



# Vineyards and Water Quality

## Introducing: Conditional Waiver of Waste Discharge Requirements for Vineyard Facilities in the Napa River and Sonoma Creek Watersheds

### **What is the Regional Water Quality Control Board, San Francisco Bay Region (Water Board)?**

The Water Boards are state agencies responsible for water quality management and protection. The Water Board, San Francisco Bay Region, is responsible for managing and protecting water quality in the San Francisco Bay Area, including the Napa River and Sonoma Creek watersheds.

### **What is a conditional waiver of Waste Discharge Requirements?**

The California Water Code gives the Water Board authority to regulate waste discharges by issuing or waiving waste discharge requirements (WDRs) for specific types of waste discharges. Waivers are less intensive and are allowed provided that certain conditions, established by the Water Board, are met. The conditions are designed and intended to assure discharges will not cause or contribute to violations of water quality standards. A waiver of WDRs does not mean permitting requirements are “waived”—permittees must comply with the conditions set forth in the conditional waiver of WDRs.

### **What water quality problems are associated with Vineyard Facilities?**

The Water Board has determined that waste discharges from a variety of sources are contributing to pollution in the Napa River and Sonoma Creek watersheds. This pollution has significantly contributed to declining steelhead and salmon populations. The Napa River and Sonoma Creek are both listed by the Water Board as impaired by sediment (as well as pathogens and nutrients). Sources of pollutants contributing to these impairments come from urban areas, agricultural activities (such as vineyard facilities), transportation facilities, and other land uses in the watersheds.

### **What’s being done?**

The Water Board developed and adopted separate sediment total maximum daily loads (TMDLs) for the Napa River and Sonoma Creek watersheds. Pathogens TMDLs for both watersheds have also been adopted. TMDLs are action plans to restore clean water, and include implementation plans that specify actions that are needed to resolve the impairment and restore water quality. Vineyard facilities are identified in the sediment TMDLs as sources of human-caused sediment discharges. More information about the TMDLs described above and on our TMDL program can be found at:

[http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/TMDLs/whataretmdls.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/whataretmdls.shtml)

### **What’s being developed?**

Water Board staff is developing a conditional waiver program, in which many vineyard owners and/or operators would be required to enroll. Staff will solicit input from stakeholders during this waiver development process. The essential component of the conditional waiver will be the vineyard owner’s/operator’s completion of a farm water quality plan (farm plan). A farm plan includes a comprehensive inventory and assessment of natural resources, agricultural lands, and management practices. As outlined in the TMDLs, vineyard operators/owners are to assess their own lands and

facilities, evaluate potential sources of pollutants, identify where management practices need to be implemented or revised, and then develop and implement a plan (with a schedule) to put into place the identified management practices. The farm plan must address surface erosion, storm water runoff, sediment delivery from roads, pesticide use, nutrient management, and protection of stream areas.

### What about other sources of pollutants?

The State Board and Water Board are working on all identified sources of sediment, not just vineyards. For example, the State Board recently updated the Construction Stormwater permit that includes more stringent requirements for sediment control and stormwater runoff. There is also a statewide permit that regulates urban runoff from cities in these watersheds. The Water Board is also developing a conditional waiver program for grazing operations in the Napa River and Sonoma Creek watersheds.

### What's next?

As a regulatory agency, the Water Board is charged with protecting water quality by setting standards that protect the beneficial uses of the Napa River and Sonoma Creek, and by developing and carrying out programs that achieve these standards. We welcome local stakeholder expertise and input on how to best achieve these standards.

The public process for developing this conditional waiver will include multiple components:

- 1) *Technical Advisory Committee*- Water Board staff will vet technical and scientific issues with local experts.
- 2) *Stakeholder Advisory Group*- Water Board staff will convene a local stakeholder advisory group to solicit input from stakeholders.
- 3) *Formally noticed workshops, comment periods, and hearings*- The general public may comment during the formal, traditional process. This includes a CEQA workshop, public Water Board hearings, and formally noticed comment periods.

The diagram below displays the process for waiver development. We are currently in the Initial Public Outreach stage. For more information, contact: Tina Low, [TLow@waterboards.ca.gov](mailto:TLow@waterboards.ca.gov)

