manure from non-commercial livestock, and of the wastewater to not exceed the annual crop demand. ~~Compliance with these conditions is not immediately practicable. Therefore, the tentative Order is accompanied by a Cease and Desist Order (CDO) with a time schedule to allow the Discharger to come into compliance. The~~ **In addition, the** tentative Order ~~also~~ requires the Discharger to install a groundwater monitoring well network to monitor groundwater conditions beneath the land application areas.