6914 Road 160 | Earlimart , CA 93219 | www.treehousealmonds.com
Phone: 559-757-5020 |

November 10, 2025
Jeff Robins
California Regional Water Quality Control Board, Central Valley Region
1685 E Street
Fresno, CA 93706
Submitted via email to:
centralvallyfresno@waterboards.ca.gov Jeff.Robins@waterboards.ca.gov

**SUBJECT: Treehouse California Almonds, LLC, Tentative WDRs Comments**

Dear Mr. Robins:

Thank you for providing us with the opportunity to comment on the Tentative Waste Discharge Requirements (WDRs) and Monitoring and Reporting Program (MRP) for the Treehouse California Almonds, LLC, Earlimart Almond Processing Facility. Provost & Pritchard Consulting Group assisted us with these comments. We have reviewed the WDRs and MRP and are requesting that the following changes be considered:

# COMMENTS ON WASTE DISCHARGE REQUIREMENTS (WDRs)

## Comment 1. WDR (page 29) Requirements F. Discharge Specifications 5.a.

Summary of items in WDR: Item states the following: "*Objectionable odors shall not be perceivable beyond the limits of the Facility property where the waste is generated, treated, and/or discharged at an intensity that creates or threatens to create nuisance conditions. As a means of ensuring compliance with this discharge specification, the Discharger shall comply with the following: The dissolved oxygen (DO) content in the upper one foot of any wastewater treatment or storage pond, other than the two anaerobic ponds, shall not be less than 1.0 mg/L for three consecutive sampling events. Notwithstanding the DO monitoring frequency specified in the monitoring and reporting program, if DO concentrations in the pond(s) are below 1.0 mg/L for any three consecutive sampling events and objectionable odors are perceivable beyond the property limits, the Discharger shall report the findings to the Central Valley Water Board in writing within 10 days and shall include a specific plan to resolve the odors within 30 days of the first date of violation.*"

Response and Comments: When the system is operating, process water will continuously flow through various small sumps, weirs, and ponds, in addition to the two anerobic ponds. Making DO content at each of these locations a potential point of compliance is excessive. Monitorng overall system performance such as flow through the treatment ponds series, weir obstructions, operation of the fine bubble diffusers in the aeration pond are a more effective means to ensure compliance with the objectionable odors requirement. Treehouse Almonds requests Discharge Specification 5.a be revised to the following, *"The dissolved oxygen (DO) content in the upper one foot of ~~any wastewater treatment or~~* **the effluent** *storage pond* **(ESP-001),** *~~other than the two anaerobic ponds,~~ shall not be less than 1.0 mg/L for three consecutive sampling events…"*

## Comment 2. WDR (page 34) Requirements J. Provisions 6.

Summary of items in WDR: Item states the following: *"By 1 July 2026, the Discharger shall submit an updated Operations and Maintenance Plan (O&M Plan) that describes monitoring, operation, and maintenance of the double-lined ponds at the Facility and the overall wastewater treatment facility. The O&M Plan shall include triggers and conceptual plan(s) for installing covers over Anaerobic Ponds 1 and 2 to mitigate odors, as necessary."*

Response and Comments: An O&M plan has already been submitted for the treatment system (see Fining 3 of the WDR page 1.) and triggers requiring anaerobic pond covers are already inferred by the WDRs.

- Finding 15 of the WDR (WDR page 4) states the following, *"The two anaerobic ponds are designed to allow for installation of a cover to control odors, if necessary."*
- Discharge Specification 5 (WDR page 29) states the following, *"Objectionable odors shall not be perceivable beyond the limits of the Facility property where the waste is generated, treated, and/or discharged at an intensity that creates or threatens to create nuisance conditions."*

Treehouse Almonds requests WDR Requirements J. Provision 6., be revised to be required **only if necessary** (i.e., the current system operational procedures are unable to control odors as defined in the WDR).

## Comment 3. WDR (page 34) Requirements J. Provisions 7.

Summary of items in WDR: Item states the following: "*By 1 July 2026, the Discharger shall submit an updated Wastewater and Nutrient Management Plan…"*

Response and Comments: Treehouse Almonds requests Provision 7.a be revised to the following, *"By ~~1 July 2026,~~* **[1 YEAR]** *the Discharger shall submit an updated Wastewater and Nutrient Management Plan…"*

## Comment 4. WDR, Minor Administrative Edits

a. Finding 13 (page 3): Appears to be a typo, replace "serial" with "in-series."

# COMMENTS ON MONITORING AND REPORTING PROGRAM (MRP)

## Comment 5. MRP (page 3-4) Section II. Specific Monitoring Requirements A. Influent Monitoring (INF-001) Table 2 – Influent Monitoring & (page 5) Specific Monitoring Requirements C. Pond Monitoring (ATP-001, ATP-002, ASA-001, AND EFF-001)) Table 4 – Pond Monitoring

Summary of items in MRP: Freeboard monitoring is required at the influent wet well, lined anaerobic pond, aeration pond, and storage pond when wastewater is present.

Response and Comments: The two anaerobic ponds are physically level controlled to 2 ft of freeboard by the weirs of their outlet pits. This then also establishes the water elevation in the inlet wet well as well. The weirs and the pond-to-pond elevation drop are a safety device such that if electrical power goes away or more flow is encountered, the freeboard level is maintained, and the water will safely gravity flow to the storage pond. Water coming to the treatment area is in surges caused by pumping the volume of the wet well at the facility. However, by the time water flows out of the first anaerobic pond, the flow rate is nearly steady state at the weir, making the freeboard nearly steady state.

A flow rate of 150,000 gallons per day (gpd) over the 6-foot-wide weir, water height is approximately 0.6 inches, half of the 1.2-inch precision requested by table 4. For comparison of the weir handling additional flow, 200,000 gpd is approximately 0.7 inches of water height, a 0.1-inch difference and not a discernable difference when measuring in the field or could be a momentary natural surge caused by the incoming water. This shows that a weir is a very effective safety device to overtopping a pond.

Rather than weekly measuring the same number, a more suitable monitoring point would be to visually verify that the weir does not have obstructions and is flowing freely.

We request that Table 4 – Pond Monitoring reflect this change regarding the anaerobic ponds and remove the freeboard measurement from Table 2 - Influent Monitoring, since pond freeboard is controlled by the weir. The aeration pond freeboard level alters by the water level switch controlling the clarifier pump. The pump switch is to operate between 2 and 6 inches below the weir, and the pump will be running for many hours at a time. But the pond overtopping safety device is the 6-foot-wide weir set at 2 ft of freeboard. Again, rather than measuring a momentary operating pond elevation somewhere below the freeboard setting, a more suitable monitoring point would be to visually verify that the weir does not have obstructions.

The storage pond will constantly fill, but due to its size the elevation rise will be at a slow rate. The weekly 0.1 ft precision is excessive in planning out the need for an unscheduled irrigation if nearing the minimum freeboard level.

0.1 ft (1.2 inch) elevation change mid-way on the storage pond is approximately 67,000 gal or less than half of a daily water generation amount. We have installed a depth marker to the side on the storage pond showing 1-foot increments. Recording to a visual nearest 0.5 ft should be sufficient to monitor the water level of the storage pond and balancing that to the planned irrigations. We request that table 4 reflects measuring the storage pond to the nearest 0.5 ft.

## Comment 6. MRP (page 5) Section II. Specific Monitoring Requirements C. Pond Monitoring (ATP-001, ATP-002, ASA-001, AND EFF-001) Table 4 – Pond Monitoring

Summary of items in MRP: Item states that DO is to be sampled 2/Month.

Response and Comments: Low dissolved oxygen levels in the ponds caused by the effluent are not expected due to the design of the treatment system. We propose to change the occurrence to 1/month for DO measurements.

## Comment 7. MRP (page 5) Section II. Specific Monitoring Requirements C. Pond Monitoring (ATP-001, ATP-002, ASA-001, AND EFF-001) Table 4 – Pond Monitoring

Summary of items in MRP: The MRP states in footnote 5 of Table 5, "*The Discharger shall inspect the LCRS sump(s) monthly for presence of leachate. The total flow in each sump shall be recorded."*

Response and Comments: Leachate flow in table 4 shows that the LCRS sumps of the pond shall have the leachate flow calculated at a frequency of 2/Year. Note 5 of table 4 says that the sumps are to be inspected monthly for the presence of leachate and record the total flow.

Our lining specification calls for double patching patches, the source of most leaks. Most ponds have zero leakage. Based on LRCS monitoring conducted since the ponds were completed, all 4 Treehouse ponds have zero leakage.

Some years ago, the monitoring of double lined pond sumps was revised multiple times by the RWQCB's Confined Animals Facilities Unit in Region 5. It has settled on an accepted practice which is reflected in the liner O&M Plan submitted for the ponds at Treehouse.

The double liner system can be considered leak free to ground water if there is no standing water on the secondary layer. The floor is sloped and drained to the LCRS sump to prevent standing water. In addition, the LCRS sump can contain leakage water since it has a lysimeter underneath to monitor the LCRS sump for leakage. Therefore, the current accepted practice, LCRS monitoring intervals can be set to what leakage can be contained within the capacity of the LCRS sump.

This is the accepted monitoring plan by the Confined Animals Facilities Unit. For the first six months of use, monitoring of the sump is monthly. From that monitoring period a leakage rate can be established. A letter requesting extension of the monitoring interval can be made after the initial 6 months. The engineer

calculates an interval that will contain leakage within the LCRS sump including a 1-foot freeboard, but the interval cannot exceed 6-months. If the leakage rate is found to increase later, the interval needs to be reduced to contain the leakage within the LCRS sump. There is also reporting of the results of monitoring in the annual report.

We request that this uniform LCRS monitoring method be accepted for Treehouse.

## Comment 8. MRP (page 5) Section II. Specific Monitoring Requirements C. Pond Monitoring (ATP-001, ATP-002, ASA-001, AND EFF-001) Table 4 – Pond Monitoring

Summary of items in MRP: The MRP states in Table 5 that solids depth should be measured to the nearest 0.1 feet 1/Year in October.

Response and Comments: Measuring solids can be logistically difficult, costly, and dangerous, typically requiring specialized equipment, and a small boat in larger ponds. Measuring solids thickness is also very subjective as there is typically a gradation from liquid to solid, especially if the requirement is to the nearest 0.1 feet.

Treehouse Almonds requests the solids depth measurement specify that this is a visual observation and can be made from the bank of a pond to the nearest 1 foot.

## Comment 9. MRP (page 9) Section II. Specific Monitoring Requirements G. Soil Monitoring (SOIL-001, ETC.) Table 8 – Soil Monitoring

Summary of items in WDR: Item states that soil monitoring is required twice per year.

Response and Comments: Mobilization and labor costs for twice per year sampling are significant, and the additional data would be marginally beneficial, particularly for regulatory purposes.

Treehouse Almonds requests for soil sampling frequency be changed to once per year.

Further information and guidance for additional soil monitoring can be specified in the Wastewater and Nutrient Management plan that serves as an additional adaptive management plan that is not explicitly tied to the formal MRP.

## Comment 10. MRP (page 11) Section II. Specific Monitoring Requirements G. Soil Monitoring. Table 10 - Soil Monitoring

Summary of items in MRP: This item requires the analysis of organic matter and classification of soils using USDA NRCS Soil Texture by feel method.

Response and Comments: The analysis of organic matter and classification of soils USDA NRCS Soil Texture are generally static and not affected by wastewater applications.

- Process water will undergo extensive treatment prior to discharge and organic loading is expected, and required, to be low.
- As noted in Finding 35, soils in the LAA have already been classified via the USDA Web Soil Survey. In the Central Valley this resource is typically accurate.

Annual assessment of these soil properties does not provide any additional protection of groundwater quality, is an unnecessary regulatory requirement, and an added expense.

Treehouse Almonds requests that organic matter analysis and USDA NRCS Soil Texture classification be removed from the soil monitoring requirements.

The Wastewater and Nutrient Management Plan can provide additional information on recommended soil monitoring.

## Comment 11. MRP (page 11) Section III. Reporting Requirements A. Quarterly Monitoring Reports

Summary of items in MRP: *The MRP states the following: "Quarterly Monitoring Reports shall be prepared and submitted to the Central Valley Water Board by the **1st day of the second month following the quarter** (i.e., the January-March quarterly report is due by 1st May)."*

Response and Comments: To provide adequate time to receive laboratory results, review for quality assurance, address issues, compile all farming data, analyze all information, and develop and internally review quarterly monitoring reports, we request that the due dates for the CVRWQCB Quarterly Monitoring Reports be as follows: June 1 (Q1 report), September 1 (Q2 report), December 1 (Q3 report), and March 1 (Q4/annual report).

Frequently, final laboratory results are not available until approximately two weeks prior to the quarterly report deadlines. Loading rate calculations and other items in the monitoring reports cannot be fully completed and evaluated until all laboratory results for the quarter are available and the quality control process is complete. Occasionally, this involves coordination with laboratories to discuss questionable results, failure of laboratory QAQC processes, and/or sample analysis re-runs. These steps can take several to multiple days. This short timeline does not allow adequate time to compile, analyze, and prepare a quality monitoring report prior to submittal to the CVRWQCB, even when data is consistently entered throughout the quarter. This is an even more significant concern for the 4$^{th}$ Quarter Monitoring Reports that require additional items that must be completed in the same timeline as quarters 1-3.

The additional time to develop quality monitoring reports benefits Treehouse Almonds, the CVRWQCB, and the public while maintaining a quarterly report cycle. The Regional Board very rarely provides any feedback on monitoring reports, especially on a timely basis. A slight change to the reporting schedule to allow for higher quality reports is justified and benefits all stakeholders. If a one-month change to the reporting cycle proposed above is unacceptable to the Regional Board, a minimum of two weeks should be granted.

## Comment 12. MRP (page 11) Section III. Reporting Requirements A. Quarterly Monitoring Reports 1.b.

The MRP states the following: Each Quarterly Report shall include the following: *"Calculation of the annual average FDS of the discharge for each month of the quarter."*

Response and Comments: The calculation of the annual average FDS is a requirement of the Fourth Quarter Monitoring Report. The Performance-Based Effluent Annual Limitation is evaluated on the annual average FDS concentration. Reporting the annual average FDS monthly could appear as an exceedance when no exceedance occurred. This is not the intent of the Performance-Based Salinity Limit. Treehouse Almonds requests that the words ". . . *for each month of the quarter.*" be removed and the FDS limit only be assessed on an annual basis.

## Comment 13. MRP (page11) Section III. Reporting Requirements A. Quarterly Monitoring Reports 3.

Summary of items in MRP: In the formula to calculate the cycle average $BOD_5$ loading rates, *"Where: C = Concentration of $BOD_5$ in mg/L based on the average concentration for the month"*

Response and Comments: Grab and even 24-hour composite samples can be highly variable, which can under or overestimate loading rates. A rolling average concentration method provides a more realistic basis for loading rate calculations. Treehouse Almonds requests the $BOD_5$ loading rate calculations use a 3-sample rolling average concentration.
Proposed change, *"C = Concentration of $BOD_5$ in mg/L based on the* **3-sample rolling** *average concentration ~~for the Week~~."*

## Comment 14. MRP (page 12) Section III. Reporting Requirements A. Quarterly Monitoring Reports 4.

The WDR states the following: *"Each Quarterly Monitoring Report shall include the following: Copies of all laboratory analytical reports."*

Response and Comments: Treehouse Almonds requests that copies of laboratory analytical reports not be required in the quarterly reports. All laboratory reports will be retained for a minimum of three years and available for CVRWQCB review, upon request. This will reduce the effort of completing the monitoring reports, reduce paper usage and/or file size of monitoring reports, facilitate report submittal, and meet the regulatory requirements.

## Comment 15. Comment 14. MRP (page 12) Section III. Reporting Requirements A. Quarterly Monitoring Reports 5.

The WDR states the following: "*Each Quarterly Monitoring Report shall include the following: A summary of any changes in processing that might affect waste characterization and/or discharge flow rates."*

Response and Comments: This is typically a fourth quarter reporting requirement. Treehouse Almonds requests this item be moved to the Fourth Quarter Monitoring Report.

## Comment 16. MRP (page13) Section III. Reporting Requirements B. Fourth Quarter Monitoring Report 2.

Summary of items in MRP: In the formula for nitrogen and salt loading calculations, "*Where: C = Average concentration of total nitrogen/FDS (irrigation and wastewater) for the month in mg/L"* (Note that Item 2. appears to be numbered incorrectly in the tentative WDR.)

Response and Comments: Grab and even 24-hour composite samples can be highly variable, which can under or overestimate loading rates. A rolling average concentration method provides a more realistic basis for loading rate calculations. Treehouse Almonds requests the total nitrogen/FDS loading rates use a 3-sample rolling average for all loading rates. Proposed change, *"Where: C =* **3-sample rolling** *average concentration of total nitrogen/FDS (irrigation and wastewater) ~~for the month~~ in mg/L"*

## Comment 17. MRP (page13) Section III. Reporting Requirements B. Fourth Quarter Monitoring Report 2.a.

The MRP states the following: *"Discussion of an evaluation of soil monitoring data collected over the reporting period to estimate the concentrations in the upper six feet of LAA soils of Nitrate-N, Ammonia-N and TKN in units of lbs/acre. The discussion shall propose how soil nitrogen concentrations will be considered as a nitrogen source for crops grown the following year."*

Response and Comments: Technical analysis and use of soil nitrogen concentrations is a requirement of the Wastewater and Nutrient Management Plan (WNMP), a technical report. WDR Requirements J. Provisions 7.f. states the following," *Management practices that will ensure wastewater, irrigation water, and fertilizers/compost are applied to the LAA at agronomic rates, including but not limited to adjusting wastewater application and spreading based on consideration of soil available nutrients."* Treehouse Almonds requests that Fourth Quarter Monitoring Report requirements item 2.a. is removed from the MRP because this discussion is more appropriate to the WNMP and already required to be included in the WNMP.

## Comment 18. MRP (page 14) Section III. Reporting Requirements B. Fourth Quarter Monitoring Report. 11.

Summary of items in MRP: The MRP states that in addition to the above information, the fourth quarter monitoring report, due 1st February of each year, shall include the following: *"A calibration log verifying calibration of all hand-held monitoring instruments and devices used to comply with the prescribed monitoring program."*

Response and Comments: It is proposed that the calibration log be used and maintained but not provided in the annual report in its entirety. If needed, a summary of notable items can be provided.

## Comment 19. WDR, Minor Administrative Edits

a. WDR (page 4) Section II. Specific Monitoring Requirements C. Pond Monitoring (ATP-001, ATP-002, ASA-001, AND EFF-001): Location EFF-001 in the section title should be changed to ESP-001 to reflect that these observations are to occur at the 17.1 MG effluent storage pond.
b. WDR (page13) Section III. Reporting Requirements A. Fourth Quarter Monitoring Report 2.: Item 2. Appears to be mislabeled, please revise this item number and the item numbers that follow it.

We appreciate the opportunity to provide input on the tentative WDRs and MRP. If you have any questions regarding our suggestions or wish to discuss them further, please contact Treehouse Almonds.
Sincerely,

Brian Ball
Treehouse Almonds, LLC