6 May 2025

Eddie Gomes
Gomes Farms, Inc.
13255 S. Coyote Road
El Nido, CA 95317

NOTICE OF APPLICABILITY

WATER QUALITY ORDER 2020-0012-DWQ
GENERAL WASTE DISCHARGE REQUIREMENTS FOR COMMERCIAL COMPOSTING OPERATIONS
GOMES FARMS INC.
MERCED COUNTY
GLOBAL ID T10000022430

On 11 September 2023, JMLord, Inc. submitted a *Notice of Intent* (NOI) for Gomes Farms Inc. (Facility) on behalf of the owner/operator Eddie Gomes (Discharger) to obtain coverage under *State Water Resources Control Board General Waste Discharge Requirements for Commercial Composting Operations Order WQ 2020-0012-DWQ* (Compost General Order) for composting operations. A filing fee was received soon after the NOI. On 11 March 2025, Central Valley Regional Water Quality Control Board staff received the final technical report, titled *Technical Report for Compost Operation Gomes Farms, Inc.*, dated 10 March 2025, prepared by Mason Geoscience that was signed and stamped by Frederick A. Mason (Professional Geologist, No. 8442). The final technical report included the *Pond Liner Work Plan for Gomes Farms Inc.* (pond design), prepared by Hartman Engineering, signed and stamped by Craig M. Hartman (Registered Professional Engineer, No. 73837).

This *Notice of Applicability* (NOA) was developed after the review of the NOI and the technical report that was received on 11 March 2025 as described in the attached *Staff Memorandum*, which is a part of this NOA. Based on the staff's review, the Facility meets the conditions of the Compost General Order and is hereby covered under the Compost General Order as a **Tier II** composting operation. The enrollee identification number for this facility is **2020-0012-DWQ-R5F015**. The Discharger must comply with all Tier II requirements of the Compost General Order.

The filing fee for the Facility is based on Threat to Water Quality Complexity rating of 3B. The submitted filing fee covers the first year permitted by this NOA. The Discharger shall submit the required annual fee (as specified in the annual billing issued by the State Water Resources Control Board) until the NOA is officially terminated.

To fully comply with this NOA, please familiarize yourself with the contents of the enclosed Staff Memorandum and all the requirements of the Compost General Order.

The Discharger is responsible for implementing all operations in a manner that complies with the Compost General Order. Any noncompliance with the Compost General Order constitutes a violation of the Water Code, and is grounds for enforcement action, and/or termination of enrollment under the Compost General Order.

Conditions pertaining to the Facility include but are not limited to:

1. A post-construction report must be submitted **within 60 days** of completing all construction activities associated with all applicable containment and monitoring structures, as required for compliance with this Compost General Order and the Monitoring and Reporting Program (MRP).

2. To prevent potential impacts to waters of the state, the Discharger must minimize the potential for piles of feedstocks, additives, amendments, or compost (active, curing, or final product) to become over-saturated and generate wastewater.

3. Detention ponds, if used, must be managed to maintain a dissolved oxygen concentration in the upper zone (one foot) of at least 1.0 milligram per liter (mg/L).

4. Detention ponds, if used, shall be managed to mitigate breeding of mosquitoes including, but not limited to the following:

    a. An erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface.
    b. Weeds shall be minimized through control of water depth, a shoreline synthetic liner, harvesting, or herbicides.
    c. Dead algae, vegetation, and debris shall be removed from the water surface.
    d. Coordination with the local mosquito abatement of vector control district to supplement the measures described above in cases where other methos are infeasible.

5. Tanks, if used, must be designed, operated, maintained and monitored in accordance with applicable laws and regulations.

6. The Discharger shall maintain containment structures (e.g. berms, pads, detention ponds, tanks, run-on/run-off control structures, etc.) and monitoring systems (e.g. groundwater monitoring devices) in good working order.

7. The Discharger must regularly inspect and maintain all containment structures and monitoring systems pursuant to this Compost General Order, MRP, and NOA. The frequency of inspections must be sufficient to prevent feedstocks,

additives, amendments, compost (active, curing, or final product), or wastewater from creating, threatening to create, or contributing to conditions of contamination, pollution, or nuisance.

Attachment B of the Compost General Order includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Regional Water Quality Control Board. The first year Annual Monitoring and Maintenance Report as identified in the Compost General Order must be submitted to the Central Valley Water Board no later than **1 April 2026**, and then annually by 1 April each year. The complete Compost General Order can be accessed at the following internet address:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2020/wqo2020_0012_dwq.pdf

All reports and other correspondence must be converted to searchable Portable Document Format (PDF) and submitted electronically to our Geotracker website. Confirmation of Geotracker upload is to be emailed to: centralvalleyfresno@waterboards.ca.gov.

To ensure that your email 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:

Attention:	Title 27 Unit
Discharger Name:	Gomes Farms Inc.
Facility Name:	Gomes Farms Inc. Compost Facility
County:	Merced County
Global ID:	T10000022430

If you have any questions regarding this letter or the attached Staff Memorandum, please contact Bethany Soto at 559-445-6077 or bethany.soto@waterboards.ca.gov.

Christina Shupe

For Patrick Pulupa
Executive Officer

Enclosure: Staff Memorandum

cc: CalRecycle WPCMDivision@CalRecycle.ca.gov
Beatriz Hernandez Rivera, Beatriz.HernandezRivera@countyofmerced.com

Central Valley Regional Water Quality Control Board

TO: Scott J. Hatton
Supervising Water Resources Control Engineer

Kristen Gomes
Senior Water Resources Control Engineer

FROM: Bethany Soto
Environmental Scientist

Brenda Cardoza-Esparza
Scientific Aid

DATE: 6 May 2025

SUBJECT: **APPLICABILITY OF COVERAGE UNDER STATE WATER RESOURCES CONTROL BOARD WATER QUALITY ORDER 2020-0012-DWQ, GOMES FARMS, INC., MERCED COUNTY, GLOBAL ID T10000022430**

REPORT OF WASTE DISCHARGE

On 11 September 2023, JMLord Inc. submitted a Notice of Intent (NOI) for Gomes Farms Inc. (Facility) on behalf of the owner/operator Eddie Gomes (Discharger) to obtain coverage under *State Water Resources Control Board General Waste Discharge Requirements for Commercial Composting Operations Order WQ 2020-0012-DWQ* (Compost General Order) for composting operations. The appropriate filing fee was received soon after the NOI. A draft technical report dated 24 June 2024 was prepared and submitted by Mason Geoscience on 25 June 2024 for consideration while the Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff awaited the final technical report with a pond design report. On 11 March 2025, Central Valley Water Board staff received the final technical report, titled *Technical Report for Compost Operation Gomes Farms, Inc.*, dated 10 March 2025, prepared by Mason Geoscience that was signed and stamped by Frederick A. Mason (Professional Geologist, No. 8442). The final technical report included the *Pond Liner Work Plan for Gomes Farms Inc.* (pond design), prepared by Hartman Engineering, signed and stamped by Craig M. Hartman (Registered Professional Engineer, No. 73837).

SITE CONDITIONS

The Facility is located at 14013 S. Coyote Road El Nido, CA 95317, within the southeast quarter of the northeast quarter of Section 2, Township10 south, Range 13 east, Mount Diablo Baseline and Meridian, California. The total composting operation

covers approximately 76.45 acres consisting of the ancillary area and working surface within 473 acres of Merced County Assessor's Parcel Number (APN) 074-160-054. The proposed detention pond for the composting operation is planned to be constructed within APN 074-160-037 and will cover 1.33 acres.

CLIMATOLOGY

Climatology data obtained from the nearest climate stations (Denair II Station #206 and the Firebaugh-Telles Station #007) found on the California Department of Water Resources Irrigation Management Information System (CIMIS) indicates the average annual precipitation to be 9.42 inches per year and the average annual evapotranspiration to be 54.69 inches per year. The 25-year, 24-hour design storm event is estimated to produce 2.56 inches of rainfall based on the data from the National Oceanic and Atmospheric Administration (NOAA). According to the Federal Emergency Management Agency (FEMA), the Facility is in Zone A; a special flood hazard or high-risk area with no base flood elevation and a 1% annual chance of flooding.

SITE GEOLOGY

The Facility is within the Merced Subbasin of the San Joaquin Valley. The site contains alluvial sediments, overlain and underlain by soil horizons that form sequences of clay, silt, sand, and gravel. The north-northeastern portion of the site is underlain with approximately two-thirds of slightly saline-sodic Fresno loam (FpA) and the remaining southeast portion of the site is underlain by strongly saline sodic Fresno loam (FsA). This soil is classified as a Hydrologic Soil Group C; sandy clay loam.

FEEDSTOCKS AND COMPOSTING OPERATIONS

The feedstocks used in the Facility's composting process include vegetative agricultural material, green material, and cow manure. The source of the feedstock will come from Gomes Farms Inc. operations and local dairies in El Nido and Chowchilla, CA. No additives or amendments will be used in the composting method. The feedstock will be mixed with appropriate carbon rich materials, nitrogen rich materials and manure to create a proper ratio of carbon and nitrogen. Carbon rich materials include dried leaves, pistachio and almond shells and dry solids. Nitrogen rich materials include hulls and green leaves. The dry solids contain nitrogen and beneficial microbes. Once the feedstock is stockpiled and proper moisture is achieved visually or with a moisture meter it is transferred onto the active phase composting piles. In the active phase the compost is stored in windrows approximately 1,500 feet long,18 feet wide, and 6 feet deep. The active composting material is monitored for an internal temperature of 131 degrees Fahrenheit to further reduce pathogens and maintained moist with water from the west detention pond. After reaching 131 degrees Fahrenheit, only freshwater is added to the compost and the windrows are turned five times within the first 15 days to stay within 131 to 170 degrees Fahrenheit. The windrows are then turned once weekly or less to keep oxygen levels and temperatures at acceptable levels for curing. Hydration of the compost is done as needed until the final product is ready for shipping.

WATER AND WASTEWATER SOURCES

There are two sources of water that the compost operation accesses for moisture control. The first is a freshwater reservoir located approximately 130 feet southeast of the compost working surface area and it is periodically filled by the surrounding Gomes Farms agricultural supply wells. The second source is the Eastside Bypass San Joaquin River located approximately 1,000 feet southwest of the compost working surface area. The Facility may use water from the Eastside Bypass during flood years, if available.

Wastewater that collects in the west detention pond due to excess runoff during heavy storm events is pumped out of the pond into a water truck and reapplied to the compost for moisture control as needed.

FACILITY DESIGN

Working Surface

The DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS in the Compost General Order for a Tier II operation requires:

> *Working surfaces must be capable of resisting damage from the movement of equipment and weight of piles and have a hydraulic conductivity of 1.0 x 10^{-5} centimeters per second (cm/s) or less. Working surfaces must consist of one of the following:*
>
> *a. Compacted soils, with a minimum thickness of one foot;*
> *b. Asphaltic concrete or Portland cement concrete; or*
> *c. An equivalent engineered alternative specified in an NOI and/or a technical report and approved by the Regional Water Board.*

Based on the final technical report and its reported evaluation of soil hydraulic conductivity of the working surface, the average hydraulic conductivity was 8.1 x 10^{-6} centimeters per second (cm/s), which meets the Compost General Order requirements of 1.0 x 10^{-5} cm/s or less. Since the working surface area hydraulic conductivity is within the specifications of the Compost General Order, groundwater monitoring is not necessary.

Detention Pond

The Compost General Order states the following:

> *Detention ponds must be designed, constructed, operated, and maintained to meet a hydraulic conductivity of 1.0 x 10^{-6} cm/s or less. These ponds must include one of the following:*
>
> *a. A liner system consisting of a 40 thousandths of an inch (mil) synthetic geomembrane (60-mil if high-density polyethylene), underlain by either one foot of compacted clay or a geosynthetic clay liner installed over a prepared base.*

b. *A liner system that includes Portland cement concrete – designed to minimize cracking and infiltration – underlain by a 40-mil synthetic geomembrane (60-mil if high-density polyethylene); or*
c. *An equivalent engineered alternative specified in an NOI and/or a technical report and approved by the Regional Water Board.*

The pond design in the final technical report provides two options for a contractor to choose from for a double lined system for a detention pond at the Facility and the Construction Quality Assurance (CQA) Plan provides the specifications for a prepared sub-base.

Option 1:

a. Primary 60 mil HDPE Liner
b. Drainage Net 200 mil HDPE
c. Secondary 60 mil HDPE Liner

Option 2:

a. Primary 60 mil HDPE Liner
b. Secondary 60 mil HDPE Drain Liner

Both options incorporate a leachate collection and removal system (LCRS) and a lysimeter pan below the LCRS sump. The double lining of the pond meets the hydraulic conductivity of 1.0 $x10^{-6}$ cm/s or less per the Compost General Order. The water balance and calculations for the proposed pond design capacity is appropriate to handle the runoff from a 25-year, 24-hour storm event. Both pond designs meet the requirements of the Compost General Order.

MONITORING AND REPORTING

According to the Technical Report, the Discharger will conduct a monitoring program as stated in Attachment B of the General Order's Monitoring and Reporting Program (MRP). The *Annual Monitoring and Maintenance Report* must be submitted to the Central Valley Regional Water Quality Control Board (RWQCB) by April 1st of each year.

SITE CLOSURE

At least 90 days prior to ceasing composting operations, Gomes Farms Inc. shall submit a Site Closure Plan to the Central Valley Water Board for approval. The site restoration shall include work necessary to protect public health, safety, and the environment.

RECOMMENDATIONS

Based on staff review of the final technical report and NOI it is determined that the Discharger can meet the requirements of the Compost General Order. The *Notice of Applicability* (NOA) can be issued and stay in effect as long as the Discharger implements all operations in a manner that complies with the requirements of the Compost General Order.

Gomes Farms Inc. must comply with the following items:

1. A post-construction report must be submitted within 60 days of completion of all construction activities associated with all applicable containment and monitoring structures, as required for compliance with this Compost General Order and Monitoring and Reporting Program (MRP). **The wastewater pond liner must be installed by 30 November 2025.**

2. To prevent potential impacts to waters of the state, the Discharger must minimize the potential for piles of feedstocks, additives, amendments, or compost (active, curing, or final product) to become over-saturated and generate wastewater.

3. Detention ponds must be managed to maintain a dissolved oxygen concentration in the upper zone (one foot) of at least 1.0 milligram per liter (mg/L).

4. Detention ponds shall be managed to mitigate breeding of mosquitoes including, but not limited to the following:

    a. An erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface.
    b. Weeds shall be minimized through control of water depth, a shoreline synthetic liner, harvesting, or herbicides.
    c. Dead algae, vegetation, and debris shall be removed from the water surface.
    d. Coordination with the local mosquito abatement of vector control district to supplement the measures described above in cases where other methos are infeasible.

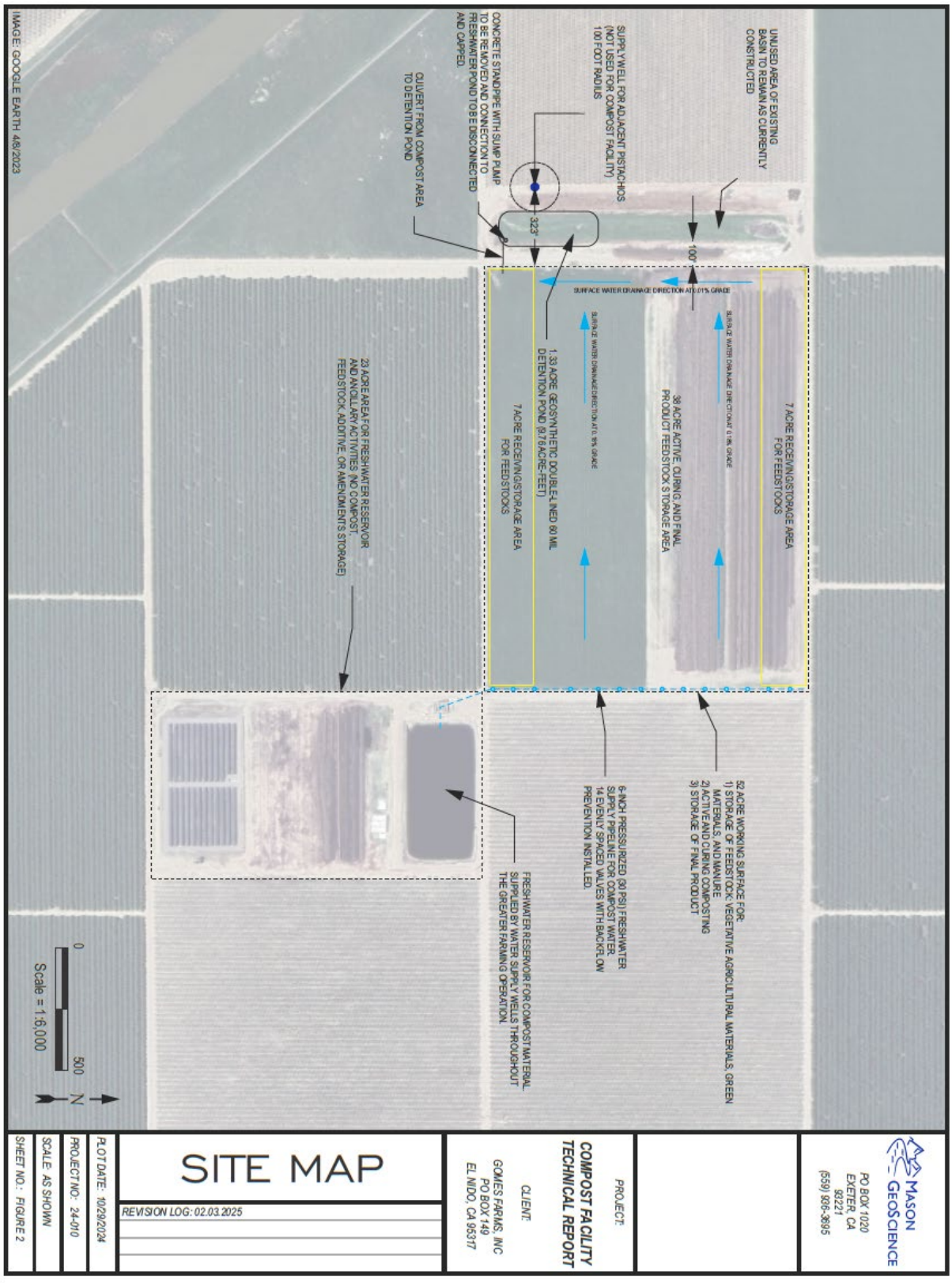
5. The Discharger shall maintain containment structures (e.g. berms, pads, detention ponds, tanks, run-on/run-off control structures, etc.) and monitoring systems (e.g. groundwater monitoring devices) in good working order.

6. The Discharger must regularly inspect and maintain all containment structures and monitoring systems pursuant to this Compost General Order, MRP, and NOA. The frequency of inspections must be sufficient to prevent feedstocks, additives, amendments, compost (active, curing, or final product), or wastewater from creating, threatening to create, or contributing to conditions of contamination, pollution, or nuisance.

7. Prior to any facility expansion, a technical report with design information will need to be submitted for approval by the Central Valley Water Board at least 90 days prior to the new construction of working surfaces, stormwater (detention) ponds, berms, ditches, or any other water quality protection containment

structures. The design information must include water balance calculations for detention basins and wastewater conveyance features.

8. Any expansion of operations must meet the requirements of the Compost General Order and be approved by the Central Valley Water Board prior to commencement of composting operations in any new area.


UNUSED AREA OF EXISTING BASIN TO REMAIN AS CURRENTLY CONSTRUCTED
SUPPLY WELL FOR ADJACENT PISTACHIOS (NOT USED FOR COMPOST FACILITY) 100' FOOT RADIUS
CONCRETE STANDPIPE WITH SUMP PUMP TO BE REMOVED AND CONNECTION TO FRESHWATER POND TO BE DISCONNECTED AND CAPPED.
CULVERT FROM COMPOST AREA TO DETENTION POND
100'
323'
SURFACE WATER DRAINAGE DIRECTION AT 0.01% GRADE
SURFACE WATER DRAINAGE DIRECTION AT 0.15% GRADE
SURFACE WATER DRAINAGE DIRECTION AT 0.15% GRADE
7 ACRE RECEIVING/STORAGE AREA FOR FEEDSTOCKS
38 ACRE ACTIVE CURING AND FINAL PRODUCT FEEDSTOCK STORAGE AREA
1.33 ACRE GEOSYNTHETIC DOUBLE-LINED 60 MIL DETENTION POND (9.76 ACRE-FEET)
7 ACRE RECEIVING/STORAGE AREA FOR FEEDSTOCKS
23 ACRE AREA FOR FRESHWATER RESERVOIR AND ANCILLARY ACTIVITIES (NO COMPOST, FEEDSTOCK, ADDITIVE, OR AMENDMENTS STORAGE)
52 ACRE WORKING SURFACE FOR: 1) STORAGE OF FEEDSTOCK VEGETATIVE AGRICULTURAL MATERIALS, GREEN MATERIALS, AND MANURE 2) ACTIVE AND CURING COMPOSTING 3) STORAGE OF FINAL PRODUCT
6-INCH PRESSURIZED (30 PSI) FRESHWATER SUPPLY PIPELINE FOR COMPOST WATER 14 EVENLY SPACED VALVES WITH BACKFLOW PREVENTION INSTALLED.
FRESHWATER RESERVOIR FOR COMPOST MATERIAL SUPPLIED BY WATER SUPPLY WELLS THROUGHOUT THE GREATER FARMING OPERATION.
IMAGE: GOOGLE EARTH 4/8/2023
0
500
N
Scale = 1:6,000
MASON GEOSCIENCE
PO BOX 1020
EXETER, CA
93221
(559) 936-3695
PROJECT:
COMPOST FACILITY TECHNICAL REPORT
CLIENT:
GOMES FARMS, INC
PO BOX 149
EL NIDO, CA 95317
SITE MAP
REVISION LOG: 02.03.2025
PLOT DATE: 10/29/2024
PROJECT NO: 24-010
SCALE: AS SHOWN
SHEET NO.: FIGURE 2