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**[TENTATIVE] WASTE DISCHARGE REQUIREMENTS ORDER  
R5-2026-XXXX**

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**ORDER INFORMATION**

<b>Order Type(s):</b>	Waste Discharge Requirements (WDRs)
<b>Status:</b>	TENTATIVE
<b>Program:</b>	Non-15
<b>Region 5 Office:</b>	Fresno
<b>Discharger(s):</b>	Golden Valley Pistachio Co., LLC, Nader Malakan, and Malakan Investments LLC
<b>Facility:</b>	Golden Valley Pistachio Processing Facility
<b>Address:</b>	16335 Avenue 24 1/2
<b>County:</b>	Madera County (Facility and LAA) & Merced County (LAA)
<b>Parcel Nos.:</b>	Facility: 002-250-032 (See Table 1 for full list of APNs)
<b>CIWQS Place ID:</b>	227764
<b>Prior Order(s):</b>	93-005

## **CERTIFICATION**

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on \_\_\_\_\_ June 2026.

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PATRICK PULUPA,  
Executive Officer

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## GLOSSARY

Antidegradation Policy.....	Statement of Policy with Respect to Maintaining High Quality Waters in California, State Water Board Resolution 68-16
APN.....	Assessor Parcel Number
AGR .....	Agriculture Irrigation and Stock Watering
Basin Plan .....	Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin
bgs .....	Below Ground Surface
BPTC.....	Best Practicable Treatment and Control
CEQA.....	California Environmental Quality Act, Public Resources Code section 21000 et seq.
COC .....	Constituent of Concern
DWR.....	Department of Water Resources
EC .....	Electrical Conductivity
FEMA .....	Federal Emergency Management Agency
IND .....	Industrial Service Supply
µg/L.....	Micrograms per Liter
µmhos/cm.....	Micromhos per Centimeter
mg/L .....	Milligrams per Liter
msl.....	Mean Sea Level
MRP .....	Monitoring and Reporting Program
MCL.....	Maximum Contaminant Level per Title 22
MUN .....	Municipal and Domestic Supply
PRO .....	Industrial Process Supply
P&O Study .....	Prioritization and Optimization Study

[Tentative] WDRS R5-2026-XXXX  
GOLDEN VALLEY PISTACHIO CO. LLC  
GOLDEN VALLEY PISTACHIO PROCESSING FACILITY  
MADERA & MERCED COUNTY

NOAA..... National Oceanic and Atmospheric Administration

OAL..... Office of Administrative Law

RWD..... Report of Waste Discharge

SPRRs ..... Standard Provisions and Reporting Requirements

SGMA..... Sustainable Groundwater Management Act Data Viewer

SCH..... State Clearinghouse

SERC ..... State Emergency Response Commission

TDS ..... Total Dissolved Solids

Title 22 ..... California Code of Regulations, Title 22

Title 23 ..... California Code of Regulations, Title 23

Title 27 ..... California Code of Regulations, Title 27

WDRs..... Waste Discharge Requirements

WILD ..... Wildlife Habitat

WQO ..... Water Quality Objective

## FINDINGS

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) finds as follows:

### Introduction

1. The Golden Valley Pistachio Processing Facility (Facility) is located at 16335 Avenue 24 ½ in Chowchilla, Madera County as shown in Attachment A. The Facility processes pistachios from August to October each year. The Facility is owned by Golden Valley Pistachio Co. LLC (Golden Valley Pistachio\_), but the LAAs are owned by various entities, as listed in Table 1. Golden Valley Pistachio and those entities listed in Table 1 are collectively referred to as **Discharger**. Golden Valley Pistachio purchased the Facility from the previous owners (Chowchilla Pistachio Company) in 2024.
2. The Facility was previously regulated by Waste Discharge Requirements (WDRs) 93-005, which was adopted on 29 January 1993. WDRs Order 93-005 authorized the maximum daily discharge of up to 5,000 gallons per day (gpd) of pistachio process wastewater to 36 acres of LAAs.
3. On 17 June 2025, Central Valley Water Board staff received a Report of Waste Discharge (RWD) submitted on behalf of the Discharger by Toure Environmental Engineering. The June 2025 RWD proposed process flow changes, an increase in the permitted wastewater flow at Facility to 33,000 gpd, and expansion of the LAA from 36 to almost 2,000 acres. The RWD included a Form 200, and a technical report prepared and signed by John T. Ennis (RCE 55519), a California registered civil engineer. An updated Form 200, certified by all applicable LAA landowners, and additional supporting information, including additional wastewater quality sampling results, were received on 12 August and 12 November 2025, respectively. Staff determined the RWD was complete in October 2025.
4. A summary of location and ownership information for the Facility and LAAs is presented in Table 1. Acreages presented in Table 1 are approximate.

[Tentative] Waste Discharge Requirements Order R5-2026-XXXX A.2  
Golden Valley Pistachio Co., LLC  
Golden Valley Pistachio Processing Facility  
Madera County  
**Attachment A**

**Table 1 – Land Ownership and Use**

APN	Acres	Owner	Land Use	
002-350-017	15	Golden Valley Pistachio Co. LLC	Almond	
002-250-032	2		Facility	
088-105-001	8	Nader Malakan	Pistachio	
088-105-002	19		Pistachio	
088-105-003	103		Almond	
088-240-002	74		Pistachio	
088-105-014	276		Pistachio	
088-120-030	78		Pistachio	
088-120-041	28		Pistachio	
088-240-001	135		Pistachio	
088-090-055	13		Malakan Investments LLC	Pistachio
088-090-084	26			Pistachio
088-090-021	123	Pistachio		
088-090-028	74	Pistachio		
088-090-024	53	Pistachio		
088-090-031	17	Pistachio		
088-120-032	119	Pistachio		
088-120-033	143	Pistachio		
070-180-005	16	Pistachio		
070-180-003	30	Pistachio		
070-180-011	41	Pistachio		
070-180-004	25	Pistachio		
088-090-087	141	Pistachio		
088-090-063	314	Wheat/Barley		
088-110-005	120	Wheat/Barley		
Total	1989	--	--	

5. The following materials are attached and incorporated as part of this Order:
- a. ATTACHMENT A — Project Location Map
  - b. ATTACHMENT B — Chowchilla Land Application Area and Facility Site Map
  - c. ATTACHMENT C — North Los Banos Land Application Site Map
  - d. ATTACHMENT D — South Los Banos Area Land Application Vicinity Map
  - e. ATTACHMENT E — Facility Map
  - f. ATTACHMENT F — Process Flow Diagram
  - g. Information Sheet
  - h. Standard Provisions & Reporting Requirements dated 1 March 1991 (SPRRs)

([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/std\\_provisions/wdr-mar1991.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/std_provisions/wdr-mar1991.pdf))

6. Also attached is **Monitoring and Reporting Program (MRP) Order R5-2026-XXXX**, which requires monitoring and reporting for discharges regulated under these WDRs. The Discharger shall comply with the MRP, and subsequent revisions thereto as ordered by the Executive Officer or adopted by the Central Valley Water Board.
7. WDRs Order 93-005 is outdated and significant changes to the Facility's operations, process flow, and land application area have been proposed. The revised WDRs herein are necessary to reflect operations at the Facility as proposed and ensure the discharge meets the requirements of current water quality plans and policies.

### **Facility and Discharges**

8. According to WDRs 93-005, the Facility has been in operation since 1985. The Facility processes, dries, and packages pistachios for export and sale to retail and/or wholesale stores. During the pistachio processing season, typically August through October of each year, the Facility generates pistachio process wastewater from the hulling and rinsing of pistachios.
9. Historically, the pistachio processing wastewater from the Facility was discharged to land via spray trucks to approximately 36 acres of land owned by the Chowchilla Pistachio Company. However, the LAA previously authorized by WDRs Order 93-005 is no longer owned by the Discharger, and process wastewater from the Facility has been discharged to the City of Chowchilla's collection system during recent harvest seasons.
10. The Golden Valley Pistachio purchased the Facility from the previous owners in 2024 and proposed significant changes to the processing system. Changes proposed in the June 2025 RWD include a switch from conventional hulling methods to dry peelers to reduce water usage, the addition of two 10,000-gallon onsite storage tanks, and expansion of the LAAs. The dry peelers were installed prior to the 2024 processing season. In addition, the Discharger proposed to increase the process wastewater flow to a maximum daily discharge of 33,000 gpd. The Discharger estimates two million gallons of pistachio wastewater will be generated at the Facility during the pistachio processing season each year.
11. Raw, whole pistachios are brought to the Facility via trucks and are funneled into a pit/vault and then conveyed to an area where they undergo a dry pre-cleaning process to remove leaves, stems, and other debris. Green waste from the pre-cleaning process is transferred to an onsite storage area for later use as a soil

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amendment at the LAAs. Following pre-cleaning, pistachios are conveyed to the hulling area in hoppers. The Facility utilizes eight dry peelers in the first phase of the hulling process that assist in removing the pistachio from the hulls without the use of water like conventional methods. Following the dry peelers, loose hull removers are utilized to remove any remaining residual hulls adhering to the pistachios. Pistachios are then conveyed to two 200-gallon float tanks allowing empty shells to float and separate from the nut. The dehulled pistachios are then brought up from the bottom of the tanks by conveyors and rinsed with fresh water via sprayer heads before being dried and stored in onsite silos for future sale.

12. Pistachio process wastewater generated during the hulling and rinsing of the pistachios is then discharged into a lined sump near the rinsing area. The sump contains two pumps with variable intake depths. The lower depth pump redirects wastewater for reuse in the float tanks and the other pumps pistachio process wastewater to the new onsite wastewater storage tanks. The Discharger proposes to continuously haul pistachio process wastewater from the storage tanks to the proposed LAAs using 5,000-gallon tanker trucks.
13. At the LAAs, the wastewater haulers transfer the wastewater to 5,000-gallon above ground wastewater storage tanks, located at each of the LAAs. Pistachio process wastewater is then discharged to land between rows of pistachio trees via a tractor pulling a 1,000-gallon tank equipped with a boom spray system. The boom spray system is equipped with low-pressure spray nozzles mounted along the boom with a discharge rate of approximately 50 gallons per minute but can be adjusted to accommodate tractor speed and field infiltration conditions. The Discharger does not intend to blend wastewater with irrigation water prior to application at the LAAs and proposes the maximum discharge of 33,000 gpd of process wastewater to the LAAs.
14. The LAAs consist of roughly 1,989 acres of mostly pistachio orchards, but some LAAs are planted with almonds, and wheat or barley. One almond orchard LAA is located two miles southeast of the Facility, and the remaining LAAs are located near Los Banos in Merced County, roughly 43 miles away from the Facility. Table 1 above summarizes the LAAs by acreage and crop type. All of the LAAs with the exception of those planted with wheat and barley are irrigated via drip system irrigation.
15. Central Valley Water Board staff expressed concerns regarding the lack of onsite available storage to accommodate the proposed 33,000 gpd, since the proposed onsite storage only consisted of 20,000 gallons. With the proposed operational flows and proposed storage tank capacity the Facility would only be able to store 66 percent of the maximum daily proposed flows, creating the potential for overflow issues in the event that hauling logistics are interrupted. On 24 March 2026, the Discharger provided a letter to the Central Valley Waterboards stating

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its intent to install an additional 10,000 gallons above ground storage tank at the Facility prior to the 2026 harvest season, bringing the total onsite storage capacity at the Facility to 30,000 gallons.

16. Domestic wastewater from the Facility is directed to the City of Chowchilla's collection system for further treatment and disposal.
17. On 21 October 2025, permitting and enforcement staff conducted a dual-purpose pre-requirement and compliance inspection of the Facility. Staff observed that the Facility pistachio process wastewater system was as described in the June 2025 RWD. As a result of the compliance inspection the Discharger was issued a 25 March 2026 Notice of Violation (NOV) for failing to comply with various Standard Provisions and MRP requirements, included not submitting self-monitoring reports required by MRP 93-005. The NOV requires the Discharger to address the violations by 24 April 2026.

Wastewater Quality

18. The RWD included anticipated wastewater quality results based on a stored sample collected during the 2024 processing season; however, these results were determined to be not representative of the new process changes and were not analyzed within specified laboratory holding times for many constituents. At Staff's request, the Discharger conducted a more comprehensive effluent sampling event on 3 October 2025 to provide a representative sample from the 2025 processing season. The fixed dissolved solids (FDS) concentration of the wastewater was calculated based on inorganic constituent results provided in analytical reports. The results of the 2025 sampling event are summarized in Table 2.

**Table 2 – Process Wastewater Quality**

Parameters	Units	2025 Effluent	WQO
EC	µmhos/cm	2860	900
FDS	mg/L	974	--
TDS	mg/L	1400	500
Sodium	mg/L	37	--
Chloride	mg/L	60	250
Potassium	mg/L	874	--
Total Nitrogen	mg/L	146	--
TKN	mg/L	146	--
Nitrate as N	mg/L	0.2	10
BOD <sub>5</sub>	mg/L	1200	--
TSS	mg/L	1200	--
Iron	ug/L	0.04	300
Manganese	ug/L	ND	50

19. The 2025 effluent sample indicates the Facility’s pistachio process wastewater contains elevated concentrations of salts (EC, TDS), total nitrogen, BOD<sub>5</sub>, and TSS.

**Source Water Quality**

20. The Facility obtains its source water from the City of Chowchilla. The City is required to provide an annual Consumer Confidence Report to the public. The following table represents the source water quality results from over 180 samples collected in 2023 and 2024.

**Table 3 – Source Water Quality**

Parameters	Units	2023	2024
EC	µmhos/cm	200-590	200-460
TDS	mg/L	180-380	180-380
Nitrate as N	mg/L	0.67-5	0.67-5
Sodium	mg/L	18-31	17-26
Chloride	mg/L	18-50	19-41
Iron	ug/L	ND	ND
Arsenic	ug/L	ND-2.63	ND-0.0027

**Wastewater Management and Loading**

Water Balance

21. The RWD included a water balance that considered the local climate, average evapotranspiration, average and 100-year return local precipitation data, and projected effluent flows. The average annual precipitation data and average evapotranspiration data was provided from the California Irrigation Management Information System (CIMIS). The 100-year return precipitation data was obtained from the National Weather Service for Environmental Information (NCEI) and the National Oceanic and Atmospheric Administration, Atlas 14 (NOAA Station ID 045233 - Madera).
22. The water balance is summarized in the table below and demonstrates that the proposed annual discharge 2 million gallons of wastewater is orders of magnitude less than the total annual crop demand for water at the LAAs and that supplemental irrigation water is needed. The projected annual wastewater roughly accounts for much less than one percent of the annual irrigation demand at the LAAs.

**Table 4 – Irrigation Demand and Wastewater Availability**

<b>Crop</b>	<b>Annual Irrigation Demand (MG)</b>	<b>Water Available from Wastewater (MG)</b>
Tree Crops	1,600	2
Forage	94	

Wastewater Constituent Loading

23. Wastewater application to the LAAs occurs daily during the harvest season when wastewater is produced. The Discharger proposes to use a rotation of the defined LAAs so that salt, nutrient, organic (BOD), and hydraulic loading rates can be effectively tracked, recorded, and managed.
24. Observed nitrogen uptake rates for specific crops within California are available from the California Department of Food and Agriculture’s Fertilizer Research and Education Program (FREP) and UC Davis. According to FREP crop guidelines, the approximate nitrogen application rate for a pistachio orchard that yields 1,000 lbs/acre/year under flood irrigation is 56 lbs/acre/year, and UC Davis Pistachio Nutrient and Fertilization guidelines indicate that the nitrogen uptake during an “on” year is about 200-225 lbs/acre, and about 100-113 lbs/acre during an “off” year. According to the California Department of Food and Agriculture, in collaboration with UC Davis, the nitrogen uptake of almond trees vary from 30-65 lbs/acre/year depending on the age of the tree, and wheat and barley uptake rates are about 150-200 and 71-125 lbs/acre/year, respectively.
25. Anticipated nitrogen, sodium, potassium, TDS, and BOD loading rates, based on observed 2025 effluent concentrations, application of the proposed maximum annual flow of 2 million gallons, and assuming the Discharger is applying the water evenly to 1,989 available areas of the LAAs, are shown below.

**Table 5 – Constituent Loading Rates**

<b>Constituent</b>	<b>Mass Loading (lbs)</b>	<b>Mass Loading Rate (lbs/acre)</b>
Nitrogen	2,440	0.86
Sodium	617	0.31
Potassium	14,587	7.33
TDS	23,367	11.75
BOD	20,028	10.07
FDS	16,256	8.2

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Madera County

## **Attachment A**

26. Given the significant amount of available LAA to spread the pistachio process wastewater during the processing season, the annual loading rates for all constituents are low. The annual loading rates for FDS and total nitrogen are less than ten and one lbs/acre, respectively. Total nitrogen applied from wastewater is anticipated to be much less than the nitrogen demand of the crops at the LAAs.
27. The Discharger provided an analysis of the BOD application to land and estimated that the total annual BOD load to the LAAs would be approximately 20,028 pounds. When applying the total BOD load across the proposed 1,989 acres of LAAs, the loading rate is approximately 10.07 lbs/acre/yr. Pistachio wastewater will be applied over the pistachio process season (approximately 40-60 days) the average daily BOD loading rate would be 333 to 500 lbs/day. On a per acre basis the daily BOD loading rate is approximately 0.17-0.25 lbs/acre/day. As such, it's expected the Discharger can meet a cycle average BOD limit of 10 lbs/acre/day by utilizing all available LAAs and rotating applications.

### **Site-Specific Conditions**

#### Topography, Climate and Land Use

28. The Facility is located on the southern border of the City of Chowchilla. The primary land use category in the Facility vicinity is industrial, with agricultural and municipal uses nearby. Residential communities are present approximately 0.75 miles northeast of the Facility and some scattered rural homes are closer.
29. The LAAs are located primarily near Los Banos in Merced County. Only one LAA is located 1.3 miles southwest of the Facility in Chowchilla. The area surrounding the LAA in Chowchilla is primarily agricultural. Primary land uses in the vicinities of the remaining LAAs is agricultural.
30. The land surface in the area of the Facility is relatively flat and around 235 feet above mean seal level (amsl). With the exception of the LAAs located west of Interstate 5 (I-5), the remaining LAAs are also relatively flat and slope gently towards the trough of the Central Valley in the east, and the RWD indicates that elevations at these LAAs ranges from 194 to 240 feet amsl. The LAAs located west of I-5, which will be planted with forage crops have a hilly topography, varying directions of slope, and range from 330-500 feet amsl. Various irrigation canals and the California Aqueduct are present throughout the LAAs east of I-5, and Los Banos Creek is about 1.5 miles northwest of the closest LAA. Ortigalita Creek borders the LAAs west of I-5 on the south, and, based on aerial images, appears to terminate near its intersection with I-5.
31. The Facility is located in an arid climate characterized by dry summers and mild winters. Based on information using the California Irrigation Management System (CIMIS) from the Madera weather (Station #148), the annual evapotranspiration

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near the Facility is 48 inches. According to the NOAA records, the average annual rainfall in the Chowchilla area is 11.5 inches, and the year with the greatest rainfall year coming in 1983 with 22.13 inches. According to the CIMIS Panoche weather (Station #124), the annual evapotranspiration near the LAAs is 53 inches. According to the NOAA records, the average rainfall in the Los Banos area is 10 inches, and the year with the greatest rainfall year was 1998 with 21.08 inches.

32. According to the [Federal Emergency Management Agency's \(FEMA\) Flood Insurance Rate Map](https://msc.fema.gov/portal) (<https://msc.fema.gov/portal>) indicate that all LAAs including the Facility are within a Zone X flood area, which indicates an area that is outside the 0.2 percent annual chance floodplain. There is one LAA (LAA 4) that is north of the Los Banos area that part of the LAA is within a Zone A flood area which indicates that the area is without base flood elevation.
33. According to the Natural Resources Conservation Service website (<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>), the dominant soil type present at the Facility are Hanford fine sandy loam, Delhi sand, Pachappa fine sandy loam, and Tujunga loamy sandy (approximately 96 percent of the soil composition). These soils are moderately well drained with slopes of 0 to 3 percent. The dominate soils present near the LAAs are primarily Woo clay loam, Capay clay and Stanislaus clay loam (approximately 90 percent of the soil composition). The LAA soils are moderately well drained with slopes of 0 to 2 percent.

Groundwater and Subsurface Conditions

34. Review of groundwater elevation contours, available from the Department of Water Resources (DWR) Sustainable Groundwater Management Act (SGMA) Data Viewer, indicates that the regional groundwater flow direction underlying the Facility flows to the southwest. Spring 2023 to 2025 groundwater contours indicate that the groundwater levels in the vicinity of the Facility occur around 60 to 80 feet below ground surface (bgs). Spring 2023 through 2025 groundwater levels near the LAAs range from 100 to 140 feet bgs, and the dominant groundwater flow direction is towards the southeast, away from the Coastal Ranges and towards the Central Valley.
35. The Facility obtains its source water from the City of Chowchilla domestic water supply. The City's source water quality is discussed in previous findings and summarized in Table 3 above.
36. Available groundwater quality data from the Sustainable Groundwater Management (SGMA) database collected between 2016 and 2025 from three wells within one mile of the Los Banos LAAs are summarized in Table 6 below.

Average results are presented in the table and the value inside the parenthesis indicates the number of samples used to calculate the average results.

**Table 6 – LAA Groundwater Quality (2016-2025)**

Constituent/ Parameter	Units	Well 1	Well 2	Well 3
EC	µmhos/cm	860 (3)	2,360 (2)	3,400 (2)
TDS	mg/L	220 (3)	--	--
Nitrate (as N)	mg/L	3.3 (6)	15.4 (9)	4.5 (9)
Sodium	mg/L	22 (2)	274 (1)	360 (1)
Potassium	mg/L	4.8 (3)	--	--
Chloride	mg/L	26.3 (3)	--	--
Sulfate	mg/L	4.9 (3)	--	--
Arsenic	ug/L	2.4 (2)	--	--
Iron	ug/L	3.1 (3)	10 (1)	1 (1)
Manganese	ug/L	1 (2)	2 (1)	2.9 (1)

Well IDs: Well 1 – CA2010001\_019\_019, Well 2 – CA2400338\_001\_001, Well 3 – CA2400338\_002\_002.

37. Generally, groundwater quality near the Los Banos LAAs is good quality, with few exceptions. Groundwater quality observed in two wells near the LAAs is of poor quality with regard to salinity; specifically, groundwater from Wells 2 and 3 exhibit elevated EC levels of 2,360 and 3,400 µmhos/cm, respectively. The average EC from these two wells exceeds even the recommended secondary short-term EC level of 2,200 µmhos/cm. In addition, elevated nitrate concentrations have been observed in Well 2, which has an average concentration of 15.4 mg/L, which exceeds the water quality objective (WQO) of 10 mg/L. Potential sources that may have contributed to the elevated nitrate concentrations in Well 2 include nearby dairies (within one-half mile).

**Legal Authorities**

38. This Order is adopted pursuant to Water Code section 13263, subdivision (a), which provides in pertinent part as follows:

*The regional board, after any necessary hearing, shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge..., with relation to the conditions existing in the disposal area ... into which, the discharge is made or proposed. The requirements shall implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that*

*purpose, other waste discharges, the need to prevent nuisance, and the provisions of [Water Code] Section 13241.*

Compliance with section 13263, subdivision (a), including implementation of applicable water quality control plans, is discussed in the findings below.

39. The ability to discharge waste is a privilege, not a right, and adoption of this Order shall not be construed as creating a vested right to continue discharging waste. (Wat. Code, § 13263, subd. (g).)
40. This Order and its associated MRP are also adopted pursuant to Water Code section 13267, subdivision (b)(1), which provides as follows:

*[T]he regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste ... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports.*

41. The reports required under this Order, as well as under the separately issued MRP, are necessary to verify and ensure compliance with WDRs. The burden associated with such reports is reasonable relative to the need for their submission.

### **Basin Plan Implementation**

42. Pursuant to Water Code section 13263, subdivision (a), WDRs must “implement any relevant water quality control plans and shall take into consideration the beneficial uses to be protected, the water quality objectives (WQOs) reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241.”

### **Beneficial Uses of Water**

43. This Order implements the Central Valley Water Board’s *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (Basin Plan), which designates beneficial uses for surface water and groundwater and establishes WQOs necessary to preserve such beneficial uses. (See Water Code, § 13241 et seq.)

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44. The Facility is within the San Joaquin Valley Floor Hydraulic Unit, specifically the Madera Hydraulic Area (No. 545.20), as depicted on interagency hydrologic maps prepared by the DWR in August of 1986. The nearest surface water body to the Facility is the Chowchilla River. The nearest surface bodies of water to the LAAs are Orgalita Creek, Los Banos Creek, and the California Aqueduct. This Order does not authorize any discharge of waste to any surface water or tributary thereof.
45. The Basin Plan designates the beneficial uses of underlying groundwater as municipal and domestic supply (MUN), agricultural supply (AGR), industrial service supply (IND), and industrial process supply (PRO).

Water Quality Objectives

46. The Basin Plan establishes a numeric WQO for total coliform organisms in groundwater, and narrative WQOs for chemical constituents, taste and odors, and toxicity in groundwater.
47. The numeric WQO for bacteria requires that the most probable number (MPN) of coliform organisms per 100 mL of water. For MUN-designated groundwater, the objective is an MPN of 2.2 organisms over any seven-day period.
48. The narrative WQO for chemical constituents in groundwater generally provides that groundwater shall not contain constituents in concentrations adversely affecting beneficial uses. For MUN-designated waters, the Basin Plan further provides that water, at a minimum, meets the primary and secondary maximum contaminant levels (MCLs) specified in California Code of Regulations, title 22 (Title 22), sections 64431, 64444, and 64449. The Central Valley Water Board may apply limits more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses.
49. The narrative WQO for tastes and odors in groundwater provides that groundwater shall not contain taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.
50. The narrative WQO for toxicity in groundwater provides that groundwater shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life associated with designated beneficial uses.
51. To the extent necessary, narrative WQOs are quantified, on a site-specific basis, as numeric limits for constituents with potential to adversely impacted designated uses. In determining a site-specific numeric limit, the Central Valley Water Board considers relevant published criteria. Quantifying a narrative WQO requires a site-specific evaluation of those constituents that have the potential to impact water

quality and beneficial uses. The Basin Plan states that when compliance with a narrative objective is required to protect specific beneficial uses, the Central Valley Water Board will, on a case-by-case basis, adopt numeric limitations to implement the narrative objective. In establishing a specific numeric interpretation of a narrative WQO, the Basin Plan methodology is to consider any relevant published criteria.

#### Salt Control Program

52. At its 31 May 2018 Board Meeting, the Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley (Resolution R5-2018-0034). The Basin Plan amendments became effective on 17 January 2020 and were revised by the Central Valley Water Board in 2020 with [Resolution R5-2020-0057](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf) ([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/resolutions/r5-2020-0057\\_res.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf)). The revisions to the Basin Plan amendments became effective on 10 November 2021.
53. Under the Salt Control Program, dischargers that are unable to comply with stringent salinity requirements may instead maintain compliance by meeting performance-based requirements, as determined appropriate by the Central Valley Water Board, and participating in the basin-wide effort known as the Prioritization and Optimization Study (P&O Study) to develop a long-term salinity strategy for the Central Valley. The Facility is participating in the P&O Study (**CV Salts ID: 1897**) and in good standing with the program. To maintain existing salt discharges and minimize salinity impacts, this Order sets a Performance-Based Salinity Limit of effluent limitation monthly average of **1,750 mg/L for TDS**. The performance-based limit is based on the observed 2025 effluent TDS concentration and includes an approximate 25 percent contingency to account for drought and water conservation efforts.

#### Nitrate Control Program

54. The Nitrate Control Program is a prioritized program. The Facility is within Groundwater Basin 5-022.05 (San Joaquin Valley – Chowchilla), which is a Priority 1 Basin. Notices to Comply were issued to dischargers in Priority 1 in March of 2021 and had until February 2023 to respond to the notice. These notices provided dischargers with a choice to participate in an individual permitting approach (Pathway A) or in a collective permitting approach (Pathway B). The Facility elected to comply with the Nitrate Control Program via Pathway B, and is a member in good standing with the Chowchilla Management Zone.
55. Under the Nitrate Control Program, dischargers that cause or contribute to nitrate pollution in groundwater may apply, individually or collectively, for a limited term

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“exception” from meeting nitrate limits. Compliance time schedules must be as short as practicable and are not to exceed 35 years. The Central Valley Water Board will only grant exceptions upon finding that all elements of the Board’s Exceptions Policy are met. For nitrate, the Exceptions Policy dictates that exceptions will not be considered unless an adequate supply of clean, safe, reliable and affordable drinking water is available for those who have been adversely affected by the non-compliant discharge.

56. Management Zones in Priority 1 Basins were required to submit Management Zone Implementation Plans (MZIPs). The Chowchilla Management Zone submitted an MZIP on 5 September 2023. The MZIP was deemed complete by the Board’s Executive Officer in November 2023. The MZIP contains a proposal for how dischargers within the Chowchilla Management Zone will meet requirements of the Nitrate Control Plan and the Exceptions Policy.
57. To meet the requirements of the Nitrate Control Plan, the Chowchilla Management Zone MZIP includes sector-based Nitrate Reduction Programs, including one for Non-15 dischargers, including the Discharger. The MZIP proposes that the Discharger prepare and submit a Facility-specific Nitrate Reduction Work Plan that would characterize the Facility’s impact on groundwater, quantify the Facility’s nitrate loading to the Upper Zone of groundwater, estimate the necessary improvements to the facility’s discharge to comply with the Management Zone’s Groundwater Protection Target(s) and/or other developed compliance metrics, and provide an implementation schedule that will ensure that the facility complies with the Nitrate Control Program.
58. The Chowchilla Management Zone MZIP proposes to meet the requirements of the Exceptions Policy by, among other things, continuing an interim drinking water program that performs outreach to residents potentially affected by nitrate contamination, offers free nitrate well testing, and provides free replacement water to households whose wells are found to exceed the nitrate drinking water standard.
59. The MZIP will serve as the basis for permit amendments for all dischargers in the Management Zone. The Board proposes to consider a package of permit amendments for all dischargers in the Management Zone in a single permitting action, where the Board will also make findings as to whether the requirements of the Exception Policy are met by the proposals in the MZIP. In the interim, the Discharger is subject to a Conditional Prohibition that requires that the discharger continue to participate in funding and implementing the drinking water program described in the MZIP.
60. As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of these WDRs to ensure the goals of the

Salt and Nitrate Control Programs are met. As such, this Order may be amended or modified to incorporate any newly applicable requirements. More information regarding this regulatory planning process can be found on the Central Valley Water Board's CV-SALTS website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity).

#### Special Considerations for High Strength Wastewater

61. For the purpose of this Order, "high strength wastewater" is defined as wastewater that contains concentrations of readily degradable organic matter that exceed typical concentrations for domestic sewage. Such wastes contain greater than 500 mg/L BOD. Typical high strength wastewaters include septage, some food processing wastes (e.g., slaughterhouse wastes), winery wastes, and rendering plant wastes.
62. Excessive application of high strength wastewater to land can create objectionable odors, soil conditions that are harmful to crops, and degradation of underlying groundwater with nitrogen species and metals, as discussed below. Such groundwater degradation can be prevented or minimized through implementation of best management practices such as planting crops to take up nutrients or maximizing oxidation of BOD to prevent nuisance conditions.
63. Regarding BOD, excessive application can deplete oxygen in the vadose zone and lead to anoxic conditions. At the ground surface, this can result in nuisance odors and fly breeding. Below the ground surface, when insufficient oxygen is present, anaerobic decay of organic matter can create reducing conditions that convert metals that are naturally present in the soil as relatively insoluble (oxidized) forms into more soluble reduced forms. This condition can be exacerbated by acidic soil and/or wastewater. If the reducing conditions do not reverse as the percolate travels down through the vadose zone, these dissolved metals (primarily iron, manganese, and arsenic) can degrade shallow groundwater quality. Many aquifers contain enough dissolved oxygen to reverse the process, but excessive BOD loading over extended periods may cause degradation and beneficial use impacts associated with these metals.
64. Typically, irrigation with high strength wastewater results in high BOD loading on the day of application. It is reasonable to expect some oxidation of BOD at the ground surface, within the evapotranspiration zone, and below the root zone within the vadose (unsaturated) zone. The maximum BOD loading rate that can be applied to land without creating nuisance conditions or leaching of metals can vary significantly depending on soil conditions and operation of the land application system.

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65. *Pollution Abatement in the Fruit and Vegetable Industry*, published by the United States Environmental Protection Agency (USEPA), recommends BOD loading rates in the range of 36 to 600 lbs/acre/day to prevent nuisance, but indicates that higher loading rates may be appropriate under certain conditions. The studies that supported this report did not evaluate actual or potential groundwater degradation associated with those rates. There are few studies that have attempted to determine maximum BOD loading rates for protection of groundwater quality. Those that have been done are not readily adapted to the varying soil, groundwater, and climate conditions that are prevalent throughout the Central Valley region.

66. The California League of Food Processors' *Manual of Good Practice for Land Application of Food Processing/Rinse Water* (Manual of Good Practice) proposes risk categories associated with particular BOD loading rate ranges as follows:

Risk Category 1: (less than 50 lbs/ac/day; depth to groundwater greater than 5 feet)  
Indistinguishable from good farming operations with good distribution important.

Risk Category 2: (less than 100 lbs/ac/day; depth to groundwater greater than 5 feet).  
Minimal risk of unreasonable groundwater degradation with good distribution more important.

Risk Category 3: (greater than 100 lbs/ac/day; depth to groundwater greater than 2 feet)  
Requires detailed planning and good operation with good distribution very important to prevent unreasonable degradation, as well as use of oxygen transfer design equations that consider site specific application cycles and soil properties and special monitoring.

*The Manual of Good Practice* recommends allowing a 50 percent increase in the BOD loading rates in cases where sprinkler irrigation is used, but recommends that additional safety factors be used for sites with heavy and/or compacted soils.

67. Although it has not been subject to a scientific peer review process, the *Manual of Good Practice* provides science-based guidance for BOD loading rates that, if fully implemented, are considered a best management practice to prevent groundwater degradation due to reduced metals. Projected BOD loading rates to the LAAs may be up to 0.17 lbs/ac/day, as discussed in Finding 27. These WDRs establish a BOD cycle average loading rate of 10 lbs/ac/day to prevent odor conditions from occurring and to prevent groundwater degradation due to reduced metals.

Compliance with Antidegradation Policy

68. State Water Board Resolution 68-16, *Statement of Policy with Respect to Maintaining High Quality Waters of the State* (Antidegradation Policy), which is incorporated as part of the Basin Plan, prohibits the Central Valley Water Board

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from authorizing degradation of “high quality waters” unless it is shown that degradation will be consistent with the maximum benefit to the people of California; will not unreasonably affect beneficial uses; and will not result in water quality less than as prescribed in applicable policies. Resolution 68-16 requires that any discharge to existing high quality waters be required to meet WDRs that will result in the best practicable treatment or control (BPTC) of the discharge necessary to assure that pollution and/or nuisance will not occur and the highest water quality consistent with the maximum benefit to the people of the state will be maintained.

69. The Antidegradation Policy applies when the Central Valley Water Board authorizes an activity that will result in discharges of waste to high quality waters that will degrade the quality of those waters. "High-quality waters" are those waters where water quality is more than sufficient to support beneficial uses designated in the Basin Plan. Whether a water is a high-quality water is established on a constituent-by-constituent basis, which means that an aquifer can be considered a high-quality water with respect to one constituent, but not for others (State Water Board Order No. WQ 91-10). If the activity will not result in the degradation of high-quality waters, the Antidegradation Policy does not apply, and the discharger need only demonstrate that it will use "best efforts" to control the discharge of waste.
  
70. Groundwater monitoring wells are not present at the Facility. Given the limited availability of historic groundwater quality information, compliance with the Antidegradation Policy will be determined based on available groundwater quality data near the Facility and LAAs as discussed in the previous findings.
  
71. For the purposes of this Order, constituents in the effluent that have the potential to degrade groundwater quality and/or affect beneficial uses include salinity (EC, TDS, and FDS), organics (BOD), nitrogen, and metals (iron and manganese). Table 7 below provides a comparison of observed 2025 effluent quality, Facility source water quality, irrigation water quality from wells near the proposed LAAs, and applicable water quality objectives. Unless otherwise specified, results presented in Table 7 are mg/L.

**Table 7 – Constituents with Potential for Degradation**

Constituent	Source Water	Effluent	Irrigation Quality	WQOs
EC (µmhos/cm)	200 - 590	2860	860 - 3400	700 (Ag)
FDS	--	974	--	--

Constituent	Source Water	Effluent	Irrigation Quality	WQOs
TDS	180 - 380	1400	220	500 (sMCL)
BOD	--	1200	--	--
Nitrate as N	0.67 - 5	--	3.3 - 15.4	10
Total Nitrogen	--	146	--	--
TKN	--	146	--	--
Iron (µg/L)	ND	0.04	31 - 100	0.3
Manganese (µg/L)	--	<0.05	10 - 29	0.05

sMCL = Secondary Maximum Contaminant Level

Ag = potential WQO for protection of AG beneficial use

- a. **Salinity (TDS, FDS, and EC).** Available groundwater data underlying the Facility indicates groundwater is high quality with regards to saline constituents. However, groundwater data near the LAAs indicates that groundwater is poor quality with respect to EC, and average observed levels exceed the Phase 1 numeric values for protection of AGR and MUN beneficial uses specified by the Basin Plan (i.e., 700 and 900 µmhos/cm). However, groundwater underlying the Facility and LAAs is less than the recommended lower level for TDS of 500 mg/L, and is, therefore, considered high quality with respect to TDS. Observed effluent TDS is 1,400 mg/L, which is about seven times the TDS concentration of potential receiving waters. As such, the discharge has the potential to degrade underlying groundwater with respect to salinity. While effluent TDS is high, the anticipated annual TDS loading rate to the LAAs is low and only about 12 lbs/acre, as discussed in previous findings.

Potassium in the discharge is high and contributes significantly to the observed FDS concentration in the effluent. FDS is the non-volatile fraction of TDS that has the potential to percolate or leach into shallow groundwater. The observed FDS concentration in the effluent makes up about 70 percent of the TDS concentration. While FDS makes up a significant portion of the total salt load to the LAAs, the majority of FDS is comprised of potassium. Potassium is an important nutrient for crops and, if it is readily available, plants will take it up in excess of their needs. Additionally, the positively charged potassium ion binds readily to soils, allowing for greater retention time in the root zone for crop uptake. Therefore, the application of wastewater with elevated potassium to crops is not considered to increase the potential for groundwater quality degradation and is potentially beneficial from an agricultural perspective.

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72. **Nitrogen.** For nutrients such as nitrate, the potential for groundwater degradation depends on wastewater quality, rates of application to LAAs, and the ability for the vadose zone below the LAAs to support nitrification and denitrification. Based on the observed Facility source water and LAA irrigation water qualities, groundwater underlying the Facility is high quality with respect to nitrate (as N), with a maximum observed nitrate concentration of 5 mg/L, which is below the WQO of 10 mg/L. Groundwater underlying the LAAs is variable. While one well near the LAA exhibits an average concentration above the WQO for nitrate, the other exhibit concentrations well below the WQO (see Table 6). Based on the observed irrigation well data near the LAAs, groundwater quality may be generally considered high quality.

The Facility's process wastewater contains elevated concentrations of total nitrogen approximately 146 mg/L, primarily in the form of TKN. TKN consists of organic nitrogen and ammonia nitrogen, and has the potential to mineralize and convert to nitrate (with some loss via ammonia volatilization), which may increase the net concentration of nitrate. Therefore, the discharge has the potential to degrade groundwater quality with respect to nitrogen.

As discussed in the findings above, nitrogen loading rates are expected to be less than the agronomic nitrogen demand of crops grown on the LAAs. Based on the proposed annual maximum flow of 2 MG and the observed total nitrogen in the effluent, annual nitrogen loading is anticipated to be less than 1 lb/acre, which is far less than crop needs. As such, it is not expected that the discharge will degrade underlying groundwater with respect to nitrogen.

73. **Organics and metals.** Pistachio wastewater generally consists of high levels of organic material. The effluent BOD concentration for the Facility during the 2025 processing season was 1,200 mg/L. However, the process wastewater makes up less than one percent of the annual irrigation demand for the crops at the LAAs.

As described in preceding Findings, overloading of BOD to LAAs can result in mobilization of metals that may degrade groundwater quality. However, with sufficient LAAs to accommodate BOD loading and proper record-keeping, tracking, and management of effluent land application, such reducing conditions can be minimized or prevented. As described below, this order includes requirements intended to minimize or prevent overloading of BOD to the Facility LAAs and, thus, minimize or prevent resultant degradation of receiving water with organics.

74. The Discharger implements, or will implement, as required by this Order the following measures, which the Central Valley Water Board has determined constitute BPTC. These measures will minimize the extent of water quality impacts resulting from the Facilities' discharge:

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1. Storage of process wastewater in tanks
  2. Wastewater application at agronomic rates
  3. BOD cycle average loading rates shall not exceed 10 lbs/acre/day
  4. Compliance with a Performance-Based Effluent Limit for TDS
  5. Compliance with the Salt and Nitrate Control Programs
  6. Compliance with groundwater loading limits
  7. Preparation and implementation of a Wastewater and Nutrient Management Plan
75. The discharge authorized by this Order is consistent with the maximum benefit to the people of the state. The Facility aids in the economic prosperity of the area through direct employment of approximately 14 full-time employees. The Facility provides a local market for suppliers including farmers and truckers and numerous aligned businesses as well as local and county governments.
76. Based on the foregoing, adoption of this Order is consistent with the Antidegradation Policy.

**California Environmental Quality Act**

77. In accordance with the California Environmental Quality Act (CEQA) (Pub. Res. Code, section 21000 et seq.), the City of Chowchilla Planning Commission adopted a Mitigated Negative Declaration for the Facility on 28 January 1987.
78. The issuance of this Order, which prescribes requirements and monitoring of waste discharges at an existing facility, with negligible or no expansion of its existing use, is exempt from the procedural requirements of CEQA, pursuant to California Code of Regulations, title 14, Section 15304.
79. To the extent that the construction of any new basins, ponds, surface impoundments, and/or use of existing irrigated lands as new LAAs are authorized under this Order, such authorizations constitute minor alterations to an existing facility and/or to land, which are exempt from CEQA's procedural requirements pursuant to California Code of Regulations, title 14, sections 15301 and 15304.

**Other Regulatory Considerations**

Water Code Section 13149.2

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80. These WDRs regulate a facility that may impact a disadvantaged community and/or tribal community and includes an alternative compliance path that allows the Discharger time to come into compliance with applicable WQOs (i.e., salinity). The Discharger has selected the Alternative Salinity Permitting Approach for the Salt Control Program, which provides an alternative approach for compliance with salinity limits through implementation of specific requirements (i.e., support facilitation and completion of the P&O Study. The Central Valley Water Board has satisfied the outreach requirements set forth in Water Code section 189.7 by conducting outreach in affected disadvantaged and tribal communities through its notice and comment procedures. Additionally, the Central Valley Water Board sent a letter on 30 January 2026 to potentially impacted disadvantaged and tribal communities for planned program actions, including preparation of this Order, to solicit consultation. Pursuant to Water Code section 13149.2, and as discussed in the following finding, the Central Valley Water Board reviewed readily available information concerning anticipated water quality impacts in disadvantaged or tribal communities resulting from adoption of these WDRs. The Board also considered environmental justice concerns within the Board's authority and raised by interested person with regard to those impacts.
81. The Central Valley Water Board anticipates that the issuance of this Order will result in water quality impacts within the scope of the Board's authority. Specifically, these WDRs authorize the discharge of wastewater with salinity and nitrogen concentrations that may cause degradation or exceedances of applicable WQOs in the near-term. The BPTC measure required by this Order, as described above, are intended to minimize and, in the longer term, mitigate the impacts of the Facility's discharges to nearby disadvantaged communities in Madera and Merced Counties. Although this Order may result in limited increases to salinity and nitrogen concentrations in groundwater in the near-term, the Salt and Nitrate Control Programs are intended to achieve long-term balance and restoration, where possible of salt-and nitrogen-impacted groundwater basins across the region.

Human Right to Water

82. Pursuant to Water Code section 106.3, subdivision (a), it is "the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." Although this Order is not subject to Water Code section 106.3, as it does not revise, adopt, or establish a policy, regulation, or grant criterion (see § 106.3, subd. (b)), it nevertheless promotes the policy by requiring discharges to meet MCLs for drinking water (excluding salinity), which are designed to protect human health and ensure that water is safe for domestic use. For salinity, this Order requires compliance with the Salt Control Program. Although the Basin Plans' Exceptions Policy for Salinity allows participants in the Salt Control

Programs to obtain limited-term exceptions from MCLs for salinity, the Salt Control Program is consistent with the Human Right to Water Policy because its over-arching management goals and priorities include short-term provision of safe drinking water to impacted user and long-term restoration of impacted groundwater basins and sub-basins where reasonable, feasible, and practicable.

#### Threat-Complexity Rating

83. For the purposes of California Code of Regulations, title 23, section 2200, the Facility has a threat-complexity rating of **2-C**
- a. Threat Category “2” reflects waste discharges that can impair receiving water beneficial uses, cause short-term water quality objective violations, cause secondary drinking water standard violations, and cause nuisances.
  - b. Complexity Category “C” reflects any discharger for which WDRs have been prescribed per Water Code section 13263, and not included in Category A or Category B.

#### Title 27 Exemption

84. This Order, which prescribes WDRs for discharges of nonhazardous wastewater to land, is exempt from the prescriptive requirements of California Code of Regulations, title 27 (Title 27), section 20005 et seq. (Title 27, § 20090, subd. (b).)

#### Stormwater

85. State Water Board Order 2014-0057-DWQ (NPDES General Permit CAS000001) specifies WDRs for discharges of storm water associated with industrial activities and requires submittal of a Notice of Intent from all affected industrial dischargers. Activities at the Facilities fall under the Standard Industrial Classification (SIC) Code 0723 for Crop Preparation for Market. Water associated with industrial activities will not be allowed to discharge off-site or into surface waters. Based on SIC Code and management of the water, enrollment, and coverage under General Order 2014-0057-DWQ is not required at this time.

#### Scope of Order

86. This Order is strictly limited in scope to those waste discharges, activities, and processes described and expressly authorized herein. This Order is also strictly limited in applicability to those individuals and/or entities specifically designated herein as “Discharger.”
87. Pursuant to Water Code section 13264, subdivision (a), the Discharger is prohibited from initiating the discharge of new wastes (i.e., other than those

described herein), or making material changes to the character, volume, and/or timing of waste discharges authorized herein, without filing a new RWD per Water Code section 13260.

88. Failure to file a new RWD before initiating material changes to the character, volume, or timing of discharges authorized herein shall constitute an independent violation of these WDRs.

### **Procedural Matters**

89. All of the above information, as well as the information contained in the attached Information Sheet, was considered by the Central Valley Water Board in prescribing the WDRs set forth below.
90. The Discharger, interested agencies, and other interested persons were notified of the Central Valley Water Board's intent to prescribe the WDRs in this Order, and provided an opportunity to submit their written views and recommendations at a public hearing. (See Wat. Code, § 13167.5.)
91. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.
92. The Central Valley Water Board will review and revise the WDRs in this Order as necessary.

### **REQUIREMENTS**

**IT IS HEREBY ORDERED**, pursuant to Water Code sections 13263 and 13267, that WDRs Order 93-005 is rescinded (except for enforcement purposes) and that the Discharger and its agents, employees, and successors shall comply with the following.

#### **A. Standard Provisions**

Except as expressly provided herein, the Discharger shall comply with the Standard Provisions and Reporting Requirements dated 1 March 1991 (1 March 1991 SPRRs), which are incorporated herein.

#### **B. Discharge Prohibitions**

1. Discharge of waste to surface waters or surface water drainage courses is prohibited.
2. Waste classified as "hazardous" (per Title 22 § 66261.1 et seq.), shall not be discharged at the Facility under any circumstance.

3. Waste constituent shall not be discharged or otherwise released from the Facility in a manner that results in:
  - a. Violations of the Groundwater Limitations of this Order; or
  - b. Conditions of “nuisance” or “pollution,” as defined by Water Code section 13050.
4. Discharge of waste at a location or in a manner different from that described in the Findings is prohibited.
5. Discharge of process wastewater to the domestic wastewater treatment system is prohibited.
6. Discharge of domestic wastewater to the LAAs is prohibited.
7. Storage of residual solids on areas not equipped with a means to prevent storm water infiltration, or paved leachate collection system is prohibited.

**C. Conditional Discharge Prohibitions**

1. During Phase I of the Salt Control Program, the Discharger is prohibited from discharging the salts at concentrations exceeding the salinity numeric value of 700  $\mu\text{mhos/cm}$  (as a monthly average) and 900  $\mu\text{mhos/cm}$  (as an annual average) unless the Discharger is implementing the Phase I requirements of the Salt Control Program Alternative Permitting Approach (i.e., full participation in the P&O Study).
2. The Discharge is prohibited from discharging nitrate and other forms of nitrogen speciation (e.g., total inorganic nitrogen and total Kjeldahl nitrogen) unless the Discharger is implementing the requirements of the Nitrate Control Program Management Zone Approach.

**D. Flow Limitation**

1. Discharges of pistachio process wastewater from the Facility shall not exceed the following at EFF-001:

**Table 8 - Flow Limitations**

<b>Flow Measurement</b>	<b>Flow Limit</b>
Maximum Daily Flow	30,000 gpd

Total Annual Flow (1 January through 31 December)	2 MGY
--	-------

**E. Performance-Based Salinity Limit**

1. To comply with the Salt Control Program, the Discharger has selected the Alternative Salinity Permitting Approach (i.e., Path 2, participation in the P&O Study). Therefore, as discussed in the Findings, these WDRs establish a performance-based annual effluent TDS limitation (calculated as an annual average) of 1,750mg/L, as monitored at EFF-001.

As required per the MRP, the Discharger shall evaluate the annual average effluent TDS concentration in the discharge with this performance-based salinity limit.

**F. Discharge Specifications**

1. All wastewater shall be contained in the onsite storage tanks and/or remain within authorized LAAs at all times.
2. All systems and equipment shall be operated to optimize discharge quality.
3. Objectionable odors shall not be perceivable beyond the limits of the Facilities' property at an intensity that creates or threatens to create nuisance conditions.
4. All conveyance, treatment, storage, and disposal systems shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.

**G. Land Application Area Specifications**

For the purposes of this Order, "land application area" or "LAAs" refers to the discharge areas described in the Findings and shown in **Attachment B**.

1. Crops shall be grown on the LAAs. Crops shall be selected based on nutrient uptake, consumptive use of water, and irrigation requirements to maximize crop uptake of water and nutrients.
2. Application of waste constituents to the LAAs shall be at reasonable agronomic rates preclude creation of nuisance or unreasonable degradation of groundwater, considering the crop, soil, climate, and irrigation management system. The annual nutritive loading of the LAA, including the nutritive value of the process wastewater, supplemental

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irrigation water, organic and chemical fertilizers, and screened solids shall not exceed the annual crop demand.

3. BOD<sub>5</sub> loading to the LAAs, calculated as a cycle average as determined by the methods described in the MRP, shall not exceed **10 pounds per acre per day**.
4. The Discharger shall ensure that all water is applied and distributed with reasonable uniformity across each LAA block. The perimeter of the LAAs shall be graded to prevent ponding along public roads or other public areas and prevent runoff or overspray onto adjacent properties not owned or controlled by the Discharger
5. Wastewater from the Facilities' shall not be applied within:
  - a. 50 feet of a domestic water supply well,
  - b. 50 feet from any surface water or surface water drainage course, or
  - c. 25 feet from a property line or public right-of-way unless the irrigation system is designed to prevent runoff or overspray, in which case a minimum setback of 5 feet shall be maintained.
6. Hydraulic loading of combined wastewater and supplemental irrigation water shall be managed to:
  - a. Provide water only when water is needed and in amounts consistent with crop needs;
  - b. Maximize crop nutrient uptake;
  - c. Maximize breakdown of organic waste constituents in the root zone; and
  - d. Minimize the percolation of waste constituents below the root zone.

The Central Valley Water Board recognizes that some leaching of salts is necessary to manage salt in the root zone of the crops. Leaching shall be managed to minimize degradation and maintain or reduce, to the extent practicable, concentrations of saline constituents and nitrate (and other forms for nitrogen speciation) in receiving waters.

7. The resulting effect of the discharge on soil pH shall not exceed the buffering capacity of the soil profile.

8. Land application of wastewater shall be managed to minimize erosion.
9. The LAAs shall be managed to prevent breeding of mosquitos. More specifically:
  - a. All applied irrigation water must infiltrate completely within 48 hours;
  - b. Ditches not serving as wildlife habitat should be maintained free of emergent, marginal, and floating vegetation; and
  - c. Low-pressure and unpressurized pipelines and ditches accessible to mosquitos shall not be used to store process wastewater.
10. Irrigation of the LAAs shall occur only when appropriately trained personnel are on duty.
11. Discharge to the LAAs shall not be initiated when the ground is saturated (e.g., during or after significant precipitation).
12. Irrigation runoff (i.e., tailwater) shall be confined to the LAAs or returned to the process wastewater system.
13. LAAs shall be inspected periodically to determine compliance with the requirements of this order, if an inspection reveals noncompliance or threat of noncompliance with this Order, the Discharger shall temporarily stop land application use immediately and implement corrective actions to ensure compliance with this Order.

#### **H. Groundwater Limitations**

1. Release of waste constituents of the combined or individual waste streams from any treatment, storage, delivery system, or LAA associated with the Facilities' discharges shall not cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below or natural background groundwater quality, whichever is greater:
  - a. Constituents in concentrations that exceed either the Primary or Secondary MCLs established in Title 22, excluding salinity provided the Discharger complies with the Salt Control Program requirements (see Conditional Prohibition C.1)
  - b. Contain taste or odor-producing constituents, toxic substances, or any other constituents in concentrations that cause nuisance or adversely affect beneficial uses, (e.g., by creating off-tastes and/or

odor, producing detrimental physiological responses in human, plant, animal, or aquatic life [i.e., toxicity]).

### **I. Solid Disposal Specifications**

1. For the purpose of this Order, residual solids include organic matter removed by screens and filter and soil sediments. Residual solids mean organic processing byproducts such as leaves, twigs, hulls and shells, that will not be subject to treatment prior to disposal.
2. Residual solids shall be removed from screens, pits, and ponds as needed to ensure optimal operation, prevent nuisance conditions, and maintain adequate storage capacity.
3. Any handling and storage of solid waste and residual solids shall be controlled and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into solids in a mass or concentration that will violate the groundwater limitations of this Order.
4. If removed from the site, solid waste and residual solids shall be disposed of in a manner consistent with Title 27, division 2. Removal for reuse as animal feed, biofuel feedstock, or land disposal at facilities (i.e., landfills, composting facilities, soil amendment sites operated in accordance with valid waste discharge requirements issued by a regional water quality control board) will satisfy this specification.
5. Any proposed change in residual solids use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change.

### **J. Provisions**

1. The Discharger shall comply with the separately issued Monitoring and Reporting Program Order R5-2026-XXXX (MRP), and any revisions thereto as ordered by the Central Valley Water Board or the Executive Officer. The submittal dates of Discharger self-monitoring reports shall be no later than the submittal date specified in the MRP.
2. A copy of this Order, including the MRP, Information Sheet, Attachments, and SPRRs, shall be kept at the Facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.
3. The Discharger shall comply with the applicable provisions of the Salt and Nitrate Control Programs adopted in Resolution R5-2018-0034 (as revised per Resolution R5-2020-0057) to address ongoing salt and nitrate

- accumulation in the Central Valley developed as part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative.
4. The Discharger shall participate in the Chowchilla Management Zone Nitrate Control Program activities. This includes collaborating with the Management Zone to collect the necessary monitoring data to refine the MZIP preliminary nitrogen load estimate and support development of the Management Zone Groundwater Protection Values and Groundwater Protection Targets
  5. Per the Chowchilla Management Zone MZIP, the Discharger is identified as a Group 2 discharger. Upon approval of the MZIP the Discharger will be required to submit a Nitrate Reduction Workplan. Details regarding the timeline for submitting the Work Plan will be included in a future amendment.
  6. By XX October 2026, the Discharger shall submit a **Wastewater and Nutrient Management Plan** that describes how the Discharger will apply wastewater to the LAA in accordance with these WDRs. At a minimum, the Wastewater and Nutrient Management Plan must include the following:
    - a. Procedures for monitoring Facility operations and discharge.
    - b. Practicable measures to ensure reasonable even application of wastewater. The Plan shall also detail how the Facilities will not discharge wastewater to the LAA when soils are saturated (e.g., during and after significant precipitation events).
    - c. A detailed map of the LAA blocks to be used each year to facilitate tracking annual wastewater application and nutrient release to the land.
    - d. Management practices that will ensure that wastewater, irrigation water, and fertilizers/compost are applied at agronomic rates to the LAA including but not limited to adjusting wastewater application and spreading based on consideration of soil available nutrients and/or plant tissue sampling results.
  7. The Discharger shall submit the technical reports and work plans required by this Order for consideration by the Executive Officer and incorporate comments the Executive Officer may have in a timely manner, as appropriate. Unless expressly stated otherwise in this Order, the Discharger shall proceed with all work required by the foregoing provisions by the due dates specified.
  8. In accordance with 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. All technical

- reports specified herein that contain workplans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall bear the professional's signature and stamp.
9. The Discharger shall comply with all conditions of this Order, including timely submittal of technical and monitoring reports. On or before each report due date, the Discharger shall submit the specified document to the Central Valley Water Board or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, then the Discharger shall state the reasons for such noncompliance and provide an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board in writing when it returns to compliance with the time schedule. Violations may result in enforcement action, including Central Valley Water Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.
  10. The Discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Discharger when the operation is necessary to achieve compliance with the conditions of this Order.
  11. The Discharger shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to comply with this Order.
  12. As described in the SPRRs, the Discharger shall report promptly to the Central Valley Water Board any material changes or proposed change in the character, location, or volume of the discharge.
  13. In the event that the Discharger reports toxic chemical release data to the State Emergency Response Commission (SERC) pursuant to section 313 of the Emergency Planning and Community Right to Know Act (42 U.S.C. section 11023), the Discharger shall also report the same information to the Central Valley Water Board within 15 days of the report to the SERC.

Golden Valley Pistachio Co., LLC

Golden Valley Pistachio Processing Facility

Madera County

**Attachment A**

14. At least 90 days prior to termination or expiration of any lease, contract, or agreement involving disposal or recycling areas or off-site reuse of effluent, used to justify the capacity authorized herein and assure compliance with this Order, the Discharger shall notify the Central Valley Water Board in writing of the situation and of what measures have been taken or are being taken to assure full compliance with this Order.
15. In the event of any change in control or ownership of the Facility, the Discharger must notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.
16. To assume operation as Discharger under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement of responsibility (the statement shall comply with the signatory paragraph of SPRRs, Standard Provision B.3, and state that the new owner or operator assumes full responsibility for compliance with this Order). Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. If approved by the Executive Officer, the transfer request will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.
17. In order to secure rescission of WDRs that are no longer necessary because the discharge to land permitted under this Order has ceased, the Discharger must contact the Central Valley Water Board Compliance and Enforcement Unit to coordinate appropriate wastewater treatment, storage, and conveyance closure requirements.
18. The Central Valley Water Board will review this Order periodically and will revise requirements when necessary.

**ENFORCEMENT**

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to Water Code sections 13268, 13350, and 13385.

[Tentative] Waste Discharge Requirements Order R5-2026-XXXX A.33  
Golden Valley Pistachio Co., LLC  
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### **Attachment A**

The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

## **ADMINISTRATIVE REVIEW**

Any person aggrieved by this Central Valley Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition by 5:00 p.m. on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of [the law and regulations applicable to filing petitions](#) are available on the Internet (at the address below) and will be provided upon request.

([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)). Copies will also be provided upon request.

## **ATTACHMENTS**

**ATTACHMENT A — Project Location Map**

**ATTACHMENT B — Chowchilla Land Application Area and Facility Site Map**

**ATTACHMENT C — North Los Banos Land Application Area Map**

**ATTACHMENT D — South Los Banos Area Land Application Vicinity Map**

**ATTACHMENT E — Facility Map**

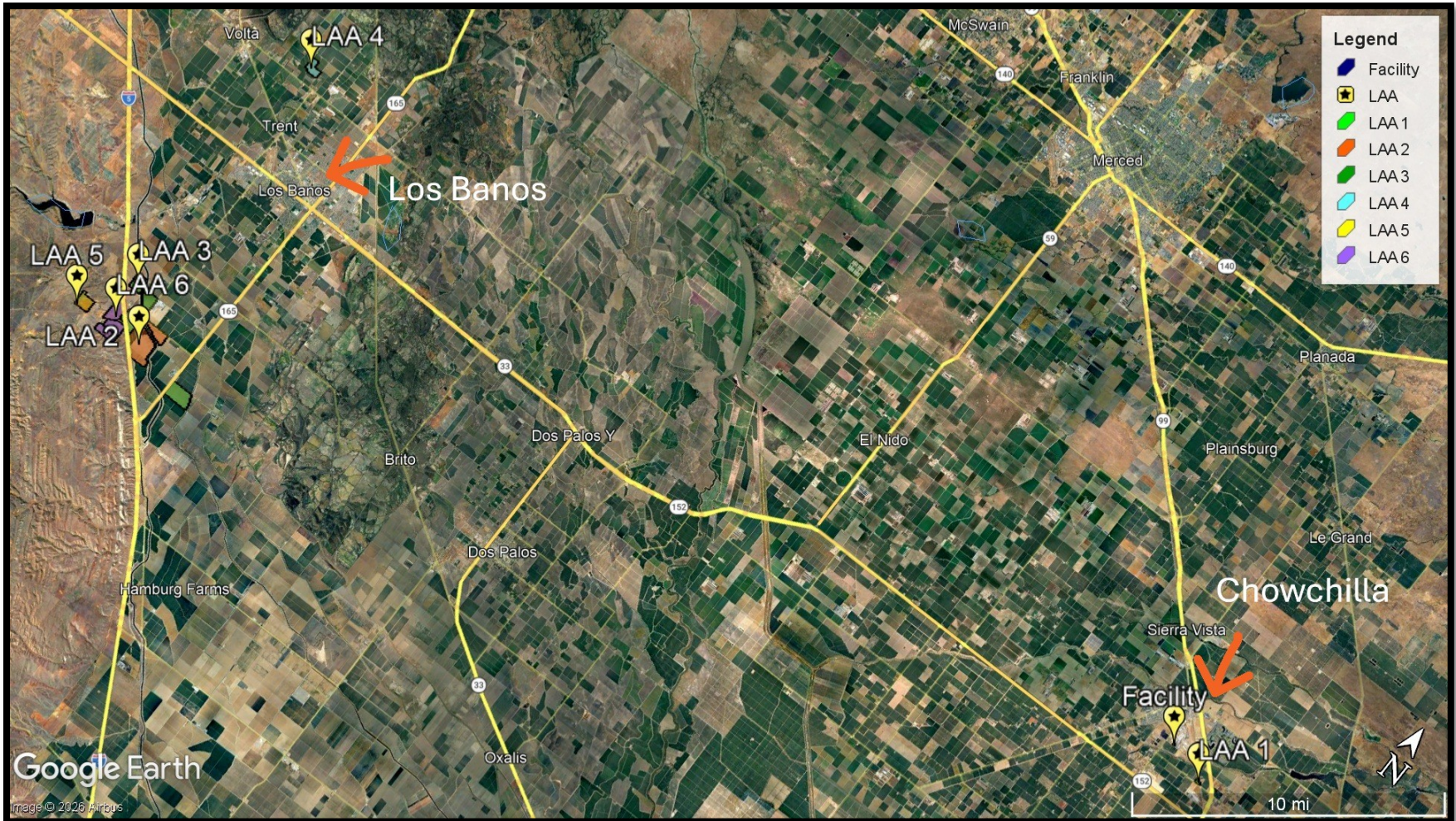
**ATTACHMENT F — Process Flow Schematic**

**Standard Provisions and Reporting Requirements**

**Information Sheet**

**Monitoring and Reporting Program R5--XXXX**

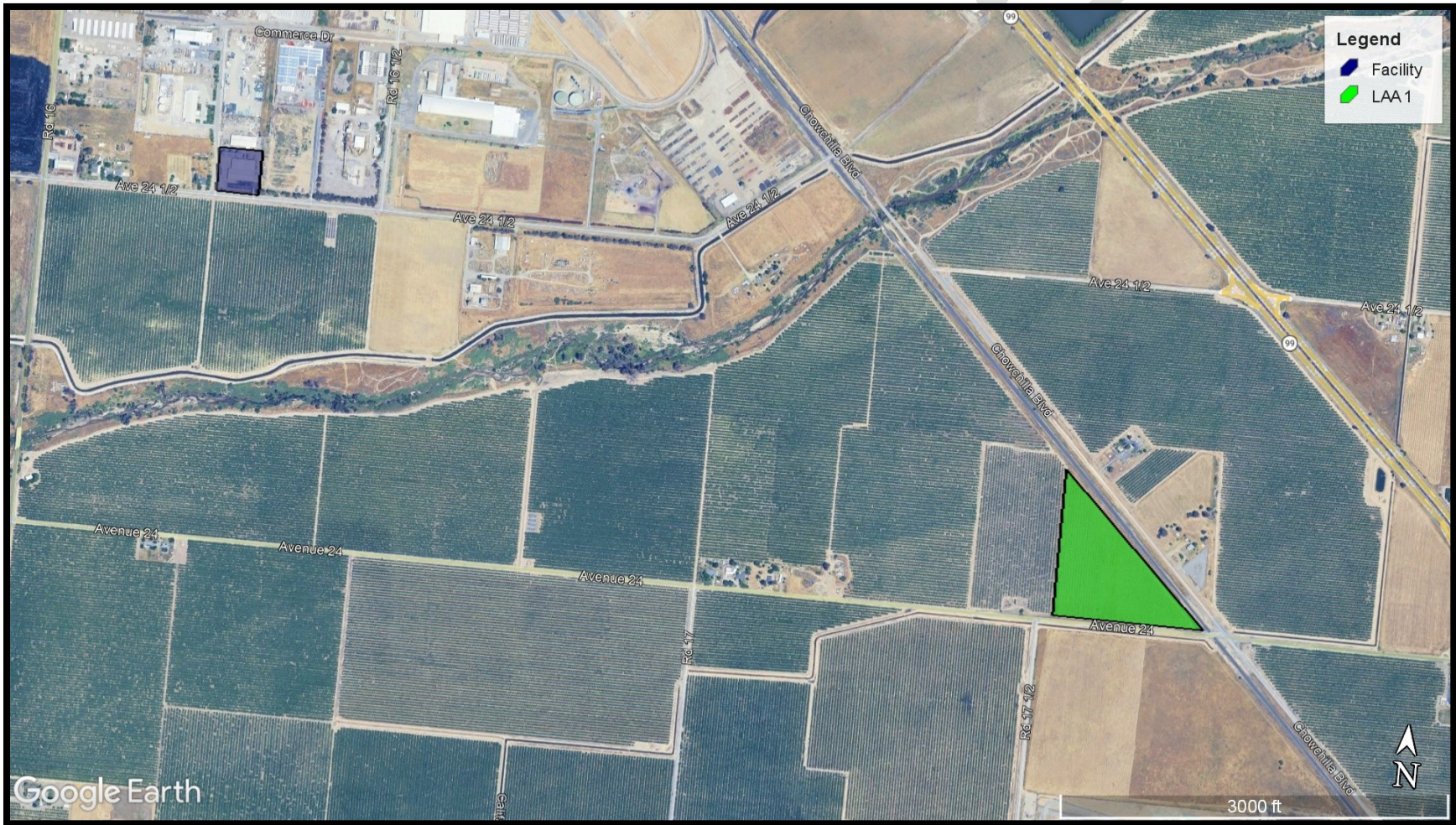
**ATTACHMENT A — Project Location Map**



[Tentative] Waste Discharge Requirements Order R5-2026-XXXX  
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**ATTACHMENT B**

B.1

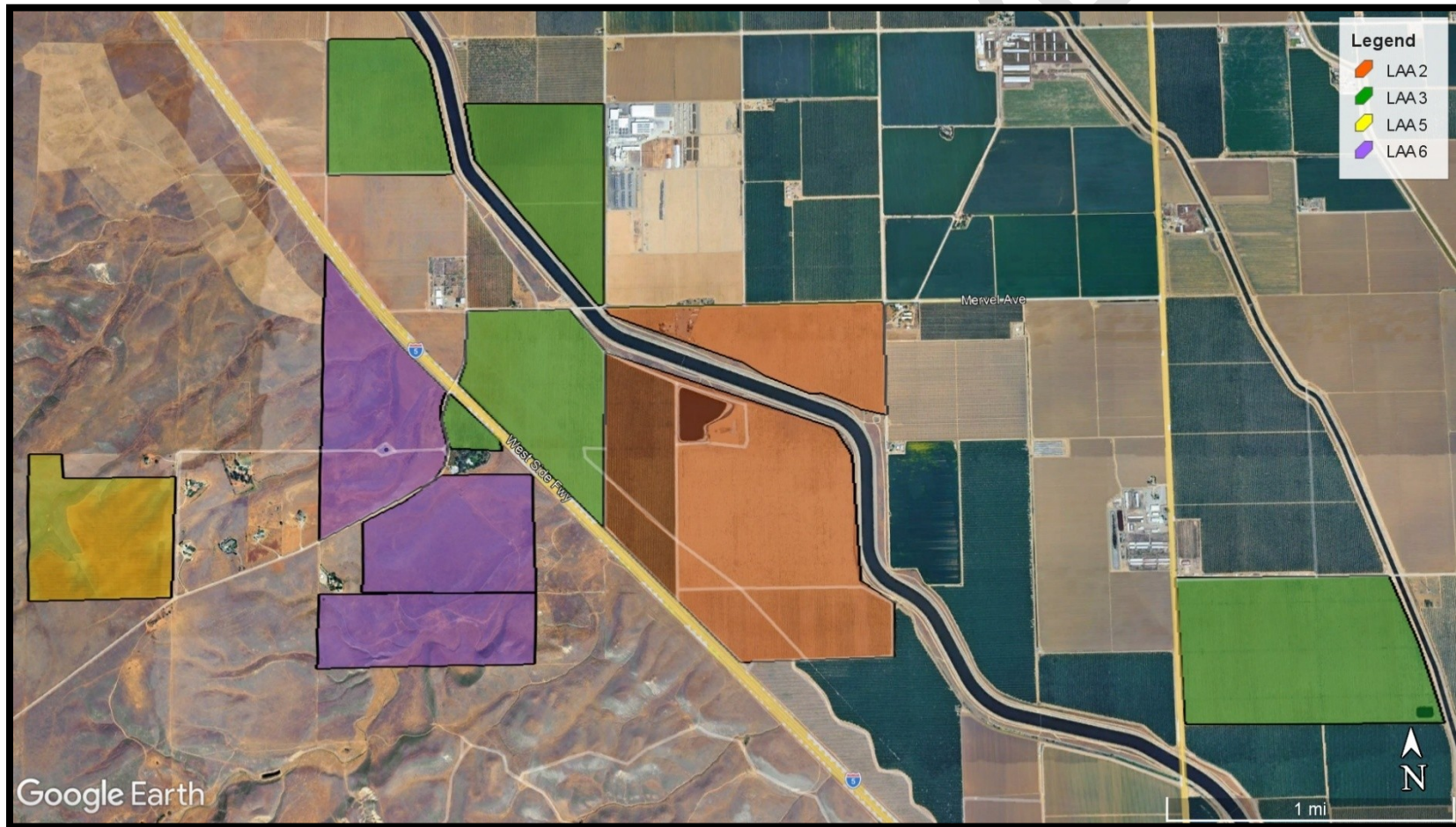
**ATTACHMENT B — Chowchilla Land Application Area and Facility Site Map**



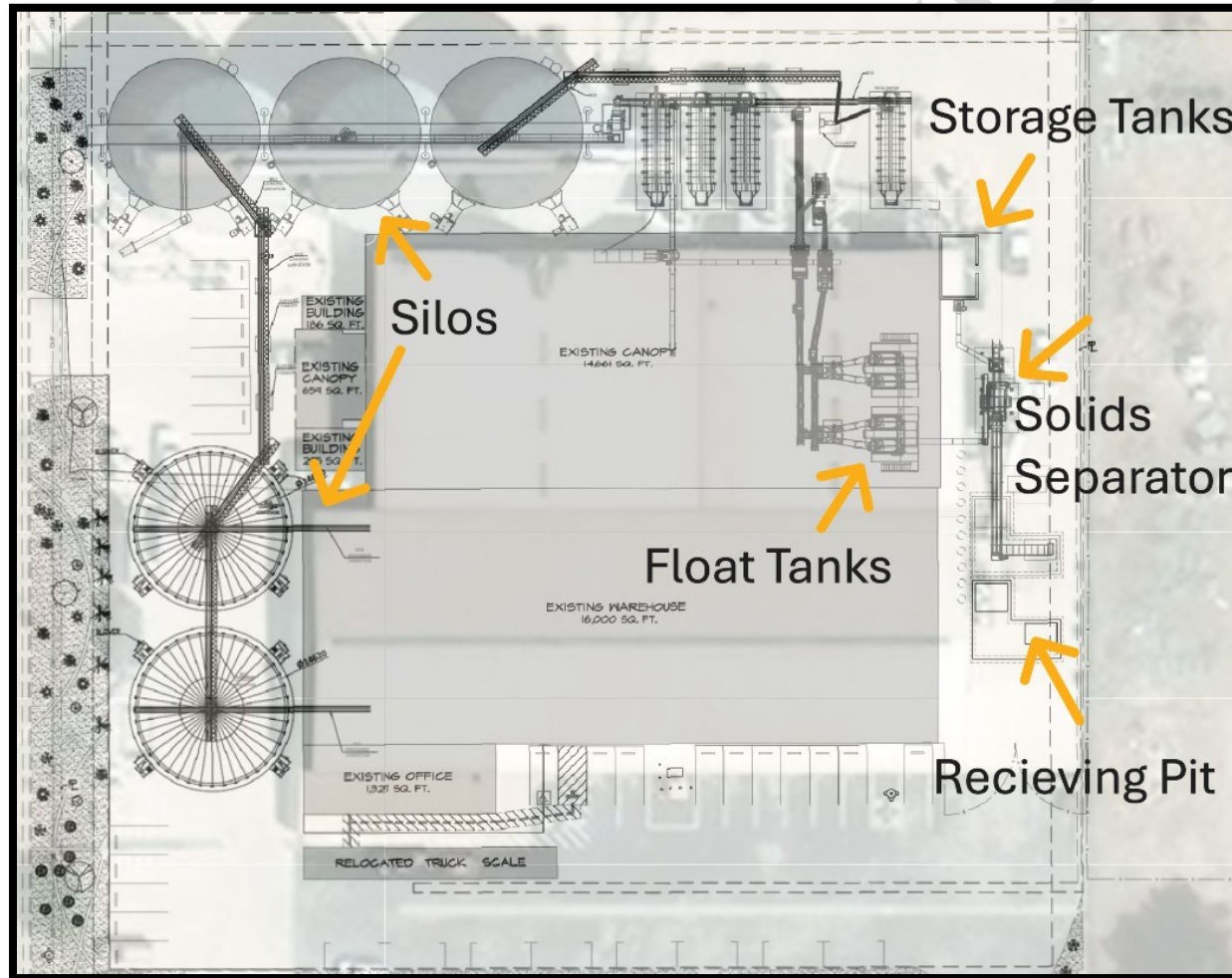
**ATTACHMENT C — North Los Banos Land Application Site Map**



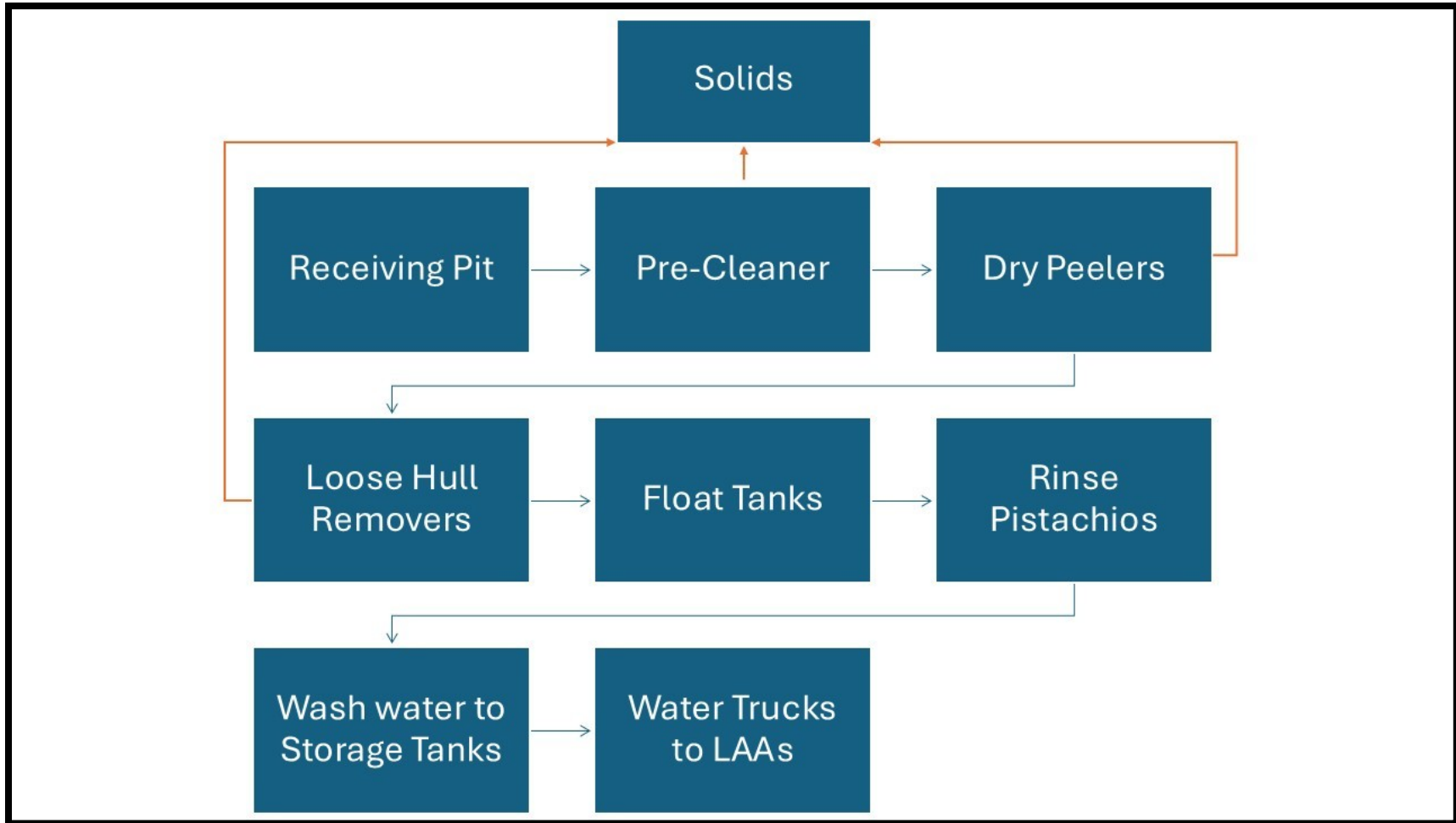
**ATTACHMENT D — South Los Banos Area Land Application Vicinity Map**



**ATTACHMENT E — Facility Map**



**ATTACHMENT F — Process Flow Schematic**



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION**

[Tentative] Waste Discharge Requirements Order R5-2026-XXXX  
For  
Golden Valley Pistachio Co. LLC et al.  
Golden Valley Pistachio Processing Facility  
Madera & Merced Counties

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**Background**

On the 17 June 2025, Central Valley Water Board staff received a Report of Waste Discharge (RWD) for a discharge of process wastewater from an existing pistachio processing Facility (Facility) within the city limits of the City of Chowchilla in Madera County. The RWD was submitted by Toure Environmental Engineering on behalf of Golden Valley Pistachio Co. LLC (Discharger or Golden Valley). The RWD included a Form 200 and a technical report prepared by T'Shaka Toure and Signed and stamped by John T. Ennis (RCE 55519), a California registered civil engineer. In addition a copy of the Notice of Exemption (NOE) for the existing Facility that was approved by the City of Chowchilla on 4 June 2025, and from the County of Merced 21 May 2025, due to the Land Application Areas (LAAs) primarily being located within the County of Merced.

Golden Valley owns and operates the processing Facility but does not own all of the LAAs. Owners of the LAAs include Nader Malakan, Malakan Investments LLC and Golden Valley Pistachio Co. LLC. A detailed summary of land ownership for the processing Facility and the LAAs is provided in the Order. Location information for the pistachio processing Facility, LAAs (including assessor's parcel numbers) acreage, owner, and land use is also summarized in the Order. Attachment A is the site location map. Attachment B is a site plan map that depicts the Facility and LAAs locations.

**Facility and Discharge Description**

Golden Valley Pistachio Processing Facility is a pistachio nut processing facility that processes up to approximately 10 million pounds of pistachios on an annual basis and generate up to 2 million gallons of process wastewater per year. Operations at the Facility include dehulling, drying, processing, and storing of pistachios.

The Facility receives harvested pistachios that are brought via trucks and are funneled into a pit/vault which are then conveyed via a belt to an area that helps separate solids (twigs, leaves) from the pistachios. Pistachios are then conveyed to a series of eight hoppers that feed into eight dry peelers that assist in removing the pistachio from the hulls. Pistachios are then conveyed to two 200-gallon float tanks allowing empty shells to float and be removed and conveyed to where the solids are stockpiled. The dehulled

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pistachios are then brought up from the bottom of the tanks from the conveyor and are rinsed with fresh water via sprayer heads and conveyed to be dried and stored in onsite silos for future sale. Solids such as the twigs, leaves, and pistachio hulls are conveyed to a solid waste truck that trucks solids to an authorized Facility to store the solids until they can be utilized at the LAAs by the Discharger.

Pistachio process wastewater that is produced during the rinsing of the pistachios are discharged into a pit near the rinsing area. The wastewater pit contains two pumps a lower depth pump that pumps wastewater for reuse in the floatation tanks and the pump closer to ground level pumps pistachio process wastewater to three 10,000 gallon above ground onsite wastewater storage tanks. Pistachio process wastewater is transferred from the onsite tanks to 5,000 gallons trucks that truck the wastewater to the LAAs primarily in Los Banos.

Trucks will then transfer the wastewater to a 5,000 gallon above ground wastewater storage tank, located at each of the LAAs. Pistachio process wastewater is then discharged to land via a tractor pulling a 1,000-gallon tank between rows of pistachio trees via a boom sprayer.

The RWD included anticipated wastewater quality results based on a stored sample collected during the 2024 processing season; however, these results were determined to be not representative of the new process changes and were not analyzed within specified laboratory holding times for many constituents. At Staff's request, the Discharger conducted a more comprehensive 3 October 2025 effluent sampling event during the 2025 processing season. The results of the 2025 sampling event are summarized in Table 4 of the Order.

### **Groundwater Considerations**

Groundwater considerations are discussed in Findings 34 through 37 of the Order.

### **ANTIDegradation**

Antidegradation analysis and conclusions are discussed in Findings 68 to 74 of the Order.

### **DISCHARGE PROHIBITIONS, LIMITATIONS, SPECIFICATIONS, AND PROVISIONS**

This Order also contains the following provisions and flow limits:

- Waste discharges to the LAAs shall not exceed 30,000 gpd as maximum daily application.
- Waste discharges to the LAAs shall not exceed 2 MGY for the calendar year (1 January through 31 December).

- Provision J.6 requires the Discharger to submit an updated Wastewater and Nutrient Management Plan.

This Order sets a Performance-Based Salinity Limit of **1,750 mg/L for TDS as a flow-weighted annual average**. This limit is based on the effluent data from 2025 processing season. By choosing to participate in the P&O Study, the Discharger may continue implementing reasonable, feasible, and practicable efforts to control salinity through performance-based measure. In addition, this Order requires wastewater application at agronomic rates and a **BOD cycle average loading limit of 10 lbs/acre/day**.

Groundwater limitations establish that the release of waste constituents from any portion of the Facilities shall not cause or contribute to the exceedance of water quality objectives (WQOs) in the receiving water. If the Facility's discharge contains waste at a level greater than a WQO but the groundwater receiving the waste remains below the WQO, the limitation would not be violated. However, if the same discharge contains waste at a level greater than the WQO and causes the receiving water to exceed a WQO, the groundwater limitation would be violated. Similarly, if the same discharge contains waste above the WQO and the receiving water is above the objective, the Facility's discharge would be contributing to an exceedance of the WQO and would be violating the receiving water limitation, if the receiving water natural background concentration is less than the WQO.

In the scenario where the level of waste in the Facility's discharge is below the WQO and the receiving water exceeds the WQO, the limitation would not be violated. Where natural background conditions exceed the WQO, compliance would be evaluated considering the established natural background concentration instead of the WQO. Only discharges causing or contributing to the exceedance of the WQO or natural background concentration (if greater than the WQO) in the groundwater would be in violation of the limitation. The Basin Plan contains the following in Section 3 Water Quality Objectives: The objectives contained in this plan, and any State or Federally promulgated objectives applicable to the basins covered by the plan, are intended to govern the levels of constituents and characteristics in the main water mass unless otherwise designated... Any analysis of the above factors to determine exceedances of groundwater limitations would consider this and other guidance from the Basin Plan (e.g., hydrogeologic and background characterization studies, regional groundwater flow and dilution, etc.).

### **Monitoring Requirements**

Section 13267 of the California Water Code authorizes the Central Valley Water Board to require monitoring and technical reports as necessary to investigate the impact of waste discharges on waters of the State. Water Code Section 13268 authorizes assessment of civil administrative liability where appropriate. The Order includes source

water, effluent, irrigation, land application area, and solids monitoring. This monitoring is necessary to characterize the discharge and evaluate any impacts to groundwater and compliance with the requirements and specifications in the Order.

### **Salt and Nitrate Control Programs Regulatory Considerations**

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments (Resolution R5-2018-0034) incorporating new programs for addressing ongoing salt and nitrate accumulation in the waters and soils of the Central Valley at its 31 May 2018 Board Meeting. These Basin Plan amendments became effective on 17 January 2020 and were subsequently revised by the Central Valley Water Board in 2020 to make targeted revisions required by the State Water Board through adoption of Resolution R5-2020-0057, which became effective 10 November 2021.

The Discharger (CV-SALTS ID 1897) received a 5 January 2021 Notice to Comply with the Salt Control Program. The Discharger elected to participate in the P&O Study, and records indicate that the Dischargers are in good standing with the program.

For the Nitrate Control Program, dischargers may comply with the new nitrate program either individually (Path A) or collectively with other dischargers (Path B). The Facility is in a Priority 1 subbasin (Chowchilla Management Zone) and the Discharger is participating collectively in the Chowchilla Management Zone (Path B).

The CV-SALTS initiative will result in regulatory changes that will be implemented through conditional prohibitions and modifications to many WDRs regionwide, including the WDRs that regulate discharges from the Facility. More information regarding the CV-SALTS regulatory planning process can be found at the following [link](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/):  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

### **Reopener**

The conditions of discharge in the Order were developed based on currently available technical information and applicable water quality laws, regulations, policies, and plans, and are intended to assure conformance with them. The Order sets limitations based on the information provided thus far. If applicable laws and regulations change, or once new information is obtained that will change the overall discharge and its potential to impact groundwater, it may be appropriate to reopen the Order.

### **Legal Effect of Rescission of prior WDRs or Orders on Existing Violations**

The Central Valley Water Board's rescission of prior waste discharge requirements and/or monitoring and reporting orders does not extinguish any violations that may have occurred during the time those waste discharge requirements or orders were in effect.

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The Central Valley Water Board reserves the right to take enforcement actions to address violations of prior prohibitions, limitations, specifications, requirements, or provisions of rescinded waste discharge requirements or orders as allowed by law.