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JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## San Francisco Bay Regional Water Quality Control Board

November 16, 2020

Ms. Tawny Tesconi  
Sonoma County Farm Bureau  
3589 Westwind Boulevard  
Santa Rosa, CA 95403

Mr. Ryan Klobas, CEO  
Napa County Farm Bureau  
811 Jefferson Street  
Napa, CA 94559

**Subject: Approval of the Group Water Quality Plan Submitted to Satisfy the Requirements of the General Permit for Vineyard Properties (Order R2-2017-0033)**

Dear Ms. Tesconi and Mr. Klobas:

I am writing to approve the Group Water Quality Monitoring Plan (Group Plan) submitted by your organizations to satisfy monitoring required by Order No. R2-2017-0033, the General Permit for Vineyard Properties (General Permit). Below find background information and details of this approval.

### Water Quality Monitoring Requirements

Except for properties that qualify for Tier 1 (Stewardship Tier<sup>1</sup>), the General Permit requires owners of all other vineyard properties to conduct water quality monitoring to:

1. Quantify fine sediment deposition in streambeds of channel reaches that provide spawning habitat for steelhead and/or salmon (Streambed Monitoring); and
2. Evaluate the effectiveness of best management practices in controlling land--use related sediment discharges to channels (BMP Effectiveness Monitoring).

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<sup>1</sup> A vineyard property qualifies for enrollment under Tier 1, if its farm plan has been verified, and has been fully implemented to achieve all applicable performance standards.

JIM MCGRATH, CHAIR | MICHAEL MONTGOMERY, EXECUTIVE OFFICER

The General Permit further specifies three types of BMP effectiveness monitoring related to:

1. Percent ground cover in Farm Areas<sup>2</sup> to evaluate the effectiveness of this conservation practice as related to estimated soil erosion rates;
2. Field surveys of unpaved roads located on hillslope vineyard properties<sup>3</sup> to document the effectiveness of BMPs implemented to control sediment discharges to channels; and
3. Field surveys at/near points of discharge from hillslope vineyards to evaluate the effectiveness of BMPs implemented to control gully erosion, and/or down-cutting or head-cutting of headwater channels (Bed and Bank Erosion).

The monitoring requirements can be satisfied individually on a property-specific basis, or through participation in a group monitoring program, where a representative sample of properties are monitored. Under either option, the General Permit specifies that:

1. The water quality monitoring plan was due in July 2020 to the Executive Officer for review and approval; and
2. A Report that presents and analyzes monitoring results must be submitted by July 2023 to the Executive Officer for review and approval.

## **The Group Plan**

The Farm Bureaus worked closely with the Napa County and Sonoma Resource Conservation Districts, the Wine Institute, and Pacific Watershed Associates to prepare a Group Plan. Water Board staff provided regular input at meetings of the Natural Resources Committee of the Napa County Farm Bureau to facilitate submittal of a plan that would be acceptable for approval. The Group Plan was submitted as required in July 2020, on behalf of 1,370 participating vineyard properties<sup>4</sup>, and as required includes a schedule for conducting the monitoring program and for submittal of a monitoring report in July 2023. The Group Plan includes:

1. Streambed monitoring in the Napa River and Sonoma Creek watersheds; and
2. BMP effectiveness monitoring related to application of cover crops in vineyards, and implementation of BMPs to control sediment discharge from unpaved roads.

Based on prior consultation with Water Board staff, the Group Plan does not include BMP effectiveness monitoring related to Bed and Bank Erosion. Instead, it lists and describes six widely cited publications regarding the use of soil bioengineering techniques to effectively control sediment discharge from gullies, shallow landslides, and/or eroding headwater channels, which can be relied on to guide design, construction, and maintenance of BMPs that are effective in the control of sediment discharge. Water Board staff have reviewed the publications cited in the Group Plan and concur that it is not necessary to include this type of BMP effectiveness monitoring in the Group Plan. The publications cited provide detailed guidance

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<sup>2</sup> The "Farm Area" includes all vineyard blocks, lanes, and avenues.

<sup>3</sup> A "Hillslope Vineyard" is defined by grapes planted on an average slope greater than 5 percent.

<sup>4</sup> We estimate that there are fewer than 40 enrolled vineyard properties that are subject to streambed and BMP effectiveness monitoring requirements that did not elect to participate in the Group Plan.

that can be used to facilitate effective control of sediment discharge from Bed and Bank Erosion.

## **Expected Duration of the Monitoring Program**

Attachment E of the General Permit (Monitoring and Reporting Requirements) does not specify a duration for required streambed and BMP effectiveness monitoring. To support long-term planning and resource allocation, it's useful now to establish our expectations regarding the likely duration of monitoring.

I find it acceptable to discontinue BMP effectiveness monitoring following approval of the monitoring report (as described below), based on the following rationale:

1. The field surveys of unpaved roads will be retrospective, examining the effectiveness of BMPs that have experienced one-or-more very wet water years (e.g., 1998, 2006, and/or 2017) and/or one-or-more extreme storms (e.g., New Year's Eve 2005 with recurrence interval of 25 years-or-more) to infer performance based on current condition of the roads, and/or evidence of erosion and sediment discharge. This approach provides a defensible basis for inferring BMP effectiveness under extreme conditions and over the long-term including recommendations as appropriate to refine guidance on BMP design, construction, and maintenance.
2. The effectiveness of cover crops, as related to achieving General Permit performance standards for soil erosion in farm areas, will be inferred from application of the Water Erosion Prediction Project (WEPP) model validated at the watershed and property scales based on comparison to the results of a field study conducted in the Napa River watershed. This BMP study will be completed by January 2021, and interim results show a good correlation between the WEPP model and field experiment results. Additional monitoring and/or modeling is not required to infer necessary cover in a given vineyard based on soil type, annual rainfall, and slope as needed to attain the performance standard for soil erosion.

Streambed monitoring may be discontinued in the summer of 2028 (or sooner, provided monitoring demonstrates attainment of water quality objectives for sediment), based on the following rationale:

1. 80 percent-or-more of properties attain applicable performance standards for sediment discharge<sup>5</sup> by July 2028 or sooner.
2. If so, our agency could find that effective BMPs for sediment control are in-place at most vineyard properties, and under those conditions the overall effect of vineyard properties on fine sediment deposition at spawning sites would be difficult to distinguish from

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<sup>5</sup>Determined by review of several types of information including, for example, annual compliance reports submitted by property managers, Water Board staff inspections of properties, and Farm Plan verifications for Tier 1 properties that must be completed once every five years.

natural background. Therefore, the requirement for vineyard properties to conduct streambed monitoring could be discontinued.

## **Impacts of the Hennessey and Glass Fires**

Within the Napa River and Sonoma Creek watersheds between mid-August and late October 2020, the Hennessey and Glass fires burned almost 100,000 acres and destroyed several hundred homes. The fires also contributed to an estimated 50 percent-or-greater reduction in the total grape harvest in the Napa and Sonoma valleys (Wine Spectator, October 8, 2020; National Geographic, October 9, 2020). The direct and indirect impacts of these wildfires occurring in concert with the COVID-19 pandemic has resulted in significant economic impacts within the region.

Considering all of these impacts, you have requested that the deadline for submittal of the Monitoring Report be extended by six months to January 2024, which would delay the start of the monitoring program by one-year (to begin in the winter of 2021-2022), allowing the initial assessment of monitoring fees to be delayed by one year, precluding this expense in the coming year.

## **Details of Approval of the Group Plan**

I hereby approve the Group Plan including to waive the requirement to conduct BMP effectiveness monitoring related to bed and bank erosion, and to provide an extension of the deadline for submittal of the Monitoring Report by six months to January 2024.

This approval is made under the authority specified in Attachment E (Monitoring and Reporting Requirements) of the General Permit, which states that the Executive Officer may modify Attachment E as necessary and appropriate. Upon approval of the monitoring report, our agency will also specify the remaining duration of streambed monitoring, which at this time is expected to continue through 2028.

Public Notice of this approval will be provided to interested parties. Also, the Group Plan, this letter and related revisions to Attachment E will be posted on our website. If you have any questions please contact James Ponton of my staff at [james.ponton@waterboards.ca.gov](mailto:james.ponton@waterboards.ca.gov) and/or Mike Napolitano at [michael.napolitano@waterboards.ca.gov](mailto:michael.napolitano@waterboards.ca.gov). Thank you for your efforts to facilitate compliance with the General Permit.

Sincerely,

Michael Montgomery  
Executive Officer