

**Regional Water Quality Control Board
Central Valley Region
Board Meeting – 3/4 June 2026**

**Response to Written Comments for
Golden Valley Pistachio Co., LLC; Nader Malakan, and Malakan Investments LLC
Golden Valley Pistachio Processing Facility
Madera and Merced Counties
Tentative Waste Discharge Requirements**

At a public hearing scheduled on 3/4 June 2026, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) will consider adoption of Waste Discharge Requirements (WDRs) and a Monitoring and Reporting Program (MRP) for the discharge to land from the Golden Valley Pistachio Co., LLC; Nader Malakan, and Malakan Investments LLC (Discharger, collectively) Golden Valley Pistachio Processing Facility (Facility) in Madera and Merced Counties. This document contains responses to written comments received from an interested person regarding the tentative WDRs and MRP (collectively, Tentative Order) circulated on 1 April 2026. Written comments were required to be received by the Central Valley Water Board by 5:00 p.m. on 1 May 2026 to receive full consideration. Timely comments were received from Ms. Jo Anne Kipps.

Written comments are summarized below and consolidated where appropriate, followed by responses from Central Valley Water Board staff (Staff). Staff have also made minor changes to the Tentative Order to improve clarity and correct typographical errors where necessary.

1 May 2026 JO ANNE KIPPS COMMENTS

KIPPS COMMENT 1: Ownership and 25 March 2026 Notice of Violation

Ms. Kipps request confirmation of whether the Central Valley Water Board has adopted a change order reflecting Golden Valley Pistachio Co., LLC as the owner of the Facility, and clarification of the Facility's discharge to the City of Chowchilla's sewer system. She also requests clarification regarding the 25 March 2026 Notice of Violation (NOV) associated with the Facility.

Response: The RWD described in the Tentative Order included a Form 200 identifying the Discharger as the new owner(s) responsible for discharges of waste at the Facility. A change order has not been adopted by the Central Valley Water Board; however, adoption of the Tentative Order will reflect the change. The NOV was issued for failure to comply with Standard Provisions, as well as specific provisions of WDRs Order 93-005, including failure to have an effluent flow meter, and failure to comply with MRP Order 93-005. Further detail regarding the NOV is available online via the California Integrated Water Quality Systems database.

KIPPS COMMENT 2: Potential Odors

Ms. Kipps request revisions to the Tentative Order to reflect measures the Discharger takes to prevent objectionable odors from the storage of wastewater at the Facilities and land application areas (LAAs).

Response: Given that the wastewater storage tanks at the Facility and the LAAs are enclosed and continued operations rely on rapid transfer of wastewater for application at the LAAs (short detention times), nuisance odors are not expected to be an issue as a result of wastewater storage. Regardless, the Tentative Order includes Discharge Specification F.3, which prohibits objectionable odors at an intensity that creates or threatens to create nuisance conditions beyond the Facility property. Staff made revisions to the specification, extending it to the LAAs, as well. Additionally, revisions were made to the Tentative Order to clarify that the Facility and LAA storage tanks are enclosed.

KIPPS COMMENT 3: Environmental Review

Ms. Kipps asserts that the Discharger's proposed increase in discharge and expansion of the land application area are not minor changes and disagrees with the Tentative Order's findings associated with the discharge's compliance with the California Environmental Quality Act (CEQA). Ms. Kipps recommends additional environmental review, particularly with regard to impacts associated with traffic, be conducted before the Tentative Order is considered for adoption, and that wastewater continue to be sent to the City of Chowchilla's sewer system until then.

Response: Staff have determined that the CEQA findings in the Tentative Order remain appropriate. The Tentative Order does not authorize new construction or expanded industrial operations. Rather, the Tentative Order prescribes updated waste discharge requirements for an existing facility that is discharging treated wastewater to existing agricultural lands. As such, the Tentative Order constitutes regulation of an existing facility and, at most, minor alterations to land, which are categorically exempt from CEQA.

Regarding traffic impacts, we anticipate that the order would only foreseeably result in about six additional trips per day for up to 60 days during the pistachio processing season. Given the limited number of trips over a short period, the Discharger's wastewater transportation method is unlikely to result in significant environmental impacts. This assessment aligns with the California Governor's Office of Planning and Research's December 2018 *Technical Advisory on Evaluating Transportation Impacts in CEQA*, which states that projects generating fewer than 110 trips per day are generally assumed to have less-than-significant impacts.

The finding (formerly, Finding 75) discussing past environmental review associated with the Facility was removed since it is not relevant to demonstrate the exemption from CEQA's procedural requirements. No other changes were made based on this comment.

KIPPS ADDITIONAL COMMENTS: Suggested Clarifications and Corrections

Ms. Kipps provided additional comments with various recommended corrections, revisions, and clarifications to the Tentative Order. These include annotated corrections, clarifications for waste solids application to the LAAs and the process flow diagram, and inclusion of solids management considerations requirements, specifically Provision J.6.

Response: In response, staff made revisions to the Tentative Order to address many of these concerns where appropriate. Notably, the revised Tentative Order has been updated to clarify how solids are managed and solids considerations were added to Provision J.6. However, not all suggested edits were incorporated, as some were determined to be either unnecessary or addressed in Staff's prior comments.