



North Coast Regional Water Quality Control Board

Regional Water Quality Control Board North Coast Region Staff Summary Report October 1-2, 2026

ITEM: 6

SUBJECT:

Workshop on Draft General Waste Discharge Requirements for Agricultural Activities/ Irrigated Lands in the Scott River and Shasta River Watersheds and associated Draft Environmental Impact Report (Eli Scott and Chris Watt)

BOARD ACTION:

This is a public workshop; no action will be taken by the Board.

BACKGROUND:

The North Coast Water Board has been regulating agricultural discharges through a series of Conditional Waivers of Waste Discharge Requirements (Waivers) that have become iteratively more rigorous over the past 20 years. These Waivers iterated from voluntary stewardship-based management to more rigorous management measures to address temperature, sediment, and dissolved oxygen impacts under approved Total Maximum Daily Loads (TMDLs). Actions taken to date have shown good progress, however, that progress has not been widespread.

The 2018 versions of the Scott River and Shasta River TMDL Waivers (2018 Waivers) recognized the need for a future permitting program more consistent with the Statewide Irrigated Lands Regulatory Program (ILRP), through a tiered permitting structure based on past compliance and current threats to water quality. These Draft General Waste Discharge Requirements (Draft Order), which are the subject of this public workshop, are being developed to replace the 2018 Waivers as the updated permitting program.

DISCUSSION:

The Draft Order establishes a comprehensive regulatory framework for owners/operators of 25 or more acres of irrigated agricultural lands (Irrigated Lands) in the Scott and Shasta River watersheds. It is designed to control waste discharges, prevent adverse impacts to water resources from waste discharges and other controllable factors, and protect beneficial uses, consistent with the Water Quality Control Plan for the North Coast Region (Basin Plan) and TMDLs.

Key Provisions Include:

- Enrollment, implementation, and reporting of management practices, adaptive management, surface water and groundwater monitoring, nitrogen reporting, and includes the option for enrollees to use third-party programs to assist with compliance. The Draft Order utilizes an adaptive management framework by requiring progressive on-farm management practices in response to results from water quality monitoring.
- Prohibition of discharges that degrade water quality or beneficial uses and prohibition of tillage within designated 35-foot Riparian Vegetation Areas.
- Defined Streamside Areas based on stream types (with perennial, intermittent, and ephemeral streams having 100, 60, and 35 feet, respectively) to prevent sediment, nutrient, and pesticide runoff.
- Tailwater discharge rules requiring cessation or planning and controls to meet water quality benchmarks within an eight-year timeline.
- Specific management requirements for stream crossings, agricultural roads, and infrastructure to minimize pollutant runoff.
- A Stewardship Category for owners/operators who have already achieved the environmental outcomes the Draft Order is designed to produce, exempting them from enrollment and intensive monitoring.
- Options for third-party Coalitions to support enrollment, fee collection, outreach, technical assistance, and monitoring/reporting.
- Use of water quality benchmarks in tailwater tied to TMDL load allocations and water quality objectives for temperature and nutrients to guide compliance and trigger adaptive management.

MONITORING AND REPORTING FRAMEWORK:

- Enrollment and implementation of adaptive management practices informed by water quality data.

- On-farm evaluations, site-specific source assessment, riparian and erosion controls, tailwater monitoring, groundwater trend monitoring, and drinking water well sampling to identify where management measures are insufficient and where additional actions are necessary.
- Surface and groundwater monitoring, including nutrients and temperature benchmarks.

The Draft Order contemplates multiple compliance pathways to accommodate variations in site characteristics and operations, and a Stewardship Category that recognizes exceptional water quality protection performance by excluding qualifying operations from the requirement to enroll.

TRIBAL CONSULTATION AND PUBLIC ENGAGEMENT

In December 2024, staff contacted Native American Tribes under AB 52 and others potentially affected to offer consultation. Of the six AB 52 Tribes contacted, no tribes responded in writing to the notice. North Coast Water Board attempted to make appointments with tribal staff to discuss the Order within their tribal jurisdictions. Staff met two tribes in-person to discuss the project and staff is planning to conduct listening sessions in down-river communities during the public comment period.

Public outreach since 2025 includes:

- Notice of Preparation and CEQA scoping with a 30-day comment window and a hybrid public meeting (February 2025)
- A Technical Advisory Group with 34 representatives from agriculture, tribes, environmental interests, technical service providers, and agencies meeting bi-monthly (February 2025 – March 2026)
- Board updates (May and October 2025), field trips, a Siskiyou County Board of Supervisor presentation, town halls with over 150 participants, and multiple farm tours to gather interested party input.

The release of the Draft Order constitutes the next step in public engagement for this project. Staff plans to continue engaging with interested persons until we bring a proposed order for Board consideration.

STATEWIDE REGULATORY CONTEXT

This Draft Order is consistent with the State Water Board's Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program (Nonpoint Source Policy). It aligns with the statewide Irrigated Lands Regulatory Program and incorporates precedential elements from the East San Joaquin Order, tailored for local watershed conditions. The order acknowledges that the regulated areas are not

designated as high-vulnerability groundwater zones, thus excluding certain high-vulnerability-specific requirements but requiring nitrogen reporting to monitor trends.

CEQA ENVIRONMENTAL IMPACT ANALYSIS

Staff prepared an Initial Study and Draft Environmental Impact Report (DEIR) to evaluate potential environmental effects of this Draft Order at a programmatic level. Most impact categories were found to have no or less-than-significant impacts with mitigation, including biological, cultural, and tribal cultural resources.

The principal significant impact identified relates to Agricultural Resources due to the prohibition of tillage within Riparian Vegetation Areas. This could convert approximately 1,720 acres (under 4% of the total Important Farmland in the watersheds) to a potentially non-agricultural use (riparian vegetation) and potentially conflicting with zoning and Williamson Act contracts. No feasible alternative was identified to fully achieve Draft Order objectives while avoiding this impact.

Mitigation measures are primarily integrated into the Order's requirements, including reporting in annual compliance documentation.

PUBLIC REVIEW OF DOCUMENTS

The Regional Water Board has completed a Draft Environmental Impact Report (EIR) that analyzes potential impacts of the Draft Order and invites public comment on the draft documents. The public is encouraged to provide comments on the Draft EIR and the Draft Order during the 60-day public comment period which will end at 5:00pm on November 16, 2026, or during the Public Workshop to be held October 1, 2026.

For instructions on how to view and comment on the Draft Order and the Draft EIR, visit the <https://www.waterboards.ca.gov/northcoast> and look under "Announcements".

Staff requests that comments on the Draft Order be submitted with the subject line "Comments on Draft Scott and Shasta Order," and any comments on the supporting Draft EIR be submitted separately with the subject line "Comments on Draft EIR for the Scott and Shasta". Staff will provide responses to all written comments submitted. The North Coast Water Board is currently scheduled to consider adoption of a Proposed Scott and Shasta Order and certification of a Final EIR at a public hearing in the 2027/2028 Fiscal Year.

RECOMMENDATION:

Not Applicable.

SUPPORTING DOCUMENTS:

1. Draft GWDRs for Irrigated Lands in the Scott River and Shasta River Watersheds

- Attachment A: Monitoring and Reporting Program
 - Attachment B: Supplemental Findings
 - Attachment C: Coalition Requirements
 - Attachment D: Stewardship Category Requirements
 - Attachment E: Tailwater Practice Menu
 - Attachment F: CEQA Mitigation Measures
 - Attachment G: Templates
 - Attachment H: Acronyms and Definitions
2. Draft Environmental Impact Report for GWDRs for Irrigated Lands in the Scott River and Shasta River Watersheds
 - DEIR Attachment A: Draft Order
 - DEIR Attachments B-E
 3. Public Notice