

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF APRIL 16-17, 2026
Prepared on March 19, 2026**

ITEM NUMBER: 8

SUBJECT: **Consideration of Proposed Order R3-2026-0004,
Waste Discharge Requirements for the City of El
Paso de Robles Annual Flood Control and Fire Fuel
Load Reduction Project**

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KEY INFORMATION

Discharger: City of El Paso de Robles

Location: Salinas River and selected drainages and sediment basins within limits of City of El Paso de Robles

Type of Discharge: Vegetative material and sediment

Authorized Activities: Mechanical and manual sediment and vegetation removal, pile burning, livestock grazing, and associated access, staging, and debris management

Waters of the State Affected: Salinas River and tributary drainages

Mitigation: Riparian habitat rehabilitation and enhancement through planting; invasive species removal; trash removal

Existing Order: Order R3-2021-0012

ACTION: **Consider Adoption of Proposed Order R3-2026-0004**

SUMMARY

This staff report provides an overview of the proposed waste discharge requirements necessary for the City of El Paso de Robles (City) to continue its Annual Flood Control and Fire Fuel Load Reduction Project (Project). The Project involves vegetation and sediment removal and management activities in the Salinas River and tributaries to

reduce flood and fire risk. Proposed Order R3-2026-0004 (Proposed Order, Attachment 1)¹ specifies requirements to ensure discharges of waste resulting from the Project are protective of water quality and beneficial uses of affected waterbodies.

The Proposed Order is a reissuance of existing waste discharge requirements (Order R3-2021-0012) originally adopted in April 2021. The Proposed Order maintains regulatory oversight of flood control and fuel reduction activities while strengthening requirements to ensure protection of water quality and beneficial uses. The Proposed Order updates prescribed herbivory requirements, mitigation implementation standards and success criteria, adaptive management triggers, mapping requirements, and monitoring provisions. The authorized project area, nature of discharges, and types of activities remain unchanged under the Proposed Order.

DISCUSSION

Background

The City has conducted annual vegetation and sediment management and removal for flood control in various drainages and basins in the Salinas River watershed since approximately 2015. Beginning in 2019, the City also started conducting vegetation management and removal activities within the Salinas River channel and adjacent floodplain areas to reduce wildfire risk to nearby residences and infrastructure. In April 2021, the Central Coast Water Board adopted existing Order R3-2021-0012, which regulates both flood control and fire fuel reduction activities under a single set of waste discharge requirements.

The Project's flood control activities primarily occur within tributary drainages and basins and consist of manual vegetation management and mechanical and manual sediment removal to maintain channel capacity and stormwater conveyance. Fire fuel reduction activities occur within the Salinas River channel and floodplain and consist of vegetation trimming and removal, low-intensity pile burning, and prescribed herbivory to reduce hazardous fire fuel loads. These activities are recurring, temporary disturbances that result in discharges of waste to waters of the state.

Existing Order R3-2021-0012 authorized Project activities through December 31, 2025. This timeframe was included in existing Order R3-2021-0012 to trigger its reassessment at the five-year point, since existing Order R3-2021-0012 was the Central Coast Water Board's first order regulating fire risk reduction activities within waters of the state. Under existing Order R3-2021-0012, the City has remained largely in compliance while conducting important fire and flood risk reduction activities. The City has corrected non-compliance, implemented measures to protect waters of the state, and mitigated for any impacts to beneficial uses. Proposed Order R3-2026-0004 authorizes continued ongoing implementation of the Project. An expiration date is not included, though Proposed Order R3-2026-0004 includes a reopener clause, allowing

¹ See Attachment 2 (Proposed Monitoring and Reporting Program R3-2026-0004) and Attachment 3 (Proposed Order R3-2026-0004 – Exhibits), both are also part of the Proposed Order.

requirements to be edited if necessary to protect water quality and beneficial uses, based on new information not previously available.

Proposed Order

The requirements of the Proposed Order maintain the original authorized Project areas and activities. New work areas and activities are not authorized in the Proposed Order. Similarly, the nature and extent of the discharges of waste authorized by the Proposed Order remain the same as those authorized under existing Order R3-2021-0012. Authorized activities are limited to the minimum necessary to achieve flood conveyance and fire fuel load reduction objectives. The Proposed Order continues requirements for implementation of best management practices to control discharges of waste during Project activities. In addition, the Proposed Order continues requirements for mitigation of impacts and discharges of waste resulting from authorized activities through a combination of riparian rehabilitation and enhancement, invasive species removal, and trash removal.

The Proposed Order includes several updated requirements intended to improve water quality and beneficial use protection. Mitigation requirements have been updated to ensure timely mitigation implementation and establish clear deadlines for implementation of corrective actions when mitigation success criteria are not achieved. Likewise, adaptive management requirements have been updated to specify triggers for implementation of mitigation corrective actions based on monitoring results. In addition, prescribed herbivory best management practice requirements have been refined for improved water quality and beneficial use protection. The Proposed Order also includes clearer annual work plan mapping and geographic information system delineation requirements to improve Project implementation accuracy and verification of authorized maintenance areas. To ensure consistency with these updates, the monitoring and reporting requirements have also been edited accordingly.

Compliance History

The City has implemented annual flood control and fire fuel reduction maintenance activities under existing Order R3-2021-0012 since 2021 and has generally complied with requirements. No formal enforcement actions were issued under existing Order R3-2021-0012. However, there were some deficiencies in the City's implementation of mitigation. Some installed mitigation did not meet all mitigation success criteria by specified deadlines, due to installation during dry periods and vandalism of irrigation systems. The City has implemented additional mitigation measures to address this deficiency. The Proposed Order also includes new requirements to ensure the City promptly identifies and undertakes corrections to mitigation problems moving forward. In addition, a small portion of required mitigation has not yet been installed. The City has committed to completing this installation in 2026 and the Proposed Order includes a new condition specifically requiring this remaining mitigation installation. Aside from these two issues, the City has complied with the requirements of existing Order R3-2021-0012.

Human Right to Water

California Water Code section 106.3, subdivision (a) states that it is the policy of the State of California “that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.” On January 26, 2017, the Central Coast Water Board adopted Resolution R3-2017-0004, which affirms the realization of the human right to water and the protection of human health as the Central Coast Water Board’s top priorities.

The Proposed Order is consistent with the California Water Code and Resolution R3-2017-0004 by requiring the City to implement flood control and fire fuel load reduction activities in a manner protective of water quality and beneficial uses of the Salinas River and other waters of the state. The Proposed Order regulates discharges of sediment, vegetative material, livestock waste, and other waste associated with maintenance activities to ensure that surface water and groundwater quality are protected. Continued regulation of these activities under the Proposed Order supports the human right to water by minimizing risks to downstream water users and drinking water sources.

Environmental Justice

Environmental justice principles call for the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in the development, adoption, implementation, and enforcement of all environmental laws, regulations, and policies that affect every community’s natural resources and the places people live, work, play, and learn. The Central Coast Water Board implements regulatory activities and water quality projects in a manner that ensures the fair treatment of all people, including underrepresented communities.² Furthermore, the Central Coast Water Board is committed to providing all persons the opportunity to participate in the public process and provide meaningful input to decisions that affect their communities.

Using 2020 census data, the California Department of Water Resources Disadvantaged Community (DAC) Mapping Tool³ identifies multiple census block groups within the City that qualify as DACs and SDACs. Portions of the Project area, including segments of the Salinas River corridor, are located within or adjacent to these identified block groups. The Proposed Order regulates recurring vegetation management and sediment removal activities to ensure protection of water quality and beneficial uses. The Proposed Order is not expected to result in disproportionate adverse impacts to underrepresented communities. On the contrary, by authorizing reductions in flood and wildfire risk while protecting water quality, the Project may

² Underrepresented communities include but are not limited to disadvantaged communities (DACs), severely disadvantaged communities (SDACs), economically distressed areas (EDAs), tribes, environmentally disadvantaged communities (EnvDACs), and members of fringe communities.

³ The DAC Mapping Tool is used to inform statewide Integrated Water Resources Management (IRWM), Sustainable Groundwater Monitoring Act (SGMA), and California Water Plan implementation efforts and can be found at the following website: <https://gis.water.ca.gov/app/dacs/>. The tool defines a DAC as a census block with a median household income between \$50,458 and \$67,278 and a severely disadvantaged community (SDAC) as a census block with a median household income below \$50,458.

provide public safety and environmental benefits to nearby communities, including underrepresented communities. If impacts to surface water result from the discharges regulated by the Proposed Order, Central Coast Water Board staff will work with the City to rectify the water quality impacts and help facilitate outreach and education to inform affected communities and connect them with available resources.

The Central Coast Water Board has conducted outreach in accordance with California Water Code section 189.7 by conducting outreach to potentially interested groups representing surrounding and tribal communities. Central Coast Water Board staff distributed six outreach letters to tribal communities that provided general information about the Project and an invitation to provide input and participate in the order development process.

Climate Change

The Central Coast faces the threat and the effects of climate change for the foreseeable and distant future. To proactively prepare and respond, the Central Coast Water Board has launched the Central Coast Water Board's Climate Action Initiative, which identifies how the Central Coast Water Board's work relates to climate change and prioritizes actions that improve water supply resiliency through water conservation and wastewater reuse and recycling; mitigate for and adapt to sea level rise and increased flooding; improve energy efficiency; and reduce greenhouse gas production. The Climate Action Initiative is consistent with the Governor's Executive Order B-30-15 and the State Water Board's Climate Change Resolution 2017-0012.

The Proposed Order supports climate resilience and adaptation. The Proposed Order requires the City to evaluate maintenance areas and mitigation sites annually through an annual work plan and monitoring program, and to adjust implementation as necessary based on site conditions. The Proposed Order incorporates adaptive management requirements for compensatory mitigation, including measurable performance standards and corrective action triggers, to ensure that mitigation remains effective under changing hydrologic and vegetative conditions. By maintaining riparian habitat functions, managing sediment transport, and regulating vegetation management practices, the Proposed Order supports floodplain resilience and reduces risks that may be exacerbated by climate change.

COMMENTS

The Proposed Order was publicly noticed on January 16, 2026. Written comments were due by February 18, 2026. One written comment was received from the City of El Paso de Robles, expressing support for adoption of the Proposed Order (See Attachment 4).

PROPOSED CHANGES

Central Coast Water Board staff recommends a few minor changes to the version of Proposed Order R3-2026-0004, Waste Discharge Requirements for the City of El Paso de Robles Annual Flood Control and Fire Fuel Load Reduction Project, provided

for public comment, to provide further clarifications and address some administrative errors. See Attachment 5 for a summary of the proposed edits.

CONCLUSION

The Proposed Order has been drafted and prepared in compliance with state and federal guidance and regulations. The Proposed Order reissues waste discharge requirements for the City of El Paso de Robles Annual Flood Control and Fire Fuel Load Reduction Project. The Proposed Order maintains the scope of authorized activities while strengthening mitigation implementation, adaptive management, prescribed herbivory controls, and monitoring requirements. If implemented in compliance with the Proposed Order, the Project will continue to protect water quality and beneficial uses while allowing the City to address flood and wildfire risks.

RECOMMENDATION

Adopt Order R3-2026-0004 as proposed.

ATTACHMENTS

1. Proposed Order R3-2026-0004
2. Proposed Order R3-2026-0004 Attachment A: Proposed Monitoring and Reporting Program R3-2026-0004
3. Proposed Order R3-2026-0004: Exhibits
4. Comments
5. Proposed Order R3-2026-0004 – Changes