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August 21, 2014

Mr. Matthias St. John
Executive Officer
North Coast Regional Water Quality Control Board
5550 Skylane Blvd, Ste. A
Santa Rosa, CA 95403

Re: Draft Order No. R1-2014-0041: General Waste Discharge Requirements for Discharges of Wine, Beverage and Food Processor Waste to Land (WDRs)

Dear Mr. St. John,

Thank you for the opportunity to comment on the Draft Order for *General Waste Discharge Requirements* (WDRs). This Order, once adopted, would replace the existing General WDR for wineries, as well as other food processors. We appreciate the efforts that have gone into the development of the WDR, and the willingness of Staff to hear and address concerns expressed by the winery community. Further, we appreciate the need to protect groundwater quality: this is a goal we all share.

First and foremost, we would like to express our concern that more time is needed to address some of the challenges associated with the Draft Order. Jackson Family Wines (JFW) has participated in three meetings to discuss the Draft Order and its impact specific to winery owners. Two of those meetings occurred prior to the release of the document. The third meeting was very constructive as the winery community had sufficient time to thoroughly review the Draft Order and share some of the concerns we collectively agreed upon. Some of those concerns include the following:

- The 1,500 gallons per day discharge threshold is quite low and could create a burden for many small wineries. More discussions are needed to determine the best approach to achieving the Regional Water Control Board's (Regional Water) goal of reducing impacts to groundwater without placing undue demands on smaller producers' resources.
- The requirements for monitoring ammonia, nitrate, nitrite, total dissolved solids, sodium and chloride will present a serious challenge to most of the permittees, as these constituents have not been broadly tested. If the reason behind testing is to gather data for the purposes of assessing existing impacts, this can be achieved by collecting data over a set period of time and making a determination based upon that data collection effort, as to the key constituents that should be monitored.
- The proposed BOD loading limits as written could prohibit land treatment of BOD, and may not be well-founded in science or take into account the ways that certain practices might help mitigate concerns. We find that land treatment of BOD is a low-tech and low-energy method and would appreciate further investigation into whether the limits could be higher for certain practices, or based upon the characteristics of the region.

- The draft MRP includes requirements for reporting types of information that do not seem to have bearing on wastewater quality or flow concerns, such as processing season and volumes, production volumes, chemical use (types and volumes), crop planting and harvesting quantities. We do not understand the purpose of these requirements, or the Board's authorities to collect this information, and are concerned about the additional burden of collection, organizing and reporting. We request removal of this reporting requirement.
- The requirements to measure the amount of accumulated solids at the bottom of the sludge pond every year would be expensive for most processors, and may not be necessary, as other factors, such as the gradual decrease of effluent quality, would already be an indicator of sludge build-up. We would like to request that tests either be required at longer intervals, such as five years, instead of once a year, or be based upon changes in effluent quality, and possibly be structured so that a previous years' results could exempt a processor from needing to test the following year.

Again, Jackson Family Wines (JFW) would like to restate its appreciation for the opportunity to work with Staff on this critical issue and its desire to continue these efforts. JFW, along with others in the winery community, remain committed to developing the best WDR for the protection of groundwater. However, we are concerned that the Draft Order includes components that will be very difficult for many in our community to achieve, both practically and in terms of costs – and will do little to further the interest of Regional Water. JFW also supports the technical review comments submitted by the Wine Institute and the additional concerns raised by the United Wine Growers.

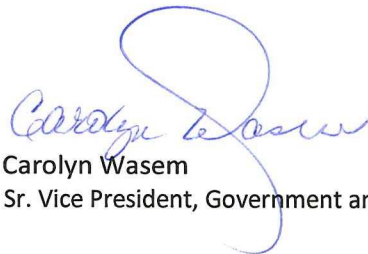
We believe that there is an opportunity for further collaboration with members of the wine community to develop a program that will achieve the results that the Regional Board is looking for without placing too great a burden on many of the smaller producers. We would suggest that the California Code of Sustainable Winegrowing practices could form the basis for this compliance. We ask for an extension of time for further development of the Draft to fully vet those opportunities. We further request an open dialogue to review all comments and collaboratively build on this initial draft prior to issuing the follow-up draft order.

Thank you again for the opportunity to comment and to continue to partner with the winery community to achieve our common goals. Please feel free to contact us if you have any questions.

Sincerely,



Katie Jackson
Director, Government and Regulatory Affairs



Carolyn Wasem
Sr. Vice President, Government and Regulatory Affairs

/cw

cc: Caroline Shaw, JFW Government Affairs
Jeff Wesselkamper, JFW Regulatory Affairs