

**27 AUGUST 2026 BOARD MEETING
UNCONTESTED AGENDA ITEM**

AGENDA ITEM: 11

SUBJECT:

The following are proposed Waste Discharge Requirements Orders that regulate discharges to waters of the state. All agencies and the dischargers concur or have offered no comments. Items indicated as updates on the summary agenda make the requirements consistent with current plans and policies of the Board.

BOARD ACTION:

Consideration of Waste Discharge Requirements.

BACKGROUND:

**A) ADOPTION OF NEGATIVE DECLARATION FOR TENTATIVE GENERAL WASTE
DISCHARGE REQUIREMENTS FOR FRUIT AND VEGETABLE PACKING
FACILITIES WITHIN THE CENTRAL VALLEY REGION, ORDER R5-2026-XXXX**

The Central Valley Water Board currently regulates waste discharges from fruit and vegetable packing facilities using various waivers and individual WDRs. The proposed Packing General Order will streamline the permitting process and improve consistency in regulating discharges of process wastewater and associated solids from fruit and vegetable packing facilities. The Packing General Order applies to facilities that wash, sort, store, and ship fruits and vegetables for export or sale and discharge between 10,000 gallons and 180 million gallons of process wastewater annually.

As Lead Agency for the purposes of the CEQA (California Environmental Quality Act) the Central Valley Water Board prepared an Initial Study for the proposed Packing General Order. The Initial Study and Negative Declaration support adoption of the Packing General Order to regulate discharges to land from fruit and vegetable packing facilities throughout the Central Valley Region.

On 5 March 2026, the Central Valley Water Board transmitted a consultation request in accordance with AB 52 to representatives of local tribal communities throughout the Region. None of the tribes requested consultation status during preparation of the Initial Study. Based on the findings of the Initial Study, a Negative Declaration was prepared.

The Initial Study and Negative Declaration were circulated for public comment on 19 June 2026 to interested parties for a 30-day public comment period. In addition, a Notice of Intent (NOI) was posted in a regional newspaper (Sacramento Bee), and copies of the documents were posted on State of California's Land Use & Climate Innovation CEQAnet Web Portal and the Central Valley Water Board's Tentative Order web page. No comments were received during the 30-day comment period.

B) ADOPTION OF TENTATIVE GENERAL WASTE DISCHARGE REQUIREMENTS FOR FRUIT AND VEGETABLE PACKING FACILITIES WITHIN THE CENTRAL VALLEY REGION, ORDER R5-2026-XXXX

California is the top agricultural producer in the United States (US) accounting for over 40 percent of the nation's total fruit and vegetable production. Land application of liquid and solid waste from fruit and vegetable packing facilities is a common practice in the Central Valley since these facilities are generally located in rural areas not served by municipal sewer systems and it is a convenient and cost-effective method for disposal. In addition, land application provides treatment to filter and break down organic matter, and the reuse of process wastes can provide additional benefits, such as replacement of potable water supplies, and a low-cost organic soil amendment and fertilizer for crops.

The Central Valley Water Board currently regulates these types of waste discharges using various waivers and individual WDRs. Central Valley Water Board records indicate there is a substantial backlog of outdated individual WDRs for these facilities, which typically share certain characteristics, including similar constituents of concern, process operations, and the same or similar levels of treatment and disposal standards. As such these types of discharges are appropriately regulated under general WDRs.

Staff have developed the proposed General Order for fruit and vegetable packing facilities that discharge up to 180 million gallons per year. The General Order is intended to streamline the permitting process and improve consistency in regulating discharges of process wastewater and associated solids from these facilities that would otherwise require time-intensive individual permits. The General Order is expected to accelerate permit updates and allow staff to redirect resources toward higher-priority or more complex regulatory efforts while maintaining consistent oversight.

The General Order establishes tier-based WDRs for fruit and vegetable packing facilities, including effluent limitations, pond construction and operational standards, land application specifications, groundwater-protection measures, and a Monitoring and Reporting Program template. It also incorporates applicable provisions of the Salt and Nitrate Control Programs adopted through the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) Basin Plan Amendments.

Dischargers seeking coverage under the General Order must submit a Notice of Intent (NOI) and supporting technical documentation demonstrating waste handling, treatment (if applicable), and reuse and/or disposal practices, and compliance with the Order's eligibility criteria. If the discharge qualifies for the General Order, the Central Valley Water Board will issue a site-specific Notice of Applicability (NOA) and a site-specific Monitoring and Reporting Program, which establish site-specific monitoring, effluent limits, setbacks, and other conditions applicable to that facility.

A preliminary draft of the General Order was released for public comment on 27 May 2026, with comments due by 10 June 2026. Staff reviewed the comments received, revised the draft accordingly, and circulated a tentative draft on 19 June 2026 for a 30-day public comment period.

ISSUES:

Comments were received from Jo Anne Kipps on 20 July 2026. A Response to Comments document is included in the agenda package that summarizes the written comments followed by responses from Central Valley Water Board staff. Revisions were made to the tentative WDRs based on the comments received, and other minor edits were made to improve clarity.

C) BAR NONE AUCTION, BAR NONE AUCTION PROJECT, SACRAMENTO COUNTY – ADOPTION OF WASTE DISCHARGE REQUIREMENTS ORDER R5-2026-XXXX

The 47-acre Project will construct an auction sales lot, which will consist of paved and gravel storage areas, stormwater basins, and an office building and industrial maintenance shop. Grading of the Project site will permanently impact 3.82 acres of seasonal wetlands.

RECOMMENDATION:

Adopt the proposed Waste Discharge Requirements.

REVIEWS:

Management Review:	
Legal Review:	

BOARD MEETING LOCATION:

Central Valley Water Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

AND VIA VIDEO AND TELECONFERENCE