

Item 5 Scott and Shasta General Waste Discharge Requirements

Staff Update
Yreka, California



Elias Scott. Agriculture and Enforcement. May 7, 2025

Presentation Topics

- Review Past Program
- Status and Trends Data
- GWDR Approach
- CEQA Status and Process
- Public Outreach
- Timeline



TMDL Conditional Waivers – Finding 18

- Develop an Order more consistent with approaches in other parts of the State
- Continue to incentivize proactive water quality measures (restoration, collaboration, etc)
- Continue on-site water quality assessments
- May incorporate a tiered structure based on threat of discharge
- May require active enrollment and fees



TMDL Conditional Waivers – Other Considerations

Since adoption, various changes have occurred

State-wide irrigated lands program precedential requirements

Scott and Shasta Emergency Drought Regulations

Shasta Safe Harbor Agreement

Ongoing Sustainable Groundwater Management Act efforts in both watersheds



Why GWDR?

20 Years of Waiver Implementation have provided knowledge while also pointing out programmatic gaps to close

Staff driven prioritization accomplished its goal

Tailwater in the Shasta not well addressed

Controllable water quality factors not well addressed

Riparian buffer guidance vague

Uneven implementation inequitable

- Data collection
- BMP Implementation
- Cost of compliance

Readoption every 5 years requires shift in staff focus

Adaptive management dataset incomplete

New knowledge to apply

Not aligned with Irrigated Lands Regulatory Program

New listings to consider

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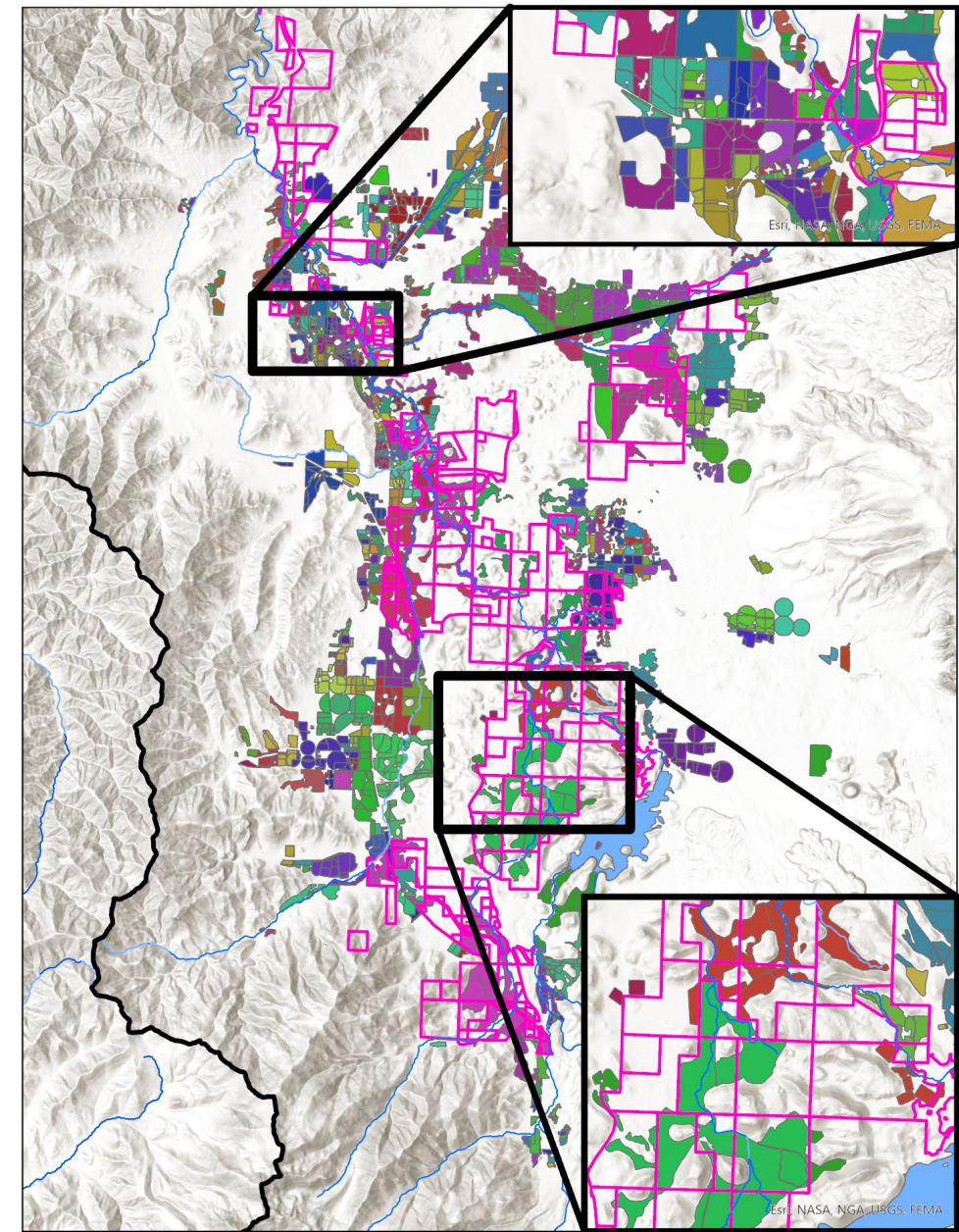
Not aligned with Irrigated Lands Regulatory Program

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TMDL Conditional Waivers Progress

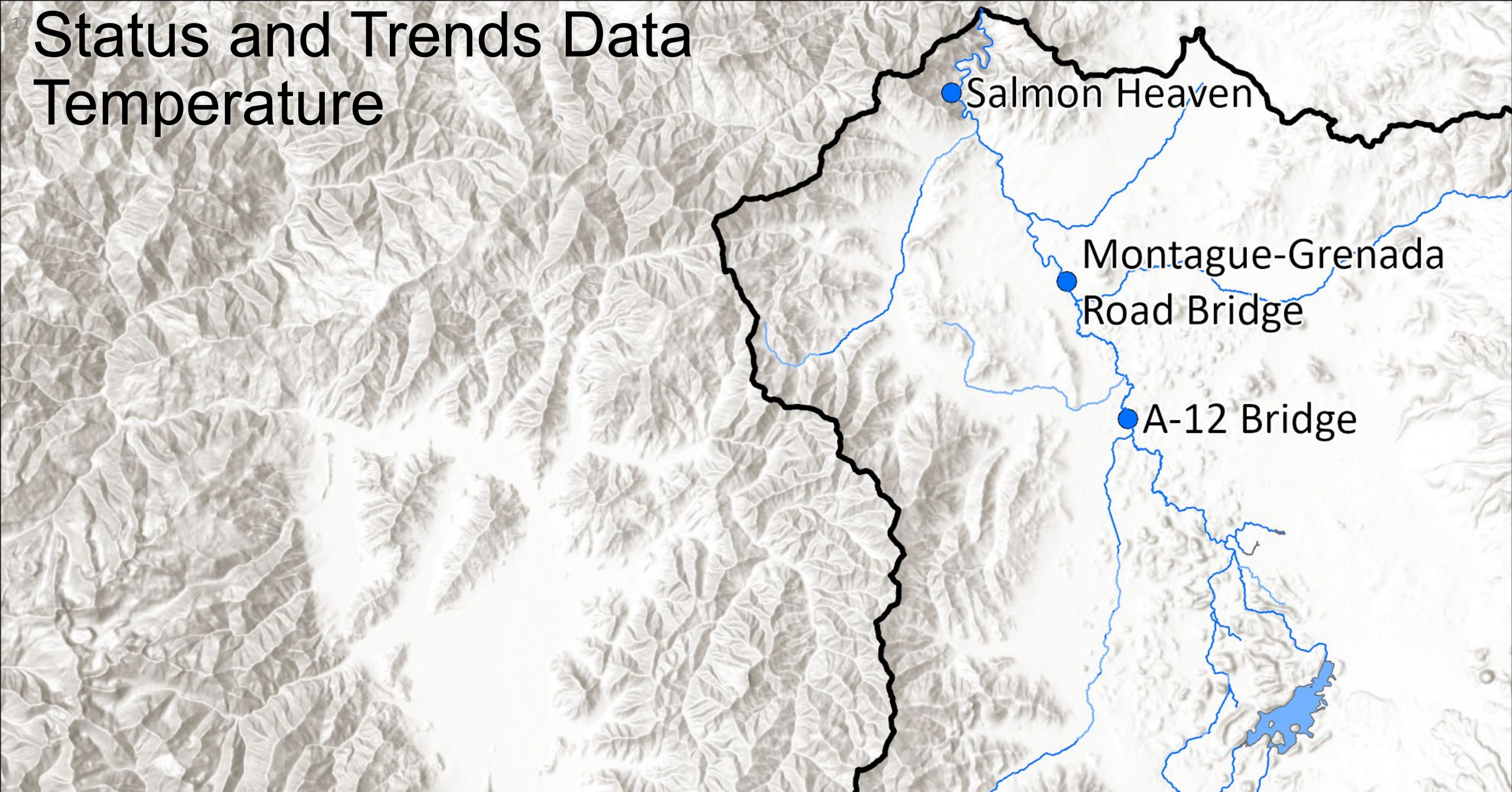
Land Ownership Configuration

- Both Scott and Shasta Waivers focused on large landowners
- Many small landowners have not been assessed
 - Small ownerships, large **Cumulative Impact**
- Formal enrollment can be a tool of efficiency

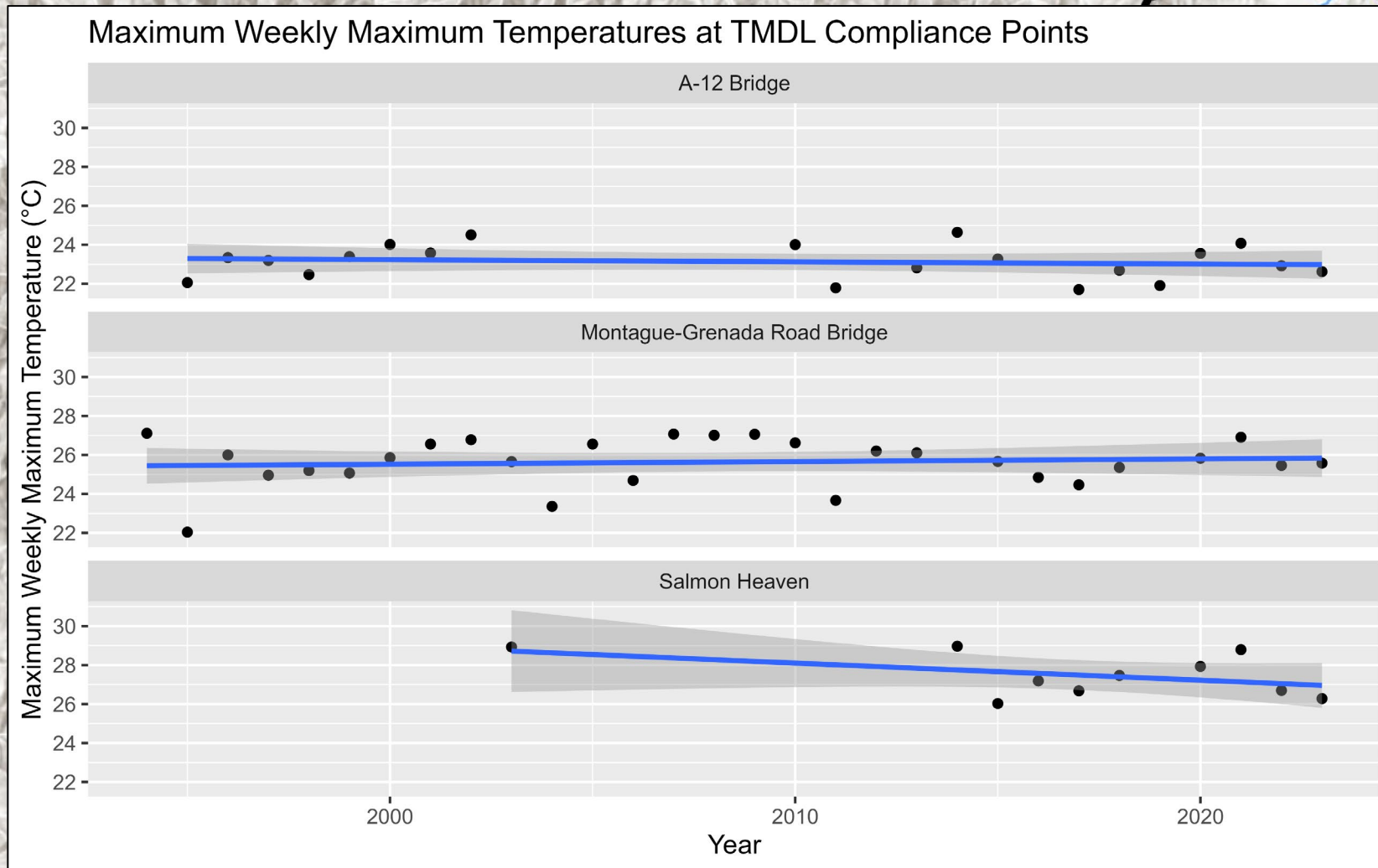


Status and Trends Data

Temperature



Status and Trends Data Temperature

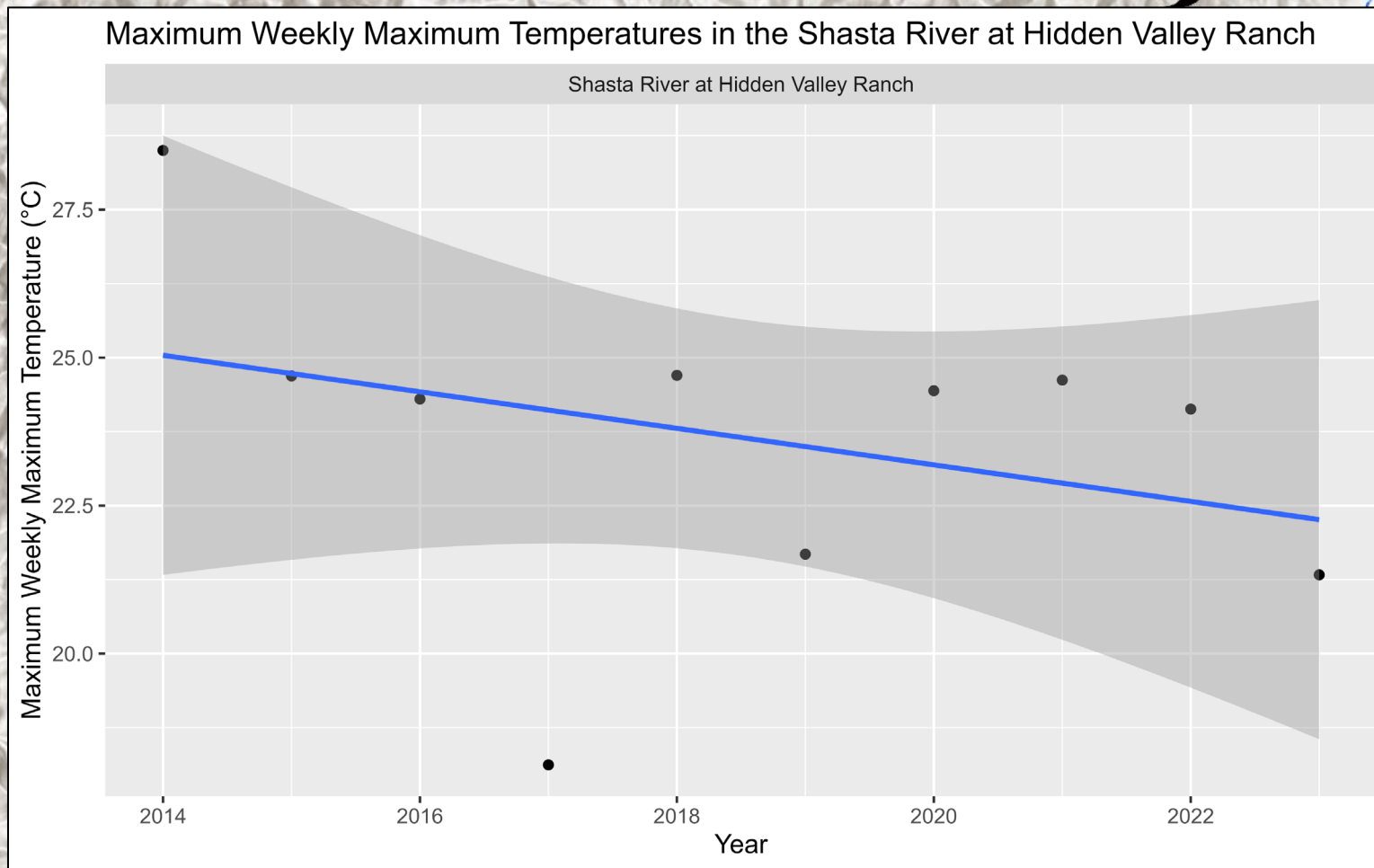


Salmon Heaven

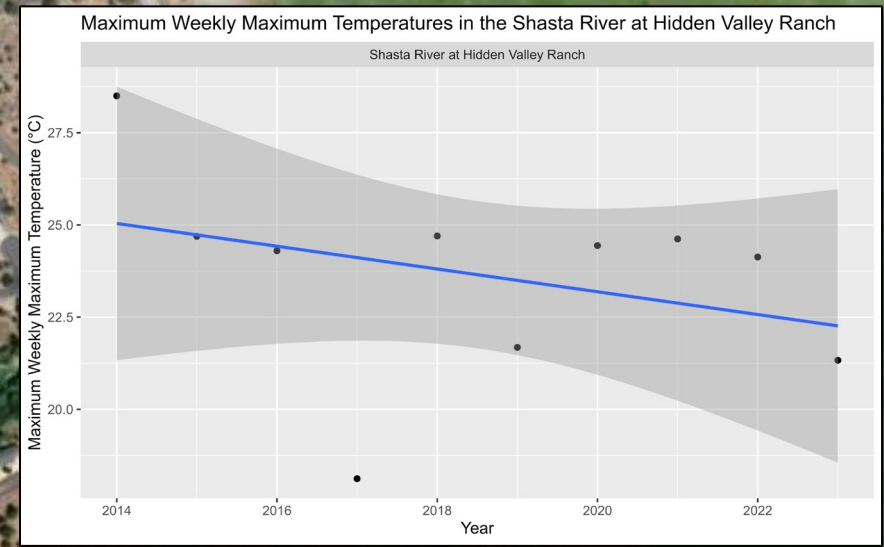
Montague-Grenada
Road Bridge

A-12 Bridge

Status and Trends Data Temperature



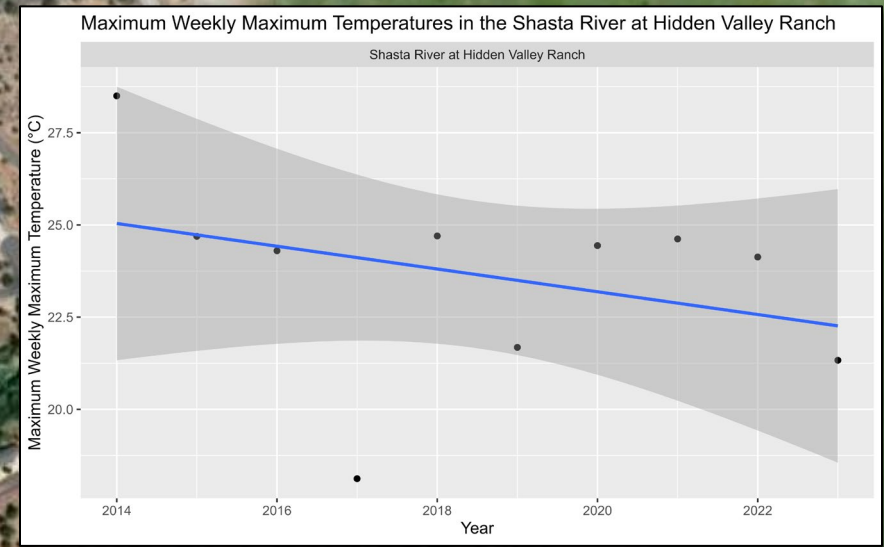
Hidden
Valley
Ranch



Hidden Valley Ranch



Spring Reconnection



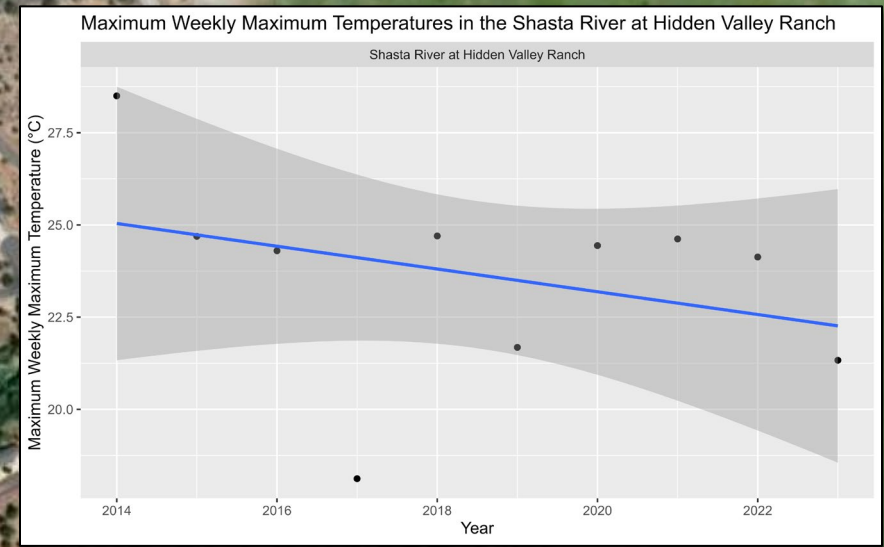
Hidden Valley Ranch



Spring Reconnection



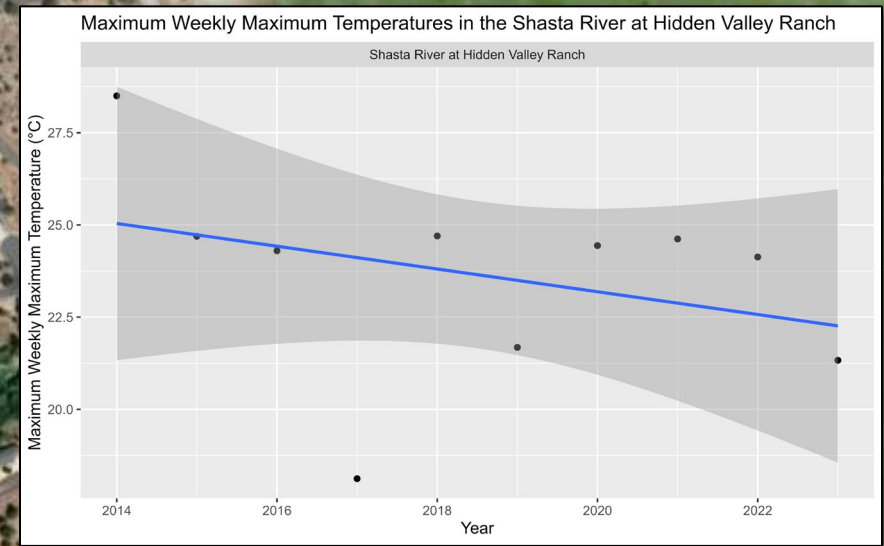
Tailwater Control



Hidden Valley Ranch



Spring Reconnection



Coldwater Augmentation



Tailwater Control



Benefits of Revising Waivers to GWDR

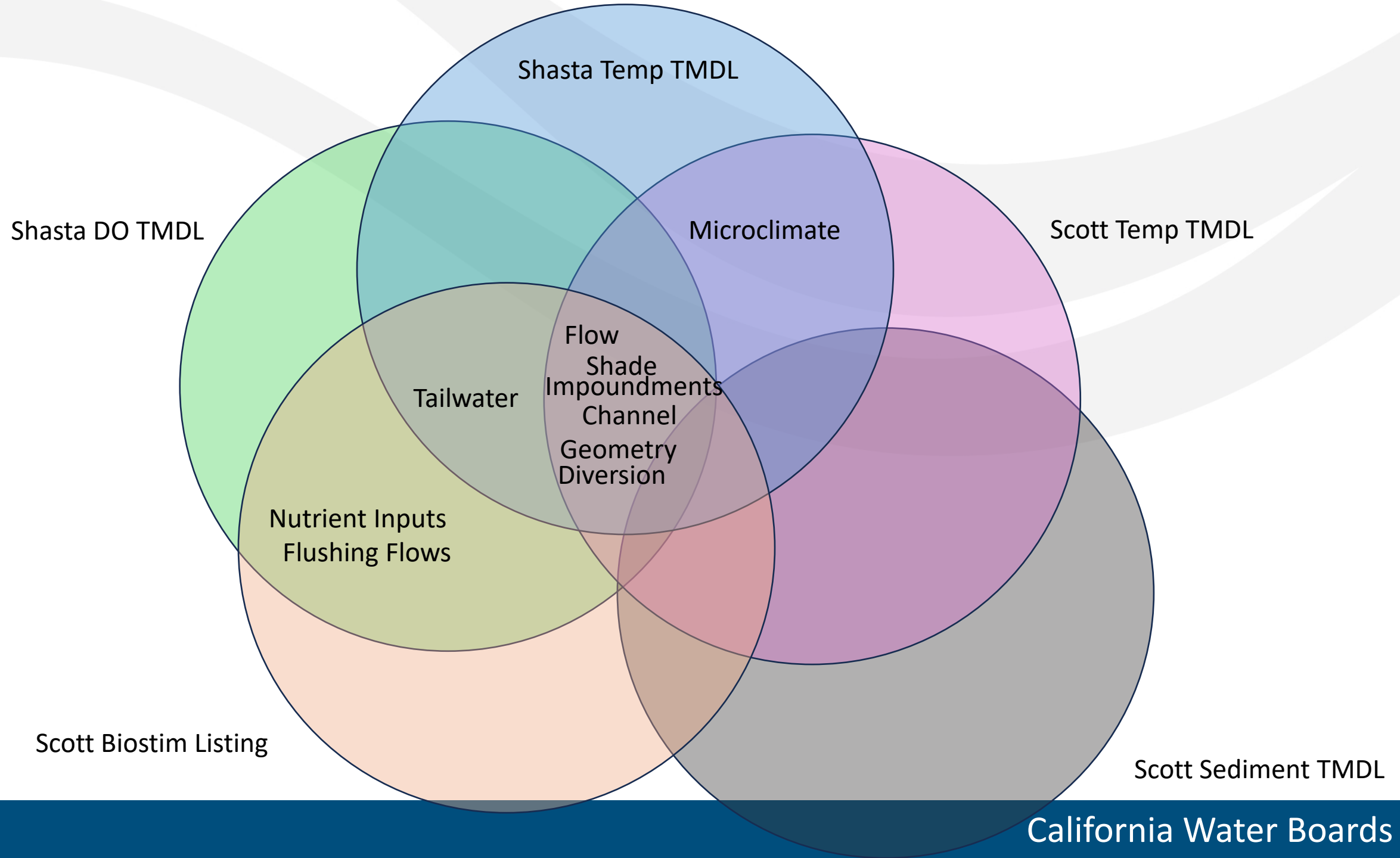
- Enrollment ensures equitable application of regulation
- Coalitions drive collective monitoring/reporting
- GWDR does not require updating every 5 years
- MRP can be build to require data needed for adaptive management
- Develop permit to address controllable water quality factors
 - Factors leading to tailwater discharges
 - Factors impacting riparian shade, including water use
 - Factors leading to biostimulatory conditions, including channel geometry and impoundments
- Ensure compliance with Statewide Precedents and ILRP
- Ensure **regulatory certainty** for regulated community

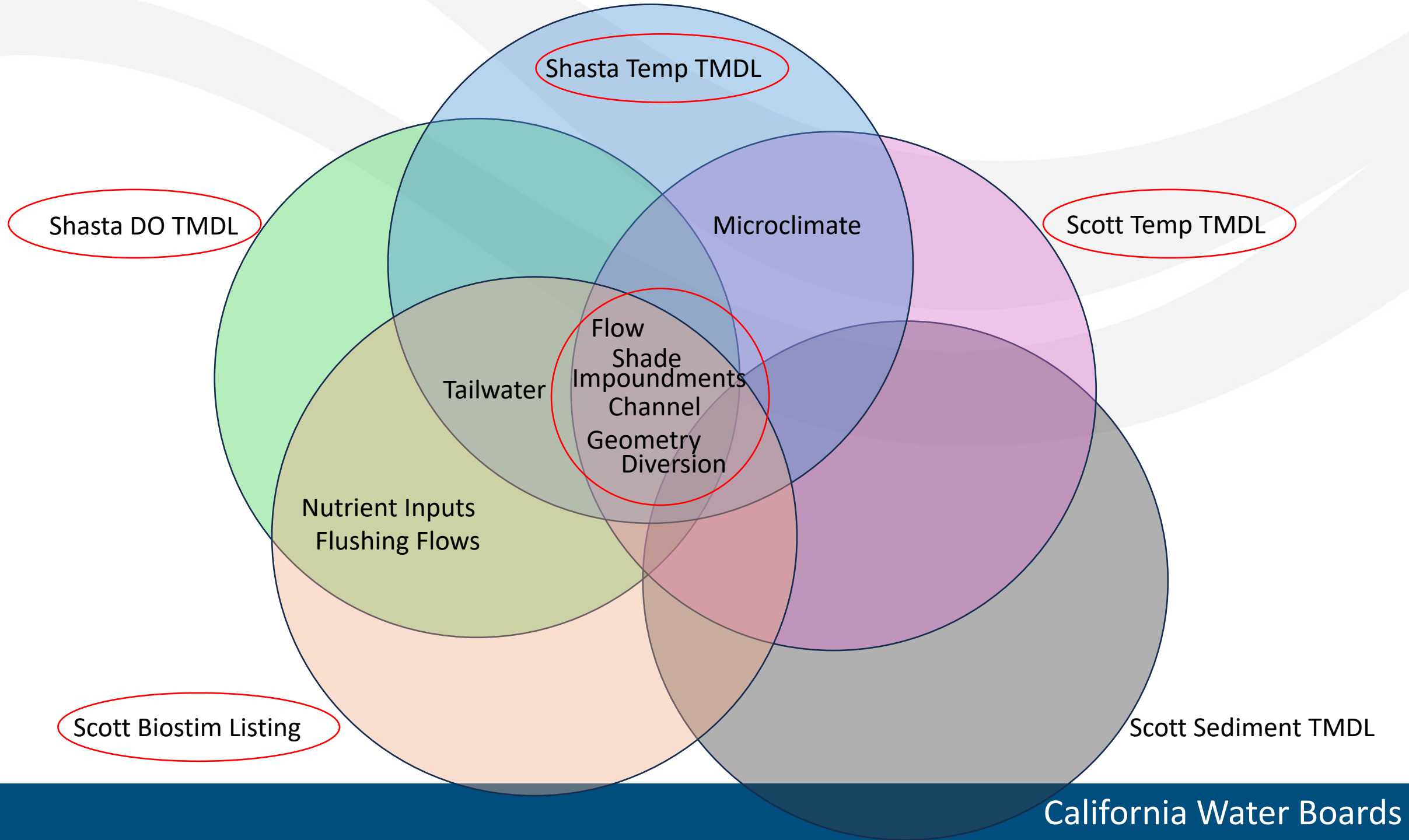
Five Impairments

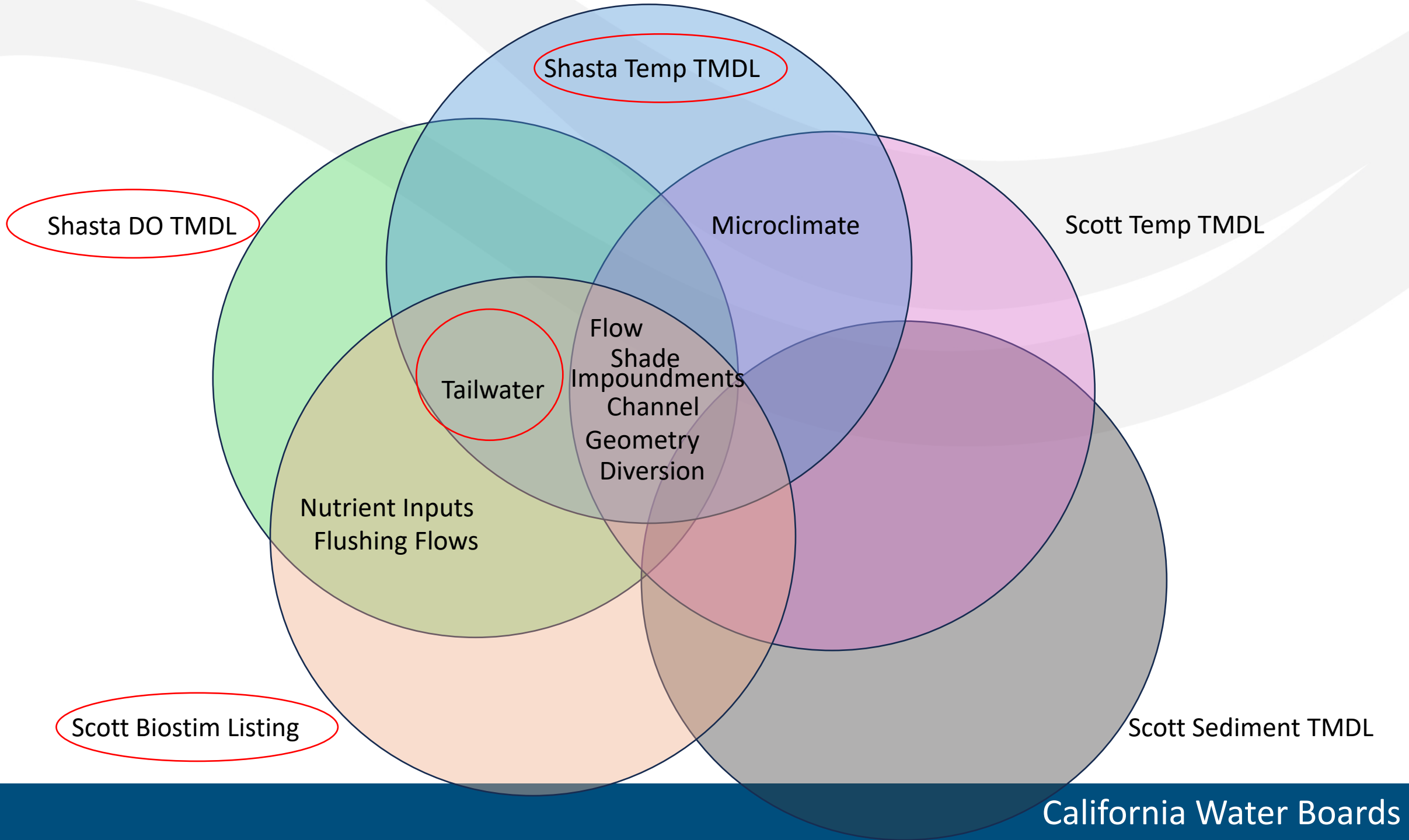
- Scott Temp
- Scott Sediment
- Scott Biostimulatory Conditions
- Shasta Temp
- Shasta DO

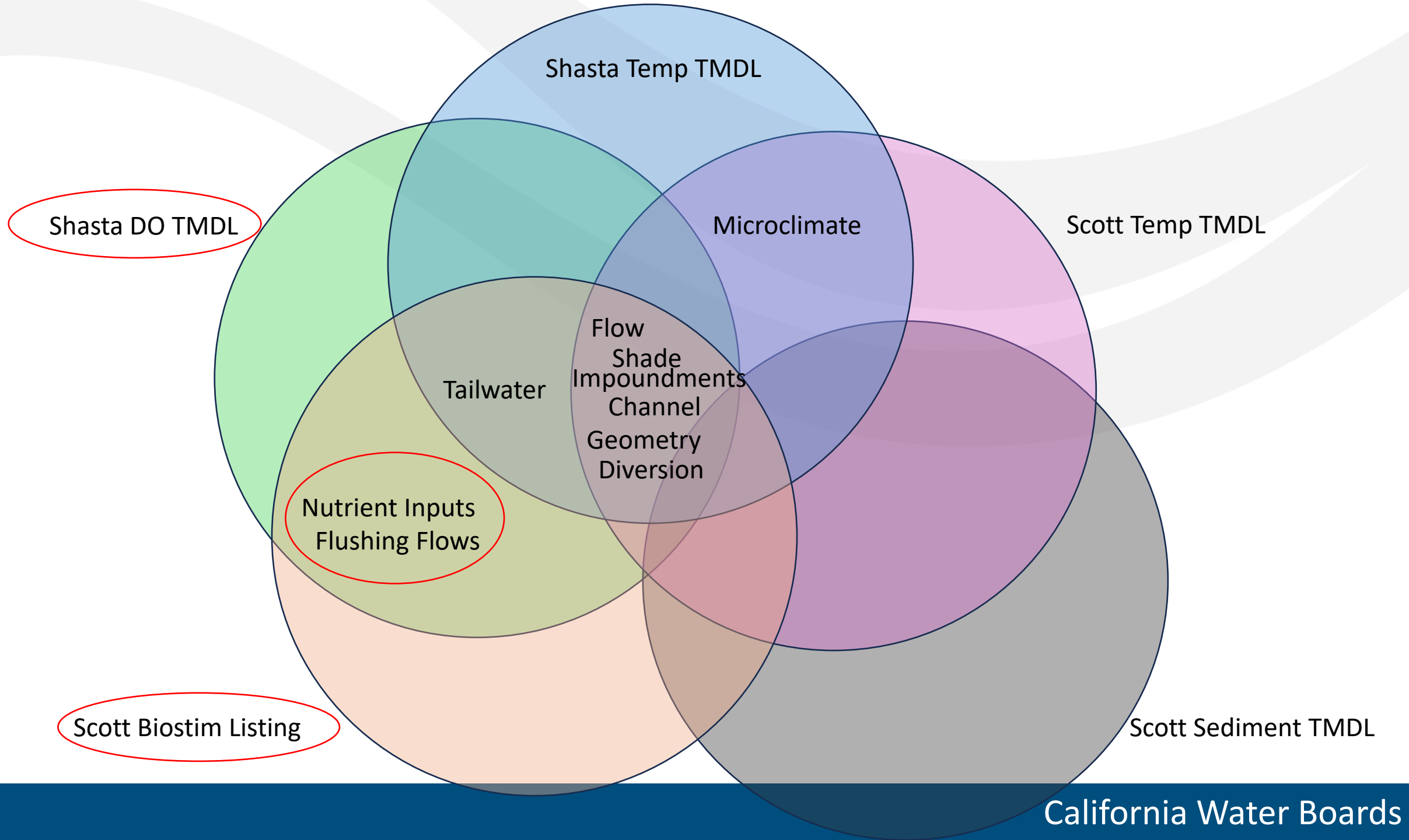
Nine Controllable Factors

- Flow
- Surface Water Diversion/GW Pumping
- Shade
- Impoundments
- Channel Geometry
- Microclimate
- Tailwater
- Nutrient Inputs
- Flushing Flows









GWDR Overview



Eli Scott, Senior Environmental Scientist

Waiver

vs

GWDR

- No enrollment, No fees
- Staff-driven prioritization
- Staff assessment
- Individual Plans upon request and review
- Individual monitoring requirements upon request
- Annual report review
- Renewed every 5-years

- Enrollment, fee-supported program
- Watershed-wide implementation
- Coalition scale planning, monitoring, reporting
- No 5-year renewal requirement
- Cohesive program

Enrollment and Fees



- Scott and Shasta Waivers had no enrollment, no fees
- Enrollment needed for sufficient feedback and clear compliance for NPS Policy
- Enrollment = Fees
- Fees are set by State Water Board
- Calculated based on irrigated acres



Policy Factors in Developing Scott and Shasta Order

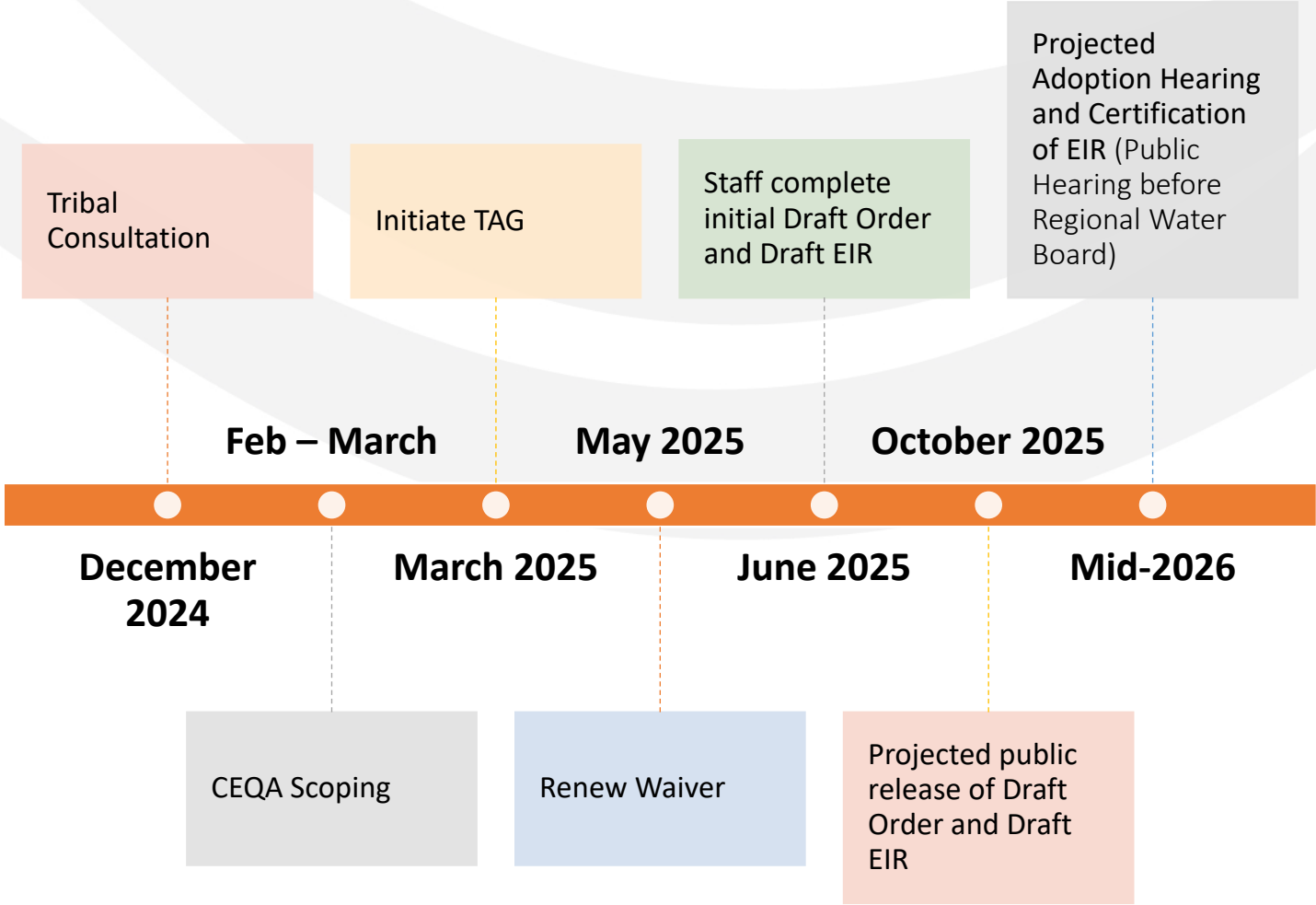
- Order must implement statewide policies
 - Irrigated Lands Precedents,
 - Nonpoint Source Policy
 - Regional plans and policies
- ILRP development is a top priority (among several others) for the North Coast Water Board:
 - **Scott and Shasta Ag**
 - Lily Bulbs in Smith River
 - Dairies
 - Vineyards

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

Schedule



Public Engagement

- Tribal Consultation
- CEQA Scoping
- TAG – Bi-monthly to monthly meetings
- Staff-led workshops during public comment



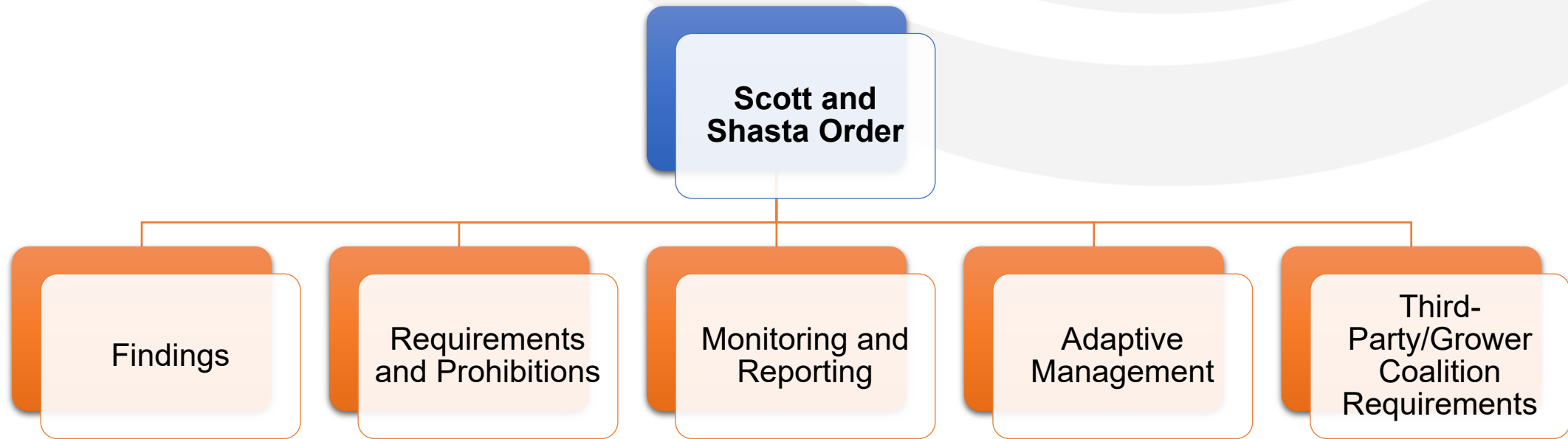


Preliminary GWDR Concepts

Who Needs to Enroll?

- Agricultural operations:
 - Engaged in commercial **livestock grazing, pasture cultivation, alfalfa cultivation**, other ag not currently covered under an existing permit
 - Contemplating an acreage threshold for enrollment
 - Cultivating within the **riparian zone** or **designated wetlands**
- Member of an irrigation district, water user association, or company organized to convey water for agricultural use (**tailwater production** and **groundwater management**).
- Method of irrigation results in a **discharge of tailwater** or they are a member of an irrigation district who's method of irrigation results in a **discharge of tailwater**.

Conceptual Overview of Scott and Shasta Order

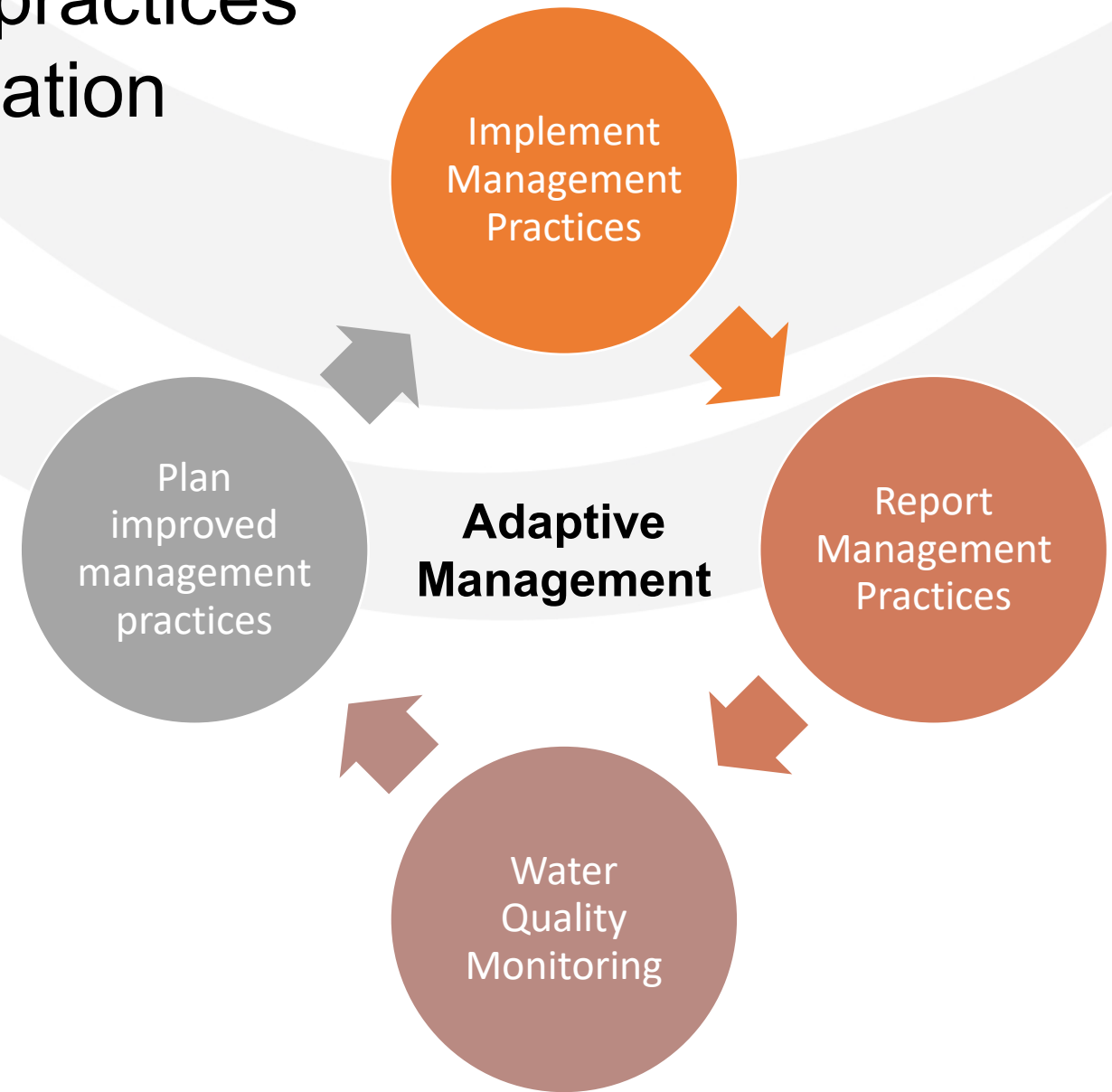


Basics of improving on-farm practices through Order implementation

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



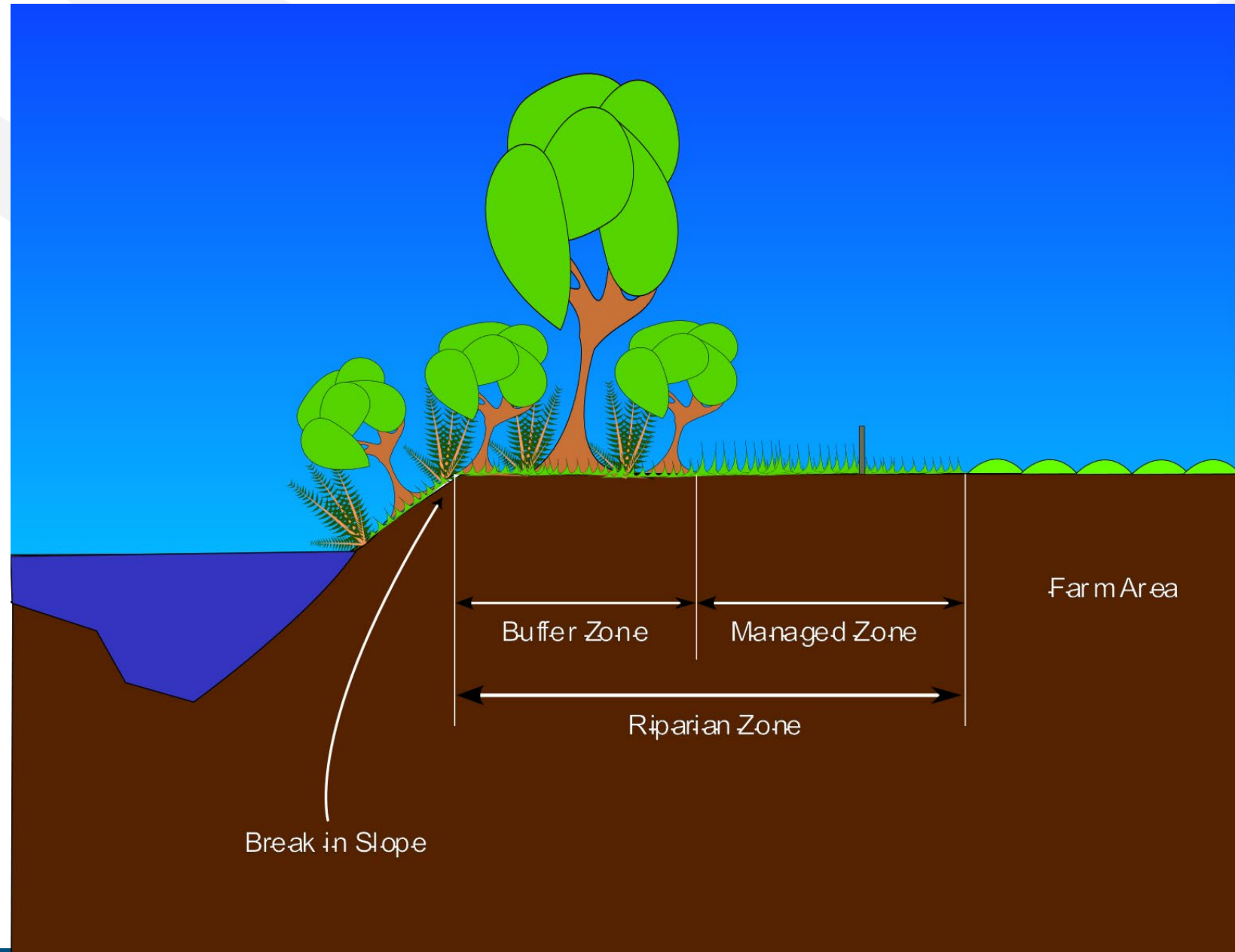
Riparian and Irrigation Considerations

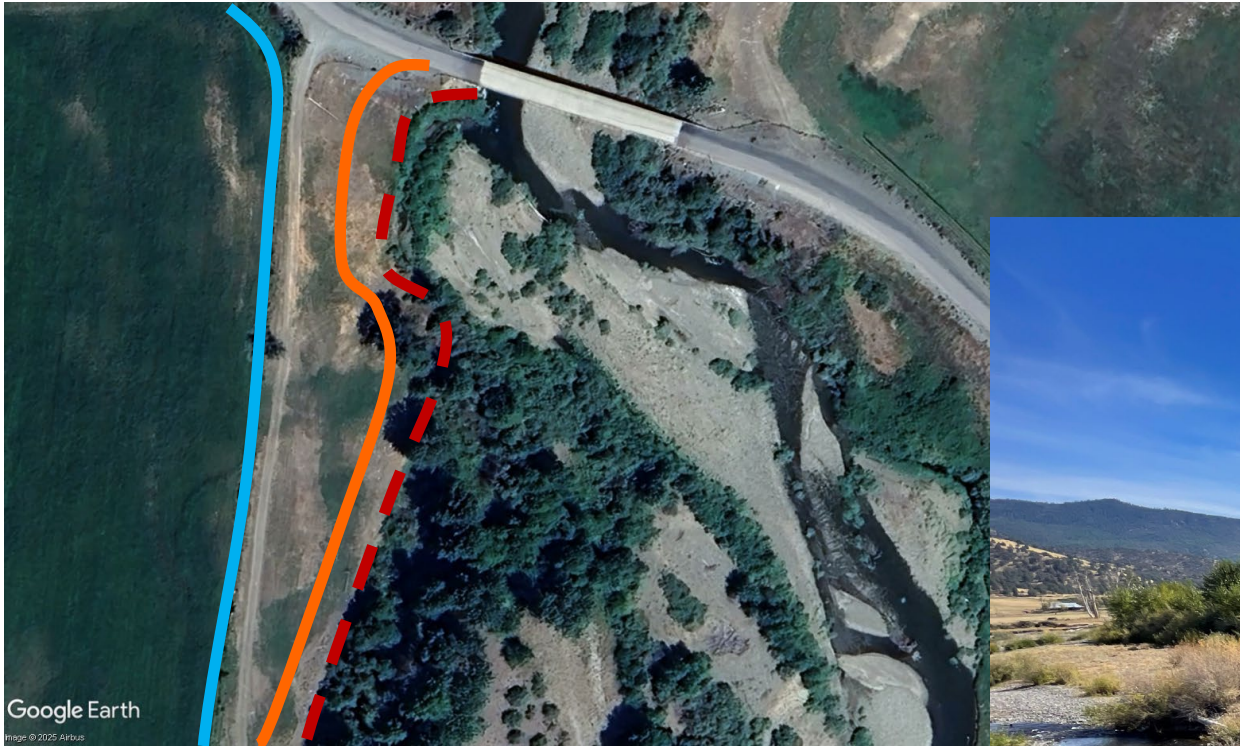


- Tailwater Discharge restrictions, unless discharge can be shown to not exceed water quality objectives
- Riparian Grazing restrictions, unless conducted under an approved plan
- Tillage within 35' of the break in slope of a water course

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)

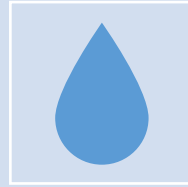




Break In Slope
Buffer Zone Extent
Riparian Zone Extent



Water Quality Monitoring



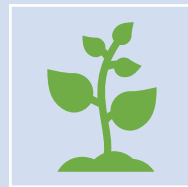
Surface Receiving Water Monitoring

Temperature, DO,
nutrients, turbidity,
indicator bacteria



Groundwater Trend Monitoring

Nitrate



Drinking Water Supply Well Monitoring

Nitrate and
Pesticides (specific
to use)

CEQA Process

Initial Study - comment period closed March 3rd
Draft Environmental Impact Report - in-progress,
expected to be released Fall 2025

Final EIR to be approved concurrent
with adoption of GWDRs



Chris Watt, Senior Engineering Geologist

Initial Study Determinations

Significant and Unavoidable Impacts indicated by asterisk and bold text.
All other less than significant or no impact.

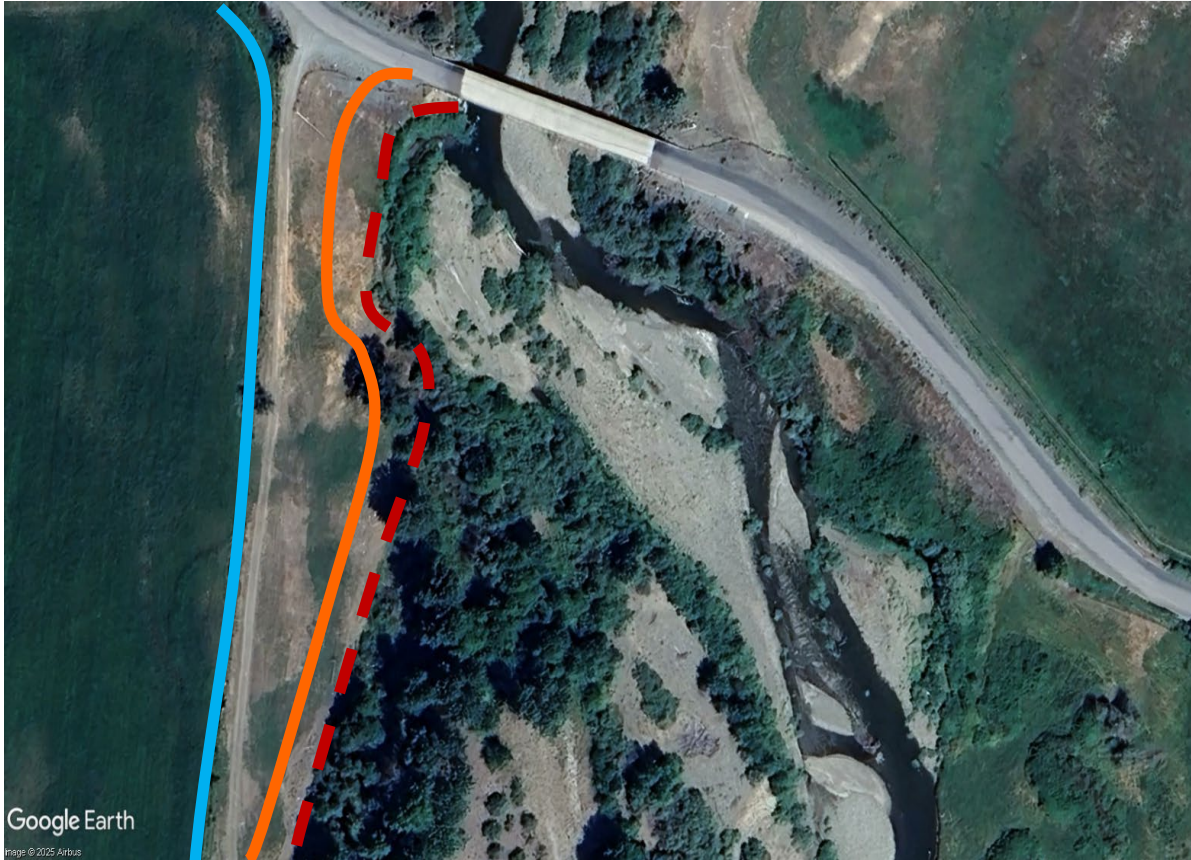
- Aesthetics
- **Agriculture and Forestry Resources***
- Air Quality
- Biological Resources
- Cultural Resources (with mitigation)
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise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

Impacts to Agriculture Resources

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 staff have determined that the Scott/Shasta Watersheds contain ~46,000 acres of 'Important Farmland'

Significant Impacts: a) direct conversion of 'Important Farmland' to non-ag use; b) a conflict with existing zoning for ag use or Williamson Act contracts; or c) changes to the environment that could result in conversion to non-ag use



Example Impacts to Agriculture Resources

Preliminary analysis suggests Riparian Zone requirements could result in conversion of up to four percent of Important Farmland* 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

*Prime, Unique, and Farmland of Statewide Importance

Impacts to Agricultural Resources

Compliance Measures for agricultural activities

- Riparian grazing prohibition
- Riparian no-till setbacks

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

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

CEQA Scoping Comments

Comment Letters (7)

- Private Citizens
- Agricultural Interests
- Environmental NGOs
- State Agencies

Comment Themes

- Baseline Conditions include emergency flow regulations, GSPs and existing BMPs
- State resource agency roles and authorities
- Tribal Consultation guidance
- Considerations for impacts to agriculture resources



Board Member Questions and Public Comment