

Central Valley Regional Water Quality Control Board
20 June 2025 Board Meeting

Response to Written Comments on
Stipulated Cease and Desist Order No. R5-2025-XXXX for
E&J Gallo Winery
Fresno Winery
Fresno County

At a public hearing scheduled for 20 June 2025, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of a Stipulated Cease and Desist Order (Stipulated CDO) for the E&J Gallo Fresno Winery. This document contains responses to written comments received from interested persons and parties in response to the Stipulated CDO. Written comments from interested parties were required to be received by the Central Valley Water Board by 2 June 2025 in order to receive full consideration. Comments were received prior to the deadline from:

1. Jo Anne Kipps (received 2 June 2025)

Written comments from the above interested parties are summarized below, followed by the response of Central Valley Water Board staff.

JO ANNE KIPPS COMMENTS

COMMENT #1 – Stipulated CDO

The proposed order is an encouraging sign that the Regional Board is serious about protecting the municipal groundwater supply of the Central Valley's most populous city. I concur with its terms and conditions and will not contest it at the public hearing.

RESPONSE:

Central Valley Water Board staff appreciate Ms. Kipps support of the Stipulated CDO.

COMMENT #2 – Compliance with the Stipulated CDO

Unless information exists indicating otherwise, LAA fields should be considered a 400-acre concentrated source of nitrogen that, short of capping (e.g., asphalt paving), will continue to release nitrate to groundwater in concentrations exceeding the WQO for decades to come. Despite this, Gallo may submit technical documents prepared by K/J purporting it has achieved full compliance with the current order. If this happens, on the behalf of staff and Fresno City utility rate payers such as myself, I request that Gallo be

required to submit pursuant to Water Code section 13267 independent, third-party technical evaluations along with each such submittal.

RESPONSE:

Central Valley Water Board staff appreciate Ms. Kipps proposed action and will take this into consideration as Central Valley Water Board staff work to ensure full compliance with the Stipulated CDO.

No changes are proposed to the Stipulated CDO.

COMMENT #3 – Proposed Cleanup and Abatement Order

...the threat to municipal supply wells from Gallo's decades-long discharge warrants the issuance of a cleanup and abatement order (CAO) without unnecessary delay. The CAO should require immediate implementation of mitigation measures effective at controlling the nitrate plume's spread offsite toward municipal supply wells. I encourage staff consider the following: extracting groundwater within the plume along the LAA's western border; destroying damaged irrigation supply wells that pose a direct threat to deeper groundwater; and, after securing the necessary permission and authorization, lining the irrigation canal that transects the LAA.

RESPONSE:

Central Valley Water Board staff appreciate Ms. Kipps proposed actions and will take them into consideration as Central Valley Water Board staff continue to provide regulatory oversight at the Fresno Winery.

No changes are proposed to the Stipulated CDO.