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JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

23 February 2021

Jim Czachorowski
Sierra Vista Wines, LLC
4560 Cabernet Way
Placerville, CA 95667

CERTIFIED MAIL
7020-0640-0000-7627-1569

NOTICE OF APPLICABILITY

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD
PROCESSORS, WINERIES, AND RELATED AGRICULTURAL PROCESSORS
WITHIN THE CENTRAL VALLEY REGION
ORDER R5-2020-0002-0072
SIERRA VISTA WINES, LLC
EL DORADO COUNTY**

On 20 February 2020, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted the Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region, Order R5-2020-0002 (the Waiver).

We are in receipt of your letter dated 30 December 2020, which stated that you intend to comply with the conditions of the new Waiver for Tier 2 enrollees. The facility is owned by SJC Vineyards, LLC ("Discharger") and operated by Sierra Vista Wines, LLC. Based on the information submitted in your RWD, the discharge qualifies for coverage under Tier 2 of the Waiver, which allows land application of up to 100,000 gallons of wastewater per year for irrigation of landscaping or crops. You are hereby assigned Order R5-2020-0002-0072. A copy of the [Waiver](#) is enclosed and also available at:

(http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)

Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). Winery waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the Notice of Intent.

DISCHARGE DESCRIPTION

Sierra Vista Wines, LLC (the winery) is located at 4560 Cabernet Way, Placerville in El Dorado County. Tier 2 allows land application of up to 100,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids (pomace and lees) associated with that volume of wastewater. Any process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application and to obtain coverage under Tier 3 of the Waiver prior to increasing the discharge volume.

The Discharger estimated that approximately 60,000 gallons of winery process wastewater are generated annually. Process wastewater is collected into a holding tank and then is applied to 20 acres of land application area via a tractor. Wastewater flows out of the tank by gravity falling on a fan shaped rigged plate which spreads the wastewater over a four-acre area in rows between the vines.

The Discharger estimates that approximately 16 tons of solids (grape stems, seeds, and skins) is produced annually. Solid waste is applied to the land application area.

MONITORING AND REPORTING

Attachment B of the Waiver includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form, which is also contained in Attachment B of the Waiver.

By **February 1 of each year**, the Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year. The 2021 Annual Monitoring Report is due by **1 February 2022**.

GENERAL INFORMATION AND REQUIREMENTS

The Waiver includes specific and general conditions with which you must comply and you must maintain control over the discharge and operate in accordance with the information provided in your Notice of Intent and this Notice of Applicability.

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the facility name, location, and details of the proposed discharge. Failure to comply with the requirements of the Waiver may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the Notice of Intent is prohibited. Please note that the Waiver will expire on **20 February 2025**, after which you must do one of the following:

1. Submit a new Report of Waste Discharge with a filing fee to obtain coverage under a subsequently adopted waiver,
2. Submit a Report of Waste Discharge with a filing fee to apply for individual or general Waste Discharge Requirements, or

3. Cease the discharge.

SALT AND NITRATE CONTROL PROGRAMS REOPENER

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. The Basin Plan Amendments were conditionally approved by the State Water Board on 16 October 2019 and the Office of Administrative Law on 15 January 2020.

- a. For nitrate, dischargers that are unable to comply with stringent nitrate requirements will be required to take on alternate compliance approaches that involve providing replacement drinking water to persons whose drinking water is affected by nitrates. Dischargers could comply with the new nitrate program either individually or collectively with other dischargers. For the Nitrate Control Program, the facility falls within Non-Prioritized Groundwater Basins. Notices to Comply for Non-Prioritized Basins will be issued within two to four years after the effective date of the Nitrate Control Program.
- b. For salinity, dischargers that are unable to comply with stringent salinity requirements would instead need to meet performance-based requirements and participate in a basin-wide effort to develop a long-term salinity strategy for the Central Valley. Dischargers will receive a Notice to Comply with instructions and obligations for the Salt Control Program within one year of the effective date of the amendments (17 January 2020). Upon receipt of the Notice to Comply, the Discharger will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting).

As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of the Waiver to ensure the goals of the Salt and Nitrate Control Programs are met. This order may be amended or modified to incorporate newly applicable requirements.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleysacramento@waterboards.ca.gov

To ensure that your submittal 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:

Facility Name: Sierra Vista Wines, LLC, El Dorado
Program: Non-15 Compliance
Order: R5-2020-0002-0072
CIWQS Place ID: 837797

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Now that the Notice of Applicability has been issued, the Board's Compliance and Enforcement section will take over management of your case. Kenny Croyle is your new point of contact for any questions about the Waiver. If you find it necessary to make a change to your permitted operations, Kenny will direct you to the appropriate Permitting staff. You may contact Kenny at (916) 464-4676 or at kcroyle@waterboards.ca.gov.



for Patrick Pulupa
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order R5-2020-0002
cc: El Dorado County Environmental Health Department, Placerville