

General Waste Discharge Requirements for Commercial Agricultural Operations in the Scott and Shasta Watersheds (Scott and Shasta Order)

California Environmental Quality Act
(CEQA)

Scoping Meeting
February 26, 2025
4:00-6:00 pm



North Coast Regional Water Quality Board, February 26, 2025

Agenda

1. Introductions
2. Meeting Logistics
3. Regulatory History
4. CEQA Background & Purpose of Today's Meeting
5. Project Overview
6. Initial Study
7. Process and Timeline
8. Scoping Meeting Open for Public Comments

Introductions and Contact Information

EIR Development Team



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<https://www.waterboards.ca.gov/northcoast/>

Purpose of Today's Meeting



Overview of Order development process and provide example compliance measures



Review staff's current understanding of extent, focus, and content of environmental analysis



Gather public input on the scope and content of Environmental Impact Report



California Water Boards' Mission Statement

To preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.

North Coast Regional Water Board



- The Regional Water Board protects water quality to support beneficial uses of water through basin planning using the following tools:
 1. Prohibitions, Waivers, and Waste Discharge Requirements
 2. Policies (e.g., Nonpoint Source Policy, Temperature Policy, etc.)
 3. Action Plans
 4. Monitoring and Assessment
- Regional Water Board regulatory jurisdiction includes quality of all 'waters of the state' (surface and groundwater) in the region



Vision Statement:

***Healthy Watersheds,
Effective Regulation,
Strong Partnerships***

Regulatory Background - Scott

- Scott listed as Impaired for Sediment (1992), Temperature (1998), and Biostimulatory Conditions (2012)
- TMDLs adopted by the North Coast Water Board in 2005
- Waiver of Waste Discharge Requirements Adopted in 2006
 - Controls discharges from Agricultural Operations
- Updated in 2012, 2018
- Extended in 2023 through 2025



Regulatory Background - Shasta

- Shasta listed as Impaired for Dissolved Oxygen (1992) and Temperature (1994)
- TMDLs adopted by the North Coast Water Board in 2006
- Waiver of Waste Discharge Requirements Adopted in 2006
 - Controls discharges from Agricultural Operations
- Updated in 2012, 2018
- Extended in 2023 through 2025



Funding and Voluntary Actions



- North Coast Water Board has facilitated ~6 Million in funding in each watershed
 - Restoration
 - On-farm BMPs
 - Monitoring efforts
 - Compliance assistance
 - Modeling efforts (SVIHM)
- Many voluntary efforts to improve Water Quality and protect listed species

Waiver Implementation

- Staff-driven assessment approach: risk to water quality, habitat
- Inspected 32% of the agricultural stream frontage in the Scott
- Inspected 22 Miles of the Shasta River, 1.3 miles of the Little Shasta, and all of Big Springs Creek and Parks Creek
- Large properties generally assessed, many medium and small properties pending
 - Inspections have shown compliance and non-compliance
- Systematic enrollment is needed with a more staff-efficient approach



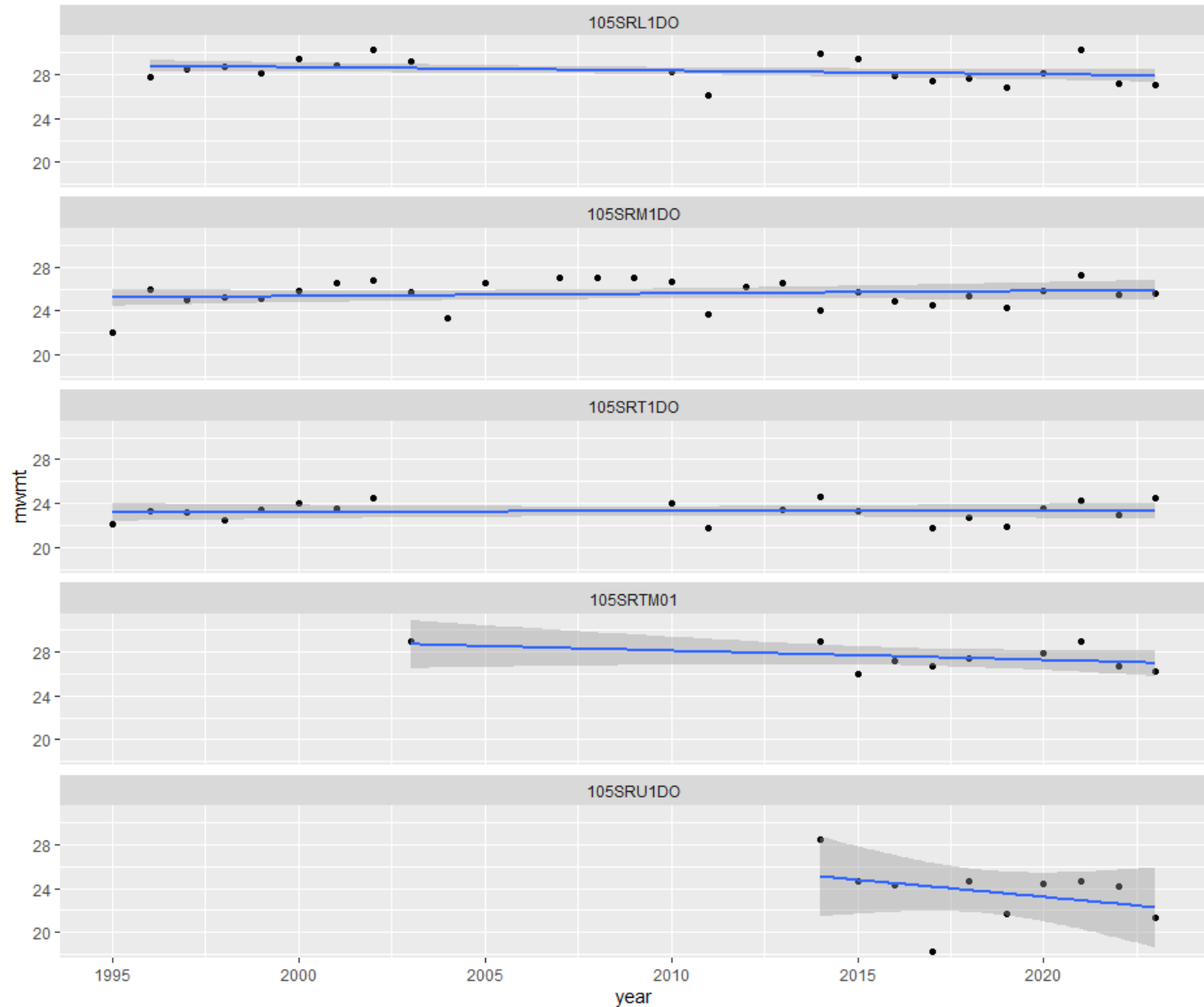
Finding 18

- Consistency with other state orders
- Continue a staff-driven approach
- Tiered permitting structure commensurate with discharge threat
- Higher tiers require more monitoring and reporting requirements
- Recognition of past and ongoing compliance
- Enrollment and Fees

Program Deficiencies

- Tailwater still significant
- Riparian conditions
- Road related discharges continue
- Water quality trends mostly static
- Current program not aligned with ESJ Order
- Inequitable implementation

New Program: General Waste Discharge Requirements



CEQA Background



California Environmental Quality Act (CEQA)

- California's charter for environmental protection
- Establishes a process for state and local agencies to consider environmental impacts of proposed projects
- CEQA process includes public participation through meetings and opportunities to comment on draft documents
- RWB is developing an Environmental Impact Report (EIR) for this project based on CEQA requirements.

Environmental Impact Report (EIR) evaluates impacts to the environment from the Project.



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graph TD; A[Environmental Impact Report (EIR) evaluates impacts to the environment from the Project.] --> B[The Project in this case is the Scott and Shasta Order.]; B --> C[The EIR will evaluate environmental impacts from implementation of the Scott and Shasta Order, NOT environmental impacts from Agriculture in the Scott and Shasta watersheds.];
```

The Project in this case is the Scott and Shasta Order.

The EIR will evaluate environmental impacts from implementation of the Scott and Shasta Order, NOT environmental impacts from Agriculture in the Scott and Shasta watersheds.

Environmental Impact Report

Purpose of CEQA Scoping Meeting

Receive input on:

- Scope or range of Project actions
- Project alternatives
- Reasonably foreseeable methods of compliance
- Significant environmental impacts to be analyzed
- Cumulative Impacts (if any)
- Mitigation measures to reduce environmental impacts
- Inconsequential Issues to eliminate from detailed study

CEQA Analysis Environmental Factors

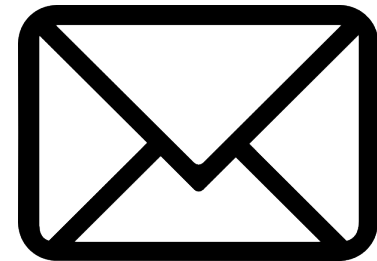
- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Providing Feedback on CEQA Scoping

- Oral Comments (today's meeting)
following today's staff presentation



- Written Comments
 - Elias.Scott@waterboards.ca.gov



Due by March 4, 2025

CEQA Timeline

- **CEQA Scoping Meeting (today)**
 - Scoping Comment period ends March 4, 2025
- Release Draft Environmental Impact Report (EIR) for public comment
 - Late 2025 with 45-day public comment period
- Public Hearing for RWB to Certify EIR and Adopt Scott and Shasta Order
 - Mid 2026.

Project Overview

Scott and Shasta General Waste Discharge
Requirements
For Commercial Agriculture

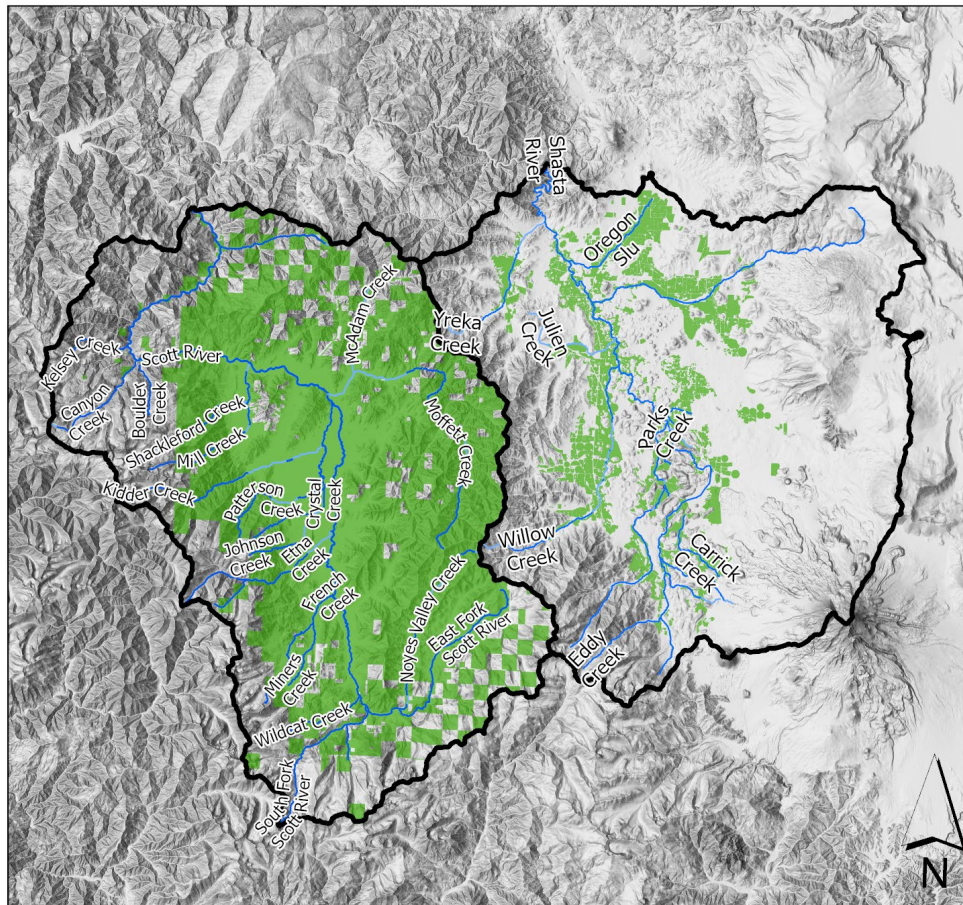


Eli Scott, Senior Environmental Scientist

Purpose and Need for Project

Water Quality Impairments: Scott and Shasta TMDLs

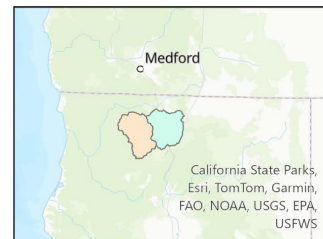
- Scott River is impaired for temperature, sediment, biostimulatory conditions
- Shasta River is impaired for temperature, dissolved oxygen
- TMDLs for the temperature, sediment, and dissolved oxygen impairments.
- Critical habitat for salmonids and pacific lamprey.



Scott and Shasta WDR
Project Area

Legend

- Scott Coverage Area
- Shasta Coverage Area



0 25 50 100 150 200
Miles



Purpose and Need for Project

Previous Regulatory Measures: Scott and Shasta Waivers

- BMPs Implemented in some areas
- Little evidence for improving trends in water quality.
- Collective impact from tailwater discharges and groundwater, surface water use (controllable factors)
- Systematic, equitable approach is needed.



Policy Factors in Developing Scott and Shasta Order

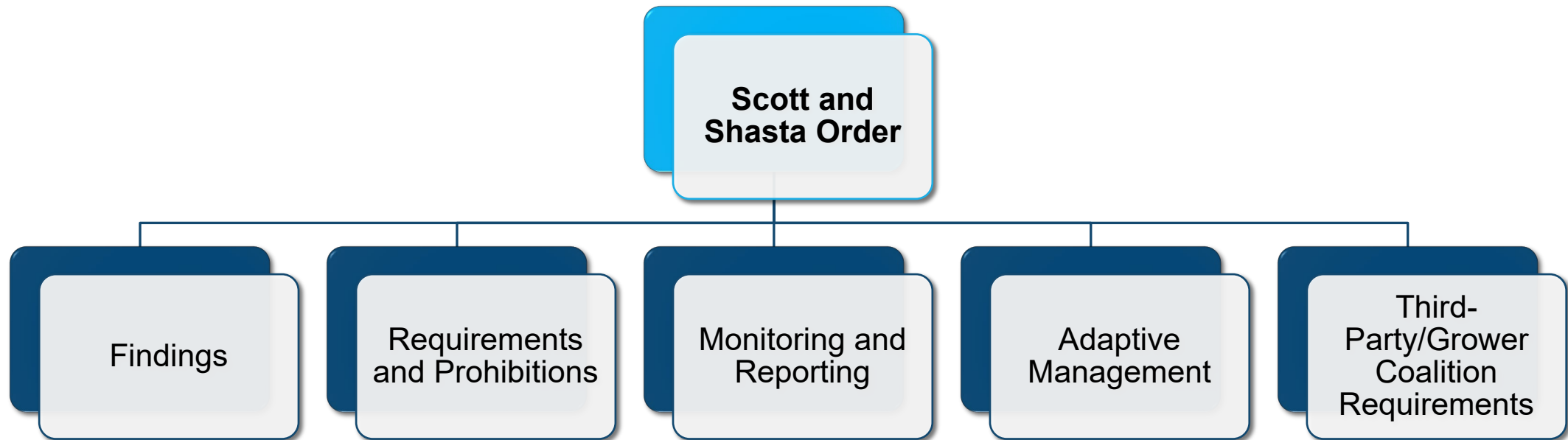
- Order must implement statewide policies
 - Irrigated Lands Precedents,
 - Nonpoint Source Policy
 - Regional plans and policies
- ILRP development is a top priority (among several others) for the North Coast Regional Water Board:
 - **Scott and Shasta Ag**
 - Lily Bulbs in Smith River
 - Dairies
 - Vineyards

Requirements of Nonpoint Source Regulations

Agricultural activities produce nonpoint source discharges. A nonpoint source permit **must include** the five elements of the SWRCB Nonpoint Source Policy:

1. Clearly stated goals
2. Description of the management practices
3. A time schedule with quantifiable milestones
4. Sufficient feedback mechanisms
5. Clear consequences

Conceptual Overview of Scott and Shasta Order

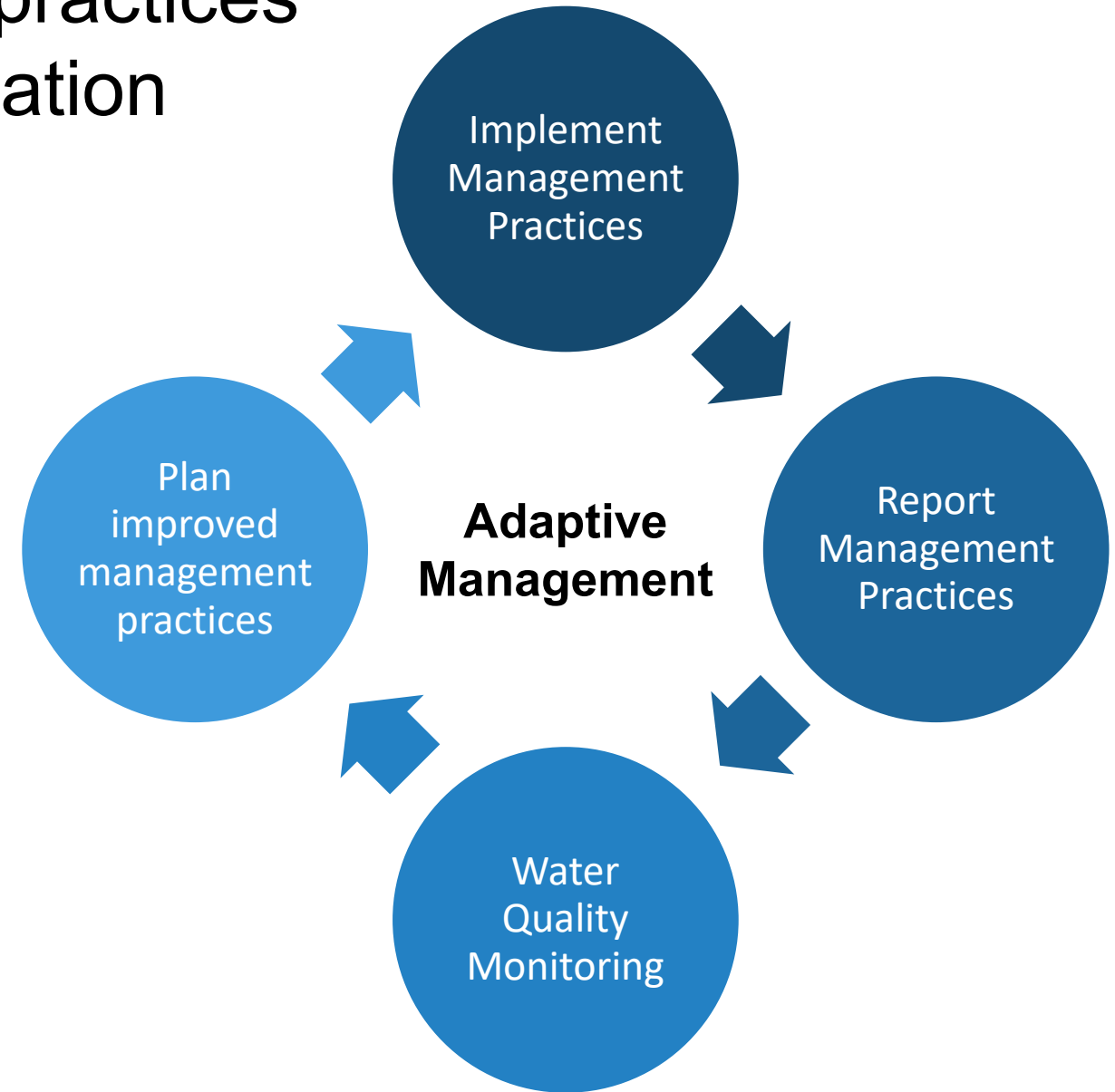


Basics of improving on-farm practices through Order implementation

1. The Order establishes:

- Requirements to control discharges
- Planning elements to manage controllable water quality factors
- Water quality monitoring

2. If monitoring thresholds are exceeded Enrollee must improve practices



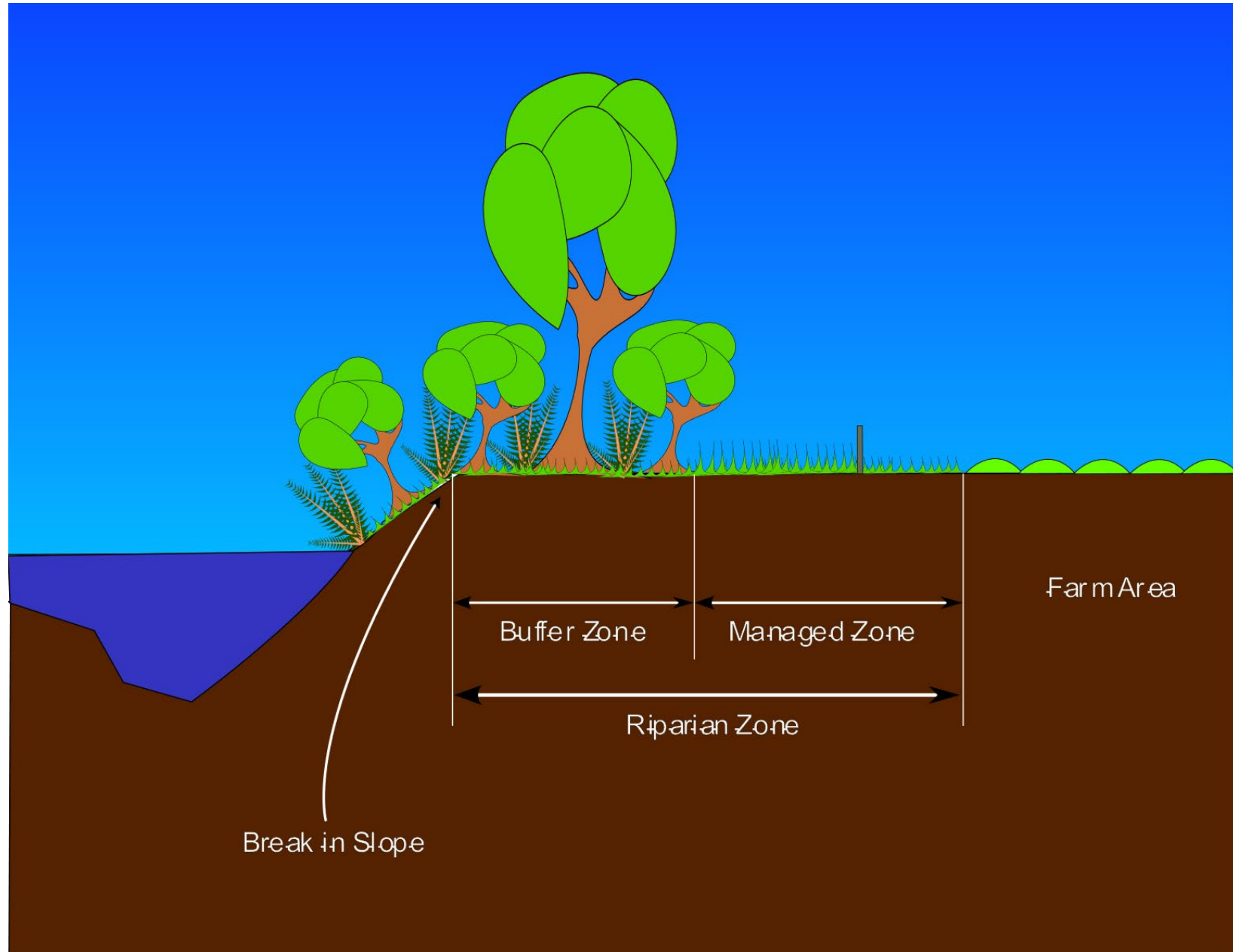


Management Practice Examples



Riparian Zone Management

- Requirements based the Sediment and Temperature Policy and Implementation experience.
- Buffer Zone – approved riparian grazing
- Managed Zone (may include vehicle access, approved riparian grazing, low-impact cultivation)

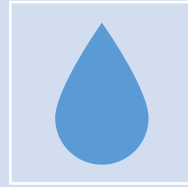




Break In Slope
Buffer Zone Extent
Riparian Zone Extent



Water Quality Monitoring



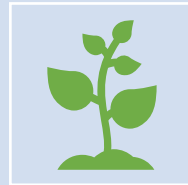
Surface Receiving Water Monitoring

Temperature, DO,
nutrients, turbidity,
indicator bacteria



Groundwater Trend Monitoring

Nitrate



Drinking Water Supply Well Monitoring

Nitrate and
Pesticides (specific
to use)

Schedule



Initial Study

for the Proposed General Waste Discharge Requirements
for Commercial Agricultural Operations in the Scott River
and Shasta River Watersheds

<https://ceqanet.opr.ca.gov/2025020048>

Dated 2/3/2025

SCH No. 2025020048



Chris Watt, Senior Engineering Geologist

Initial Study

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire



Example Impacts to Agricultural Resources

Streamside Area setbacks could result in conversion of agricultural land to non-ag use.

CEQA requires the agency analyze Project alternatives or mitigations to lessen or avoid the significant impact.

Project Alternatives or mitigations?

- Off-site Restoration Alternative

Potential Significant and Unavoidable Impacts to Agricultural Resources

Streamside Area setbacks could result in conversion of Important Farmland to non-ag use.

For purposes of CEQA, 'agricultural land or Important Farmland' is defined as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland (Public Resources Code Section 21060.1).

The California Department of Conservation Farmland Mapping and Monitoring Program maintains maps of agricultural land and RWB have determined that the Scott/Shasta Watersheds contain ~46,000 acres of 'important Farmland' for CEQA purposes.

Other CEQA Impact Examples

Assessing impacts resulting from Order requirements.



Example:

To comply with the Order's requirements and prohibitions, an Enrollee chooses to construct a tailwater retention pond to filter sediment and pollutants, and reduce heat load discharges.

Do you foresee any significant or potentially significant adverse environmental impacts or cumulative impacts from the construction of this BMP?

Example Impacts to Agricultural Resources

Compliance Measures for agricultural activities

- Riparian grazing prohibition
- Streamside Area Setback

Possible project elements to minimize or reduce impacts

- Planning pathway to approve specific riparian grazing practices that do not impact water quality.
- Offsite Restoration of Riparian Vegetation

Example Impacts to Tribal and Historical Cultural Resources

Compliance Measures for new or expanded Land Disturbance

- Historical or Cultural Resources
- Undocumented Burial Sites or Skeletal Remains

Mitigation Measures to Reduce Impacts

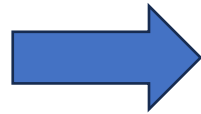
- Cultural Resource Survey by a qualified Archaeologist for undisturbed areas
- Cease BMP construction if remains are found and contact the California Office of Historic Preservation and Native American Heritage Commission

Scoping Comments



Project/Order Compliance Measures

- Streamside Management
- Installation of Erosion & Sediment Controls
- Irrigation management
- Input Management (i.e., pesticides, fertilizer)
- Tailwater management



Do you foresee any significant or potentially significant adverse environmental impacts to:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Scoping Comments

All comments should be related to the project's CEQA analysis and may identify:

- Scope or range of project actions
- Project alternatives
- Reasonably foreseeable methods of compliance (a.k.a. BMPs)
- Significant environmental impacts to be analyzed
- Cumulative Impacts (if any)
- Mitigation measures to reduce environmental impacts
- Inconsequential Issues to eliminate from detailed study

***CEQA Scoping Comments are
considered Public Comments***

In-Person Participation Instructions

- Raise hand to comment
- Come to the podium when called upon
- Please state your first and last name and any applicable affiliations with agencies or organizations
- Please limit your comments to 3 minutes

Written Scoping Comments Due March 4, 2025

Elias.Scott@waterboards.ca.gov

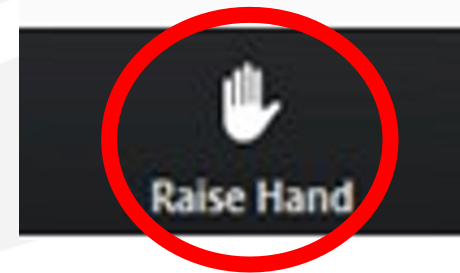
Subject line: Attn: Scott and Shasta Initial Study

Online Participation Instructions

- Register to comment at: https://us02web.zoom.us/webinar/register/WN_edk-7cNeTdmu2GG6_RXCxw
- Everyone will remain muted until invited to speak.
- Please raise your hand and wait for us to call on you.
- Please state your first and last name and any applicable affiliations with agencies or organizations
- Please limit comments to 3 minutes

Computer Commands

- To raise your hand, find the “Raise Hand” button on your screen



Phone Commands

- *9 to raise hand
- *6 to mute/unmute



Written Scoping Comments

CEQA Scoping Public Comment Deadline

March 4, 2025 – 5:00 pm

Written comments can be sent anytime via email to:

Elias.Scott@waterboards.ca.gov

Subject line: Attn: Scott and Shasta Initial Study

OR mailed to:

Regional Water Board

5550 Skylane Blvd. Ste. A, Santa Rosa CA

All comments may be made public

Scoping Comments



Project Updates

Project webpages:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/scott_river/

https://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/shasta_river/

Subscribe to the Scott and Shasta TMDL Email Lists:

bit.ly/northcoastsubscribe

Contact Information

Order Development Team



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