

San Francisco Bay Regional Water Quality Control Board

General Permit for Vineyard Properties: Frequently Asked Questions about the General Permit and its Group Monitoring Program

1. Why did the Water Board adopt a water quality control permit (General Permit) that regulates vineyard properties in the Napa River and Sonoma Creek watersheds?

The Napa River and Sonoma Creek watersheds provide habitat for federally listed steelhead populations, locally rare Chinook salmon populations, and an exceptionally diverse community of native fish species. Too much sand in streambeds and channel incision - the progressive lowering of the streambed as a result of erosion - are significant threats to fisheries in these watersheds.

Based on sediment budgets completed in both watersheds, vineyard properties, including farming areas and extensive unpaved roads, have been identified as: a) significant sources of sand and finer sediment discharge to channel reaches that provides fisheries habitat; and b) significant sources of storm runoff increases that contribute to channel incision.

One-of-every six acres of land in the permit area is planted in wine grapes. Hillslope vineyard parcels also include hundreds of miles of unpaved roads. The General Permit requires actions to control sediment discharges and storm runoff increases from farms and roads, and also to control pesticide and nutrient discharges, as needed to protect and restore fisheries habitat.

2. Are all vineyards subject to the permit?

Within the Napa River and Sonoma Creek watersheds, all parcels planted to include a 5-acre-or-larger vineyard are regulated by the General Permit.

3. What does the permit require?

The primary requirements are to:

- a. Enroll in the permit and pay an annual permit fee.
- b. Develop a farm plan to protect water quality.
- c. Have that farm plan verified by a Third-Party Program (e.g., Fish Friendly Farming, Napa or Sonoma RCD, the Wine Institute).
- d. Implement the farm plan to achieve performance standards that protect water quality.
- e. Report annually on progress toward achievement of performance standards.
- f. Participate in the group water quality monitoring program.

“Tier 1” properties are exempt from requirements e. and f.

4. What is a Tier 1 property?

A “Tier 1” property has satisfied all the following requirements: a) it has completed a verified farm plan; b) all management actions identified in the farm plan have been fully implemented; and c) as applicable, it has achieved performance standards to protect stream and riparian habitats¹.

Currently, about 30 percent of enrolled properties have achieved “Tier 1” status. As such, these properties aren’t required to report annual progress or to participate in the group water quality monitoring program. The owners/operators of other vineyard properties, that are subject to the General Permit, must participate in the group water quality monitoring program being administered by the Napa and Sonoma County Farm Bureaus (see details below). Also, the owners/operators of these properties must submit an annual compliance report to the Water Board, each year, by September 15.

5. What is the Group Water Quality Monitoring Program?

The Napa and Sonoma County Farm Bureaus are administering a group water quality monitoring that will be conducted by technical staff that work at the Napa Resource Conservation District. The group water quality monitoring program will begin this winter. Administration of the group monitoring program is part of a broader compliance assistance program that the Farm Bureaus first implemented in the fall of 2019 to a) collect and submit annual permit fees to the Water Board (as needed to ensure that vineyard properties would qualify for lower permit fees), and b) develop a group water quality monitoring plan, that was due to the Water Board in July 2020.

The plan that was approved by the Water Board, specifies monitoring in representative vineyard properties and channel reaches to evaluate: a) the effectiveness of management practices implemented at vineyard properties to control erosion in farm areas and to control sediment discharge from unpaved roads; and b) to measure the amount of fine sediment (sand) in the streambed in channel reaches that provide habitat for steelhead and/or salmon.

There are approximately 1400 properties enrolled in the General Permit. All but about 20 have joined a Farm Bureau compliance assistance group². Since the water quality monitoring program is starting this fall, the Farm Bureaus also will be charging (for the first time) a water-quality monitoring fee to owners of properties that are designated as Tier 2 properties³. Tier 1 properties will not be charged a monitoring fee because these properties are exempt from this requirement of the General Permit.

¹ This performance standard is applicable (required for Tier 1 status) in valley floor settings where the vineyard property abuts or includes a channel that provide habitat for fish.

² The 20 properties not in the Farm Bureau compliance assistance groups have elected to pay a higher permit fee, which they submit directly to the Water Board. They also are exempt from the water quality monitoring requirement because they are Tier 1 properties.

³ Tier 2 properties have completed a verified farm plan, however: a) some water quality protection actions specified in the farm plan have not been implemented yet; and/or b) the performance standard for stream and riparian habitat is applicable and has not been achieved.

6. How much will it cost?

The monitoring fee is expected to be \$10 per acre. The Farm Bureaus will charge this fee to Tier 2 properties (Tier 1 properties are exempt) for the first time in November of this year. The fee was established at \$10 per acre to cover the total estimated expense of conducting the monitoring program during its first eighteen months, and then dividing that expense by total acreage now designated as Tier 2. The Farm Bureaus expect to reduce the monitoring fee to approximately \$5/acre in the fall of 2022, and approximately \$1/acre in the fall of 2023 because the scope of work decreases through time. Please note that the monitoring fee is in addition to other fees that the Farm Bureaus are currently charging.

7. What properties and channel reaches will be monitored?

Monitoring will occur at a small subset of the properties participating in the group program. As described above, there are two components of the monitoring program: 1) measuring the amount of sand in the streambed in channel reaches that provide habitat for steelhead and/or salmon; and 2) evaluating effectiveness of management practices implemented to control sediment discharge and storm runoff generated from unpaved roads.

Data collection to measure the amount of sand in the streambed is expected to occur in fifty-two channel reaches: thirty-two in the Napa River watershed, and twenty in the Sonoma Creek watershed. The Napa RCD already has obtained permissions for access at all the site in the Napa River watershed. This winter and spring, the RCD will be working to obtain permissions for access to representative channel reaches in the Sonoma Creek watershed. Also, please note that the Napa County and Sonoma RCDs already have identified unpaved roads previously treated to control sediment discharge, where the road-related monitoring is expected to occur. The RCDs have ongoing relationships with these landowners. Most road-related monitoring is expected to occur at these properties.

8. Some of my vineyard blocks are fallow (not currently planted). Are these acres counted in assessing the fee?

The monitoring fee applies only to the planted vineyard blocks. Specifically, areas defined by the perimeters of planted blocks on parcels enrolled in the permit.

9. Other questions about group monitoring or other requirements of the General Permit?

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