

Viticulture Association of the Santa Cruz Mountains

CLARIFICATION ON STATE WATER CONTROL REQUIREMENTS: THEY **DO** APPLY TO YOU AND WHAT YOU NEED TO DO

If you are a commercial winegrape grower (if you sell your grapes, or sell wine from grapes you grow), then California state water control regulations apply to you, and you will be required to meet new requirements for compliance. If you are a vineyard manager you can help the property you manage meet the requirements. Please read on:

- If you irrigate your vineyard (including drip irrigation): These requirements apply to you immediately, and you are required to file a waiver by January 1, 2005.
- If you do not irrigate: These requirements apply to you, but not immediately. You need to be prepared to meet them in the near future.

Now that we hopefully have your attention, the following will explain further:

What this is all about:

The California State Water Resources Control Board was sued for the practice of issuing blanket waivers to agricultural concerns exempting them from compliance of the Clean Water Act. As of July, 2004 commercial agricultural concerns are now required to earn the waiver. Regional water quality control boards are responsible for implementing compliance programs in their regions. Region 3 (San Mateo, Santa Cruz, Monterey Counties, and south Santa Clara County) has implemented a compliance program that is recognized by Region 2 (east side of the SC Mountains and north of Morgan Hill). **All commercial winegrape growers in the Santa Cruz Mt. Appellation are subject to the new regulations and can take this compliance program to meet the waiver requirements.**

The Compliance Program:

Region 3's Farm Bureau is helping farmers meet the compliance requirements through a UCCE Irrigated Ag. Short course it is currently offering. Although too late to take the course now, it will be offered again early next year. **The VASCM is scheduling a course with the Farm Bureau to be held in the summer of 2005 to help our members meet the requirements (more information will be forthcoming).**

The compliance requirements include:

1. Notice of Intent
2. Map of operations (for your vineyard)
3. Management practice checklist
4. Certificate of 15 hours of water quality CE credits
5. Farm Water Quality Plan
6. Participation in a monitoring program

You will fulfill all of these requirements by taking the compliance course.

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Filing the Waiver – January 1 Deadline:

Waivers must be filed by January 1, 2005. If you can meet all six of the compliance requirements listed above, then you can file for a 5-year waiver. If you're not already taking the compliance course you will not likely fulfill all of these requirements by January 1. If you cannot meet all six requirements by January 1, then you need to file for a one-year waiver. This will give you one more year to meet the six requirements, during which time you can take the compliance course.

The waiver is not currently available, but will be by the first week of December. You will be able to find it online at <http://www.swrcb.ca.gov/rwgcb3/AGWaivers/Index.htm> . You can also obtain a copy when it becomes available by calling the Farm Bureau office at 408-776-1684.

This Applies To You:

The water control regulations (under the Porter-Cologne Water Quality Control Act) apply to all runoff from your property. Irrigated property is being focused on first; then all commercial property will be subject to compliance due to stormwater runoff. If you are currently irrigating (including drip) you need to apply for the waiver by January 1, 2005. If you are not currently irrigating you do not need to apply for the waiver immediately, but you can expect to have to in the near future. Therefore, you may wish to take the compliance course and give yourself time to implement changes (improved runoff buffers, etc.) in order to file the waiver when you are required to do so.

Everyone with an agricultural designation for property taxes and everyone with a pest license should have already received (or will) a compliance notice. If you are not irrigating just write "non-irrigated property" on the notice and return it.

If You Have a Vineyard Manager:

A vineyard manager can meet the requirements by taking the course and filing the plan for the property, but the property owner is ultimately responsible for compliance with these regulations. The plan should stay with the property, and a new vineyard manager should meet the other requirements. Vineyard managers can take the course one time and create plans for multiple properties.

The VASCM-Sponsored Class:

The Farm Bureau has agreed to hold a class especially for VASCM members next year, starting in May or June. Whereas the other classes address general agriculture or other specialized growers, this one will be specific to winegrape growing. We'll provide more information once it is scheduled.

In the mean time, if the January 1 waiver deadline applies to you, file for the one-year waiver. And we'll help you meet the requirements with this class next year.

THE JANUARY 19 VASCM MEETING WILL BE ABOUT THE WATER CONTROL REGULATIONS AND COMPLIANCE, SO FIND OUT MORE THEN.

For More Information:

If you want to try and take an earlier class through the Farm Bureau, or if you have questions about these regulations and compliance, refer to the Farm Bureau mailing or contact MaryEllen Dick, Water Quality Coordinator for the Santa Clara/San Benito Farm Bureaus, at 831-786-9225.