



SONOMA COUNTY FARM BUREAU

Affiliated with California Farm Bureau and American Farm Bureau Federation

March 14, 2024

Greg Giusti, Vice Chair
North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

Submitted via email:

NorthCoast@waterboards.ca.gov

RE: Region 1 Draft Vineyard Order

Dear Vice Chairperson Giusti and Board Members,

The Sonoma County Farm Bureau has been deeply involved in the Technical Advisory Committee for the Region 1 Draft Vineyard Order and in various discussions regarding the draft permit. We have participated in public workshops and have submitted written and oral public comments. We are committed to working with Regional Board Staff and all stakeholders to ensure that the regulations and expectations are appropriate, sustainable, reasonable, and financially obtainable.

In August, we hosted on-site tours for your staff on various vineyards in Sonoma County so that they may garner an understanding of vineyard management practices and discuss the vision of the Order directly with those whom the regulation will affect. While the staff had various goals for understanding vineyard operations for the sake of drafting the Order, our goal was to convey the differences in operations in terms of location, topography, and layout, and to express our concern for the negative implications that overly prescriptive mandates will have not only on the business owners but on the health of the land and sustainability of the vineyard itself.

We are grateful that you, the North Coast Regional Water Quality Board, delayed the adoption of the 2023 draft order and directed staff to spend more time in discovery to better understand the variables in vineyard production, the current sustainability programs that are followed and what they entail, and the overall practices implemented. The original draft order was cumbersome and overly prescriptive, and we felt that more understanding of our current landscape would help improve the draft order.

At Region 1 staff's request, Sonoma and Mendocino County Farm Bureaus coordinated a meeting with vineyard owners and operators on February 7th in Cloverdale. During this meeting, Region 1 staff conveyed some of the ways they have made changes to the draft vineyard order, but still had several questions about active vineyard management practices, current regulatory expectations, parameters around already heavily regulated pesticide applications, and other areas of discovery that seemed to be immature for the stage of the process they proclaim to be in. This has created additional angst and concern for the current timeline that has been conveyed.

Sonoma County Farm Bureau remains committed to serving as a resource. While we intend to host more tours for staff in the coming months, we are not confident that an effective, appropriate, sustainable, and reasonable Order will be devised and ready for implementation by the end of October based on the

discussions and questions asked by staff at the February 7th meeting. We are also concerned that a draft will be submitted as final without further comment prior to your consideration for adoption.

There are still very concerning areas that, to our knowledge, remain in the Draft Vineyard Order. One of the most concerning is the financial burden and responsibility of collecting water quality data, namely sediment, of an entire watershed borne solely by vineyard owners. With the influence of a myriad of watershed properties and uses, it is hardly appropriate to bestow regulations solely on a small subset of properties, specifically vineyard property owners. It would seem most appropriate for the Regional Board to adopt a vineyard order with tailored monitoring while the Regional Board collects the necessary data to develop a TMDL for the Russian River. After the completion of a TMDL, the vineyard order can be revisited to implement the TMDL recommendations applicable to vineyards. Furthermore, the emphasis on and requirement for turbidity monitoring lacks proper application for the purpose and, like sediment, puts the burden on vineyard landowners/operators to monitor an entire watershed of varying contributing factors.

The initial intent of this letter is to communicate our concern about the timing of implementation of the impending Vineyard Order in Region 1 based on the need for more communication and learning. However, we would be remiss if we did not convey our confusion about why this permit is not more aligned with the existing Region 2 Vineyard Order. While we understand that some additional requirements are needed to comply with the East San Joaquin Order, the Region 2 Vineyard Order approach is more effective at reducing sediment loading and is preferred by growers. It emphasizes and implies best management practices based on existing third-party sustainability certification programs (i.e. Fish Friendly Farming Certified Program, Certified California Sustainable Winegrowing, Sustainability in Practice, Lodi Rules, etc.) that are tailored to each location, making these programs most effective. It begs the question as to why staff, who has minimal vineyard management experience, is so compelled to disregard the continuous improvements that have been done for decades and instead create more regulations and mandates that, under the current structure, will not necessarily exhibit positive results except to collect data that is desired while being funded by a subset, albeit a small percentage, of the region.

Having worked with Regional Board members and staff for many years on the dairy permit, one thing was clear: a carrot, not a stick, approach was always a win-win. Landowners and managers in agriculture are motivated to protect natural resources for the benefit of the environment and their businesses; there is no incentive to degrade our land or natural resources. It has also been made clear that the parameter of the regulatory body is to ensure compliance without directing how to comply, as anything else would increase the risk of liability for the government agency. The current approach of the Region 1 Vineyard Order is overly prescriptive and increases the agency's liability under the current direction.

Your attention to our concerns is greatly appreciated. As always, please feel free to contact us with any questions.

Respectfully,

Doug Beretta
President

Dayna Ghirardelli
Executive Director

Cc: Valerie Quinto, Executive Officer
Brenna Sullivan, Staff