

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**DRAFT STAFF REPORT FOR REGULAR MEETING OF DECEMBER 8, 2016**  
Prepared on September 15, 2016

**ITEM NUMBER:** —

**SUBJECT:** **Revision of Waste Discharge Requirements, Discharges of Winery Waste and Discharges from Certified Sustainable Vineyards, Order No. R3-2016-0032**

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**KEY INFORMATION**

Location: Central Coast Regional Boundaries  
Discharge Type: Liquid and solid winery process waste and vineyard irrigation tailwater/stormwater flows  
Treatment Type: Varies depending on Discharger  
Disposal: Percolation through ponds and application to land  
Recycling: Reuse of process water for irrigation, frost control, fire control, and dust control  
Existing Orders: Order No. R3-2008-0018 and R3-2012-0011

**This Action:** **Adopt Order No. R3-2016-0032**

**SUMMARY**

In 2008, to efficiently and consistently regulate waste discharges from multiple wineries across the Central Coast region, the Water Board adopted *General Waste Discharge Requirements, Order No. R3-2008-0018, for Discharges of Winery Waste and Categorical Waiver of Waste Discharge Requirements and Waiver of Requirement of Submit Report of Waste Discharge*, which promulgated general waste discharge requirements to regulate winery waste (also known as “General Winery WDRs”). Order No. R3-2008-0018 includes monitoring and reporting requirements to verify compliance.

Similarly, on March 15, 2012, the Central Coast Water Board adopted the *Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands* (Agricultural Order No. R3-2012-0011, as modified by Order WQ-2013-0101). This Order regulates discharges of waste from irrigated lands (including vineyards) and includes monitoring and reporting requirements to verify compliance.

This proposed order, *General Waste Discharge Requirements Order No. R3-2016-0032 for Discharges of Winery Waste and Discharges from Certified Sustainable Vineyards, Central Coast Region* (hereafter “*General Winery and Certified Sustainable Vineyard WDRs*”), includes requirements for waste discharges from wineries (liquid and solid) and select vineyards, certified as sustainable by the Vineyard Team or other certified program approved by the Central Coast Water Board

The intent of this Order is to:

- Protect water quality.
- Protect and enhance beneficial uses, especially drinking water.
- Reduce the regulatory burden to the regulated public.
- Promote proactive land management for the protection of water quality and beneficial uses.

Significant changes to the dischargers of winery waste and certified sustainable vineyards include:

- Waiver eligibility reduced to 30 cases
- Replacement of the up to 10,000 cases production category (waiver category) with limited annual monitoring and reporting
- Reduction in cost for most vineyards (vineyards under 20 acres see a minor increase of approximately \$25 dollars per year)
- Easier enrollment for combined facilities - submit a single notice of intent to enroll in the program
- Certified sustainable vineyards will not be required to participate in the Central Coast Water Quality Preservation, Inc. Cooperative Monitoring Program

*The General Winery and Certified Sustainable Vineyard WDRs will require winery owners and certified sustainable vineyard owners to treat wine processing wastes and implement management practices to effectively control discharges (including wine grape processing waste and vineyard irrigation tailwater and overland flow) to meet water quality standards. The proposed General Winery and Certified Sustainable Vineyard WDRs include tiered monitoring and reporting requirements to verify compliance (Monitoring and Reporting Program No. R3-2016-0032).*

## **DISCUSSION**

*Proposed General Waste Discharge Requirements, Order No. R3-2016-0032 for Discharges of Winery Waste and Discharges from Certified Sustainable Vineyards, Central Coast Region and attached monitoring and reporting program regulate discharges of waste from wine grape processing operations (wineries) and certified sustainable vineyards.*

Discharges from winemaking operations regulated by the proposed order include discharges of waste to land and groundwater. Waste discharges from winemaking operations that discharge to other than a community sewer system may affect waters of the state and are required to submit a permit application to the Central Coast Water Board.

Discharges from certified sustainable vineyards regulated by the proposed order include discharges of waste to surface water and groundwater, such as 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), irrigation runoff or tailwater, 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.

For all other non-certified sustainable vineyards and non-certified sustainable acreage within a partially certified vineyard, Dischargers must obtain or retain coverage under the *Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands* (Agricultural Waiver, Order No. R3-2012-0011 or subsequent updates of the Agricultural Waiver).

The proposed order includes the following tiers:

- Tier 0 – Irrigated vineyard, vineyard is certified sustainable
- Tier 1 – Wine processing, less than 100 gallons per day (gpd)
- Tier 2 – Wine processing, between 100 and 3,000 gpd
- Tier 3 – Wine processing, between 3,000 and 50,000 gpd
- Tier 4 – Wine processing, over 50,000 gpd

Within the Order, requirements vary for each tier. For example, there are different requirements for different flows associated with wine grape processing. Similarly, monitoring and reporting requirements vary for each tier. For example, the larger the amount of wastewater produced, the higher the frequency of sampling for various parameters. Attachment A to this staff report is a flow chart for evaluating a facility and determining the applicable tier.

To obtain coverage under this general order, a new Discharger must submit a complete Notice of Intent (NOI) or equivalent as directed by the Central Coast Water Board's Executive Officer. The NOI must be submitted by email to: [centralcoast@waterboards.ca.gov](mailto:centralcoast@waterboards.ca.gov)

Requirements for certified sustainable vineyards are identical to those contained in the existing Ag Order No. R3-2012-0011. The Water Board encourages vineyard owners to seek certification and enrollment under the proposed order.

Similarly, the requirements for wineries in the proposed order are very similar to those in the previous winery order, Order No. R3-2011-0018. A significant difference is that a waiver of waste discharge requirements is no longer offered for small wineries. With the proposed order, the Water Board is seeking to simplify requirements for Dischargers who operate a winery and vineyard together.

For existing Dischargers to obtain coverage under this general order, enrollment requirements are:

- Certified sustainable vineyards covered by Order No. R3-2012-0011 that wish to be covered under Order No. R3-2016-0032 must submit an updated NOI.
- Small wine processing facilities waived under Order No. R3-2008-0018 must submit an updated NOI.
- Certified sustainable vineyards and wine processing facilities that wish to be covered as combined operation under Order No. R3-2016-0032 must submit an updated NOI.
- Wine processing facilities under Order No. R3-2008-0018 (excluding certain small wine processing facilities previously waived) are automatically enrolled under Order No. R3-2016-0032 and do not need to submit an updated NOI.

Dischargers regulated under the *General Winery and Certified Sustainable Vineyard WDRs* are subject to monitoring and reporting requirements attached to the Order, unless such requirements are modified or waived by the Executive Officer. Additional requirements may be added by the Executive Officer as needed to adequately ensure compliance with the *General Winery and Certified Sustainable Vineyard WDRs*.

## **ENVIRONMENTAL SUMMARY**

The proposed Order contains separate California Environmental Quality Act (CEQA, Public Resources Code sections 21000, et seq.) findings for existing wineries, new and expanded wineries, and vineyards.

For existing facilities that have not expanded the amount of waste they discharge, the facility is categorically exempt from the provisions of CEQA, pursuant to sections 15301, exemption for existing projects, and 15308, actions by regulatory agencies for the protection of the environment.

For new wineries and expansion of existing wineries, to obtain coverage under the Order, the Discharger must submit CEQA documents adopted or certified by a local lead agency or the Water Board that determines the facility is exempt from CEQA.

For vineyards, the Central Coast Water Board adopted the 2004 Agricultural Order and a Negative Declaration was prepared in compliance with CEQA. In 2010, the Water Board prepared a subsequent environmental impact report that was included in the adoption of the 2012 Agricultural Order. The 2004 Negative Declaration and the Final 2010 SEIR constitute the environmental analysis under CEQA for this Order.

## **COMMENTS AND RESPONSES**

Pending

## **ATTACHMENTS**

1. Attachment A - Determining Your Applicable Tier

## **RECOMMENDATION**

Pending

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**ATTACHMENT A - Determining Your Applicable Tier**

