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## San Francisco Bay Regional Water Quality Control Board

### Transition of Napa County Wineries to the Statewide Winery Order

#### 1. What Is Changing?

The three-year extension granted to wineries currently regulated under Napa County's local winery program is coming to an end, and these wineries must transition to the State Water Resources Control Board Order WQ 2021-0002-DWQ Waste Discharge Requirements for Winery Process Water ([Winery Order](#)) by January 20, 2027, consistent with the [Memorandum of Understanding](#) (MOU) between the San Francisco Bay Regional Water Quality Control Board (Water Board) and Napa County. Wineries currently in Napa County's program will be able to apply for the Winery Order using a **streamlined** enrollment process. These wineries may also qualify for reduced annual fees (50 percent reduction) to the State offered to wineries enrolled in a Local Agency Oversight Program (LAOP), if Napa County applies and is approved for an LAOP, along with local fees. Wineries will be required to comply with the Winery Order requirements within a five-year compliance schedule from the date of enrollment. The Water Board will issue the Notice of Applicability (NOA, also referred to as the enrollment letter) for the Winery Order, and Napa County will be the lead agency for Winery Order implementation once they have an approved a LAOP. Once wineries are enrolled, monitoring and technical reports will be submitted to the Water Board's GeoTracker database.

#### 2. Why Is This Transition Happening?

As noted above, the three-year extension granted to wineries currently regulated under the County's local winery program ends on January 20, 2027. All wineries that generate between 10,000 and 15,000,000 gallons of process water per year that results in the discharge of process water or solids to land must apply to the Water Board within this timeframe.

#### 3. When Will This Happen?

The due date for wineries currently regulated under Napa County's local winery program to submit an application using the streamlined process is January 20, 2027, after which wineries must follow the standard enrollment process. Please see instructions below on how to enroll. The Water Board will send reminders about enrollment. The Water Board will transition wineries into the Winery Order after January 20, 2027.

#### 4. How will the Transition Occur?

To transition to the Winery Order, wineries under Napa County's winery program will be able to apply for the Winery Order using a streamlined process. This will include submitting an electronic Notice of Intent (eNOI) through the Water Board's California Integrated Water Quality System (CIWQS) and providing a simplified technical report as further described below. The Water Board will then transition these wineries into the Winery Order and issue enrollment letters.

#### 5. How do I enroll?

Please submit an electronic Notice of Intent (eNOI) using the California Integrated Water Quality System (CIWQS). For assistance submitting the eNOI, please use the [Winery General Order Electronic Notice of Intent Help Guide](#) (eNOI Guide). Page 42 of the eNOI Guide directs you to attach a Technical Report. For the simplified Technical Report, please only complete **section 7** (Facility Improvements and Proposed Schedule) and **section 9** (Certification) and include both sections for the Technical Report attachment. Technical Report section 7 should contain a description of known facility improvements that are needed to come into compliance with the Winery Order. However, the Water Board recognizes that not all facility improvements will be fully characterized by the enrollment due date. Wineries should describe improvements identified after the January 20, 2027, enrollment due date in their Annual Report due April 1, 2028, or in subsequent Annual Reports within a five-year period following enrollment.

#### 6. Who can I contact with questions?

For questions about the Winery Order application, eNOI submittal, or GeoTracker uploads, please contact the Water Board at [RB2-Winery@Waterboards.ca.gov](mailto:RB2-Winery@Waterboards.ca.gov). For technical questions, please contact the Water Board. Once Napa County has an approved LAOP, please contact Napa County Environmental Health at [winerydischarge@countyofnapa.org](mailto:winerydischarge@countyofnapa.org) for technical questions.

#### 7. Why do I need to transition?

All wineries that generate between 10,000 and 15,000,000 gallons of process water per year that results in the discharge of process water or solids to land, must be covered under the Statewide Winery Order to ensure consistent regulation and water quality protection across the State.

#### 8. Do all wineries in Napa County need to enroll?

All wineries in Napa County must fill out Napa County's [Winery Notification Form - Napa County](#) regardless of size or discharge method. All wineries that generate between 10,000 and 15,000,000 gallons of process water per year and are currently covered under Napa County's program must enroll in the Winery Order to maintain authorization to discharge winery process water.

### 9. What if my winery generates less than 10,000 gallons of winery process water per year?

Wineries with Alternative Sewage Treatment Systems are currently regulated by Napa County, even if they produce less than 10,000 gallons of winery process water per year. Wineries that produce less than 10,000 gallons of winery process water per year are not required to apply for coverage under the Winery Order. These wineries must instead fill out Napa County's [Winery Notification Form - Napa County](#) indicating they qualify for the exemption and provide general facility information.

### 10. How will I know if my winery is in compliance?

Please review the Winery Order to determine whether your winery is in compliance with its requirements. If a winery determines it will not fully comply with the Winery Order before the streamlined application is due, all wineries will be granted a five-year compliance schedule as explained in the question below. As noted above, if any facility improvements needed to comply with the Winery Order have not been identified by the enrollment due date of January 20, 2027, the winery can include them in subsequent Annual Reports within five years of enrollment.

### 11. What if my winery cannot fully comply within five years?

All transitioning wineries will be granted a five-year compliance schedule in their enrollment letter. If a winery determines it cannot fully comply with the Winery Order within those five years, the winery can submit a proposal in subsequent Annual Reports within five years of enrollment for consideration of alternative approaches that are still protective of water quality.

### 12. What happens if I don't apply by the January 20, 2027, due date?

Wineries missing the due date do not get the benefit of the streamlined enrollment process and must apply through the standard process. Their applications will be subject to technical review. Water Code section 13260 requires anyone discharging or proposing to discharge waste that could affect water quality to file an application for Report of Waste Discharge (ROWD). Wineries missing the due date may be subject to enforcement actions and administrative civil liabilities (fines) for unauthorized discharges which can be enforced under Water Code sections 13261 and 13350 resulting in penalties of up to \$5,000 per day.

### 13. What will change about how my winery is permitted?

Upon application approval, the Water Board will issue wineries a Notice of Applicability letter for enrollment under the Winery Order. Napa County will implement and oversee the Winery Order. Reports will be submitted to the Water Board's GeoTracker database. Annual fees will be assessed by the Water Board and a 50 percent reduction may apply to the State fees if Napa County's Local Oversight Agency Program is approved, along with local fees. There may be some changes to winery process water management as all wineries will be required to comply with the Winery Order requirements. Please review the Winery Order as it

contains additional operational and reporting requirements that are not summarized here.

#### 14. What if I'm not in the County's program and need to enroll?

The due date to apply for the Napa County Winery Extension has passed and wineries discharging 10,000 gallons of winery process water per year or more that are not in Napa County's program or have not submitted an application to the Water Board are out of compliance. These wineries must apply through the standard process and may be subject to enforcement actions or fines if they do not apply to for the Winery Order. These wineries must also fill out Napa County's [Winery Notification Form - Napa County](#).