

Development of Water Quality Regulations for Commercial Agriculture in the Scott and Shasta Watersheds

Siskiyou County Board of Supervisors Meeting
Yreka, California



Eli Scott and Brenna Sullivan. January 6, 2026

Presentation Topics

- Purpose: Present current thinking on the draft order and seek feedback
- Review Past Program
- Order Development
- Public Outreach Opportunities
- Timeline

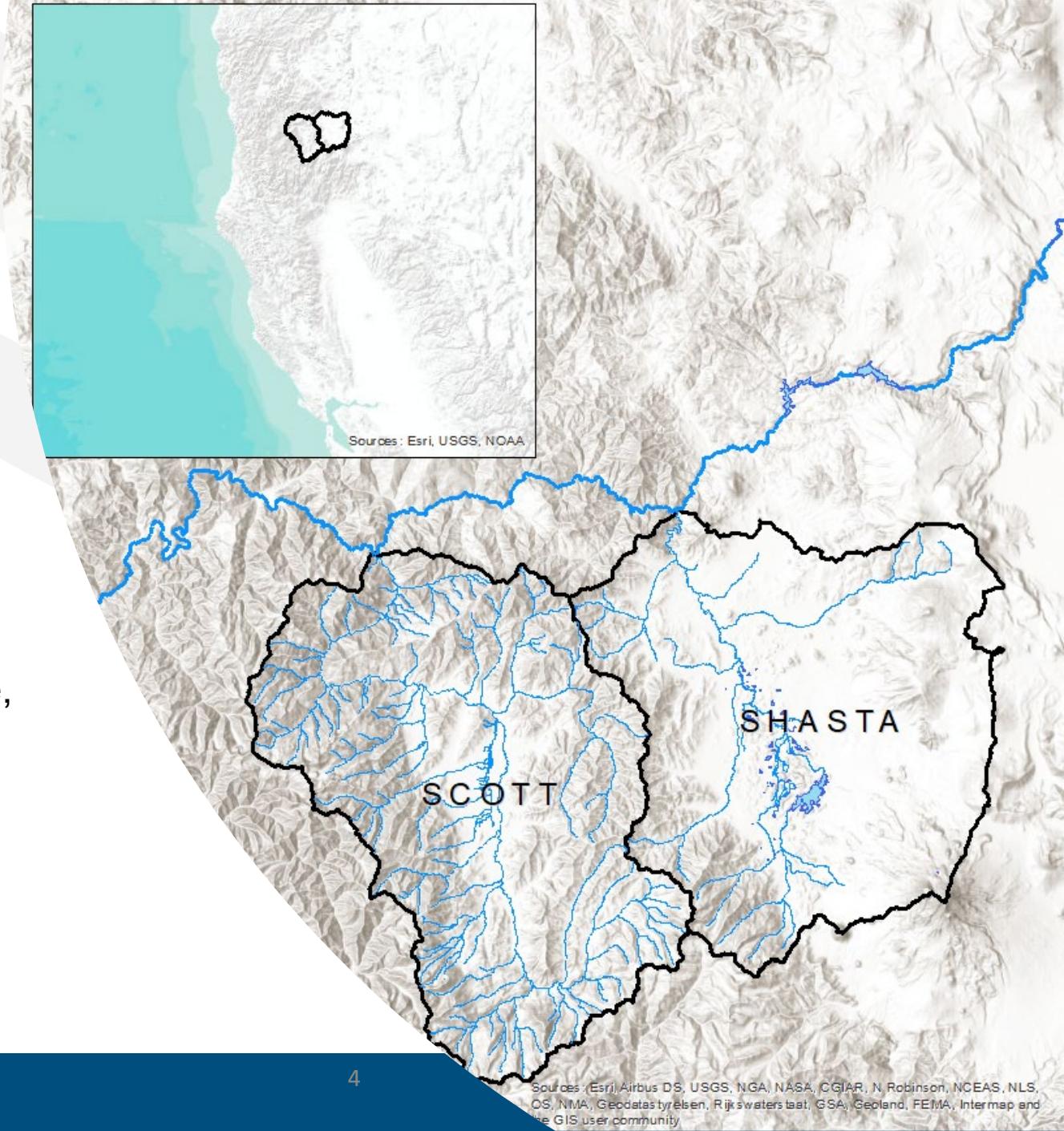


Total Maximum Daily Loads

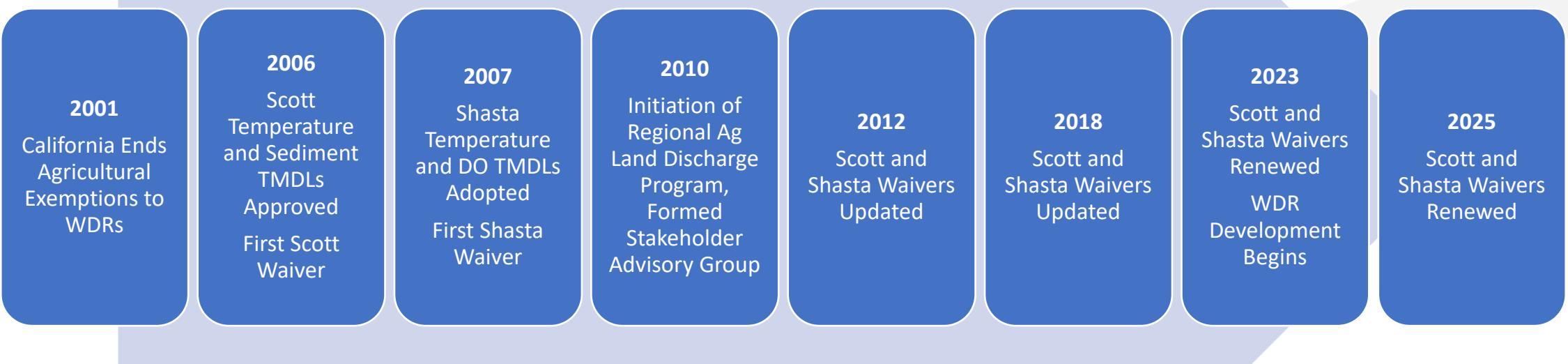
- Federal regulation under the Clean Water Act for waters found to be polluted
- Regional Water Board is required by law to develop a plan to clean those waters up
- Those responsible for pollution have the responsibility to follow that plan
- In the Scott and Shasta, these plans span 40 years following approval by the EPA

Scott and Shasta TMDL Timeline

- Scott – Federally listed as impaired for Sediment, Temperature, Biostimulatory Conditions
 - Listed as impaired for sediment in 1992
 - Listed as impaired for temperature in 1998
 - Listed as impaired for biostimulatory conditions in 2012
 - TMDLs for sediment and temperature Adopted by the Regional Water Board on December 7, 2005
 - Approved by the EPA on September 8, 2006
- Shasta – Federally listed as impaired for Temperature, Dissolved Oxygen
 - Listed as impaired for dissolved oxygen in 1992
 - Listed as impaired for temperature in 1994
 - TMDLs for dissolved oxygen and temperature adopted by the Regional Water Board on June 29, 2006
 - Approved by the EPA on January 26, 2007



Scott and Shasta Water Quality Program Timeline



TMDL Conditional Waivers: 20 years of implementation

- First adopted soon after TMDL adoption
 - Most recent iteration 2018
- Encourages voluntary actions while providing an enforceable backstop for unauthorized discharges
- Active “on the ground” approach
- Staff-driven prioritization
- No enrollment, no fees
- Highly tailored monitoring and reporting approach

California Regional Water Quality Control Board
North Coast Region

Order No. R1-2018-0019

Shasta River TMDL Conditional Waiver
of
Waste Discharge Requirements

The California Regional Water Quality Control Board, North Coast Region, (hereinafter Regional Water Board) finds that:

1. The *Action Plan for the Shasta River Temperature and Dissolved Oxygen Total Maximum Daily Loads*, hereinafter the Shasta River TMDL Action Plan or Action Plan, was adopted by the California North Coast Regional Water Quality Control Board (Regional Water Board) on June 28, 2006, (Resolution No. R1-2006-0052) and amended into the *Water Quality Control Plan for the North Coast Region* (Basin Plan) on January 26, 2007, following approval by the United States Environmental Protection Agency.¹ The Action Plan describes the implementation actions necessary to achieve the Temperature and Dissolved Oxygen TMDLs and attain water quality standards in the Shasta River watershed. Table 4-14 of the Action Plan (Attachment A of this Order) sets forth specific implementation actions required of the Regional Water Board and Dischargers² to achieve these standards.
2. The Action Plan also contains a provision conditionally waiving the requirement to file a Report of Waste Discharge (ROWD) and obtain Waste Discharge Requirements (WDR), pursuant to Water Code section 13269, for Dischargers that choose to

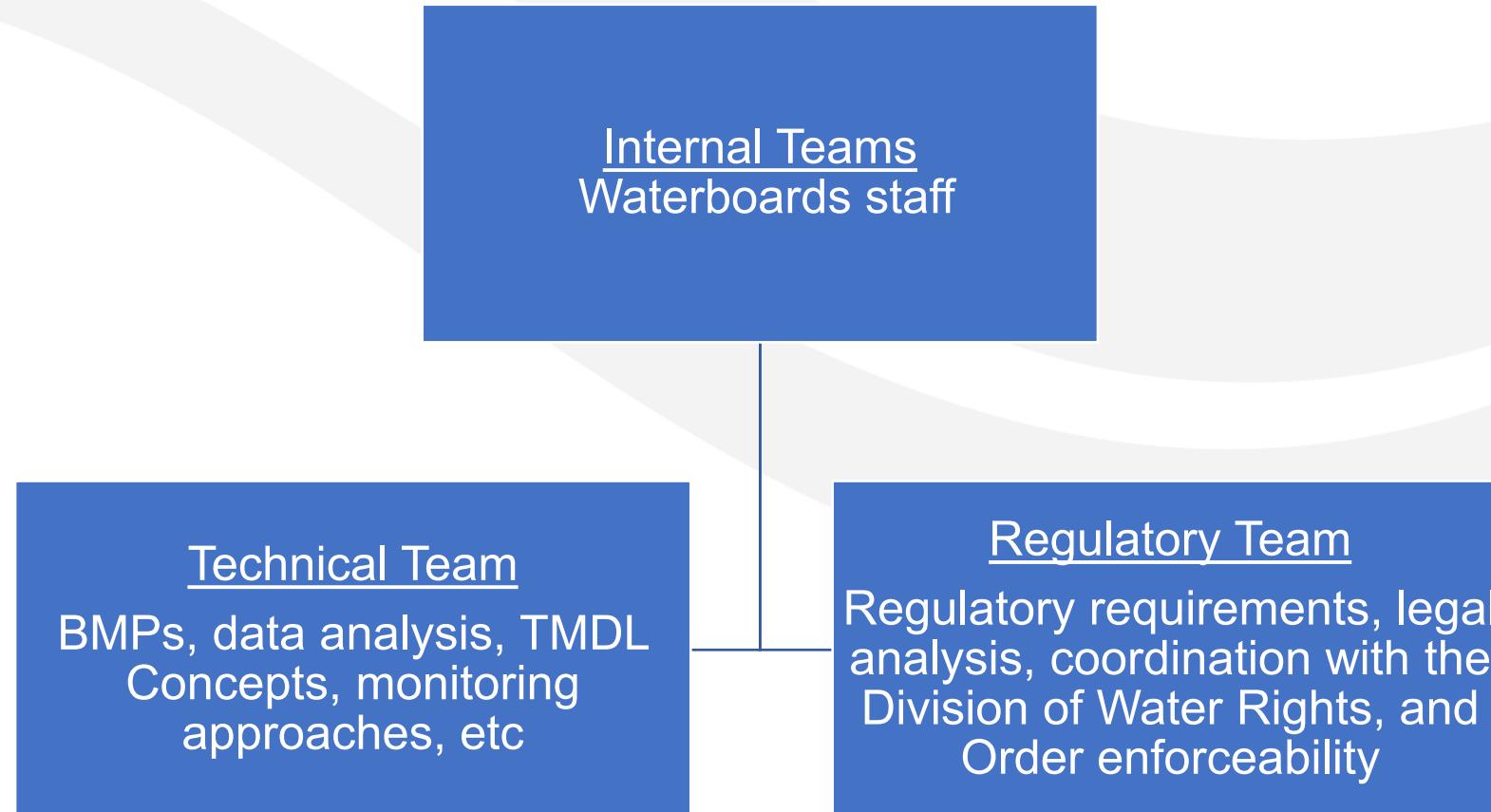
Reason for Revising Waivers to GWDR

- Waiver served as an introduction to water quality
- 2018 Waiver described development of a GWDR
- 2018 Waiver was petitioned, challenging compliance with statewide policies and precedents
- Ensures compliance with statewide precedents and Irrigated Lands Regulatory Program
- More efficient and comprehensive implementation
- Framework for watershed-scale monitoring and reporting through Coalitions

Order Development



Eli Scott, Senior Environmental Scientist



Met monthly beginning in Fall of 2023 through Spring of 2025 to develop initial core regulatory and technical concepts

External Process

December 12, 2024 – Tribal Consultation
Correspondence Transmitted

January 2025 – Informal Face-to-Face Tribal
Outreach

February 2025 – Public EIR Scoping Per
CEQA

February 27, 2025 – Technical Advisory Group
Convened

External Process

Technical Advisory Group

Ag Producers

Tribes

Irrigators

Farm Bureau

Siskiyou
County Staff

Environmental
Groups

Restoration
Practitioners

Technical
Consultants

CDFW

Division of
Water Rights

Working Details and Concepts



Eli Scott, Senior Environmental Scientist

Conceptual Enrollment Requirements

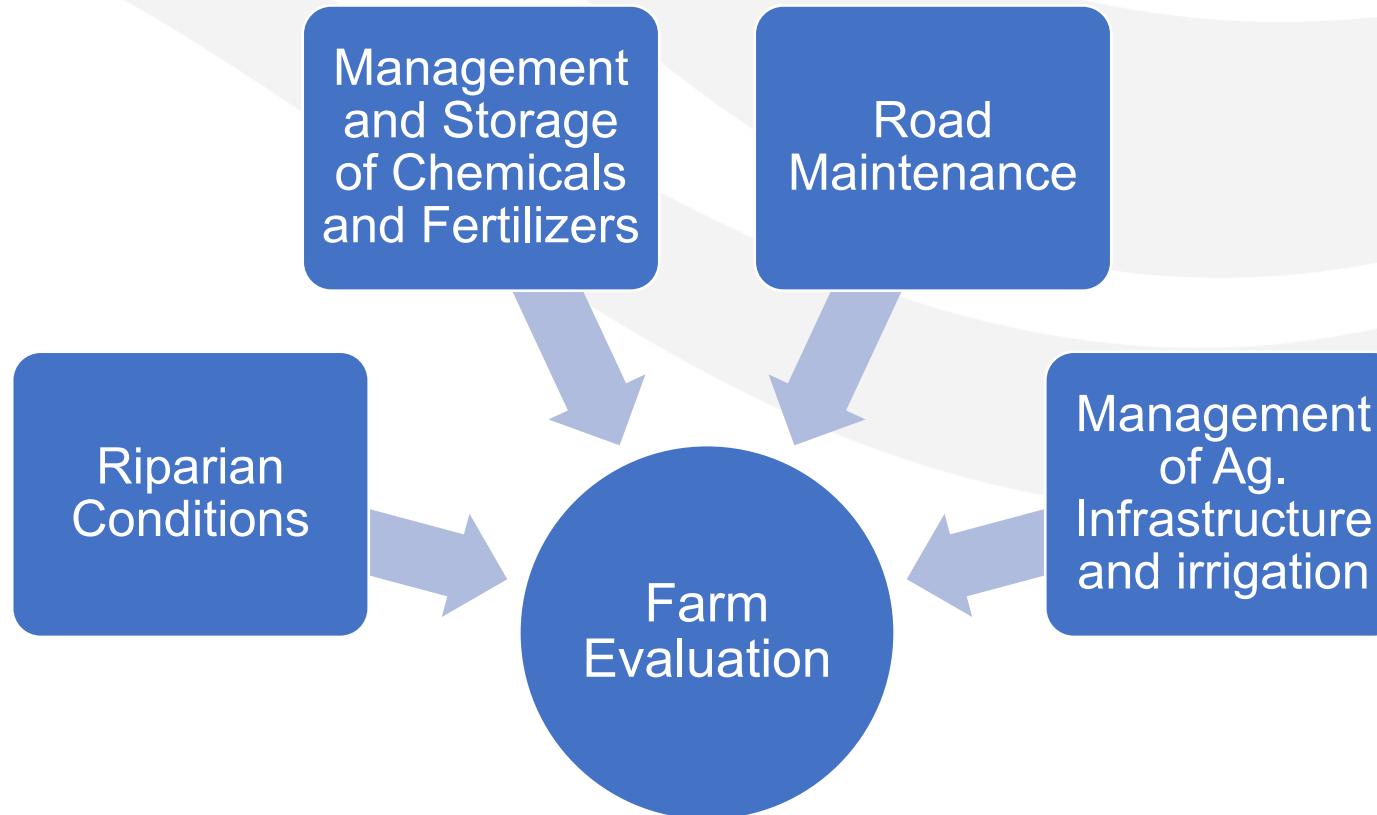
Enrollment Criteria

- Commercial agriculture on X or more acres **OR**
- Agricultural activities occur adjacent to or within the riparian zone or designated wetlands **OR**
- Member of an irrigation district **OR**
- Method of irrigation results in discharges to waters of the state

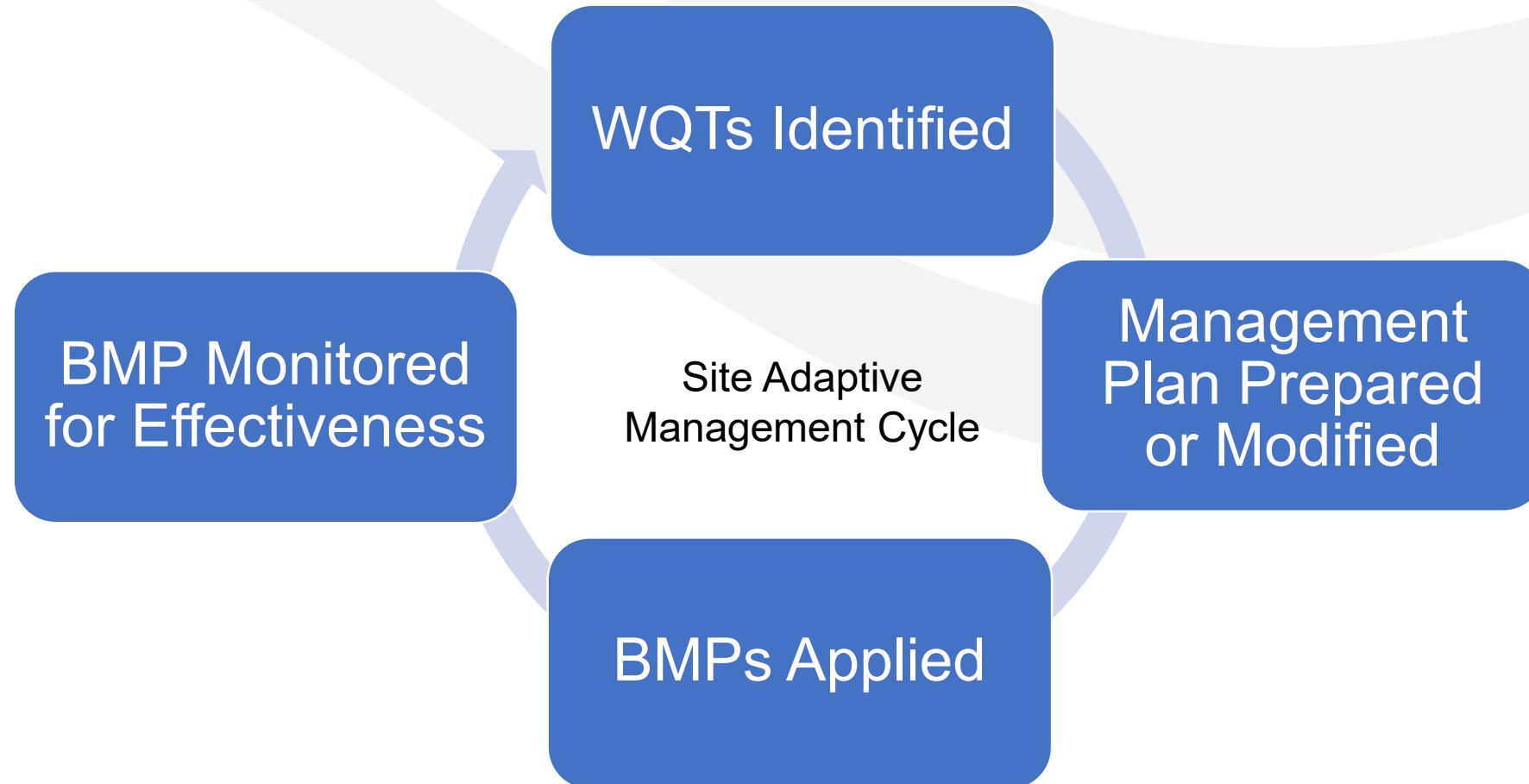
Conceptual Prohibitions

- No discharges of tailwater unless compliant with:
 - Shasta River TMDL Load Allocations or
 - Temperature Policy in the Basin Plan
- No riparian grazing conducted without an approved plan
- No tillage within 35' of the waterside edge of a watercourse

Conceptual Permit Conditions and Farm Evaluation



Farm Evaluations Identify Water Quality Threats (WQTs)



Planning and Implementation

Agricultural Water Quality Management Plan					
Riparian Areas	Irrigation	Roads	Agricultural Infrastructure	Progressive Adaptive Management	Instream Workplan

Need for each element is based on the WQTs identified during the Farm Evaluation

Coalitions

- Enrollees may join coalitions or enroll individually
- Coalitions will:
 - Collect fees
 - Manage communications between enrollees and the State Water Board and North Coast Water Board
 - Develop outreach and educational materials for enrollees
 - Implement monitoring and reporting
- Enrollment in a Coalition results in significantly reduced fees

Statewide Requirements for Agriculture

Nitrogen
Budgeting

Drinking
Water Well
Testing

Groundwater
Monitoring

Nitrogen Budgeting

- Nitrogen inputs reported annually
- Irrigated pasture with no applied nitrogen (e.g., livestock manure only) exempted from requirement



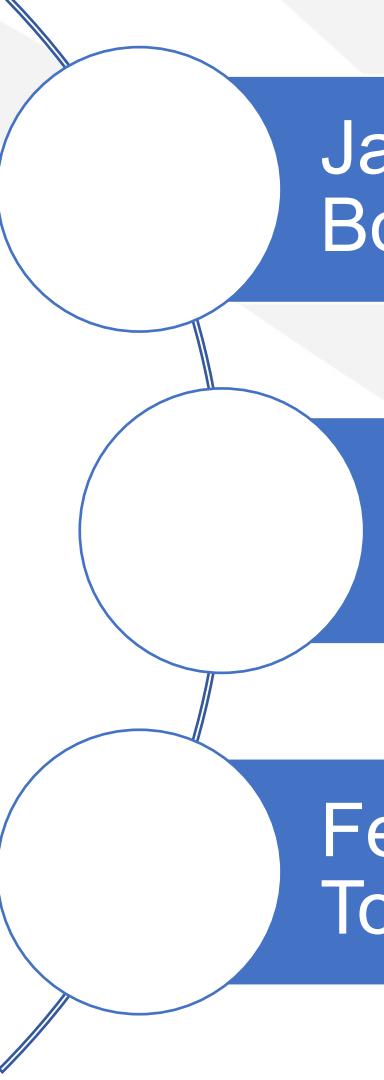
Drinking Water Well Testing

- Wells on enrolled parcels that are used for drinking water tested for nitrate
- Intended to protect tenants, employees, and other non-owner users of drinking water

Groundwater Monitoring

- Representative monitoring conducted at watershed-or basin- scale
- Nitrate
- Data collected under SGMA monitoring could be used to fulfill requirements.

Public Outreach Events

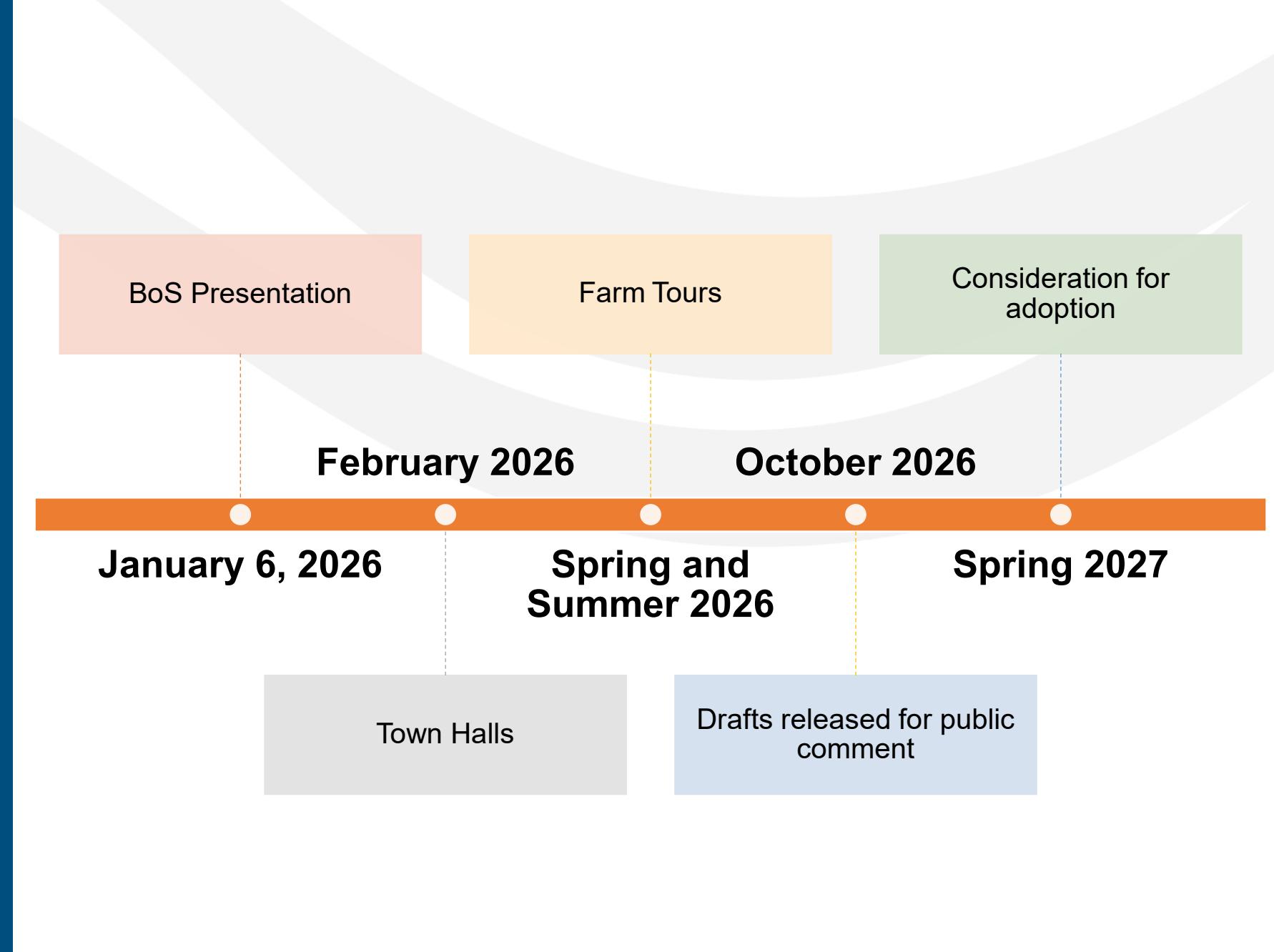


January 6, 2026 – Siskiyou County
Board of Supervisors

February 4, 2026, 5:30 PM – Fort
Jones Town Hall – The REC

February 5, 2026, 5:30 PM – Montague
Town Hall - Community Center

Proposed Schedule





Questions