



Fact Sheet

Draft General Order for Winery Process Water

Overview

Wine making is an important industry in the State of California that generates \$114 billion in annual economic impact. This industry employs 786,000 people nationally and 325,000 in California. The wine industry contributes a significant amount of revenue to the California economy estimated at \$57.6 billion annually through tax revenue, wages, tourism, and sales.

Wine making also generates process water with the potential to degrade groundwater quality depending on winery-specific activities, size, and treatment processes. The constituents of concern in primary winery process water that effects groundwater quality are nitrogen, salinity, and biochemical oxygen demand. The order applies statewide and includes requirements to ensure winery operations will not adversely impact water quality.

The Order

[This draft order](#) creates rules for how wastewater is processed at winery locations to avoid groundwater and surface water impacts. Water Code Section 13260 requires a person discharging waste to submit a report of waste discharge to the Regional Water Quality Control Board (regional water board) and pay an annual fee. Water Code Section 13263 requires the prescription of waste discharge requirements, which may be in the form of general waste discharge requirements for a category of discharges if the State Water Board or the regional water board determines that the discharges involve similar operations, types of waste, treatment standards, and the discharges are more appropriately regulated under general discharge requirements than individual.

This order has been developed to streamline statewide permitting of winery process water discharges to land, to achieve statewide consistency, and to allow regional water boards to focus their resources on developing orders for higher risk activities. The order provides protection of groundwater quality while considering the cost of compliance by providing wineries flexibility in selecting compliance methods that best fit their site-specific situation and tiers the compliance requirements to the winery size and associated threat to water quality.

Who Will Be Affected?

The Wine Institute estimates 2,070 of the 3,612 bonded wineries in California will be subject to the order. There are only about 540 wineries or 15 percent currently permitted



by the Water Boards. Staff estimates that many of the unpermitted wineries will have an upfront cost to update treatment systems and commence monitoring to comply with this order. The order creates a statewide fee policy which may change fees currently paid by wineries and may result in some wineries paying a statewide fee and a local agency oversight fee (e.g. if located in Napa County).

Outreach

Staff released an [administrative draft order in February 2019](#) and held five workshops statewide in Hopland, Lodi, Napa, San Luis Obispo, and Temecula and has meet with the regional water boards, Wine Institute, Los Angeles and Russian River keepers and consulted with the California Department of Food and Agriculture.

Staff considered feedback from the regional water boards and the above stakeholders on the administrative draft of the order and developed a new draft currently scheduled to be released for public comment on July 3, 2020 for a 30-day public comment ending on August 5, 2020. The Board will hold a virtual public workshop on July 22 and accept written comments until August 5. A high level of stakeholder interest is expected.

Tribal Consultation: The State Water Board completed tribal consultations in compliance with Assembly Bill 52 and consulted with the Buena Vista Rancheria of Mi-Wuk Indian Tribe, Rincon Band of Luiseno Indian Tribe, and the Wilton Rancheria Tribe. The Wilton Rancheria Tribe and the Rincon Band of Luiseno Indian Tribe provided comments on mitigation measures. The order includes a new attachment including mitigation measures protective of Tribal Cultural Resources.

Current Schedule

Release for public comment: July 3, 2020

Board Workshop: July 22, 2020 (virtual)

Public comment period closes: August 5, 2020

Board Adoption Meeting: November 17, 2020

(This Fact Sheet was last updated on July 2, 2020)