

Regional Water Quality Control Board
North Coast Region

Staff Summary Report
February 18 and 19, 2026

ITEM: 9

SUBJECT: Public Hearing on Order No. R1-2026-0001 to consider adoption of proposed Conditional Waiver of Waste Discharge Requirements for Discharges of Wine, Beverage and Food Processor Waste to Land in the North Coast Region (Rachel Prat)

BOARD ACTION: The Board will consider adoption of Conditional Waiver of Waste Discharge Requirements Order No. R1-2026-0001 (Proposed Order).

BACKGROUND: On February 4, 2021, the Regional Water Board adopted Order No. R1-2021-0001, Conditional Waiver of Waste Discharge Requirements for Discharges of Wine, Beverage and Food Processor Waste to Land in the North Coast Region (2021 Order). The 2021 Order renewed and replaced expired Order R1-2016-003, Conditional Waiver of Waste Discharge Requirements for Discharges of Wine, Beverage and Food Processor Waste to Land in the North Coast Region (2016 Order). Pursuant to Water Code section 13269(a)(2), the 2016 Order could not exceed five years in duration and expired on January 28, 2021. The 2016 Order established a streamlined permitting process for Dischargers to receive authorization from the Regional Water Board for the discharge of small volumes of wine, beverage and food processing waste to land in the North Coast Region.

For purposes of the 2021 Order and this Proposed Order, the types of wine, beverage, and food processing facilities that are eligible to apply for coverage under this Order include wineries, breweries, cider houses, non-alcoholic beverage producers, distilleries, post-slaughter cut and wrap meat processing facilities, fruit and vegetable processors, and dairy product manufacturers.

The 2021 Order waives waste discharge requirements for (1) wine, beverage, and food processing facilities that produce less than 1,500 gallons per day (gpd) of process wastewater, as averaged over a 30-day period during peak production, that discharge that process wastewater to land and (2) wineries that produce 3,000 gpd or less of process wastewater, as averaged over a 30-day period during peak production; that discharge that process wastewater to land; and which produce no more than five gallons of wastewater for every gallon of wine produced annually. The 2021 Order covers the discharge of wine, beverage, and food processing waste to land for the purpose of disposal or reuse. Reuse activities covered by the Order include the use of treated process wastewater as irrigation or frost protection water on agricultural land or landscaping and the use of nonhazardous decomposable solid waste as a soil

amendment pursuant to best management practices. To date, thirty-four Dischargers are enrolled under the 2021 Order and waived individual waste discharge requirements.

Pursuant to Water Code section 13269(a)(2), the 2021 Order may not exceed five years in duration and is scheduled to expire on February 4, 2026.

Regional Water Board staff has reviewed the conditions established in the 2021 Order to assess whether the 2021 Order remains in the public interest when the authorized discharges meet the conditions specified within it. Based on the assessment, it was determined that these conditions do remain in the public interest and it is appropriate to extend them another five years via adoption of the Proposed Order.

DISCUSSION: The Proposed Order includes all the conditions of the 2021 Order. It additionally allows for the automatic enrollment of the Dischargers currently enrolled under the 2021 Order. Automatic enrollment allows for continued discharge authorization for small wine, beverage, and food processor facilities operating in the North Coast Region.

Larger wine, beverage and food processor facilities are authorized to discharge process waste to land via individual Waste Discharge Requirement (WDR) Orders, enrollment under a Regional Water Board general WDR Order, (WDR Order R1-2016-0002, for discharges of Wine, Beverage and Food Processor Waste to Land or R1-2002-0012 for Discharges of Winery Waste to Land¹), or enrollment under the State Water Resource Control Board (State Water Board) general statewide WDR Order for Winery Process Water, Order No. WQ 2021-0002-DWQ (SWRCB Winery Order).

State Water Board staff support renewal of the Proposed Order. Renewal of the Proposed Order is appropriate, considering that:

1. Only wineries are eligible for coverage under the SWRCB Winery Order. If the 2021 Order were not renewed with the Proposed Order, other small beverage and food processors currently enrolled under the 2021 Order would need to obtain individual waiver or WDR authorization from the Regional Water Board. Any new, non-winery applicants would also need individual waiver or WDR authorization from the Regional Board.
2. Certain wineries are ineligible for enrollment under the SWRCB Winery Order due to their generation of wastewater associated with the production of other food or beverage products such as fruit cider or distilled spirits. If the 2021 Order were not renewed with the Proposed Order, wineries currently enrolled under the 2021 Order but ineligible for coverage under the SWRCB Winery Order would need to obtain individual waiver or waste discharge requirement authorization

¹ Order No. R1-2002-0012 is no longer available for new enrollments following adoption of Order R1-2016-002. Regional Water Board staff is looking into alternative permitting strategies for the 18 facilities currently enrolled under Order No. R1-2002-0012.

from the Regional Water Board. Any new or currently unregulated, ineligible winery applicants would also need individual waiver or WDR authorization from the Regional Board.

3. Moreover, the adoption of the Proposed Order provides an efficient permitting mechanism for small wine, beverage, and food processors that are otherwise ineligible for the SWRCB Winery Order and prevents a lapse in regulatory coverage of currently enrolled dischargers.

A draft copy of the Proposed Order was posted on the Regional Water Board website and was available for public comment from October 7, 2025 through November 6, 2025. No comments were received on the draft Proposed Order during that period. Staff anticipates that the Proposed Order will be uncontested.

RECOMENDATON: Adopt Order No. R1-2026-0001, as proposed.

SUPPORTING DOCUMENTS:

1. Proposed Order No. R1-2026-0001
2. Notice of Public Hearing