

## Status Update: Implementation Recommendations from 2022 Upper Elk River Sediment TMDL Staff Report

The Upper Elk River Sediment Action Plan (Action Plan) identifies that updates be provided to the North Coast Regional Water Quality Control Board (North Coast Water Board) in 2021, 2026, and 2031. (*The 2021 update was provided in August 2022 due to Covid-19 and staffing delays*). In 2022, guided by Table 4 and Section VII of the Action Plan, staff-initiated a review of TMDL implementation actions and presented those findings in the Staff Report-Upper Elk River Sediment TMDL: Assessment of the First Five Years (2022 Staff Report). Included in Section 6 of the 2022 Staff Report there are 13 recommendations: six on Watershed Stewardship, two on Recovery Planning, and five on Waste Discharge Requirements. As part of the 2026 update, staff are providing the following status update for each of the 13 recommendations.

### Watershed Stewardship

1. **Recommendation:** *Staff recommend the formation of the Science and Coordinated Monitoring Workgroup. A Science and Coordinated Monitoring Workgroup can develop a coordinated monitoring plan, beginning with the monitoring framework included in the Recovery Plan. A coordinated monitoring plan will help to ensure that data are collected in a manner capable of addressing key questions of watershed health and recovery, inform revision to the existing monitoring and reporting requirements of permittees, establish hypotheses appropriate for special study, and design a framework for adaptive management over the long term.*

#### **2026 Status: Workgroup formation on hold due to funding constraints.**

Following the August 2022 Board meeting, funds were allocated by the North Coast Water Board to secure a contractor to lead the Science and Coordinated Workgroup in the collaborative development of an Elk River Monitoring Strategy. Due to contractor complications, the contract had to be withdrawn and reworked twice leading to significant timing setbacks. Ultimately a contract was signed with CalPoly Humboldt, and work on the project began in spring 2025. Unfortunately, the contract was terminated in June 2025, along with all discretionary contracts from fiscal year 24/25 and 25/26, due to a statewide budget shortfall. Staff are actively seeking funding alternatives, but as of May 2026 none have been successful.

2. **Recommendation:** *Staff recommend completion of the Health and Safety Interviews and completion of a final summary report.*

**2026 Status: Done; with modifications (See 2026 Elk River Stewardship Program Health and Safety Summary for more details).**

Additional efforts (e.g., listserv notices, personal communication and community meetings) to encourage participation in health and safety interviews following the August 2022 Board meeting were largely unsuccessful. Even with additional outreach, only one more community member participated. Therefore, there are no significant additional findings separate from what was already included in the 2022 Staff Report. Given the lack of additional information, in lieu of completing a separate report as this recommendation suggests, the information from the 2022 Staff Report was included in the larger 2026 Stewardship Program Health and Safety Summary.

3. **Recommendation:** *To address issues related to drinking water, staff recommend the engagement of Humboldt County, the Humboldt Bay Community Services District, and the Humboldt Bay Municipal Water District in discussions of potential Safe and Affordable Funding for Equity and Resilience (SAFER) program fund applications, as well as other water infrastructure and drought relief program funding options.*

**2026 Status: Drought relief portion completed; Drinking water project in progress; Technical evaluation of water delivery to the Elk River community funded and underway. (See 2026 Elk River Stewardship Program Water Delivery Summary for more details).**

**Drought Relief:** After the 2022 Board meeting, North Coast Regional Water Board staff prioritized addressing all aspects of this recommendation, starting with the then immediate need for drought relief coordination assistance. Information on the Department of Water Resources [Small Community Drought Funding Program](https://water.ca.gov/Water-Basics/Drought/Drought-Funding/Small-Community-Drought-Relief) (<https://water.ca.gov/Water-Basics/Drought/Drought-Funding/Small-Community-Drought-Relief>) was researched and provided to Humboldt County who, per program guidelines, needs to be the requestor. Should drought conditions return for the Elk River community and/or other communities in the county that meet Department of Water Resources program guidelines, the county has the information to seek assistance.

**Water Delivery/Drinking Water:** In Fall 2022 North Coast Regional Water Board staff began a series of conversations with the Humboldt Community Services District (HCSD), Humboldt County Department of Public Works (Humboldt County), the Division of Drinking Water, and the Division of Financial Assistance to address the Elk River community water delivery needs. In December 2024, Humboldt County, in close coordination with North Coast Regional Water Board, submitted a request to the State Water Board/DFA SAFER program to assess the

feasibility of extending HCSD municipal water service into the Elk River valley through their technical assistance program. In March 2025 the request was approved, and work is currently underway at no cost or obligation to the Elk River community, Humboldt County or the HCSD. The assessment will help inform any future water delivery projects by developing accurate technical and cost information needed for implementation. While the North Coast Regional Water Board lacks authority to lead this process, staff remain committed to providing support to Humboldt County and HCSD in the technical assistance process and in seeking long-term water delivery solutions. The technical assistance process is expected to be completed in early 2027 and will include a public outreach component.

4. **Recommendation:** *To address issues related to flooding generally, staff recommend engagement with the Federal Emergency Management Agency (FEMA) through the California Office of Emergency Services (CalOES) and its contractor, The Nature Conservancy (TNC). In coordination with the Coastal Conservancy, the Regional Water Board could be a state government applicant for FEMA funding designed to support installation of green infrastructure to abate flooding. Such funding would support recovery actions described in the Recovery Plan.*

**2026 Update: Done; Separate FEMA project underway. (See 2026 Elk River Stewardship Program Health and Safety Summary for more details).**

In 2022, North Coast Regional Water Board staff attended a series of FEMA/The Nature Conservancy/CalOffice of Emergency Services webinars and individual meetings on potential flood reduction funding opportunities for the Elk River. Ultimately, North Coast Regional Water Board staff provided notice of intent to apply to the Building Resilient Infrastructure and Communities (BRIC) Program<sup>1</sup> to address flood control measures. Viewed as a pre-disaster mitigation program BRIC most closely aligned with Elk River flood response needs. Unfortunately, North Coast Regional Water Board staff were advised by the BRIC program administrator in 2022 that the Elk River did not meet the threshold for projects (i.e., the project was too small both in size/affected population, and potential damage amount thresholds).

Discussed in the 2022 staff report, the North Coast Regional Water Board funded a technical memorandum that, based on modeling, identified areas at increased risk from extreme flood events for portions of the Elk River watershed not

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<sup>1</sup> The BRIC program was cut in April 2025 by the new Federal administration. FEMA subsequently canceled all applications from Fiscal Years 2020-2023, rescinding billions of dollars and also canceled the 2024 funding opportunity. Based on legal challenges to BRIC is legally active however the federal government is expected to appeal the decision that made it so, making the program's future unknown.

currently included in the FEMA flood maps. The following is a summary of that separate FEMA mapping project but is closely aligned with flood efforts.

In December 2024, after receiving a request from Humboldt County citing the technical memo, FEMA initiated a process to update their Flood Insurance Rate Map<sup>2</sup> to better represent current flooding conditions. The update process began in early 2025 and is expected to take up to three years to complete. North Coast Regional Water Board staff will remain in contact with the FEMA team and Humboldt County throughout the update process. Changes to the FEMA maps can impact flood insurance requirements and access to emergency assistance. FEMA contractors and staff have their own public outreach process and are expected to hold public flood risk review meetings in winter 2026.

5. **Recommendation:** *To address issues related to flooding on public roads, staff recommend the engagement of Humboldt County to assess and prioritize county roads in need of flood retrofit.*

**2026 Status: Done, contract completed March 30, 2026**

In late summer 2022, North Coast Regional Water Board staff met with Humboldt County Department of Public Works (Humboldt County) to begin coordination on this recommendation. During initial conversations, Humboldt County identified a necessary first step in developing solutions to address road flooding was to complete a project study report. As a result, the North Coast Regional Water Board allocated contract funds for Humboldt County to complete the study to identify solutions, design options, workplans, and feasible projects to address road flooding along the following county roads/intersections: Elk River Road at Zanes Road, Berta Road and the flood curve (near the intersection of Wrigley Road and Elk River Road). While funding road projects is generally outside of North Coast Regional Water Board scope, funds were approved on a one-time basis to assist Humboldt County in completing the Elk River Road Project Study Report. The two-year contract was completed March 30, 2026. The completed study can assist the county in seeking funds for project implementation and/or project prioritization.

6. **Recommendation:** *To address issues related to flooding of private infrastructure, staff recommends engagement with a Health and Safety Workgroup to identify and engage with agencies with authority and resources to address these issues (e.g., including private roads, private structures, onsite wastewater treatment systems, and others).*

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<sup>2</sup> FEMA's Flood Insurance Rate Map depicts the Special Flood Hazard Area, which is the area that is likely to be inundated by a flood event having at least a one-percent chance of occurrence in a given year.

**2026 Status: Ongoing; with modifications to align with Regional Water Board authority and available funding. (See 2026 Elk River Stewardship Health and Safety Summary for more details).**

In the absence of willing participants and unanticipated state funding constraints, North Coast Regional Water Board staff moved away from a formal Health and Safety Workgroup approach. In lieu of the workgroup, staff have coordinated with agencies who have authority to address health and safety topics (e.g., flooding, water delivery). Unfortunately, North Coast Regional Water Board staff have been unsuccessful in finding funds for structure raising projects with federal and state programs (e.g., FEMA, Office of Emergency Services, California Coastal Conservancy, State Water Board, and Senate Bill 1). Staff are unaware of additional potential funding sources. Ultimately, structure raising projects are outside the authority of the North Coast Regional Water Board scope and authority and staff recommend that community members reach out to state and local representatives on the issue. The North Coast Water Board remains committed to supporting long-term restoration and remediation efforts that should help to address private property impacts by improving watershed functions.

Based on flooding impacts to private property/emergency response public comments at the August 2024 Board meeting, staff initiated an Elk River Community Emergency Response meeting. Developed and held in cooperation with Humboldt County, Office of Emergency Services, and CalTrout, the meeting took place in December 2024 and provided information on watershed restoration, road flooding and emergency response programs. Held in the evening to accommodate work schedules, it was during this meeting that the community identified the need for depth paddles to assist with road crossing during flood conditions. Depth paddles, purchased by CalTrout and installed by Humboldt County have been installed at key flood impacted road crossing locations throughout the watershed including Berta Road, Zanes Road and the flood curve on Elk River Road (county roads) and at the privately owned Elk River courts bridge.

## **Recovery Plan**

1. **Recommendation:** *Staff recommend implementation of the Recovery Plan, with CalTrout as the lead. This will require Regional Water Board support on grant applications, as a grant applicant itself (e.g., see discussion of FEMA grant above), in 401 permitting, with monitoring and assessment resources, and with Stewardship resources.*

**2026 Status: Ongoing. (See 2026 Elk River Stewardship Program Health and Safety Summary, Nuisance Flooding Section for more details).**

CalTrout has remained the project lead for restoration project planning and implementation. North Coast Regional Water Board staff continue to work directly with CalTrout to support restoration and recovery efforts through permitting, the Stewardship Program, and supporting funding opportunities. This recommendation will continue to be an action item through Recovery Plan implementation. The first restoration projects are set to begin in summer 2026

2. **Recommendation:** *Staff recommend the engagement of upper and lower watershed landowners in support of grant applications; other funding (as applicable); and recovery action design, implementation, and assessment.*

**2026 Status: Ongoing.**

Staff have provided letters of support for CalTrout funding opportunities, attended community events to promote Stewardship Program awareness, and have highlighted local grant opportunities for residents to seek technical assistance in grant writing for areas outside of North Coast Regional Water Board authority. Staff will continue this support.

## Waste Discharge Requirements

1. **Recommendation:** *Staff recommend that the water quality protections of the current WDRs not be reduced until there is evidence that impairment conditions are improving.*

**2026 Status: Ongoing**

In 2024 the Board allowed the limited prohibition on harvesting in high-risk areas to sunset and made no revisions to the Order. (**See Section 4.2.1.7 of the [2022 Five Year Elk River TMDL Staff Report](#)** ([https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/tmdls/elk\\_river/pdf/260408/final\\_TMDL\\_SR.pdf](https://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/elk_river/pdf/260408/final_TMDL_SR.pdf)))

In May 2026, the Board will consider adopting a revised Order to include alternative prescriptions for riparian protection and wet weather requirements. The “Alternatives Methods of Compliance” section of Humboldt Redwood Company’s 2019 Order (condition I.J. of the existing Order) allows Humboldt Redwood Company to propose specific alternative measures that will provide beneficial use protection and nuisance abatement that is equal or better to existing specific requirements. Following public notice and hearing, the Board may approve revisions consistent with section I.J.

2. **Recommendation:** *Staff recommend that data collection required by the MRPs be expanded beyond once every three years to a more statistically significant number (i.e., the Mann-Kendall). Further, staff recommend MRPs require a minimum number of four observations as well as minimal gaps to provide useful*

*inferences. Finally, the MRPs should be revised to provide greater clarity on issues such as data format, useability, and sharing.*

**2026 Status: Ongoing**

As the regulatory tool used by the North Coast Regional Water Board to control nonpoint source pollution, waste discharge requirements are recognized as one of the three core elements of the Action Plan's program of implementation. WDR development and implementation is a separate but complementary process to the broader Stewardship Program with their development and implementation undertaken by North Coast Regional Water Board Nonpoint Source Division staff who are the lead on all WDR related issues including those related to the Elk River.

Regional Water Board Nonpoint Source Division staff are currently in ongoing discussions with Humboldt Redwood Company regarding potential revisions to the MRPs.

- 3. Recommendation:** *Staff recommend the engagement of HRC and GDRC in the Science and Coordinated Monitoring Workgroup when it is formed. Their engagement will be critical to establish meaningful monitoring questions, identify additional data and analyses that may help inform adaptive management, and establish appropriate thresholds to support modification of MRPs, WDRs, and the TMDL, as warranted.*

**2026 Status: On hold pending workgroup formation (See Watershed Stewardship Recommendation 1).**

- 4. Recommendation:** *Regional Water Board staff and HRC and GDRC staff should be more active in coordinating science and monitoring. While the MRP is correct in saying that the Watershed Stewardship Program is the appropriate forum for such coordination and dialogue, the process need not wait for a more formal workgroup to emerge. That is, staff should build the foundation in anticipation of an active group existing. The Elk River Recovery Plan provides detailed guidance on recommended direction (i.e., monitoring framework); the MRP should incorporate these recommendations to the extent feasible.*

**2026 Status: In progress**

Ongoing discussions are occurring between North Coast Regional Water Board and Humboldt Redwood Company staff regarding potential revisions to the MRPs. North Coast Regional Water Board's position will be guided by recommendations consistent with the 2022 Staff Report.

- 5. Recommendation:** *Staff recommend that Suspended Sediment Concentration analyses, as described in Section 5, be applied to the whole upper watershed dataset, where there are sufficient data to do so. Staff further recommend that an*

*approach to assessing management-related covariates be considered. Staff should collaborate with HRC and GDRC on this work, at least until a Science and Coordinated Monitoring workgroup is established under the Watershed Stewardship Program.*

**2026 Status: Portions completed/In progress**

Suspended Sediment Concentration analysis has been applied as recommended.

Additional Ongoing discussions are occurring between North Coast Regional Water Board and Humboldt Redwood Company staff regarding potential revisions to the MRPs. North Coast Regional Water Board's position will be guided by recommendations consistent with the 2022 Staff Report.