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April 10, 2025

Mr. Greg Guisti, Vice Chair
North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403
Email: NorthCoast@waterboards.ca.gov

RE: Concerns Related to Proposed Order No. R1-2024-0056
(General WDRs for Commercial Vineyards in the North Coast Region)

Vice-Chair Guisti,

My constituents are commending your staff for their outreach efforts associated with the proposed Vineyard Order. Reports are that Regional Board staff met with several landowners and then applied the information gleaned from those meeting to improve the proposed order. The overall response from the farming community is appreciation that the staff listened and adjusted the Vineyard Order appropriately.

However, there remains strong concerns in the community, and in my office, over turbidity monitoring. The task of turbidity monitoring will likely fall onto vineyard employees and not the landowners. And, most likely, the designated employees will venture out on their own, often in remote areas with poor cell reception. Accessing a drainage structure to grab a water sample will require traversing uneven and slippery terrain.

I would like to understand why the Regional Board is creating a regulatory function that puts so many agricultural workers at risk. If you are not aware, please know that there were two fatalities among Sonoma County employees in February 2025. Both deaths were storm related. Thus, I am alarmed that the Regional Board is mandating storm related work.

The Vineyard Order presents turbidity measurements as one of three paths for vineyards with agricultural drainage structures. However, one of those three options – the 100% no-

till path - is not achievable on many properties[1]. And, the other option - the certified soil erosion and control plan (SECP) - is too expensive for many farmers at this time. Landowners expect to pay $10,000 for properties up to 10 acres, and at least twice that for larger and/or more complicated farms. So, the idea that there are options to turbidity monitoring is a head fake.

If the proposed Order's goal is to ensure that proven management practices – such as filter strips and water bars - are properly implemented, then rely on photo point monitoring. Photo monitoring is specifically mentioned in the Nonpoint Source (NPS) Policy as an acceptable feedback mechanism. And, the 5C Roads Manual allows photo monitoring with reasonable standards.[2] The proposed Vineyard order limits photo monitoring to properties with a certified SCEP or 90% planted/rooted groundcover.

Regional Board staff may have concerns about the quality and usefulness of photos for proving that management practices are implemented properly. However, there are similar concerns with turbidity measurements. If the vineyard workers take edge-of-field measurements, will that data be considered useful and believable? Even if the vineyards maintain and produce calibration records? Or, after enough complaints, will the samples be required to go to an analytical laboratory at more cost (lab fees, mileage, time away from vineyard)?

Finally, the Proposed Order makes several findings about sedimentation from vineyards in the Russian River Watershed, but does not provide evidence that ties vineyard activity to existing impairments. An estimate of vineyard contribution to sediment impairments is found in the Technical Support Document for the TMDL in the Navarro Watershed. That analysis assumes a sediment yield rate from vineyards at 5 tons/acre/year by assuming that the average rate of soil loss is 10 tons/acre/year and approximately 50% of eroded soils reach the stream network. The analysis recognizes the uncertainty of the estimate and assumes it to slightly overestimate the true delivery rate. Using that yield rate vineyards contribute 5% human-caused sediment in the overall watershed, but 17% in the Anderson Sub-Watershed and 11% of the mainstem.[3]

It is surprising that in the 25 years since the Navarro Watershed documents were developed, that the staff has not spent more time validating this assumption. Rather, the burden is placed on vineyard owners. This concern is further exacerbated by looking at Russian River mainstem turbidity testing. In the charts copied below, it appears that the

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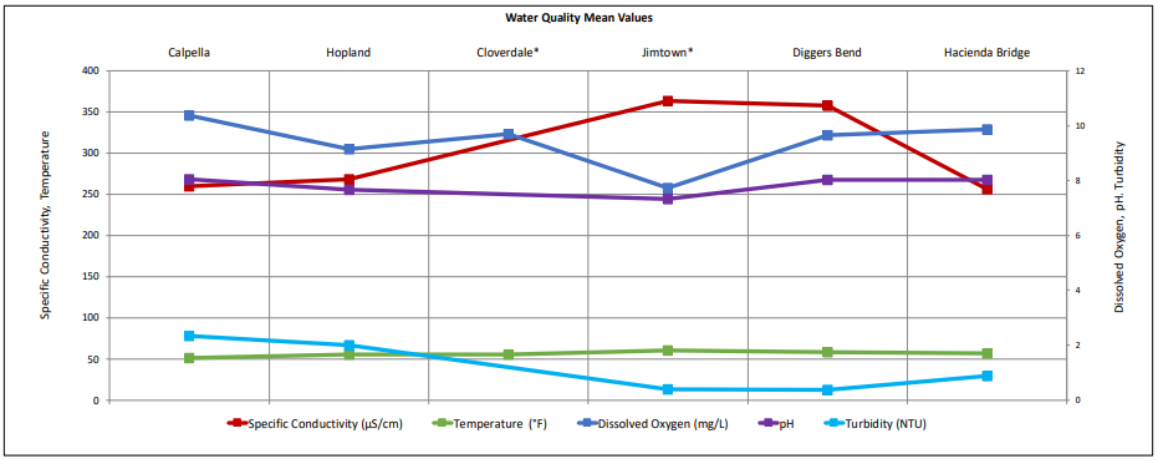
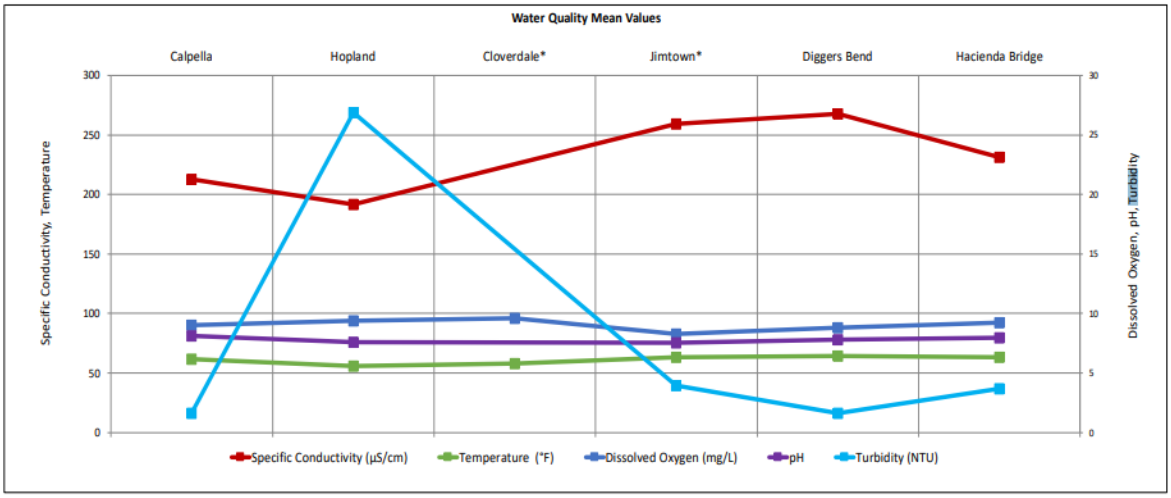
[1] In conversations, staff has indicated that they will recommend to the Board that the 90 percent rooted and planted option be replaced with a no-till option. Staff believes that these two options provide similar water quality protections.

[2] 5C Roads Manual is an approved part of the Regional Board's *Waiver of WDRs and General Water Quality Certification for Road Management and Activities Conducted Under the Five Counties Salmonid Conservation Program in the North Coast Region* and describes standard requirements for photo monitoring.

[3] https://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/navarro_river/navarrotsd.pdf page 123

sediment concentration in tributaries to the Russian River is low enough to help dilute the problems created by Lake Mendocino. And, downstream of Jimtown, the Russian River has a NTU that is lower than above Lake Mendocino. This is an area with a high density of vineyards[4].





This is by no means a scientific study, but it does need to be better explained to my constituents.

To avoid the concerns expressed above related to turbidity monitoring, please consider revising the Vineyard Order so that properties with Agricultural Drainage Structures can select from the following paths:

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[4] https://www.sonomawater.org/media/PDF/Environment/BiologicalOpinion/TUCP/2022/Russian%20River%20Water%20Quality%20Status%20Report%20110722%20Weekly.pdf and https://www.sonomawater.org/media/PDF/Environment/BiologicalOpinion/TUCP/2023/Russian%20River%20Water%20Quality%20Status%20Report%20101623%20Weekly.pdf

Enrollees shall (A) develop and implement a SECP through a voluntary program, approved by the Regional Board and (B) conduct photo-point monitoring to demonstrate that management practices are implemented correctly. This could include filter strips, grass waterways, and other recognized management practices.[5]

Enrollees shall (A) Achieve 75% planted ground covered and (B) conduct photo-point monitoring to demonstrate groundcover has been achieved

Thank you for all work on this complicated and difficult issues. I recognize it's a herculean lift, and appreciate all the effort to get the Vineyard Order this far.

Sincerely,

Lynda Hopkins
Supervisor, Fifth District

James Gore
Supervisor, Fourth District

[5] See UCANR Publication 8219 for a list of sediment control practices for vineyards. Details are in NRCS's Technical Guide for CA.