Central Valley Regional Water Quality Control Board
11 December 2025 Board Meeting
Response to Comments
for the
Sunsweet Growers Inc.
Sunsweet Dryers Red Bluff
Tentative Waste Discharge Requirements
Tehama County

At a public hearing scheduled for 12 December 2025, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of tentative Waste Discharge Requirements for Sunsweet Growers, Inc. (Discharger) Sunsweet Dryers Red Bluff (Facility). This document contains responses to written comments received from interested persons and parties in response to the tentative Order. Written comments from interested persons and parties were required to be received by the Central Valley Water Board by 28 July 2025 in order to receive full consideration. Comments were received prior to the deadline from:

1. Jo Anne Kipps (received 28 July 2025)

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

JO ANNE KIPPS COMMENTS

JO ANNE KIPPS COMMENT #1 – Address Consistency

Ms. Kipps requested staff "*Consider revising the Title Page to cite the same address road name as currently used by Tehama County and cite the County's current APN in the title page and Finding 1"*.

RESPONSE:

Title page was revised to show the correct address and assessor's parcel number.

JO ANNE KIPPS COMMENT #2 – Discharger's Name

Revise F1 to reflect correct business name and type.

RESPONSE:

Finding 1 has been updated to reflect the correct business name and business type.

JO ANNE KIPPS COMMENT #3 – Facility Emergency Storage Pond

Ms. Kipps requested staff "*identify the actual acreage of the current LAA*.".

RESPONSE:

Requirements K – Provisions 1.a, added to establish the correct size of the LAA.

JO ANNE KIPPS COMMENT #4 – Facility Emergency Storage Pond

Ms. Kipps observed an unidentified surface impoundment and requested explanation of "the nature of the discharge to the surface impoundment".

RESPONSE:

Finding 9 clarifies that the previously unidentified surface impoundment is an emergency storage pond.

JO ANNE KIPPS COMMENT #5 – Wastewater Sump Integrity

Ms. Kipps requested staff disclose if "*the Discharger inspects the Wastewater Sump's concrete liner for integrity (e.g., visible evidence of cracking or spalls) and summarize recent repair work performed, if any. Disclose whether the Discharger has performed any leakage tests in the last five years to confirm the liner is performing as designed (i.e., capable of impounding wastewater with minimal leakage)*." and to "*revise the Monitoring and Reporting Program (MRP) to require annual monitoring reports to include a summary of annual inspection results*"

RESPONSE:

Monitoring and Reporting Program (MRP) has been revised to require annual inspection of the Wastewater Sump.

JO ANNE KIPPS COMMENT #6 – Pond Characteristics

Ms. Kipps requested staff "*Please explain why staff determined the ROWD complete when it apparently did not characterize the discharge for total nitrogen and salinity constituents. Disclose whether this is an aberration or indicative of business as usual."*

RESPONSE:

The existing MRP does not require the Discharge to test for salinity and total nitrogen. Long term characterization for nitrogen and salinity constituents has not been performed at this site. The proposed MRP will require testing for total nitrogen and salinity constituents to determine if they are a cause for concern.

JO ANNE KIPPS COMMENT #7 – Groundwater Depth

Ms. Kipps requested that staff "Access SGMA to obtain approximate groundwater depths and elevations for the Facility environs and revise F20 accordingly and to cite SGMA, not DWR's GICIMA, as the source of this information.

RESPONSE:

Finding 20 has been revised to reflect data found in SGMA Data Viewer.

JO ANNE KIPPS COMMENT #8 – Nitrate Water Quality Objective

Ms. Kipps requested staff "*Revise to indicate nitrate WQO of 10 mg/L refers to nitrate as nitrogen.*"

RESPONSE:

Staff has revised Finding 31 to indicate that the Water Quality Objective for nitrate is 10 mg/l as nitrogen.

JO ANNE KIPPS COMMENT #9 – BOD Loading

Ms. Kipps requested staff "*Consider revising the tentative order to characterize the BOD loading to the leach line (i.e., leach field) as well as disclosing the leach field area as 0.23 acre. Also consider including additional information on the manner in which wastewater is applied to the LAA (i.e., daily application depths, areas, and cycle durations)."*

RESPONSE:

Finding 9 has been revised to clarify that the leach line is under the land application area (LAA)and how wastewater is applied to the LAA. Finding 41. b, details the biochemical oxygen demand (BOD) loading rate for the LAA.

JO ANNE KIPPS COMMENT #10 – Groundwater Quality

Ms. Kipps requested staff "*Consider revising finding to conclude that, based on data in Table 3, area groundwater is of high quality for nitrate, EC, chloride, sulfate, and sodium*."

RESPONSE:

Finding 41.a already states that groundwater is high quality with regard to salinity.

JO ANNE KIPPS COMMENT #11 – Land Application Area Loading Rates

Ms. Kipps noted that *"While it is clear that FDS and TDS loading rates were based on effluent quality monitoring data from the Discharger's other facilities, it is not clear that the cited loading rates were based on the Facility's discharge flows and LAA area. Consider revising finding to clarify this."*

RESPONSE:

Finding 41 was revised to reflect that loading rates were calculated using data obtained from the Facility.

JO ANNE KIPPS COMMENT #12 – Land Application Area Loading Rates

Ms. Kipps requested staff "*Please provide in the Response to Comments additional information on how staff calculated the value of 165 lbs/acre/day for average BOD loading rate. And, since it appears that the current LAA area is not two acres, but actually one acre or less, revise the tentative order to disclose the actual current LAA area and revise the average loading rates accordingly for BOD, TDS, and FDS. Lastly, consider expressing FDS and TDS loading rates in terms of lbs/acre/year.*"

RESPONSE:

Finding 41 was revised to clarify how the BOD loading rate was calculated and Table 4 was revised to reflect FDS and TDS loading rates in lbs/acre/year.

JO ANNE KIPPS COMMENT #13 – Land Application Area Loading Rates

Ms. Kipps requested staff "*Consider revising the tentative order to disclose anticipated BOD, FDS, and TDS loading rates at the maximum authorized discharge flow of 100,000 gpd (Flow Limitation D.1). Identify the maximum effluent BOD associated with a BOD loading rate of 100 lbs/acre/day based on the maximum allowed discharge flow of 100,000 gpd for each processing day.*"

RESPONSE:

Table 4 was revised to include a column that shows anticipated loading based on maximum daily flow for a typical process season.

JO ANNE KIPPS COMMENT #14 – Land Application Area Salinity Loading Rate

Ms. Kipps requested staff "*Revise the finding to disclose the maximum estimated salinity loading rates using a discharge flow of 100,000 gpd, the maximum discharge flow authorized by Flow Limitation D.1.*"

RESPONSE:

Table 4 was revised to include a Maximum Loading Rate based on maximum allowable discharge for an average process season.

JO ANNE KIPPS COMMENT #15 – BOD Loading Rate

Ms. Kipps requested staff revise finding to read "***Compliance with a BOD cycle average loading rate of 100 lbs/acre/day upon completion of work required by Provisions K.1.a and K.1.b. and no later than two years of order adoption.***"

RESPONSE:

Requirements, F.1 was revised to include a time limit of 2 years.

JO ANNE KIPPS COMMENT #16 – Economic Factor

Ms. Kipps requested staff "*Consider revising the finding to provide more information on the benefits to the local economy provided by the Facility's operation, including, but not limited to, citing the number of individuals employed at the Facility year-round and seasonally, and the number of prune growers and overall prune orchard acreage served by the Facility."*

RESPONSE:

Finding 43 was revised to include employment provided by the Facility. The Discharger declined to divulge the number of prune growers served by the Facility.

JO ANNE KIPPS COMMENT #17 – CEQA

Ms. Kipps noted that "*CEQA evaluations of waste discharges to land subject to regulation by regional boards typically include a description of the facility's discharge operation (i.e., maximum expected flow volume and duration, size and type of available wastewater disposal area, measures implemented by dischargers to mitigate water quality impacts from the proposed discharge to less than significant levels, etc.). Because it appears recent years' discharge flow volumes are considerably less than that approved by the current order, it is appropriate for the tentative order to briefly describe the CEQA evaluation performed for this discharge. The tentative order's Flow Limitation of 100,000 gpd appears to be based on a 1994 characterization of discharge flow (current order Finding 3) and LAA of two acres. Consider revising the tentative order to identify the type and date of the CEQA evaluation performed for this discharge, and measures proposed to mitigate potential water quality impacts to less than significant levels (e.g., by providing a minimum area for the land application of prune processing wastewater)."*

RESPONSE:

Requirements D – Flow Limitation has been revised to reflect a 70,000 gallon/day flow limitation. This flow limit accommodates the Discharger's current operations and provides a buffer for annual production fluctuations and is less than the previous limit of 100,000. This order does not authorize expansion of or other changes to the existing facility that could foreseeably result in potentially significant impacts to the environment and, thus, the adoption of the tentative WDRs is an agency action exempt from the procedural requirement of CEQA (see Cal. Code Regs., tit. 14, § 15301).

JO ANNE KIPPS COMMENT #18 – CEQA Flow Limitation

Ms. Kipps noted that "*In my discussion with staff regarding the tentative order's Flow Limitation D.1 of 100,000 gpd being far greater than current flows, staff indicated the flow limit reflects the discharge flow identified in the Facility's CEQA evaluation. However, the current LAA appears at least 50 percent smaller than that authorized by the current order (and likely WDRs Order 83-032). The LAA depicted in the tentative*

order's Map (Attachment B) appears to be only 0.6 acre, or only 30 percent of the original LAA. The reduction in LAA since 1994 should be considered a material change in the nature of the discharge and calls into doubt the applicability to the current discharge situation of the CEQA evaluation presumably performed in the 1980s. While the tentative order may cite section 15301 to determine the discharge exempt from CEQA as an Existing Facility, its discharge flow limitation should reflect the apparent reduction in LAA acreage. That is, if the CEQA evaluation identified discharge flow as 120,000 gpd (the current order's limit), then the tentative order should reduce the flow limit in proportion to the reduction in LAA acreage."

RESPONSE:

The Central Valley Water Board is not aware of any prior CEQA evaluation of the facility or its discharge. With respect to this tentative Order, CEQA requires evaluation of potentially significant effects on the environment, as it presently exists, that could foreseeably result from adoption tentative order. Requirements D – Flow Limitation has been revised to reflect a 70,000 gallons/day flow limitation. This flow limit accommodates the Discharger's current operations and provides a buffer for annual production fluctuations and is less than the previous limit of 100,000 gallons/day. In addition, Requirements K, Provisions 1a, requires the Discharger to determine the actual area of the LAA and Provisions 1c, requires the Discharger to come into compliance with specified BOD loading limit to the LAA. As a result, adoption of the tentative order is not anticipated to result in more than de minimis changes to the existing facility's discharge and, to the extent that changes are foreseeable, those changes are expected to be positive (i.e., reduction in loading of BOD and salts).

JO ANNE KIPPS COMMENT #19 – Title 27 Exemption

Ms. Kipps noted that "*The discharge's exemption from Title 27 must be based on a complete characterization of the Facility's discharge operation, which includes an undisclosed apparent discharge of waste to an unlined surface impoundment. As recommended earlier, revise the tentative order to characterize the function and use of the unlined surface impoundment and provide technical justification why the Regional Board should find discharges to the impoundment exempt from Title 27.*"

RESPONSE:

Finding 9 clarifies that the previously unidentified surface impoundment is an emergency storage pond. Finding 47 was revised to more clearly state the basis for exemption. The supporting evidence for exemption (i.e., discussion of character of waste and compliance with Basin Plan) is described in the preceding Findings.

JO ANNE KIPPS COMMENT #20 – Finding 49

Ms. Kipps noted that the wrong county was cited in finding 49.

RESPONSE:

The county cited in Finding 49 has been corrected.

JO ANNE KIPPS COMMENT #21 – Requirements Wording Error

Ms. Kipps noted that the first paragraph in Requirements should be "…*and that the Discharger and ~~their~~* ***its*** *agents, employees and successors shall comply with the following:"*

RESPONSE:

The correction has been made to Requirements.

JO ANNE KIPPS COMMENT #22 – Flow Limitation Wording

Ms. Kipps requested staff "*Consider revising Flow Limitation D.1 to read something to the effect:* ***Discharge flows shall not exceed 100,000 gallons per day as averaged over the entire years' processing season."***

RESPONSE:

Requirements D.1 Flow Limitation wording revised.

JO ANNE KIPPS COMMENT #23 – Flow Limitation

Ms. Kipps requested staff "*Revise the flow limitation to a value that reflects (1) current discharge flows (e.g., 20 percent greater than the average discharge flow for 2018-2023) and (2) the apparent significant reduction LAA acreage.****"***

RESPONSE:

Flow limit in Requirements D. Flow Limitation, was revised to 70,000 gallons/day. This is based on 125% of the highest flow in the past six years. This flow limit accommodates the Dischargers current operations and provides a buffer for annual production fluctuations.

JO ANNE KIPPS COMMENT #24 – Salinity Limitation

Ms. Kipps requested staff "*consider revising the Effluent Limitation for TDS to 125 percent of the annual average effluent TDS concentration.****"***

RESPONSE:

Requirements E.1 Performance Based Salinity Limitation wording revised as requested.

JO ANNE KIPPS COMMENT #25 – BOD Loading Limitation

Ms. Kipps requested staff "*Consider revising F.1 to read: **By two years following order adoption, process** ~~Process~~ wastewater applied to the LAA shall not exceed the following BOD mass loading limitation**"***

RESPONSE:

Time limit added to Requirements F.1 Mass Loading Limitation.

JO ANNE KIPPS COMMENT #26 – BOD Units of Measure

Ms. Kipps requested staff "*Revise units for BOD loading in Footnote 2 to lbs/acre/day to be consistent with units cited elsewhere.**"***

RESPONSE:

Staff revised the units in Footnote 2.

JO ANNE KIPPS COMMENT #27 – Discharge Specifications G. 6

Ms. Kipps requested staff "*Consider revising this requirement to replace "pond" with "Wastewater Sump" as identified the Facility Map (Attachment B).**"***

RESPONSE:

Discharge Specification G. 6, revised per comment.

JO ANNE KIPPS COMMENT #28 – Discharge Specifications G. 11

Ms. Kipps requested staff "*Revise discharge specification to be specific to this discharge situation, like: **The Discharger shall remove accumulated solids from the Wastewater Sump prior to the start of each year's processing season.**)."*

RESPONSE:

Discharge Specification G. 11, revised per comment.

JO ANNE KIPPS COMMENT #29 – Land Application Area Specifications I. 6

Ms. Kipps requested staff "*Revise tentative order to remove I.6 or explain why it is necessary for the tentative order to prescribe BOD loading limit in two separate specifications**"***

RESPONSE:

Land Application Area Specification I. 6 was deleted.

JO ANNE KIPPS COMMENT #30 – Provisions K.1.a

Ms. Kipps requested staff "*Revise to read: "…come into compliance with the BOD mass loading limitation (see Requirement **F.1** E.1). **Following Central Valley Water Board staff concurrence with the Organic Loading Reduction Work Plan, the Discharger shall submit written updates biannually regarding implementation of the Organic Loading Reduction Work Plan."***

RESPONSE:

Provisions K.1.b modified to include the requested language.

JO ANNE KIPPS COMMENT #31 – Provisions K.1.b

Ms. Kipps requested staff revise the provision to read "*Within **two years** of the adoption of this order, the Discharger shall have come into **achieve** compliance with the BOD loading limit to the LAA and submit a completion report **describing measures that will be implemented to ensure consistent compliance with the BOD loading limit.**"*

RESPONSE:

Provisions K.1.c modified to include the requested language.

JO ANNE KIPPS COMMENT #32 – Provisions K.7

Ms. Kipps requested staff "*Delete K.7 or provide technical justification for its inclusion**."***

RESPONSE:

Provisions K.7 deleted.

JO ANNE KIPPS COMMENT #33 – Leach Field

Ms. Kipps requested staff "*consistently refer to the 1,000-foot-long leach line as a leach field**"***

RESPONSE:

Staff used leach field.

JO ANNE KIPPS COMMENT #34 – Wastewater Sump

Ms. Kipps requested staff "*use the term, Wastewater Sump, when referring to wastewater treatment/storage pond or variations thereof**"***

RESPONSE:

Staff used wastewater sump.

JO ANNE KIPPS COMMENT #35 – Biochemical Oxygen Demand

Ms. Kipps requested staff "*abbreviate 5-day biochemical oxygen demand as either BOD or BOD5 but not both"*

RESPONSE:

Staff abbreviated biochemical oxygen demand as BOD.

JO ANNE KIPPS COMMENT #36 – MRP Wastewater Sump

Ms. Kipps requested staff "*revise all references in the MRP to a concrete basin (or variations thereof) to "Wastewater Sump," as labeled in the Facility Map. Also, when identifying requirements for effluent monitoring, include the leach field along with the LAA, as the Discharger uses both for effluent disposal."*

RESPONSE:

Staff changed the wording to wastewater sump. The leach field is under the LAA so monitoring of the LAA includes the leach field.

JO ANNE KIPPS COMMENT #37 – MRP Monitoring Locations

Ms. Kipps requested staff revise Table 1 as follows

"• *INF Monitoring Location Description to refer to Wastewater Sump, to be consistent with its label in Attachment B,*

• *EFF Monitoring Location Description to read: "…prior to discharge to the leach field and/or land application area,*

• *LAA Monitoring Location Description to cite the actual area of the current LAA"*

RESPONSE:

Staff modified Table 1 as requested.

JO ANNE KIPPS COMMENT #38 – MRP Monitoring Locations

Ms. Kipps requested staff revise Table 1 as follows

"• *INF Monitoring Location Description to refer to Wastewater Sump, to be consistent with its label in Attachment B,*

• *EFF Monitoring Location Description to read: "…prior to discharge to the leach field and/or land application area,*

• *LAA Monitoring Location Description to cite the actual area of the current LAA"*

RESPONSE:

Staff modified Table 1 as requested.

JO ANNE KIPPS COMMENT #39 – MRP FDS and TDS

Ms. Kipps requested staff "*consider removing the requirement for weekly monitoring of influent FDS and TDS.*"

RESPONSE:

Staff removed influent monitoring for FDS and TDS.

JO ANNE KIPPS COMMENT #40 – MRP Table 4

Ms. Kipps requested staff "*Renumber Table 6 to Table 4.*"

RESPONSE:

Staff corrected table numbering.

JO ANNE KIPPS COMMENT #41 – MRP Land Application Area Monitoring

Ms. Kipps requested staff revise "*the 1st paragraph, 2nd sentence to read: Evidence of erosion, field saturation, runoff, … shall be noted in the Facility's logbook and* ***a summary of logbook entries*** *included as part of the annual monitoring report."*

RESPONSE:

Staff added requested language.

JO ANNE KIPPS COMMENT #42 – MRP Land Application Area Monitoring

Ms. Kipps requested staff revise "*the 2nd paragraph, 1st sentence to read: Additionally, the Discharger shall perform the routine monitoring and loading calculations identified in the table below for the land application area when* ***processing waste****water is applied*."

RESPONSE:

Staff added requested language.

JO ANNE KIPPS COMMENT #43 – MRP Table 4

Ms. Kipps requested staff revise "*Table 4, Land Application Area Monitoring, to include Leach Field Monitoring and require daily metered monitoring of wastewater flow volume to both*"

RESPONSE:

The leach field is under the LAA so monitoring the wastewater flow to the LAA will include the volume going to the leach field. There is no benefit to requiring the discharger to install a flow meter to monitor the volume of wastewater discharged to the leach field since the wastewater is going to the same location.

JO ANNE KIPPS COMMENT #44 – MRP Table 3

Ms. Kipps requested staff "*Consider revising Table 3 to increase BOD monitoring frequency to twice weekly, and revise the formula to require the running average BOD concentration be determined using the three most recent results of effluent BOD*."

RESPONSE:

Staff believe the current proposed weekly effluent BOD sampling is adequate to characterize the effluent. Table 4, Footnote 1 has been revised to clarify the process for calculating BOD concentration for the first two weeks of operation.

JO ANNE KIPPS COMMENT #45 – MRP Table 4

Ms. Kipps requested staff revise "*Item 10 requires an evaluation of the performance of the WWTF (i.e., wastewater treatment facility), a requirement that is not germane to this discharging Facility. Consider removing.*"

RESPONSE:

Staff removed Item 10 as requested.