

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401**

**Draft
GENERAL WASTE DISCHARGE REQUIREMENTS
ORDER NO. R3-2016-0032**

For

**DISCHARGES OF WINERY WASTE AND
DISCHARGES FROM CERTIFIED SUSTAINABLE VINEYARDS, CENTRAL COAST REGION**

The California Regional Water Quality Control Board, Central Coast Region (hereafter “Central Coast Water Board”) finds:

1. The State Water Resources Control Board (State Water Board) and Regional Water Quality Control Boards (Regional Water Boards) are the principal state agencies with primary responsibility for the coordination and control of water quality pursuant to the Porter-Cologne Water Quality Control Act (Porter-Cologne Act, codified in Water Code Division 7). The legislature, in the Porter-Cologne Act, directed the Water Board to exercise its full power and jurisdiction to protect the quality of the waters in the state from degradation, considering precipitation, topography, population, recreation, agriculture, industry, and economic development (Water Code § 13000).
2. The purpose of this Order is to maximize water quality protection to ensure the long-term reliability and availability of water resources of sufficient quantity and quality for all present and future beneficial uses, including drinking water and aquatic life.
3. Consistent with Water Code section 106.3 (Human Right to Water), this Order requires winemaking operations and certified sustainable vineyards that discharge wastes that could affect the quality of waters of the state to effectively control discharges, implement management practices, and conduct monitoring and reporting to ensure access to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.
4. This Order regulates discharges of waste¹ from grape processing operations (wineries) and certified² sustainable vineyards by requiring individuals subject to this Order (hereafter “Discharger”) to comply with the terms and conditions set forth herein to ensure that such discharges do not cause or contribute to the exceedance of any regional, state, or federal numeric or narrative water quality standard in waters of the state and of the United States.

¹ This Order regulates discharge of “waste” as defined in Water Code section 13050 and “pollutants” as defined in the Clean Water Act. For simplicity, the term “waste” or “wastes” is used throughout. The term “waste” is very broad and includes “pollutants” as defined in the Clean Water Act.

² A certified vineyard is certified by Sustainability in Practice (SIP, certified by the Central Coast Vineyard Team) or other certified program approved by the Central Coast Water Board. Sustainability in Practice (SIP) is a sustainable vineyard certification with non-negotiable performance based requirements. Required management and implementation (e.g., cover crops, erosion control, etc.) is demonstrable, auditable, and certification prohibits the use of certain high-risk pesticides.

5. This Order requires compliance with water quality standards. Dischargers must implement, and where appropriate, update or improve management practices, which may include local or regional control or treatment practices and changes in farming practices to effectively control discharges, meet water quality standards and achieve compliance with this Order. Consistent with the Water Board's Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program (NPS Policy, 2004), Dischargers comply by implementing and improving management practices and complying with the other conditions, including monitoring and reporting requirements.

GENERAL FINDINGS

6. This Order is consistent with the requirements of the *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy) adopted by the State Water Board in May 2004.
7. This Order is consistent with provisions of State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California." Regional boards, in regulating the discharge of waste, must maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the Regional Board's policies. The Order will result in improved water quality throughout the region. Dischargers must comply with all applicable provisions of the Basin Plan, including water quality objectives, and implement best management practices to prevent pollution or nuisance and to maintain the highest water quality consistent with the maximum benefit to the people of the State. The conditions of this Order will protect high quality waters and restore waters that have already experienced some degradation.
8. This Order requires Dischargers to 1) comply with the terms and conditions of the Order and meet applicable water quality standards in the waters of the State; 2) develop and implement management practices and treatment or control measures or change farming practices when discharges are causing or contributing to exceedances of applicable water quality standards; 3) conduct activities in a manner to prevent nuisance; and 4) conduct activities required by MRP Order No. R3-2016-0032.

Water Code

9. Water Code section 13260(a) requires that any person discharging waste or proposing to discharge waste that could affect the quality of the waters of the state, other than into a community sewer system, shall file with the Central Coast Water Board a report of waste discharge containing such information and data as may be required by the Central Coast Water Board, unless the Central Coast Water Board waives such requirement.
10. Water Code section 13263 requires the Central Coast Water Board to prescribe waste discharge requirements (WDRs), or waive WDRs, for the discharge. The WDRs must implement relevant water quality control plans and the Water Code.
11. Water Code Section 13267(b)(1) authorizes the Central Coast Water Board to require Dischargers to submit technical reports necessary to evaluate Discharger compliance with the terms and conditions of this Order and to ensure protection of waters of the state.

12. Pursuant to Water Code section 13267, the Executive Officer may require Dischargers to locate (inventory) and conduct monitoring of private domestic wells in or near agricultural areas with high nitrate in groundwater and submit technical reports evaluating the monitoring results. In addition, in compliance with Water Code section 13304, the Central Coast Water Board may require Dischargers to provide alternative water supplies or replacement water service, including wellhead treatment, to affected public water suppliers or private domestic well owners.
13. The monitoring and reporting requirements in these General WDRs are necessary to determine compliance with these waste discharge requirements and to determine the facility's/vineyards impacts, if any, on receiving water. The evidence in support of requiring these reports is discussed in the findings of this Order.

Basin Plan

14. The *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan) incorporates State Water Board plans and policies by reference and contains a strategy for protecting beneficial uses of surface and ground waters throughout the Region. This Order requires Dischargers to comply with all applicable provisions of the Basin Plan.
15. The Basin Plan contains specific water quality objectives, beneficial uses, and implementation plans that are applicable to discharges of waste from vineyards and wine processing facilities and waterbodies that receive discharges of waste from vineyards.
16. The Basin Plan contains requirements, including, but not limited to, Chapter 2, Section II Water Quality Objectives to Protect Beneficial Uses, and Chapter 5, Page V-13, V.G. Erosion and Sedimentation, to protect aquatic habitat. A filter strip of appropriate width, and consisting of undisturbed soil and riparian vegetation or its equivalent, shall be maintained, wherever possible, between significant land disturbance activities and watercourses, lakes, bays, estuaries, marshes, and other water bodies. For construction activities, minimum width of the filter strip shall be thirty feet, wherever possible.
17. The Order is consistent with the Basin Plan because it requires Dischargers to comply with applicable water quality standards and requires terms and conditions, including implementation of management practices. The Order also requires monitoring and reporting as defined in MRP Order No. R3-2016-0032.

Beneficial Uses

18. The Basin Plan designates beneficial uses, establishes water quality objectives, contains programs of implementation needed to achieve water quality objectives, and references the plans and policies adopted by the State Water Board. The water quality objectives are required to protect the following beneficial uses of waters of the state:
 - a. Municipal and domestic supply;
 - b. Ground Water Recharge;
 - c. Agricultural supply;
 - d. Industrial process and service supply;
 - e. Fresh Water Replenishment;
 - f. Warm Fresh Water Habitat;

- g. Cold Fresh Water Habitat;
 - h. Inland Saline Water Habitat;
 - i. Estuarine Habitat;
 - j. Marine Habitat;
 - k. Wildlife Habitat;
 - l. Preservation of Biological Habitats of Special Significance;
 - m. Rare, Threatened or Endangered Species;
 - n. Migration of Aquatic Organisms;
 - o. Spawning, Reproduction and/or Early Development;
 - p. Areas of Special Biological Significance;
19. Existing and potential beneficial uses of groundwater within the Central Coast Region include municipal and domestic supply, agricultural supply, and industrial process and service supply.

WASTE DISCHARGE REQUIREMENTS FINDINGS

Vineyards

20. This Order regulates discharges of waste from vineyards where water is applied for producing commercial crops and discharges of waste from vineyards that are planted with the intent to produce commercial crops that are not yet marketable.
21. Discharges from vineyards regulated by this Order include discharges of waste to surface water and groundwater, such as irrigation return flows, tailwater, drainage water, subsurface drainage generated by irrigating crop land or by installing and operating drainage systems to lower the water table below vineyards (tile drains), stormwater runoff flowing from vineyards, stormwater runoff conveyed in channels or canals resulting from the discharge from vineyards, runoff resulting from frost control, and operational spills. These discharges can contain wastes that could affect the quality of waters of the state and impair beneficial uses.
22. This Order regulates both landowners and operators of vineyards on or from which there are discharges of waste that could affect the quality of any surface water or groundwater. Dischargers are responsible for complying with the conditions of this Order. The Central Coast Water Board will hold all Dischargers (landowners and the operators) liable for noncompliance with this Order.
23. The Central Coast Water Board recognizes that due to different types of operations and/or locations, discharges of waste from winery facilities and vineyards may have the potential for different levels of impacts on waters of the state or of the United States. This Order establishes tiers of regulation to take into account the variation, including different regulatory conditions.
24. For Dischargers where 100 percent of the vineyard acreage is certified sustainable, the certified acres are regulated by this order and do not have to obtain coverage under the *Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands* (Agricultural Order).
25. For all non-certified sustainable vineyards and vineyards where less than 100 percent of the vineyard is certified (partially certified), regulatory coverage cannot be obtained by this order and must be obtained under the *Conditional Waiver of Waste Discharge*

Requirements for Discharges from Irrigated Lands (Agricultural Order, Order No. R3-2012-0011 or subsequent updates of the Agricultural Order). Non-certified vineyards and partially certified vineyards owners and operators should visit our website or contact Central Coast Water Board Irrigated Lands Regulatory Program staff to determine their applicability (see Finding 38 below).

Processing Facilities (Wineries)

26. California Water Code Section 13260 requires any entity discharging waste or proposing to discharge waste, other than to a community sewer system, which could affect the quality of the waters of the state, to file a report of waste discharge with the Regional Board.
27. Whether an individual discharge of winery waste may affect the quality of waters of the state depends on the quantity of waste, the quality of waste, extent of treatment, soil characteristics, distance to surface water, depth to groundwater, and other factors. Wineries range in size from small, family-run wineries to very large winemaking operations producing several million gallons of wine per year.
28. In general, waste discharges from winemaking operations that discharge to other than a community sewer system may affect waters of the state (including groundwater) and are required to submit a report of waste discharge to the Central Coast Water Board.
29. A completed Notice of Intent (NOI) to comply with the terms of the *General Waste Discharge Requirements, Order No. R3-2016-0032, for Discharges of Winery Waste and Discharges from Certified Sustainable Vineyards* (Attachment A) is equivalent to a report of waste discharge.
30. In accordance with California Water Code Section 13263(i), wineries covered under these *General Waste Discharge Requirements, Order No. R3-2016-0032, for Discharges of Winery Waste and Discharges from Certified Sustainable Vineyards* (hereafter "General WDRs") 1) produce waste by similar operations, 2) involve similar types of waste, 3) require similar treatment standards, and 4) are appropriately regulated under General WDRs.

Enrollment

31. **New certified sustainable vineyards, wine processing facilities, or a combined operation** - Dischargers who have not enrolled to comply with a previous order must submit to the Central Coast Water Board a completed Notice of Intent (NOI) to comply with the conditions of this Order.
32. **Certified sustainable vineyards covered by Order No. R3-2012-0011** - Dischargers who enrolled in Order No. R3-2012-0011 that wish to be covered under Order No. R3-2016-0032 must submit an updated NOI that reflects the current certified sustainable vineyard operation.
33. **Small wine processing facilities waived under Order No. R3-2008-0018** - Dischargers covered under the waiver in Order No. R3-2008-0018 must submit an updated NOI that reflects the current wine processing operation.
34. **Combined certified sustainable vineyards and wine processing facilities** - Dischargers who have submitted a completed NOI to the Central Coast Water Board to comply with a

previous order or orders and wish to be covered as combined operation under this Order must submit an updated NOI that reflects the current wine processing and certified sustainable vineyard operations.

35. **Wine processing facilities under Order No. R3-2008-0018** - Dischargers enrolled in Order No. R3-2008-0018 (excluding small wineries covered by the waiver provisions) are automatically enrolled under Order No. R3-2016-0032.
36. **Electronic NOI** - The Executive Officer may in the future require Notices of Intent to be filed in an electronic format.
37. Landowners and operators of vineyards who obtain a pesticide use permit from a county agricultural commissioner and that have a discharge of waste that could affect surface water or groundwater must submit to the Central Coast Water Board a completed NOI to comply with the conditions of this Order.
38. The NOI and any necessary supporting documentation serves as a report of waste discharge for the purposes of this Order.

Regulatory Considerations

39. Storm Water – Wineries with industrial materials, equipment, or activities that are exposed to storm water shall obtain coverage under the Statewide General Storm Water Permit for Industrial Activities. Winery owners or their representatives should contact Central Coast Water Board storm water program staff at (805) 549-3147 for assistance in determining whether to enroll in the Statewide General Storm Water Permit. Obtaining coverage under this Order does not excuse the requirement to seek Statewide General Storm Water Permit coverage.
40. Irrigated Lands – Non-certified sustainable vineyards and partially certified sustainable vineyards are not authorized for regulatory coverage under this order. For non-certified sustainable vineyard acreage and partially certified sustainable vineyards (less than 100% certified), Dischargers must obtain regulatory coverage under the *Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands* (Agricultural Order, Order No. R3-2012-0011 or subsequent updates of the Agricultural Order). Vineyard owners and operators should contact Central Coast Water Board Irrigated Lands Regulatory Program staff at (805) 549-3147 for assistance in enrollment in the Agricultural Order. Obtaining coverage under this Order does not replace the requirement to seek Agricultural Order coverage.
41. This Order does not preempt or supersede the authority of municipalities, flood control agencies, or other local agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.

California Environmental Quality Act

42. Existing Wineries – The adoption of these General WDRs is intended to protect water quality. Authorization of discharges under these General WDRs from existing facilities that have not expanded the amount of waste they discharge is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code sections 21000 et

seq.) pursuant to sections 15301, exemption for existing projects, and 15308, actions by regulatory agencies for the protection of the environment.

43. New and Expanded Wineries – New wineries and expansion of existing wineries will not be covered by this Order until the Discharger submits CEQA documents adopted or certified by a local lead agency or the Central Coast Water Board determines the facility is exempt from CEQA.
 44. Vineyards – For purposes of adoption of this Order, the Central Coast Water Board is the lead agency pursuant to the California Environmental Quality Act (CEQA) (Pub. Res. Code §§ 21100 et seq.).
 45. Vineyards – In 2004, the Central Coast Water Board adopted the 2004 Agricultural Order and a Negative Declaration prepared in compliance with CEQA. CEQA Guidelines state that no subsequent environmental impact report (SEIR) shall be prepared when an EIR has been certified or negative declaration adopted for a project unless the lead agency determines based on substantial evidence in light of the whole record, one or more of the following:
 - (1) *if substantial changes are proposed in the project which will require major revisions of the previous Environmental Impact Report (EIR) or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or,*
 - (2) *if substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant effects; or*
 - (3) *if new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, becomes available.*
- (Cal. Code Regs., tit. 14, § 15162(a).)

This regulation applies if there is a modification of a previous project. In this case, the Central Coast Water Board proposed to transfer components of the 2004 Agricultural Order, which is the previous project, with clarifications and new conditions.

46. To assist in determining whether an SEIR would be necessary, the Central Coast Water Board staff held a CEQA scoping meeting on August 16, 2010, to receive input from interested persons and public agencies on potentially significant environmental effects of the proposed project.
47. In preparing the Draft SEIR, Central Coast Water Board staff reviewed the 2004 Negative Declaration, including the Initial Study (Environmental Checklist), considered the comments received during the public participation process with respect to renewal of the 2004 Agricultural Order, including evidence in the record, written and oral comments, proposed alternatives, and information provided at and following the August 16, 2010 scoping meeting, and comments received on the Draft SEIR. Review of this information did not result

in identification of any new environmental effects that had not already been evaluated in the 2004 Negative Declaration.

48. Staff identified two areas included on the Environmental Checklist where there was a potential for an increase in the severity of environmental effects previously identified. These areas are (1) the potential for more severe impacts on agricultural resources due to the potential for an increase in the use of vegetated buffer strips and economic impacts due to new requirements that could take some land out of direct agricultural use and (2) the potential for more severe impacts on biological resources due to the potential for a reduction in water flows in surface waters.
49. The Final SEIR concludes that adoption of the proposed alternative could result in some economic or social changes but that there was insufficient evidence to conclude that the economic changes would result in adverse physical changes to the environment. Commenters speculated that the economic impacts would be so large as to result in large scale end to agriculture and that land would be sold for other uses that would result in impacts on the environment. No significant information was provided to justify that concern. As described in Section 2.4 of the Final SEIR, the 2012 Agricultural Order imposes additional conditions on approximately 100 to 300 of the estimated 3000 owners or operators currently enrolled in the 2004 Agricultural Order. CEQA states that economic or social effects of a project shall not be treated as significant effects on the environment. (Pub. Res. Code § 21083.)
50. The Final SEIR concludes that due to some new conditions, particularly the requirement that some dischargers may be required to implement vegetated buffer strips, could result in loss of land for agricultural production since the buffer strips would generally not produce crops and some land could be converted to other uses. This impact was found to be less than significant and that mitigation could reduce impacts further. The Central Coast Water Board may not generally specify the manner of compliance and therefore, dischargers may choose among many ways to comply with the requirement to control discharges of waste to waters of the State. Even if all dischargers who could be subject to the condition to use vegetated buffers or some other method to control discharges in the 2012 Agricultural Order (Tier 3 dischargers) chose to use vegetated buffers or converted to other uses, the total acreage is quite small compared to the total amount of acreage used for farming and was, therefore, found to be less than significant. In addition, since the land would be used as a vegetated buffer to comply with the Order, this would result in beneficial impacts on the environment, not adverse impacts.
51. With respect to Biological Resources, the Final SEIR concludes that wide scale water conservation could result in lower flows into surface water resulting in impacts on aquatic life. The Central Coast Water Board may not specify the manner of compliance so it has insufficient information to evaluate the extent to which dischargers would choose to use water conservation to comply and to evaluate potential physical changes to the environment that could result. Reduction in toxic runoff may offset impacts due to the reduced flows that could occur. In addition, reduction in water use could result in increased groundwater levels that would also result in more clean water to surface water.
52. Based on this information, the Final SEIR concludes that the environmental effects associated with the 2012 Agricultural Order may be significant with respect to biological resources. However, given the uncertainty associated with evaluating the available

information, it is possible that the effects may turn out to be less than significant. In Resolution R3-2012-0012, the Central Coast Water Board made findings consistent with the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15091) and a statement of overriding considerations (Cal. Code Regs., tit. 14, § 15093) with respect to biological resources.

53. The 2004 Negative Declaration and the Final 2010 SEIR constitute the environmental analysis under CEQA for this Order.
54. Violations of this Order may result in enforcement actions as authorized under the California Water Code.
55. Public Notification – The Water Board has notified all known potential Dischargers and all other known interested parties of the intent to adopt these General WDRs. Interested persons were provided an opportunity for a public hearing and an opportunity to submit written comments.

IT IS HEREBY ORDERED that:

1. Pursuant to Water Code sections 13260, 13263, 13267, and 13269, Dischargers must comply with the terms and conditions of this Order to meet the provisions contained in Water Code Division 7 and regulations and plans and policies adopted thereunder.
2. This Order shall not create a vested right to discharge, and all discharges of waste are a privilege, not a right, as provided for in Water Code section 13263(g).
3. Dischargers must not discharge any waste not specifically regulated by this Order except in compliance with the Water Code.
4. The Executive Officer may propose, and the Water Board may adopt, individual waste discharge requirements for any Discharger at any time.
5. The Central Coast Water Board or the Executive Officer may, at any time, terminate applicability of this Order with respect to an individual Discharger upon written notice to the Discharger.
6. Both the landowner and operator of a winery or certified sustainable vineyard regulated by this order are defined in this Order as Dischargers and both must comply with this Order.
7. Dischargers that apply chlorpyrifos or diazinon at the vineyard/farm/ranch/wine processing facility cannot apply for coverage under this general order.
8. The Executive Officer may require Dischargers to enroll vineyards with similar characteristics (e.g., same landowner or operator) and proximal, adjacent, or contiguous location as a single operation or farm/ranch.
9. These requirements are superscripted to indicate the source of requirements. Requirement superscripts are as follows:

CWC = California Water Code
BP = Basin Plan

Requirements without superscripts are based on staff's professional judgment.

DISCHARGERS SHALL COMPLY WITH THE FOLLOWING**Section A. Application Process**

10. A Discharger seeking authorization to discharge under the General Order shall submit a complete *Notice of Intent (NOI) to Comply with the Terms of the General Waste Discharge Requirements for Discharges of Winery Waste and Discharges from Certified Sustainable Vineyards*. A paper NOI form is included as Attachment A of this Order. The information required with the NOI is equivalent to a report of waste discharge.
11. Coverage under the General WDRs will take effect when the Discharger receives written notification of enrollment from the Executive Officer.
12. The Water Board reviews enrollments and may revoke any enrollment deemed inappropriate.
13. Wine processing operations and certified sustainable vineyards covered under these General WDRs shall submit an updated NOI to the Executive Officer when there is any change in the information submitted within its original NOI, or any change in activities at the facility/vineyard that may affect the quality or quantity of the waste discharge.
14. This Order does not authorize discharges from facilities or vineyards that have not submitted a NOI or that have not received a notice of enrollment from the Executive Officer.
15. The Executive Officer may require any Discharger covered under these General WDRs to apply for and obtain individual WDRs. If individual WDRs are issued for a discharge, then the applicability of the General WDRs for the discharge is immediately terminated on the effective date of the alternative individual WDRs.
16. All certified sustainable vineyards must satisfy the following:
 - a) Submit a complete NOI and an application fee. The application and annual fees for persons issued waste discharge requirements (WDRs) for the vineyard portion of their operation under this order shall be consistent with the State Board Fee Schedule Section 2200.6 Annual Agriculture and Irrigated Lands Fee Schedule found at:

http://www.waterboards.ca.gov/resources/fees/water_quality/docs/fy1516_fee_schedule.pdf

The application fee serves as the first year annual fee.

- b) Provide adequate documentation, submitted annually, that all irrigated vineyard acreage is enrolled under this order.
- c) Provide adequate documentation that 100% of irrigated acreage enrolled under this order is certified sustainable, submitted annually.
- d) Provide a copy of your most recent current sustainability certificate, submitted annually.

- e) Provide a copy of your most recent signed certified sustainable letter documenting the number of certified sustainable acres, submitted annually.
- f) Report to the Water Board if any vineyard acreage reported as certified sustainable loses certification.
- g) Provide adequate documentation that the vineyard is designed to comply with the Prohibitions, Recommendations, and Specifications of these General WDRs.
- h) Allow Water Board staff to visit your facility if deemed necessary by staff.

All wine processing facilities (wineries) must satisfy the following:

- i) Submit a complete NOI and application fee. The application and annual fees for persons issued waste discharge requirements (WDRs) for the wine processing portion of their operation under this order shall be consistent with the State Board Fee Schedule Section 2200. Annual Fee Schedule for Waste Discharge Requirements found at:

http://www.waterboards.ca.gov/resources/fees/water_quality/docs/fy1516_fee_schedule.pdf

The application fee serves as the first year annual fee.

- j) Provide adequate documentation that the facility is designed to comply with the Prohibitions, Recommendations, and Specifications of these General WDRs.
- k) Allow Water Board staff to visit your facility if deemed necessary by staff.

17. A single NOI or equivalent as directed by the Executive Officer and a single check for the fee is appropriate for a winery, a vineyard, or a combined operation. There are fee schedules for both the vineyard and wine processing operations.

Section B. Tiers

To be considered for any tier, all of the conditions of that tier must be satisfied.

Tier 0 – Irrigated vineyard, vineyard is certified sustainable

- All irrigated vineyard acreage enrolled
- 100 percent of irrigated acreage certified sustainable
- Current certified sustainable certificate on file with Water Board
- Signed certified sustainable letter documenting the number of certified sustainable acres on file with Water Board

Tier 1 – Wine processing, under 100 gallons per day (gpd)

- Maximum production 30 cases per year
- Wineries generating less than 100 gpd wastewater at all times
- Wastewater reused for irrigation
- Management strategies to reduce pollutant loading to irrigation system
- Solids composted and reused onsite or hauled offsite to an approved facility

Tier 2 – Wine processing, between 100 and 3,000 gpd

- Wineries generating less than 3,000 gpd wastewater at all times
- Treatment using a storage tank or lined pond
- Wastewater reused for irrigation
- Management strategies to reduce pollutant loading to wastewater treatment system
- Solids composted and reused onsite or hauled offsite to an approved facility

Tier 3 – Wine processing, between 3,000 and 50,000 gpd

- Wineries generating greater than 3,000 gpd, but less than 50,000 gpd wastewater at any time
- Treatment using a storage tank, lined pond, or aerated treatment system
- Wastewater reused for irrigation
- Management strategies to reduce pollutant loading to wastewater treatment system
- Solids composted and reused onsite or hauled offsite to an approved facility

Tier 4 – Wine processing, over 50,000 gpd

- Wineries generating greater than 50,000 gpd wastewater at any time
- Treatment using a storage tank, lined pond, or aerated treatment system
- Wastewater reused for irrigation
- Management strategies to reduce pollutant loading to wastewater treatment system
- Solids composted and reused onsite or hauled offsite to an approved facility

Section C. General Conditions and Provisions**Water Quality Standards**

18. Dischargers shall not cause or contribute to exceedances of applicable water quality standards, as defined in Order No. R3-2012-0011, Attachment A, shall protect the beneficial uses of waters of the state, and shall prevent nuisance as defined in Water Code section 13050.^{CWC}
19. Dischargers must comply with applicable provisions of the Basin Plan and all other applicable water quality control plans as identified in Order No. R3-2012-0011, Attachment A.
20. Dischargers must comply with applicable Total Maximum Daily Loads (TMDLs), including any plan of implementation for the TMDL, commencing with the effective date or other date for compliance stated in the TMDL. A list of TMDLs adopted by the Central Coast Water Board is available on the Central Coast Water Board website at:

http://www.waterboards.ca.gov/centralcoast/water_issues/programs/tmdl/index.shtml

21. Discharges shall not discharge any waste not specifically regulated by the Order described herein, unless the Discharger complies with Water Code section 13260(a) by submitting a report of the discharge and the Central Coast Water Board issues or waives waste discharge requirements pursuant to Water Code sections 13263 and 13269.

22. Dischargers shall not discharge any waste at a location or in a manner different from that described in the NOI.
23. Dischargers shall not discharge chemicals such as fertilizers, fumigants, or pesticides down a groundwater well casing.
24. Dischargers shall not discharge chemicals used to control wildlife (such as bait traps or poison) directly into surface waters³ or place the chemicals in a location where they may be discharged to surface waters.
25. Dischargers shall not discharge agricultural rubbish, refuse, irrigation tubing or tape, or other solid wastes into surface waters or place such materials where they may contact or may eventually be discharged to surface waters.
26. This Order does not authorize persons to discharge pollutants from point sources to waters of the United States, including wetlands, where the Discharger is required to obtain an NPDES permit under Clean Water Act section 402 or a dredge and fill permit under Clean Water Act section 404, except as authorized by an NPDES permit or section 404 permit. An area is considered a wetland, subject to Clean Water Act section 404, if it meets the United States Army Corps of Engineers' definition as described in the Code of Federal Regulations and associated wetland delineation procedures or relevant Water Board definitions.
27. Dischargers that apply fertilizers, pesticides, fumigants, or other chemicals through an irrigation system must have functional and properly maintained backflow prevention devices installed at the well or pump to prevent pollution of groundwater or surface water, consistent with any applicable Department of Pesticide Regulation (DPR) requirements or local ordinances. Backflow prevention devices used to protect water quality must be those approved by USEPA, DPR, Division of Drinking Water (DDW, formerly CDPH), or the local public health or water agency.
28. Dischargers must properly destroy all abandoned groundwater wells, exploration holes, or test holes, as defined by Department of Water Resources (DWR) Bulletin 74-81 and revised in 1988, in such a manner that they will not produce water or act as a conduit for mixing or otherwise transfer groundwater or waste constituents between permeable zones or aquifers. Proper well abandonment must be consistent with any applicable DWR requirements and local ordinances.
29. Dischargers who utilize containment structures (such as retention ponds or reservoirs) to achieve treatment or control of the discharge of wastes must construct, manage, and maintain such containment structures to avoid discharges of waste to groundwater and surface water that cause or contribute to exceedances of water quality standards. Dischargers may choose the method of compliance appropriate for the individual facility, which may include, but is not limited to:
 - implementing chemical treatment (e.g., enzymes)
 - implementing biological treatment (e.g., wood chips)

³ Surface water: All water naturally open to the atmosphere (rivers, lakes, reservoirs, ponds, streams, impoundments, seas, estuaries, etc.). (Source, State Water Resources Control Board, Water Words, http://www.waterboards.ca.gov/publications_forms/available_documents/water_words/words_s.pdf)

- recycling or reusing contained water to minimize infiltration or discharge of waste
 - minimizing volume of water in the containment structure to minimize percolation of waste
 - minimizing percolation of waste via a synthetic, concrete, clay, or low-permeability soil liner.
30. Dischargers must implement proper handling, storage, disposal, and management of pesticides, fertilizers, and other chemicals to prevent or control the discharge of waste to waters of the state that causes or contributes to exceedances of water quality standards.
 31. Upon request, Dischargers must submit information regarding compliance with any DPR-adopted or approved surface water or groundwater protection requirements.
 32. Dischargers must implement water quality protective management practices (e.g., source control or treatment) to prevent erosion, reduce stormwater runoff quantity and velocity, and hold fine particles in place.
 33. Dischargers must minimize the presence of bare soil vulnerable to erosion and soil runoff to surface waters and implement erosion control, sediment, and stormwater management practices in non-cropped areas, such as unpaved roads and other heavy use areas.
 34. Dischargers must a) maintain existing, naturally occurring, riparian vegetative cover (such as trees, shrubs, and grasses) in aquatic habitat areas as necessary to minimize the discharge of waste and b) maintain riparian areas for effective streambank stabilization and erosion control, stream shading and temperature control, sediment and chemical filtration, aquatic life support, and wildlife support to minimize the discharge of waste.
 35. In the case where disturbance of aquatic habitat is necessary for the purposes of water quality improvement, restoration activities, or other permitted activities, Dischargers must implement appropriate and practicable measures to avoid, minimize, and mitigate erosion and discharges of waste, including impacts to aquatic habitat.
 36. Dischargers must obtain appropriate farm water quality education and technical assistance necessary to achieve compliance with this Order. Education should focus on meeting water quality standards by identifying on-farm water quality problems, implementing pollution prevention strategies and implementing practices designed to protect water quality and resolve water quality problems to achieve compliance with this Order.
 37. Pursuant to Water Code section 13267(c), the Central Coast Water Board staff or its authorized representatives may investigate the property of persons subject to this Order to ascertain whether the purposes of the Porter-Cologne Act are being met and whether the Discharger is complying with the conditions of this Order. The inspection shall be made with the consent of the owner or possessor of the facilities, or if consent is withheld, with a duly issued warrant pursuant to the procedure set forth in Title 13 Code of Civil Procedure Part 3 (commencing with Section 1822.50). However, in the event of an emergency affecting the public health or safety, an inspection may be performed without consent or the issuance of a warrant.
 38. This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code Sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. Sections 1531 to 1544). If a "take" will result from any act authorized under this Order, the Dischargers must obtain

authorization for an incidental take prior to taking action. Dischargers must be responsible for meeting all requirements of the applicable Endangered Species Act for the discharge authorized by this Order.

39. Dischargers must pay a fee to the State Water Resources Control Board in compliance with the fee schedule contained in Title 23 California Code of Regulations.
40. Dischargers must comply with any applicable permit (e.g., stormwater, irrigated lands, dredge or fill (404/401), compost, etc.)
41. Upon request, where required by California Fish and Game Code, Dischargers must submit proof of an approved Streambed Alteration Agreement from the California Department of Fish and Wildlife for any work conducted within the bed, bank or channel of a lake or stream, including riparian areas, that has the potential to result in erosion and discharges of waste to waters of the state.
42. Upon request, where required by California Forest Practice Rules, Dischargers must submit proof of California Department of Forestry and Fire Protection authorization and enrollment in the Central Coast Water Board's General Conditional Waiver of WDRs – Timber Harvest Activities in the Central Coast Region, for any commercial harvesting of timber that has the potential to result in erosion and discharges of waste to waters of the state.
43. Upon request, where required by Clean Water Act Section 404, Dischargers must submit proof of a dredge and fill permit from the United States Army Corps of Engineers for any work that has the potential to discharge wastes considered "fill," such as sediment, to wetlands.
44. Upon request, where required by local county environmental health agency, Dischargers must submit proof of compliance with local drinking water requirements (e.g., wineries with tasting rooms).

Section D. Prohibitions Applicable to Wine Processing Facilities

45. The discharge of any winery waste to surface waters is prohibited.
46. The discharge of winery wastewater to subsurface treatment and disposal systems (septic system) is prohibited.
47. The on-site discharge of water softening brine is prohibited, unless specifically allowed in writing by the Executive Officer.
48. The discharge of waste other than winery wastewater (e.g., domestic wastewater) into a surface treatment and disposal system (e.g., ponds, spreading basins, etc.) is prohibited.
49. The discharge of waste classified as "hazardous," or "designated," as defined in California Code of Regulations, Title 22, Section 66261.3 et seq. and California Water Code Section 13173, respectively, to any part of the wastewater system is prohibited.^{CWC}
50. The discharge or reuse of waste on land that is not under the control of the Discharger is prohibited unless specifically authorized by the Executive Officer.

51. Bypass or overflow of treated or untreated winery waste from transport, treatment, and disposal facilities are prohibited.
52. Creation of a condition of pollution, contamination, or nuisance, as defined by of California Water Code Section 13050, is prohibited.^{CWC}
53. The discharge of stillage⁴ is prohibited.

Section E. Recommendations for Wine Processing Facilities

Pollutant Source Control Guidelines

54. Water-conserving devices (e.g., pressure washers, trigger-handled spray nozzles, automatic barrel cleaners, stainless steel tanks, and smooth floors) should be used to minimize wastewater generation.
55. Minimize the use of cleaning chemicals. Ozonated wash water is preferred for cleaning.
56. When using water-softening devices, canister-type water softeners or similar alternatives should be used to prevent the discharge of salt brine.
57. Lees, bentonite, and diatomaceous earth should be excluded from treatment and disposal systems to the extent practicable.

Design Guidelines

58. Large solids should be separated from winery wastewater through redundant screening and removal systems (e.g., with screened floor drains, rotary drum screens, and/or settling basins) prior to further treatment and disposal.
59. Winery wastewater treatment and disposal systems should be designed to accommodate projected future growth in wine production.
60. Winery wastewater treatment and disposal systems should beneficially reuse winery wastewater wherever feasible (e.g. for vineyard irrigation, frost protection, dust abatement, etc.).
61. Where the disposal area's soil buffering capacity may be insufficient, winery wastewater pH should be neutralized to between 6.0 and 8.5 prior to disposal/reuse. Otherwise, disposal area soils and/or groundwater monitoring may be required.
62. To prevent odor nuisance and impacts to groundwater where raw winery wastewater is discharged to land surface, organic loading rate should not exceed a 7-day average of 100 pounds of Biochemical Oxygen Demand (BOD₅) per acre per day, or 300 pounds of BOD₅ per acre per day at any time.
63. To prevent failure of constructed vegetated treatment systems, settleable solids in winery process water should be removed in a pretreatment system prior to disposal in constructed wetlands.

⁴ If a still is used at the winery to distill alcohol from wines and wine production wastes, the waste product is defined as stillage (still waste).

64. Winery wastewater treatment and disposal systems should be designed to minimize chemical addition and maintenance.
65. Collected screenings and other solids removed from liquid wastes, including pomace and lees, should be composted on site when possible.
 - Compost piles shall be located at least 100 feet from a flowing waterbody (e.g., river, creek, drainage swale, etc.).
 - Compost piles shall be located at least 100 feet from a lined reservoir (e.g., treatment pond, irrigation pond, etc.).
 - Compost piles shall be located at least 200 feet from a standing body of water (e.g., lake, pond, wetland etc.).
 - Compost piles should be located adjacent and upgradient to vineyards so that compost runoff goes directly to vineyard.
 - Composting piles should be aerated or rotated enough to aid decomposition, but not to an extent to dry out piles.
 - Good composting practices will minimize odors and pests.

Section F. Specifications for Wine Processing Facilities (Wineries)

General Specifications

66. Winery wastewater shall be captured, treated, and disposed of separately from domestic wastewater.
67. Winery wastewater treatment and disposal systems shall be designed for the maximum daily flow of wastewater and organic loading generated (generally at the peak of crush season), including flows resulting from precipitation.

Specifications for Flow Metering

68. Where a monitoring and reporting program specifies metered flow rate measurement, wastewater flow rates shall be measured with an accurate flow measurement method or device.

Specifications Applicable to Winery Wastewater Treatment Ponds

69. Winery wastewater treatment ponds shall be lined with either a relatively impermeable membrane, two feet of soil with a permeability of less than 10^{-6} centimeters per second, or an engineered alternative approved in writing by the Executive Officer.
70. Winery wastewater treatment ponds shall be designed to contain all wastewater flows and rainfall from any 100-year, 24-hour storm event.
71. Winery wastewater treatment ponds shall have a foundation or base capable of providing support for the structures and capable of withstanding hydraulic pressure gradients to prevent failure due to settlement, compression, or uplift and all effects of ground motions

resulting from at least the maximum probable earthquake, as certified by a registered civil engineer or certified engineering geologist.

Specifications Applicable to Constructed wetlands

72. Constructed wetlands shall be graded to prevent accumulation of storm water in wetland.

Wine Processing Facilities Effluent Limitations

73. Winery wastewater flow shall not exceed the design capacity of the treatment and disposal system. Wastewater flows shall be limited to the flows described in the NOI.
74. Where winery wastewater is discharged to land (such as to a spreading basin or vineyard), organic loading rate shall not exceed a 7-day average of 100 pounds of Biochemical Oxygen Demand (BOD₅), or 300 pounds of BOD₅ per acre per day at any time.
75. Where winery wastewater is discharged to land (such as to a spreading basin or vineyard), the winery processing wastewater total nitrogen concentration shall not exceed 10.0 mg/L.^{BP}
76. Winery wastewater pH shall be neutralized to between 6.0 and 8.5 prior to disposal/reuse.
^{BP}
77. The Discharger shall not discharge salt brine from water-softening devices into winery process water stream unless approved in writing by the Executive Officer. The Executive Officer may condition approval on groundwater monitoring and/or a salts management plan for facilities discharging salt brine into winery process water streams.

Groundwater Limitations for Wine Processing Facilities and Certified Sustainable Vineyards

78. The discharge shall not cause or contribute to exceedance of any drinking water standard.
79. The discharge shall not cause groundwater to contain taste- or odor-producing substances in concentrations that adversely affect beneficial uses.^{BP}
80. The discharge shall not cause radionuclides to be present in concentrations that are deleterious to human, plant, animal, or aquatic life or result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life.^{BP}
81. The discharge shall not cause groundwater to contain concentrations of organic or inorganic chemicals in excess of the limiting concentrations set forth in California Code of Regulations, Title 22, Division 4, Chapter 15, Article 5.5, Section 64444 (organic) and Article 4, Section 64431 (inorganic).^{BP}
82. The discharge shall not cause groundwater to contain concentrations of chemical pollutants in amounts that adversely affect the agricultural supply beneficial use. Interpretation of

adverse effects shall be as described in University of California Agricultural Extension Service guidelines provided in Table 3-3 of the Central Coast Basin Plan.^{BP}

83. The discharge shall not cause a statistically significant increase of mineral constituent concentrations in underlying groundwater.^{BP}
84. The discharge shall not cause concentrations of chemicals and radionuclides in groundwater to exceed limits set forth in Title 22 of the California Code of Regulations or Table 3.8 of the Basin Plan.^{BP}

Wine Processing Facilities Operation Specifications

85. At least two feet of freeboard shall be maintained at all times in any pond or spreading basin containing winery wastewater. Staff gauges shall be installed to monitor water levels.
86. The dissolved oxygen concentration in the upper zone (one foot) of aerated or oxidation pond systems shall not be less than 1.0 mg/L at any time.
87. Where spreading basins are used for treatment and disposal, the spreading basins shall be operated in a regular rotating sequence, with a rotation frequency no less than weekly, or as agreed upon by the Executive Officer. The spreading basin bed slope shall be maintained to ensure even distribution of wastewater and prevent standing water. Wastewater contained in spreading basins shall be no deeper than four inches.

Wine Processing Facilities Solids Disposal Specifications

88. Collected screenings and other solids removed from liquid wastes that will not and/or cannot be used agronomically shall be disposed of at a legal point of disposal, and in accordance with Title 27, Division 2 of the California Code of Regulations.
89. Runoff from compost areas, containing collected screenings and other solids removed from liquid wastes shall not discharge to any surface water body.
90. In no case shall accumulated sludge from a wastewater pond be used as an agronomic addition to fields without written authorization from the Executive Officer.
91. If accumulated sludge from a wastewater pond will be used as an agronomic addition to fields, a proposal containing, at a minimum, the following information shall be submitted in writing to the Executive Officer before commencement:
 - a. The physical properties of the sludge to be removed from the pond, including the volume and percent solids.
 - b. A summary of laboratory analytical results for a composite sludge sample. At a minimum, the analyses shall include pH, cadmium, chromium, copper, lead, nickel, zinc, and total nitrogen. A leachability test of the sludge may be required if deemed necessary by the Executive Officer.

- c. Descriptions of the proposed land application areas, including a map denoting watercourses, approximate depth to groundwater, acreage and the crops to be grown thereupon.
- d. Calculations showing the sludge will be applied at reasonable agronomic rates (based on nutrient uptake of the crop).
- e. A project schedule. Sludge application shall be confined to the dry season, between April 15 and October 15 each year. Sludge shall be spread and incorporated into the soil in a manner to prevent erosion, runoff or any nuisance conditions.
- f. A statement verifying that no hazardous waste or domestic waste has been discharged to the ponds.

Wastewater Recycling/Re-Use Specifications

- 92. Treated winery wastewater shall not be applied to land within 24 hours of a forecasted rain event, during rainfall, 24 hours after a rainfall event, or when soils are saturated.
- 93. Treated winery wastewater shall be applied consistent with the vineyard's nutrient application plan in such a manner to prevent leaching to groundwater and minimize the potential for non-point source water pollution.
- 94. Land application of treated winery wastewater shall be managed to prevent ponding, runoff, and erosion.
- 95. There shall be no connection between a potable water supply and a treated winery wastewater distribution system.
- 96. All piping, valves, and outlets shall be marked to differentiate treated winery wastewater from other sources of water.

Section G. Monitoring Conditions for Wine Processing Facilities and Certified Sustainable Vineyards

- 97. Dischargers enrolled in the General WDRs shall comply with Monitoring and Reporting Program R3-2016-0032 and any revisions prescribed thereto by the Executive Officer.
- 98. Dischargers must conduct groundwater monitoring and reporting in compliance with MRP Order No. R3-2016-0032 so that the Central Coast Water Board can evaluate groundwater conditions in agricultural areas, identify areas at greatest risk for waste discharge and nitrogen loading and exceedance of drinking water standards, and identify priority areas for nutrient management.

Section H. Submittal of Technical Reports for Wine Processing Facilities and Certified Sustainable Vineyards

- 99. Submittal of the NOI is required pursuant to Water Code section 13260. Submittal of all other technical reports pursuant to this Order is required pursuant to Water Code section 13267. Failure to submit technical reports or the attachments in accordance with schedules established by this Order or MRP, or failure to submit a complete technical report (i.e., of

sufficient technical quality to be acceptable to the Executive Officer) may subject the Discharger to enforcement action pursuant to Water Code sections 13261, 13268, or 13350. Dischargers must submit technical reports in the format specified by the Executive Officer.

100. Dischargers seeking authorization to discharge under this Order must submit a completed NOI form to the Central Coast Water Board.

- a. Prior to any discharge or commencement of activities that may cause a discharge, including land preparation prior to crop production, any Discharger proposing to control or own a new operation or vineyard/farm/ranch that has the potential to discharge waste that could directly or indirectly reach waters of the state and affect the quality of any surface water or groundwater must submit an NOI.
- b. Dischargers must submit any updates to the NOI annually by February 1, to reflect changes to operation or vineyard/ranch/farm information.
- c. Within 60 days, in the event of a change in control or ownership of an operation, vineyard/farm/ranch, or land presently owned or controlled by the Discharger, the Discharger must notify the succeeding owner and operator of the existence of this Order by letter, and forward a copy of the letter to the Executive Officer.
- d. Within 60 days of acquiring control or ownership of an operation or vineyard/farm/ranch, any Discharger acquiring control or ownership of an existing operation or vineyard/farm/ranch must submit an NOI.

101. Dischargers must submit all the information required in the NOI form including, but not limited to, the following information for the operation and individual winery/vineyard/farm/ranch:

- a. Identification of each property covered by enrollment
- b. Landowner(s)
- c. Operator(s)
- d. Contact information
- e. Location of operation, including specific winery/vineyard(s)/farm(s)/ranch(es)
- f. Winery/farm/ranch map with discharge locations and groundwater wells identified
- g. Total acreage
- h. Irrigation type
- i. Discharge type
- j. Wine processing waste treatment system
- k. Wine processing waste disposal system and location
- l. Method of treatment/disposal of solid wastes
- m. Chemical use
- n. Presence and location of any perennial, intermittent, or ephemeral streams or riparian or wetland area habitat
- o. Number of vineyard acres that are certified sustainable
- p. Percent of total vineyard acreage that is certified sustainable

102. Dischargers must submit a statement of understanding of the conditions of the Order and MRP signed by the Discharger (landowner or operator) with the NOI form. If the operator signs and submits the NOI, the operator must provide a copy of the completed NOI form to the landowner(s).

103. Coverage under this Order is not transferable to any person except after submittal of an updated NOI.

104. For Dischargers who do not enroll in the Order in a timely manner as specified in this Order, the Executive Officer may require submittal of a report of discharge and the Discharger may be subject to individual waste discharge requirements.

105. If a Discharger wishes to terminate coverage under the Order for the operation of an individual vineyard/farm/ranch, the Discharger must submit a signed and complete Notice of Termination (NOT). Termination from coverage is the date specified in the NOT, unless specified otherwise. All discharges must cease before the date of termination, and any discharges on or after the date of termination shall be considered in violation of the Order, unless other waivers of WDRs, general WDRs, or individual WDRs cover the discharge.

Monitoring and General Technical Reports for Wine Processing Facilities and Certified Sustainable Vineyards

106. Dischargers must submit monitoring reports in compliance with MRP Order No. R3-2016-0032.

Section I. Provisions for Wine Processing Facilities and Certified Sustainable Vineyards

107. Order No. R3-2008-0018, adopted on February 8, 2008, is hereby rescinded except for purposes of enforcement. General Order No. R3-2016-0032 supersedes the rescinded WDRs.

108. A copy of this Order shall be kept at the discharge facility for reference by operating personnel. Key operating and site management personnel shall be familiar with its contents.

109. In the event the Discharger wishes to terminate authorization under this Order, the Discharger shall submit a signed and complete Notice of Termination (NOT). A Water Board staff inspection of the facility may be required prior to terminating coverage. Termination from coverage will occur on the date specified in the NOT, unless notified otherwise. All discharges shall cease before the date of termination, and any discharges on or after this date shall be considered in violation of this Order unless covered by other WDRs.

110. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Executive Officer.

111. The Discharger shall take all reasonable steps to prevent any discharge in violation of this Order.

112. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) to achieve compliance with this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with this Order.

113. The Discharger shall furnish the Central Coast Water Board, within a reasonable time, any information that the Central Coast Water Board may request to determine compliance with this Order.

114. The Discharger shall allow the Central Coast Water Board or its authorized representatives to:

- a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records pertinent to this permit are kept;
- b. Inspect and photograph any facilities, equipment (including monitoring and control equipment), practices, or operations pertinent to this Order;
- c. Have access to and copy any records pertinent to this permit; and
- d. Sample or monitor for the purposes of assuring permit compliance.

115. All technical and monitoring reports submitted pursuant to this Order are required pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer, may subject the Discharger to enforcement action pursuant to Section 13268 of the California Water Code. The Water Board will base all enforcement actions on the date of Order adoption.

116. All reports, NOI, or other documents required by this Order, and other information requested by the Water Board shall be signed by a person described below (i.e. legally responsible officer) or by a duly authorized representative of that person.

- a. For a corporation: by a responsible corporate officer such as: (a) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (b) any other person who performs similar policy or decision-making functions for the corporation; or (c) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. For a partnership or sole proprietorship: by a general partner or the proprietor.

117. Any person signing a document under Provision 11 makes the following certification, whether written or implied:

"I certify under penalty of law this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

118. The Discharger shall give notice to the Water Board as soon as possible of any planned alterations to the permitted facility that may change the nature or concentration of pollutants in the discharge.

119. Violations of these General WDRs may result in enforcement actions as authorized under the California Water Code.
120. This Order does not authorize commission of any act causing injury to the property of another, does not convey any property rights of any sort, and does not remove liability under federal, state, or local laws.
121. Requirements of this Order are severable. If any requirement of the Order is found invalid, the remainder of the Order shall not be affected.
122. Winery process wastewater discharges for which provisions of California Water Code Sections 13260, 13263, or 13264 were waived under the previous General Winery WDRs may be issued individual waste discharge requirements, enrolled in general waste discharge requirements, regulated through other programs, or granted a waiver through other actions of the Water Board.
123. The Water Board's Executive Officer is authorized to enroll and terminate enrollment in the General WDRs adopted by this Order.
124. The Water Board may review this Order at any time and may modify or terminate this Order in its entirety or for individual Dischargers as appropriate.

I, John M. Robertson, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Central Coast Region on December 8, 2016.

John M. Robertson
Executive Officer

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126-01R:\RB3\Shared\WDR\General Waiver for Food Processors and Wineries\General Winery\General WDRs for Wine and Vine R3-2016-0032 8-15-16_AVS_HEK.docx

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

NOTICE OF INTENT

TO COMPLY WITH THE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES
OF WINERY WASTE AND DISCHARGES FROM CERTIFIED SUSTAINABLE VINEYARDS

Language Preference: ☐ English ☐ Spanish ☐ Chinese ☐ Other: _____

1. REASON FOR FILING

<input type="checkbox"/> New Discharge, Facility or Vineyard	<input type="checkbox"/> Update of Waste Discharge Requirements WDR No: _____
<input type="checkbox"/> Facility/Vineyard Modification	<input type="checkbox"/> Other: _____

2. GENERAL INFORMATION

Facility	Name of Operation:		
	Physical Address:		
	City:	State:	Zip:
	Assessor's Parcel #:	Latitude:	Longitude:
	Closest Surface Water : (e.g., Estrella River)		

Owner	Name:	
	<input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other:	
	Contact Name:	Title:
	Mail Address:	
	City:	State: Zip:
	Telephone:	e-mail Address:

Operator	Name:	
	Contact Name:	Title:
	Mail Address:	
	City:	State: Zip:
	Telephone:	e-mail Address:

3. TYPES OF DISCHARGE

Check All That Apply:	
<input type="checkbox"/> Winery Process Wastewater	<input type="checkbox"/> Domestic Wastewater (separate system)
<input type="checkbox"/> Stormwater	<input type="checkbox"/> Domestic Wastewater (combined system)
<input type="checkbox"/> Irrigation Water from Commercial Vineyard (Complete Parts 4 and 5 Below)	Note: Combined systems may be ineligible for coverage under these General WDRs

4. Vineyard Type

In this operation currently enrolled in the Agriculture Regulatory Program? <input type="checkbox"/> Yes <input type="checkbox"/> No	Has this operation previously operated under a different AW#? <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, provide AW# _____	Are pesticides applied on this ranch / farm?

Attachment A – Notice of Intent

<p>If No, provide the date this operation started operating (MM/DD/YYYY): _____</p> <p>Number of vineyard acres = _____</p> <p>Is this vineyard operation certified sustainable? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Percent acreage certified sustainable = _____</p> <p>Has this operation developed a farm water quality management plan that includes, but is not limited to, the elements listed below? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>Elements: Irrigation efficiency & management, pesticide management, nutrient management, salinity management, sediment & erosion control (including stormwater management), and aquatic habitat protection.</i></p> <p>If yes, provide the date when the management plan was last updated: (MM/DD/YYYY) = _____</p> <p>If Yes, provide AW#(s) and Operation Name (s)</p> <p>AW#: _____</p> <p>Operation: _____</p> <p>AW#: _____</p> <p>Operation: _____</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, are they applied under a Department of Pesticide Regulation Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Has Diazinon and/or Chlorpyrifos been used in the past 12 months? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, state which chemical(s) and the last application date(s):</p> <p><input type="checkbox"/> Diazinon Date of Last Application: (MM/DD/YYYY): _____</p> <p><input type="checkbox"/> Chlorpyrifos Date of Last Application: (MM/DD/YYYY): _____</p> <p>Will Diazinon and/or Chlorpyrifos be used during the next 12 months on this ranch/farm? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Pesticide Operator Identification Number: (for Pesticide Applications on Ranch/Farm) Number _____ Site ID _____</p> <p>Name of Pesticide Permit Holder: Number _____ Site ID _____</p>
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5. Provide Geographic Location of Winery Operation/Vineyard

<p>Is this Winery Operation/Vineyard located on one contiguous block of land? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Winery Operation/Vineyard Address and Location: (Fill in address/Location for each vineyard block)</p> <p>Address _____ City _____</p> <p>Address _____ City _____</p> <p>Address _____ City _____</p> <p>Provide a map with Winery Operation/Vineyard</p>	<p>For each parcel, identify the land owner and Trustee or other authorized legal representative:</p> <p>Name _____ Address _____ City _____ State _____ Zip _____ Phone Number _____ Email _____</p> <p>Name _____ Address _____ City _____ State _____ Zip _____ Phone Number _____ Email address _____</p>
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Address and Location.	Is this ranch/farm adjacent to a waterbody(or waterbodies)?:
Provide assessor parcel (AP) numbers for each Winery Operation/Vineyard.	Name _____
AP = _____	Name _____
AP = _____	Name _____
AP = _____	Does a waterbody pass through or exist on this ranch/farm?:
AP = _____	Name _____
	Name _____
	Name _____

6. CEQA – Provide a copy of CEQA Notice of Exemption/Determination. Compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (CEQA) is required prior to enrollment under the General WDRs. The CEQA lead agency, in most cases your County planning department, must determine that your winery project is exempt from CEQA or prepare an environmental document (Environmental Impact Report, Mitigated Negative Declaration, or Negative Declaration). The CEQA lead agency may also rely on an environmental document previously prepared by another agency. If exemption/determination has not been completed, provide the expected type and date of completion.
7. RECEIVING WATERS – Attach a detailed description of depth to groundwater, distance to nearest water supply well, and distance to nearest surface water (stormwater conveyance feature, creek bed, stream, river, etc.) for all disposal and re-use areas. Also, if available, please provide receiving water quality data and means to assure that receiving water will be unaffected by the discharge.

8. WINERY PROCESSES AND PRODUCTION

Processes Used On-Site (check all that apply)		Annual Production			Wastewater Production (gallons per day)		
<input type="checkbox"/> Destemming	<input type="checkbox"/> Bulk Aging		Red	White		Peak Daily	30-day Average
<input type="checkbox"/> Crushing	<input type="checkbox"/> Blending	Tons Crushed			Crush		
<input type="checkbox"/> Primary fermentation	<input type="checkbox"/> Bottling						
<input type="checkbox"/> Pressing	<input type="checkbox"/> Other:	Cases Produced			Non-Crush		
<input type="checkbox"/> Secondary fermentation							

9. TREATMENT, DISPOSAL AND/OR REUSE – Attach a detailed description of processes and practices for treatment, disposal, and/or reuse of solid and liquid waste streams. Include engineering design information and map showing irrigated areas if recycling water. List and describe all chemicals added to the waste stream treatment process.

(check all that apply)

Attachment A – Notice of Intent

Initial Treatme	<input type="checkbox"/> Solids Separation Method:		<input type="checkbox"/> pH Neutralization Method:		
Treatment/Storage	<input type="checkbox"/> Holding Tank		Tank Volume (gal): _____ Detention Time (day): _____	Equipped w/ effluent filter? <input type="checkbox"/> Yes <input type="checkbox"/> No	County Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No Permit No: _____
	<input type="checkbox"/> Pond		Total Volume (gal): _____ Detention Time Total (day): _____ Number of Ponds: _____	<input type="checkbox"/> Facultative <input type="checkbox"/> Aerobic Aerators? <input type="checkbox"/> Yes <input type="checkbox"/> No Number _____ Horsepower _____	Pond Lining? <input type="checkbox"/> Yes <input type="checkbox"/> No Type: _____
	<input type="checkbox"/> Constructed Wetland		Number of wetland ponds: _____ Detention Time (day): _____		
Disposal	Treated Wastewater	<input type="checkbox"/> Land Disposal	Disposal Area Size (acres): _____	Use: <input type="checkbox"/> Vineyard Irrigation <input type="checkbox"/> Frost Protection	<input type="checkbox"/> Vineyard Dust Abatement <input type="checkbox"/> Fire Protection <input type="checkbox"/> Other
		Method and Location of Solids (e.g. pomace, lees, water softener brine) Disposal:			
<input type="checkbox"/> Other Treatment and/or Disposal Methods:					

10. CERTIFICATION – Certification is required by one of the following:

- For a corporation, a principal executive officer of at least the level of senior vice-president;
- For a partnership or individual (sole proprietorship), a general partner or the proprietor.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate,

Attachment A – Notice of Intent

and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I also acknowledge I have reviewed the General Waste Discharge Requirements for Winery Waste and agree to comply with the terms and conditions set forth therein.”

Print Name: _____

Title: _____

Signature: _____ Date: _____

11. SUBMITTAL – e-mail NOI to centralcoast@waterboards.ca.gov

Attachment B – Notice of Termination

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

NOTICE OF TERMINATION

OF COVERAGE UNDER
WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2016-0032

Submission of this Notice of Termination constitutes notice that the owner, operator, or owner/operator of facility identified on this form is no longer authorized to discharge wastewater by Waste Discharge Requirements Order No. R3-2016-0032.

I. OWNER, OPERATOR, OR OWNER/OPERATOR

Name:			
Mailing Address:			
City:	State:	Zip:	Phone:
Contact Person:	1. <input type="checkbox"/> Owner 2. <input type="checkbox"/> Operator 3. <input type="checkbox"/> Owner/Operator		

II. BASIS OF TERMINATION (Please provide additional detail under Section III)

_____ 1. All discharges subject to regulation under WDR Order No. R3-2016-0032.

Date of termination ____/____/____.

_____ 2. All wastewater discharge previously authorized by WDR Order No. R3-2008-0018 has been redirected to:

- _____ a. wastewater is discharged to a municipal sanitary sewer system.
- _____ b. wastewater no longer exists.
- _____ c. wastewater is 100% reused/reclaimed.
- _____ d. other, please explain

_____ 3. All wastewater discharge previously authorized by WDR Order No. R3-2012-0011 has been redirected to:

- _____ a. wastewater is discharged to a municipal sanitary sewer system.
- _____ b. wastewater no longer exists.
- _____ c. wastewater is 100% reused/reclaimed.
- _____ d. other, please explain

Attachment B – Notice of Termination

_____.

- ____ 4. Discharge of wastewater is now subject to another general WDR permit or an individual WDR permit.

WDR Order No. _____ Date coverage began ____/____/____.

- ____ 5. There is a new owner, operator, or owner/operator of the identified facility.

Date of owner, operator, or owner/operator transfer ____/____/____.

Has the new owner, operator, or owner/operator been notified of WDR Order No. R3-2015-0014 requirements? Yes____ No____

NEW OWNER, OPERATOR, or OWNER/OPERATOR INFORMATION

COMPANY NAME _____

CONTACT PERSON _____

STREET ADDRESS _____

TITLE _____

CITY _____

STATE _____

ZIP _____ PHONE _____

e-MAIL _____

III. EXPLANATION OF BASIS OF TERMINATION:

IV. CERTIFICATION:

Attachment B – Notice of Termination

I certify under penalty of law that all wastewater discharges associated with the identified facility that are authorized by WDR Order No. R3-2015-0014 have been eliminated or that I am no longer the owner/operator of the facility. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge wastewater under WDR Order No. R3-2015-0014, and that discharging pollutants to land or into waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a WDR permit. I also understand that the submittal of this Notice of Termination does not release an owner/operator from liability for any violations of the general permit or the Clean Water Act.

PRINTED NAME_____

TITLE_____

SIGNATURE:_____ DATE____/____/____