

**Regional Water Quality Control Board  
Central Valley Region  
Board Meeting –17 April 2026**

**Response To Written Comments for  
City of Firebaugh  
Firebaugh Wastewater Treatment Facility  
Fresno County  
Tentative Waste Discharge Requirements**

At a public hearing scheduled on 17 April 2026, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider the adoption of Waste Discharge Requirements (WDRs) and a Monitoring and Reporting Program (MRP) for the City of Firebaugh's (City or Discharger) Wastewater Treatment Facility (WWTF or Facility) in Fresno County. This document contains responses to written comments received from interested persons regarding the tentative WDRs and MRP (Tentative Order, collectively) circulated on 13 February 2026. Written comments from interested parties were required to be received by the Central Valley Water Board by 5:00 p.m. on 16 March 2026 to receive full consideration. Timely comments were received from Ms. Debbie Mackey, Executive Officer of the Central Valley Clean Water Association (CVCWA) on 16 March 2026.

Written comments are summarized below, followed by responses from Central Valley Water Board staff. In addition, staff have made a few minor changes to the Tentative Order to improve clarity and fix typographical errors.

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**16 March 2026 CVCWA COMMENTS**

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**COMMENT 1:** CVCWA requests that the effluent total nitrogen limit should be revised, and the Tentative Order should include a reopener provision or additional measure to enable a change in the nitrate as nitrogen limit effluent limit following facility upgrades to enable consideration of losses associated with root zone processes.

**RESPONSE:** The Discharger proposed upgrades to the WWTF to convert the current treatment process to an extended aeration activated sludge system with biological nutrient removal. In the City's Report of Waste Discharge and subsequent submittals, the Discharger confirmed that the upgraded treatment system is designed to reduce the effluent total nitrogen (as N) concentration to less than 10 mg/L. The total nitrogen effluent limit prescribed in the tentative Order is therefore based on the anticipated effluent quality proposed by the City and reflects best practicable treatment and control for the upgraded WWTF. Additionally, the Central Valley Water Board retains discretion to revise WDRs whenever appropriate, regardless of whether those WDRs include reopener language; however, the Information Sheet incorporated in the Order includes a reopener clause. No changes were made as a result of the comment.

**COMMENT 2:** CVCWA is concerned about the use of terminology regarding a hydraulic conductivity “standard” of  $1 \times 10^{-6}$  cm/s without additional justification that describes the source and basis of this value and provides an analysis of Water Code section 13241 factors. CVCWA requests that the requirement is removed, justification consistent with Water Code Section 13241 is provided for the inclusion of this standard in the Tentative Order, or at a minimum, the requirement is not described as a “standard.”

**RESPONSE:** The purpose of the requirement is to minimize migration of pollutants from unauthorized discharge locations to groundwater. The TWDRs authorize discharge of treated wastewater to groundwater via percolation ponds and land application areas. The TWDRs do not authorize more than *de minimis* discharges of untreated or partially treated wastewater to groundwater from within the WWTF’s wastewater storage and treatment facilities. Discharges of untreated and partially treated wastewater are known to cause and contribute to exceedances of water quality objectives (WQOs) (i.e., pollution). The inclusion of a minimum hydraulic conductivity requirement for surfaces in areas where wastewater is stored or treated is appropriate to ensure that pollution does not occur as a result of unauthorized discharges from wastewater treatment and storage areas. Additionally, the Central Valley Water Board has identified this requirement as a Best Practicable Treatment or Control (BPTC) for the regulated discharge, pursuant to the State Antidegradation Policy (see State Water Resources Control Board, Resolution 68-16). The minimum hydraulic conductivity requirement specified by the Tentative Order is based on the typical hydraulic conductivity of a compacted clay liner and consistent with requirements established in California Code of Regulations, title 27, for waste management units designed to minimize migration of leachate from designated wastes to groundwater.

The Discharger’s proposed upgrades include wastewater treatment in concrete-lined structures and storage in ponds lined with high-density polyethylene (HDPE) liners, both of which provide hydraulic conductivities several orders of magnitude less than the hydraulic conductivity required by Discharge Specification G.13 of the Tentative Order. Since the Discharger has planned wastewater treatment and storage on surfaces that are even more protective than the TWDR’s hydraulic conductivity requirement, it is unlikely that this requirement will create any additional economic burden beyond what the Discharger has already planned. Additionally, because construction of new surfaces or modification of existing surfaces would generally require WDR revisions, it is not foreseeable that the conductivity requirement included in the TWDRs would create new economic burdens for the Discharger if the WDRs are adopted.

Staff have revised Discharge Specification G.13 to remove the reference to a “standard” of hydraulic conductivity, as requested, because this requirement is site-specific and not an established standard for this type of facility or discharge.

**COMMENT 3:** CVCWA requests that Table 16 and subsequent notes should be revised to include and correctly address the “upper” and “short term” ranges for TDS and EC and to acknowledge that compliance with either the MCL for TDS or EC is sufficient. CVCWA also requests that the Salinity Action Level is increased to 120-125 percent of the maximum annual average salinity concentration of EC, TDS, or FDS. In addition, CVCWA requests the removal of the note following Table 16, that the long-term effluent storage in a lined pond prior to reclamation “is expected to reduce the salt load relative to current conditions.”

**RESPONSE:** Staff revised Table 16 to include “upper” and “short term” ranges for TDS and EC, as these were inadvertently omitted. Staff disagree with the commenter’s description of how WQOs based on California Code of Regulations, title 22 (Title 22), section 64449 are applied to dischargers participating in the Salt Control Program Alternative Salinity Permitting Approach (SCP Path B), and thus no change was made in response to this comment. As the commenter noted, dischargers that are participating in SCP Path B are deemed to be in compliance with WDRs implementing WQOs for salinity if they are in good standing with the P&O Study, implementing reasonable, feasible, and practicable efforts to control salt in their discharges, and meeting any performance-based action levels specified in their WDRs. WQOs based on section 64449 are not actually applied to this category of dischargers. The TWDR’s reference to the “recommended” ranges described in section 64449 is purely for comparison purposes and does not have substantive effect upon the proposed WDRs.

No change was made with respect to the request that the TWDRs acknowledge that compliance with either the MCL for TDS or EC is sufficient. Although the Basin Plan incorporates as WQOs the secondary MCLs established in Title 22 section 64449, the Basin Plan does not incorporate the “either-or” compliance language. Thus, while the State Water Board’s Division of Drinking Water - which directly implements section 64449 in its regulation of drinking water systems - is subject to the “either-or” language, the Central Valley Water Board - which does not directly implement section 64449 and which did not incorporate the “either-or” language into its Basin Plans - is not subject to that language.

Staff determined that previous calculation of the Salinity Action Level contained an error and recalculated the level based on the average of the annual average EC effluent concentration from 2023 through 2025 (1,864 umhos/cm) and included an approximate 20 percent contingency, as requested. The recalculated Salinity Action Level is 2,250 umhos/cm (calculated as an annual average). Lastly, Staff removed the note following Table 16, as requested.

**COMMENT 4:** CVCWA is concerned that the dissolved oxygen monitoring frequency specified by Discharge Specification G.5 is inflexible for small publicly owned treatment works like the City of Firebaugh’s WWTF, and that the frequency should be reduced. Also, CVCWA provided a recommended revision to the Discharge Specification.

**RESPONSE:** The DO monitoring frequency specified by Discharge Specification G.5 is consistent with other adopted WDRs Orders (e.g., WDRs Order R5-2024-0016 for Sonora Regional Wastewater Treatment Facility), and no change to the monitoring frequency was made; however, Staff revised Discharge Specification G.5 as follows:

“[I]f the DO concentrations in the ponds is below 1.0 mg/L for any single sampling event, the Discharger shall implement daily DO monitoring of that pond until the minimum DO concentration is achieved for at least three consecutive days. If the DO in any single pond is below 1.0 mg/L for three consecutive days, the Discharger shall report the findings to the Central Valley Water Board in accordance with Section B.1 of the SPRRs. The written notification shall include a specific plan or a description of actions taken to resolve the low DO results within 30 days of the first date of violation.”

**COMMENT 5:** CVCWA provided recommended revisions to Finding 99 in the Tentative Order, regarding the Salt Control Program and the Discharger’s participation in the P&O Study, for consistency with the Salt and Nitrate Control Program Basin Plan Amendment. CVCWA also requested removal of the Salinity Action Level Report Requirements, or at a minimum, that the information required is reduced to avoid evaluation of significant resource expenditures to evaluate options for salinity reductions in the discharge.

**RESPONSE:** The Tentative Order provides sufficient discussion of the Salt Control Program and the Discharger’s participation, and the requirements of the Salinity Action Level Report are appropriate should an exceedance of the Action Level occur. Furthermore, observed groundwater quality of the onsite monitoring network indicates salinity impacts from the discharge have occurred, necessitating short-term evaluations and measures to control salinity should concentrations in the discharge increase. With the exception of revising the Salinity Action Level (see Staff response to Comment #3), no changes were made in response to this comment.

**COMMENT 6:** CVCWA is concerned that some of the Tentative Order Provisions (Section J) requiring submittals of plans and reports have unreasonably short timeframes that are infeasible for the Discharger. CVCWA requests that the deadlines are revised to ensure reporting deadlines are feasible based on the date of adoption of the Tentative Order.

**RESPONSE:** Staff revised the submittal deadlines for Provision J.5, J.6, J.8, and J.9.