



Central Valley Regional Water Quality Control Board

9 December 2020

Stacy and Kirsten Denbow, Owners
Delilah Ridge Winery
35791 Hopewell Road
Squaw Valley, CA 93675

CERTIFIED MAIL
7018 1830 0001 0014 8938

NOTICE OF APPLICABILITY

RESOLUTION NO. R5-2020-0002
WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR
SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL
PROCESSORS WITHIN THE CENTRAL VALLEY REGION

STACY AND KIRSTEN DENBOW,
DELILAH RIDGE WINERY
FRESNO COUNTY
(ENROLLEE # R5-2020-0002-0057)

On 20 February 2020, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Resolution R5-2020-0002, *Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region* (Small Food Processor Wavier or Waiver).

We are in receipt of your Report of Waste Discharge (RWD) received on 14 July 2020, which indicates you intend to comply with Tier 1 conditions of the Waiver. Tier 1 allows land application of up to 10,000 gallons of wastewater per year for irrigation of landscaping and land application of residual solids associated with that volume of wastewater. Any process wastewater or residual solids in excess of those amounts must be disposed of off-site at an appropriately permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application to obtain coverage under Tier 2 of the Waiver or obtain individual waste discharge requirements prior to increasing the discharge volume.

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | www.waterboards.ca.gov/centralvalley

Based on the information provided in the RWD, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned enrollee number **R5-2020-0002-0057**. A [copy of the Waiver](#) and the [Waiver Attachments](#) are enclosed and available on the Central Valley Water Board's website. (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2020-0002_waiver_wdrs.pdf and https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2020-0002_waiver_atts.pdf)

Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). The discharge must be managed in accordance with the requirements contained in the Conditions of Discharge and the information submitted in the RWD.

DISCHARGE DESCRIPTION

Stacy and Kirsten Denbow (hereafter Discharger) own and operate a new winery (Delilah Ridge Winery or Winery) at 35791 Hopewell Road in Fresno County as shown in **Attachment A**. The Facility is about three miles east of the community of Squaw Valley. The Winery and surrounding grape vineyard will be used for land application of winery wash water and residual solids is owned by Stacy and Kirsten Denbow (Assessor's Parcel Number 160-250-01).

The primary wine processing season will run from about August through October. According to the Discharger, the facility does not have operations that generate process wastewater or residual solids outside of the primary processing season. Operations and activities that generate process wastewater include the washing and cleaning of the wine tanks and presses. Grapes are brought in from the adjacent vineyard where they are processed on-site. The Winery will crush about 4,000 pounds of grapes and generate approximately 1,500 gallons of wastewater annually.

Residual solids (pomace, stems, fruit solids) will be composted onsite (less than 500 cubic yards) and disked into the soil along the orchard rows.

MONITORING AND REPORTING

Attachment B of the Waiver includes monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form, which is also contained in Attachment B of the Waiver.

By **1st February each year**, the Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year. The 2020 Annual Monitoring Report is due **1 February 2021**.

SALT AND NITRATE CONTROL PROGRAMS

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 Central Valley at its 31 May 2018 Board Meeting. On 16 October 2019, the State Water Resources Control Board adopted Resolution No. 2019-0057 conditionally approving the Central Valley Water Board Basin Plan amendments and directed the Central Valley Water Board to make targeted revisions to the amendments within one year after obtaining approval from the Office of Administrative Law. The Office of Administrative Law approved the Basin Plan amendments on 15 January 2020 (OAL Matter No. 2019-1203-03).

Pursuant to the Basin Plan amendments, dischargers will receive Notices to Comply with instructions and obligations for the Salt and Nitrate Control Programs.

For the Salt Control Program, dischargers that are unable to comply with stringent salinity requirements will need to meet performance-based requirements and participate in a basin-wide planning effort to develop a long-term salinity strategy for the Central Valley. A Notice to Comply for the Salt Control Program is expected to go out within the next couple of months. Upon receipt of the Notice to Comply, the Discharger will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting).

For the Nitrate Control Program, the Board identified areas, referred to as Priority 1 and Priority 2 basins, where nitrates in groundwater are more prevalent and therefore pose a higher risk to persons who rely on groundwater as a source of drinking water. Priority 1 and Priority 2 basins have timelines under which permittees, such as you, are required to implement Nitrate Control Program requirements. For the Nitrate Control Program, the Winery falls outside of Groundwater Sub-Basin 5-22.08 (San Joaquin Valley – Kings Basin). A Notice to Comply may be issued if the Executive Officer off the Central Valley Water Board determines it is necessary to protect water quality.

More information related to the Salt and Nitrate Control Programs can be found at the [CV-SALTS Website](https://www.cvsalinity.org/public-info) (<https://www.cvsalinity.org/public-info>).

GENERAL INFORMATION AND REQUIREMENTS

The Waiver includes specific and general conditions with which you must comply. You must maintain control over the discharge and operate in accordance with the information provided in your RWD and this Notice of Applicability (NOA).

Please review this NOA carefully to ensure that it completely and accurately reflects the facility name, location, and details of the proposed discharge. Failure to comply with the requirements of the Waiver may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the Conditions of Discharge (Attachment A) of the Waiver is prohibited.

Please note that the Waiver will expire on **20 February 2025**, after which you must either cease the discharge or do one of the following:

1. Submit a new RWD with a filing fee (if required) to obtain coverage under a subsequently adopted waiver, or
2. Submit a RWD with a filing fee to apply for individual or general Waste Discharge Requirements.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Delilah Ridge Winery
Program: Non-15
Order: R5-2020-0002-0057
CIWQS Place ID: 870430

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
Fresno Office
1685 E Street
Fresno, CA 93706

All documents, including responses to inspections and written notifications, submitted to comply with this Waiver shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Russell Walls. Mr. Walls can be reached at (559) 488-4392 or Russell.Walls@waterboards.ca.gov. Questions regarding the permitting aspects of the Waiver, and notification for termination of coverage under the Waiver, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention Jeff Pyle. Mr. Pyle can be reached at (559) 445-5145 or by email at Jeffrey.Pyle@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this NOA falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next

Stacy Denbow
Delilah Ridge Winery
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business day. [Copies of the law and regulations applicable to filing petitions](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) may be found on the internet or will be provided upon request.
(http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

Original Signed by Clay L. Rodgers for:
Patrick Pulupa
Executive Officer

Attachment: Attachment A - Site Map

Enclosure: Resolution R5-2020-0002 (Discharger only)

cc w/o encl: Russell Walls, Central Valley Water Board, Fresno (via email)
Fresno County Environmental Health, 1221 Fulton Street, 3rd Floor, P.O.
Box 11867, Fresno, CA 93775



ATTACHMENT A – SITE MAP
RESOLUTION R5-2020-0002-0057
DELILAH RIDGE WINERY
FRESNO COUNTY