



## Central Valley Regional Water Quality Control Board

19 June 2026

Berghold Farms LLC  
Berghold Vineyards  
17343 N. Cherry Road  
Lodi, CA 95240

**CERTIFIED MAIL**  
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### **NOTICE OF APPLICABILITY; STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2021-0002-DWQ; GENERAL WASTE DISCHARGE REQUIREMENTS FOR WINERY PROCESS WATER; BERGHOLD FARMS LLC; BERGHOLD VINEYARDS; SAN JOAQUIN COUNTY**

On 20 December 2024, Berghold Farms LLC (Discharger) submitted a Notice of Intent (NOI) to the Central Valley Regional Water Quality Control Board (Central Valley Water Board) seeking coverage under Tier 2 of the State Water Resources Control Board’s (State Water Board) *General Waste Discharge Requirements for Winery Process Water*, Order WQ 2021-0002-DWQ (General Order) for Berghold Vineyards (Winery). The Winery is owned and operated by the Discharger.

The Winery was previously regulated under the Central Valley Water Board’s *Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region*, Order R5-2020-0002, which expired on 20 February 2025. Based on the information provided in the NOI, the Winery’s waste discharge qualifies for coverage of the General Order. Therefore, this Notice of Applicability (NOA) enrolls the Winery under the General Order and assigns the Winery enrollee number **2021-0002-DWQ-R5S008**. Table 1 below provides information about the winery and enrollment.

**Table 1. Winery and Enrollment Information**

<b>NOA Enrollee Number</b>	2021-0002-DWQ-R5S008
<b>General Order Tier</b>	2
<b>Winery Address and GPS Coordinates</b>	17343 N. Cherry Road, Lodi, CA 95240 (38.1393°, -121.2159°)
<b>Permitted Annual Process Water Volume</b>	300,000 gallons/year
<b>Assessor Parcel Numbers (APNs)</b>	051-350-180-000 051-360-040-000 051-360-030-000 051-350-190-000
<b>Discharge or Reuse Method(s)</b>	Land application on 72 acres (solids and wastewater)
<b>Number of Process Water Ponds</b>	0
<b>CIWQS Place ID</b>	818237
<b>GeoTracker ID</b>	GT-WDR100030380

## **ENROLLMENT RESPONSIBILITIES**

You should familiarize yourself with the entire General Order and its attachments enclosed with this NOA, which describe mandatory discharge and monitoring requirements. Sampling, monitoring, and reporting requirements applicable to your treatment and disposal methods must be completed in accordance with the attached Monitoring and Reporting Program (**MRP**) **2021-0002-DWQ-R5S008**. A copy of the General Order is enclosed and is also available at the [State Water Board's webpage](https://www.waterboards.ca.gov/water_issues/programs/waste_discharge_requirements/docs/wqo2021-0002-dwq.pdf) ([https://www.waterboards.ca.gov/water\\_issues/programs/waste\\_discharge\\_requirements/docs/wqo2021-0002-dwq.pdf](https://www.waterboards.ca.gov/water_issues/programs/waste_discharge_requirements/docs/wqo2021-0002-dwq.pdf)).

The General Order contains additional operational and reporting requirements that are not summarized in this NOA. The Discharger is responsible for all the applicable requirements that are in the General Order and this NOA. Please review this NOA carefully to ensure it completely and accurately reflects the Facility name and location, and the details of the proposed discharge. Failure to comply with the requirements in this NOA, the General Order, all attachments, and the MRP could result in enforcement action pursuant to the Water Code, including but not limited to administrative civil liability (i.e., monetary penalties). If the method of waste disposal changes from that described in this NOA, the Discharger must submit a new NOI describing the new operation.

The Discharger is responsible for maintaining compliance with the General Order and its attachments, the information provided in the Winery's NOI and this NOA. A copy of the General Order and its attachments, including the Monitoring and Reporting Program (MRP), and this NOA shall be kept at the Winery for reference and key operating personnel shall be familiar with their contents.

## **FACILITY AND DISCHARGE DESCRIPTION**

The Winery activities are classified as Tier 2 with a maximum permitted winery process water flow of 300,000 gallons per year (gpy). Process wastewater is generated from processing grapes and facility cleaning. Wastewater collects in two pump stations, where it is then pumped into a 10,000 gallon aboveground storage tank. The wastewater is used to irrigate 72 acres of land application areas (LAAs) cropped with wine grapes and cover crops grown between the rows of grapes. Roads surrounding the LAAs are slightly elevated above the base elevation of the cropped areas, and act as berms to prevent any wastewater from running off-site.

Approximately 25 tons of solids are generated annually, including grape stems, seeds, skins, and pomace. The solids are temporarily stored in bins, then spread onto the LAAs or sent off-site. If winery waste is generated in excess of the maximum permitted flow, any excess waste shall be disposed of off-site at a permitted facility.

This NOA authorizes the discharge of winery process water and solids to the LAAs.

## **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 incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting (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. More information on CV SALTS can be found at the [CV-SALTS Website](https://www.cvsalinity.org/) (<https://www.cvsalinity.org/>).

Pursuant to the Basin Plan amendments, the Discharger was sent a Notice to Comply on 5 January 2021 (**CV-SALTS ID: 2955**) with instructions and obligations for participation in the Salt Control Program. The Discharger submitted an NOI for the Salt Control Program and is participating in the Prioritization and Optimization (P&O) Study under the Alternative Salinity Permitting Approach. In accordance with the General Order, the Discharger is exempt from compliance with Discharge Specifications C.1.a and C.1.c, Section D.1.b and D.1.d, and Groundwater Limitations F.1 and F.2, as they apply to water quality objectives for salinity, provided 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). (See General Order, Finding 83.)

For the Nitrate Control Program, the Winery and related disposal areas are within a Priority 2 basin. The Discharger has elected to enroll in Pathway B (Management Zone Permitting Approach) and has joined the Eastern San Joaquin Management Zone. More information on the Nitrate Control Program can be found at the [CV-SALTS Nitrate website](https://www.cvsalinity.org/nitrate-program/) (<https://www.cvsalinity.org/nitrate-program/>).

As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of this NOA to ensure the goals of the Salt and Nitrate Control Programs are met. More information regarding this regulatory planning process can be found on the [Central Valley Water Board CV-SALTS website](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)).

## **SITE-SPECIFIC REQUIREMENTS**

Dischargers authorized under the General Order are classified into regulatory tiers based on the permitted annual process water design flow. The Winery's total annual discharge flow (i.e., winery effluent flow) places the Winery in Tier 2. The fees and monitoring requirements are connected to and commensurate with the complexity of the discharge regulated under each Tier. NOA Enclosure 3 includes a table that summarizes General Order tier-specific requirements for reference purposes. Refer to the General Order for the detailed requirements.

The Discharger shall comply with all applicable sections in the General Order, including:

## A. Discharge Prohibitions

This section (A.1 through A.15) applies in its entirety.

## B. Effluent Limitations

Sections B.1 through B.4 apply to this winery. Although not comprehensive, the following General Order effluent limitation requirements are highlighted here to support compliance:

1. The annual total process water discharge flow from the winery shall not exceed **300,000 gallons per year** (Effluent Limitation B.2)
2. Average BOD loading to the LAA shall not exceed **100 pounds per acre per day** over the course of any discharge cycle (i.e., irrigation cycle). BOD loading shall be determined using a moving average of the three most recent BOD process water sample results (Effluent Limitation B.3).
3. Nitrogen application rates shall not exceed the crop agronomic rate as defined in the General Order (Effluent Limitation B.4).

## C. Discharge Specifications (Tier 1)

This section does not apply to this winery.

## D. Discharge Specifications (Tier 2)

Sections D.1. and D.3.a through D.3.f apply to this winery, except as otherwise noted in the Salt and Nitrate Control Programs section above (i.e., requirements related to water quality objectives for salinity).

Although not comprehensive, the following General Order discharge specifications are highlighted here to support compliance:

1. The fixed dissolved solids (**FDS**) threshold (in mg/L) is equal to the **annual average flow-weighted FDS concentration (in mg/L) of the facility source water plus 320 mg/L** (Discharge Specification D.1.a.). The flow-weighted annual average FDS concentration of the process water from the winery is used to determine if the facility is meeting the FDS threshold.

**As noted in the General Order, exceedance of the FDS threshold does not constitute a violation.** Because the Winery is a Tier 2 facility, the Discharger may be required to submit a Salt Control Plan if the FDS threshold is exceeded. However, Discharge Specification D.1.a.ii.d. allows dischargers to participate in a regional Salt and Nutrient Management Plan in lieu of submitting an individual Salt Control Plan. As discussed above, the Discharger is participating in the P&O Study for the Salt Control Program and, therefore, provided the Discharger

remains in good standing under the CV-SALTS Alternative Permitting Approach for Salinity, the requirement for a Salt Control Plan under Discharge Specification D.1.a.ii is satisfied.

### **E. Solids Specifications**

This section (E.1 through E.4) applies in its entirety.

### **F. Groundwater Limitations**

This section (F.1 and F.2) applies in its entirety, except as otherwise noted in the Salt and Nitrate Control Programs section above (i.e., requirements related to water quality objectives for salinity).

### **G. Provisions**

Sections G.1.a through G.1.b, G.1.f through G.1.g, and G.2 through G.4 apply to this winery. Although not comprehensive, the following General Order technical provisions are summarized here to support compliance:

1. For existing facilities with planned upgrades, **within 90 days of NOA** issuance, the Discharger shall complete facility upgrades to ensure facility and treatment infrastructure are capable of complying with the sampling and monitoring requirements of the MRP. Monitoring as required in the MRP shall commence once upgrades are complete.
2. The Discharger is required to self-certify that all applicable Best Practicable Treatment or Control (BPTC) measures and technical provisions shall be implemented by the time schedules listed below and in General Order Section G:
  1. Good housekeeping – Within **90 days** of NOA issuance, implement good housekeeping practices, such as employing dry sweeping instead of wet rinses for cleaning facility surfaces, using water conservation devices such as auto-shutoff nozzles, directing pomace and similar waste to a solids collection system instead of down process water drains, and initiating an employee education program on best practices.
    - i. Source control – Within **90 days** of NOA issuance, isolate water softener regeneration brine and properly dispose of off-site instead of to the process water system.
    - ii. Solids management – Within **180 days** of NOA issuance, implement solids management practices to screen, filter, or otherwise minimize the amount of process solids discharged to the process water systems.

- iii. Sodium substitution – Within **180 days** of NOA issuance, replace sodium-based chemicals with potassium-based or other non-sodium-based chemicals unless technologically or economically infeasible.
- iv. Chemical reduction – Within **180 days** of NOA issuance, implement measures to minimize chemical use, such as recovering and reusing chemical solutions.

## **ANNUAL FEE, OWNERSHIP CHANGES, ENROLLMENT TERMINATION**

General Order section G.4 Standard Provisions includes specific requirements for fees and notice to the Central Valley Water Board. Key requirements are summarized below:

### **A. Annual fees**

The Discharger shall pay an annual fee (waste discharge permit fee, per Water Code section 13260 et seq.) to maintain General Order coverage until coverage under the General Order is formally terminated. The fee amount due annually is provided via an invoice issued by the State Water Board fee program, covering the fiscal year of July 1 through June 30. A copy of the current fee schedule is available online at the [State Water Board Fee website](https://www.waterboards.ca.gov/resources/fees/) (<https://www.waterboards.ca.gov/resources/fees/>).

### **B. Facility and Ownership Changes**

The Discharger shall notify Central Valley Water Board staff prior to any significant changes in either the treatment or discharge methodologies, or the volume or character of the treated waste discharged from the facility. If the Discharger anticipates wastewater flow in excess of the maximum permitted flow, it shall submit a revised NOI and technical report to the Central Valley Water Board for the appropriate tier at least **120 days** before the anticipated change. Any proposed increase in flow shall not be implemented until it has been authorized by the Central Valley Water Board through issuance of a new or revised NOA. A change in tier classification may also necessitate an application fee and/or a change in the annual fee.

In the event of any change in control or ownership of the winery or process water discharge areas, the Discharger shall notify the succeeding owner or operator of the existence of this NOA and the General Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board. In addition, the succeeding owner shall submit an NOI request for General Order enrollment to the Central Valley Water Board for consideration at least 90 days prior to commencing operation of the Facility. Failure to submit the request shall be considered a discharge without Waste Discharge Requirements and a violation of the Water Code. The Central Valley Water Board will issue a new NOA when

coverage of this General Order has been authorized for the new owner or operator.

### **C. General Order Enrollment Termination**

To terminate coverage, the Discharger shall submit a Notice of Termination and a final Annual Report at least 120 days prior to termination of related onsite activities. The Notice of Termination form is provided in General Order Attachment D. The final Annual Report shall be submitted through GeoTracker.

The Central Valley Water Board reserves the right to inspect the Facility before approving a Notice of Termination. Filing a Notice of Termination of General Order coverage does not suspend or alter any requirement of the General Order. The Discharger remains responsible for payment of all applicable fees and submittal of self-monitoring reports required by the General Order until written approval of the Notice of Termination is issued by the Central Valley Water Board.

## **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. To be timely, the petition must be received by the State Water Board by 5:00 pm 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 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([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.

Now that the NOA has been issued, the Board's Compliance and Enforcement section will take over management of your case. Johnnie Tucker is your point of contact for any questions about the General Order.

If you find it necessary to make a change to your permitted operations, Johnnie will direct you to the appropriate Permitting staff. You may contact Johnnie at (916) 464-4702 or at [Johnnie.Tucker@Waterboards.ca.gov](mailto:Johnnie.Tucker@Waterboards.ca.gov).

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for Patrick Pulupa,  
Executive Officer

Attachments: Attachment A: Site Location Map

Enclosure: Monitoring and Reporting Program 2021-002-DWQ-R5S008  
Order WQ 2021-0002-DWQ  
General Winery Order Requirements Matrix – Tier 2

cc via email: San Joaquin County Environmental Health Department, Stockton  
Howard Hold, Central Valley Water Board, Rancho Cordova  
Johnnie Tucker, Central Valley Water Board, Rancho Cordova  
Chris Moskal, State Water Resources Control Board, Sacramento  
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