

**Regional Water Quality Control Board
North Coast Region
Staff Summary Report
December 4, 2025**

ITEM: 3

SUBJECT: Public Hearing to consider adoption of Resolution No. R1-2025-0055 amending the *Water Quality Control Plan for the North Coast Region* (Basin Plan) to incorporate the *Action Plan for the Gualala River Sediment TMDL* (Lance Le)

BOARD ACTION: This is a public hearing for the North Coast Regional Water Quality Control Board (North Coast Water Board) to consider adoption of amendments to the Basin Plan.

BACKGROUND:

The Gualala River is a 298 square mile watershed located in Sonoma and Mendocino Counties that drains into the Pacific Ocean. The entire watershed was included on the section 303(d) list, pursuant to the federal Clean Water Act, as impaired for excessive sedimentation/siltation in 1993. In 2001, the U.S. Environmental Protection Agency (US EPA) established a Total Maximum Daily Load (TMDL) for sediment in the Gualala River Watershed, supported by the *Gualala River Watershed Technical Support Document for Sediment* (TSD). The sediment TMDL established by U.S. EPA is 475 tons per square mile per year.

Pursuant to section 13242 of the California Water Code (Water Code) and under a stipulated settlement agreement with Friends of the Gualala River, the North Coast Water Board developed the *Action Plan for the Gualala River Sediment TMDL* (Action Plan) and *Staff Report Supporting the Gualala River Sediment TMDL Action Plan* (Staff Report). The Action Plan and Staff Report reference and summarize key components of the Gualala River Sediment TMDL and the TSD. The Action Plan and Staff Report describe a program of implementation to achieve the TMDL load allocations through various measures to manage sediment sources and attain water quality standards. On July 11, 2025, the North Coast Water Board opened a 45-day public comment and review period for the draft Action Plan and draft Staff Report. Staff presented on the draft Action Plan and Staff Report during a Board Meeting held on August 14, 2025. The public comment and review period closed on August 25, 2025.

DISCUSSION:

The Action Plan and Staff Report provide no new scientific data but instead summarize the scientific analyses, findings, and assumptions already established in the 2001 TMDL. The Action Plan is designed to implement the US EPA established Gualala River Sediment TMDL as it was originally written, without introducing new analyses, assumptions, or modifications. The implementation actions described in the Action Plan and Staff Report include complying with waste discharge requirements (WDRs) for

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timber harvest, road maintenance, and construction activities; conducting road maintenance and construction in compliance with existing permits and best management practices; and monitoring and reporting to ensure adherence to sediment controls.

Because road-related sources comprise the vast majority (85 percent) of the anthropogenic sediment load allocations, the Action Plan proposes the development and implementation of a new order(s) of the Board to address road-related sediment discharge from private lands. Any new implementation order(s) established in accordance with the Action Plan will not duplicate coverage provided by existing regulatory orders. Language describing *Order No. R1-2024-0056 General Waste Discharge Requirements for Commercial Vineyards in the North Coast Region* (Vineyard WDR) has been added to the revised Staff Report and proposed Action Plan to further clarify that duplicate coverage would not occur on lands operating commercial vineyard that have potential to discharge sediment waste. The Vineyard WDR was not incorporated into the draft Staff Report and draft Action Plan because the North Coast Water Board adopted the Vineyard WDR during the draft documents' public review period.

During the public review and comment period for the Action Plan (July 14–August 15, 2025), the North Coast Water Board received six comment letters from the following parties: the California Licensed Foresters Association, California Native Plant Society – Dorothy King Young Chapter, Eva Lopez, Forest Landowners of California, Gualala Redwood Timber, and the Sonoma County Farm Bureau. This comment period had substantial overlap with the CEQA Scoping period for the future order that will regulate road maintenance and construction on private lands (roads order). As a result, comment letters received during the Action Plan comment period also contained comments related to the development of the roads order. While the Action Plan includes a requirement to develop an order(s) addressing sediment discharges from private rural roads, it is a separate process. Staff reviewed all comments and referred those specific to permit development and implementation to the appropriate program staff. The remaining comments relevant to the Action Plan and Staff Report were grouped into five categories or topics:

- (1) TMDL and Source Analysis
- (2) Implementation and Roads Order
- (3) Peer Review
- (4) Funding and Cost of Compliance
- (5) Other Comments

All public comments were considered, and written responses are provided in the *Response to Public Comments on the Draft Action Plan for the Gualala River Sediment TMDL*. Public comments led staff to make minor clarifying and typographic edits to the Staff Report and Action Plan; however, no substantive changes were required.

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The majority of individual comments were related to topics (1) and (2). Commenters were critical of the Action Plan's reliance on the 2001 TMDL, suggesting new data and information collected after 2001 be incorporated into an updated source analysis. Staff responded that a new source analysis would not change the loading capacity - a concept and value related to background loads and the support of Beneficial Uses. Because land use¹ and land cover in the watershed have remained largely the same since 2001, a new source analysis would not lead to any new findings that would inform the program of implementation. That is, roads are still the majority sediment source. Commenters also questioned the need for a road order, with some commenters arguing that the proposed order would be duplicative while others arguing that the proposed order is too narrowly focused on roads. Because the Action Plan simply requires that a new order of the Board be developed and does not provide any specific language, staff responded that these implementation-related comments should be reserved for the future public review period for the draft order(s). Additionally and as described previously, staff added a statement in section 6.3.4.2 of the Action Plan that states that any new implementation order(s) will not be duplicative of existing orders.

Except for comment topic (5), which contained specific water quality concerns, the other comment topics had overlap with each other as well as with topics (1) and (2) or the TMDL and permit topics, respectively. Nevertheless, these comments merited their own responses as they were within the scope of the Action Plan and Staff Report. Commenters were not satisfied with the Staff Report's justification for the Action Plan being exempt from external peer review and staff responded that Appendix D of the Staff Report, which contained the justification, was reviewed and approved by the Water Boards' Office of Chief Counsel and Appendix D has been replaced with a signed version of the same document. Commenters were concerned about the cost of compliance with the proposed roads order, and staff responded that these comments were more appropriate for the public review period for the roads order(s) as the Action Plan does not provide specific details such as enrollment fees.

Commenters considered the CEQA analysis for wildfire inadequate, stating that funding for road improvements would be diverted from funding for fuels reduction and other wildfire-related projects. Staff responded that the Action Plan and Staff Report Substitute Environmental Documentation meet CEQA requirements, and any site-level CEQA wildfire-related impacts would be addressed as part of the development of the road order(s). Finally, one comment letter provided details about events and activities that impacted water quality and water recreation Beneficial Use in certain locations in the watershed. These events had no clear relationship to the Action Plan which is focused upon providing an implementation framework for the TMDL established by US EPA in 2001. Therefore, planning staff forwarded this comment letter to the North Coast

¹ Staff acknowledge that management practices employed within existing land uses have in some cases changed since the 2001 TMDL and that roads improvements have been made in some areas. However, this would not change the loading capacity or load allocations, but rather could constitute progress toward necessary load reductions identified in the 2001 TMDL.

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Water Board units overseeing the Forest Activities Program and Water Quality Certifications that could better address the commenter's concern.

RECOMMENDATION:

Staff recommend that the North Coast Water Board:

1. Adopt Resolution No. R1-2025-0055 amending the Water Quality Control Plan for the North Coast Region to include the *Action Plan for the Gualala Sediment TMDL*.
2. Authorize the Executive Officer or designee to submit the amendments adopted under North Coast Water Board Resolution No. R1-2025-0055, including any non-substantive changes, and the administrative record for this action to State Water Resources Control Board to consider approval.

SUPPORTING DOCUMENTS:

1. *Notice of Public Comment Opportunity, Board Workshop, and Public Hearing to Consider Adoption of a Basin Plan Amendment Regarding the Action Plan for the Gualala River Sediment Total Maximum Daily Load (TMDL)*
2. *Proposed Action Plan for the Gualala River Sediment TMDL*
3. *Revised Staff Report Supporting the Gualala River Sediment TMDL Action Plan and appendices*
4. *Response to Public Comments on the Draft Action Plan for the Gualala River Sediment TMDL*
5. *Resolution No. R1-2025-0055 adopting the Action Plan for the Gualala River Sediment TMDL into the Basin Plan.*