

Vineyard WDR

We are concerned about the usual process things - including clear, actionable and timely feedback loops. I believe the coalition drafted workplans are supposed to include some triggers/milestones, but it is not clear how efficient and timely those are. Likewise, there are concerns about how the Third Party reporting of multiple properties can provide site specific incidents in a timely way so mitigations can be effective.

There is currently a dearth of information around how/what the RWB/EO will be looking at when reviewing and approving program plans, i.e. how plans will be standardized to ensure program goals are met.

Some attention has also been given by the TAC regarding how temperature goals will be met. There aren't any quantified goals included, as well as scientifically preferred setbacks, and/or canopies for shade. This is problematic given both the Navarro and Russian watersheds are listed as impaired for temperature (Clean Water Act 303(d)f).

3 Main Issues

1. The current proposal creates a winterization period of December 15-April 1 of each year.¹ This is not sufficient to protect water quality, does not account for climate change or the ever-more-common atmospheric river that we have seen as early as October, and will allow for potentially significant discharges into our waterways without sufficient controls in place. There does not appear to be any scientific basis for the use of the proposed winterization period.
 - Requirements under this proposed order are not clear when it comes to the relationship between the winterization and actions required at a Qualifying Storm Event.
2. The current proposal has inefficient monitoring and reporting requirements because it fails to capture all discharges coming off a vineyard parcel and entering impaired waterways. Specifically, any discharges that result in sheetflow off a vineyard parcel will not be monitored and subsequently managed for via improved Management Practices and adaptive management despite significant known potential for pollutant laden discharge. As a result of this, enrollees, the Regional Water Board, and the public cannot possibly know that this Order will protect water quality objectives and beneficial uses will be met in a timely manner as this Order allows continued input of unknown quantity with no corrective actions.² Nor are there effective feedback loops in place because a significant portion of vineyard discharges won't be accounted for. Thus, vineyards should be required to monitor discharge flows other than agricultural discharge structures and implement adaptive management practices designed to reduce pollutant laden discharges so that water quality objectives and beneficial uses will be met.
3. The use of 50% groundcover requirements is inefficient to mitigate, minimize, and/or prohibit erosion and sediment laden discharges from entering our impaired waterways.³

¹ See Item 7, pg. 47 of Proposed R1-2024-0056. See Item 28, pg. 54 of Proposed R1-2024-0056.

² See Non-Point Source Policy Key Element 4, pg. 19-20 of Proposed R1-2024-0056.

³ See Table 5, pg. 47 of Proposed R1-2024-0056.

- This is for a few reasons: 1. "groundcover" is currently defined very broadly to anything that comes into contact with the soil surface, even things like straw that will float away and manure that will only add to the existing water quality impairments;⁴ 2. Not all "groundcover" is deep-rooted covercrop, even though all covercrops are groundcover and as such, the known benefits of covercrops cannot be reasonably expected of all identified groundcover types; 3. there is no scientific basis or support that demonstrates how only 50% groundcover will protect water quality, reduce sediment movement, or that beneficial uses will be met as a result of this requirement; and 4. the success of a groundcover is strongly dependent on other management practices being used on site when it is not 90-100% permanent covercrop being available of (e.g., till vs no till) and the current proposal does not address this intersection of management practices.
- For example, if a vineyard heavily tills, vehicles are allowed into fields after a rain (even outside of a winterization period), and non-rooting groundcover is used, then 50% groundcover has little to no likelihood of keeping sediment on site, even on flat vineyards per numerous in-field observations. (See attached image.) While adaptive management requirements may help address this scenario, the timeline to do so is multiple years of monitoring and temporary fixes.
- In-field observations show that rooted cover crop provides the best chance of holding sediment in place. Not broadly defined groundcover.



Image 1: This picture was taken in the most recent storm event November 21, 2024 and is of a vineyard with less than 10% slope. Per the Proposed Order, this vineyard would need a minimum of 50% groundcover by December 15 to address sediment discharges and linear sediment controls prior to a Qualifying Storm Event when ground cover minimums are not yet met. Looking at this particular instance, the 50% groundcover minimum appears to be about met and thus, no linear sediment controls required even though they would be more protective of water quality.

⁴ See Definitions, pg. 77-78 of Proposed R1-2024-0056.