

**Regional Water Quality Control Board  
North Coast Region  
Staff Summary Report  
August 15, 2025**

**ITEM: 6**

**SUBJECT:** Public Hearing to consider adoption of Resolution No. R1-2025-0030 amending the Water Quality Control Plan for the North Coast Region (Basin Plan) to Establish a Total Maximum Daily Load and Fecal Waste Discharge Prohibition, Incorporate the Action Plan for Pathogens in the Russian River Watershed, and Remove the Policy on the Control of Water Quality with Respect to On-Site Waste Treatment and Disposal Practices Specific to the Russian River Watershed, Including the Laguna De Santa Rosa (*Lisa Bernard*)

**BOARD ACTION:** This is a public hearing for the North Coast Water Board to consider adoption of amendments to the Basin Plan.

**BACKGROUND:** Several reaches of the Russian River Watershed are listed on the 303(d) list of impaired waters for pathogens. Total maximum daily load (TMDL) studies confirmed evidence of pollution and fecal waste discharge from numerous land use sectors throughout the watershed. The data considered to establish the TMDL and the program of implementation specified in the Action Plan include: observed levels of *Escherichia coli* (*E. coli*), enterococci, human-, bovine-, dog-, and bird- specific Bacteroides bacteria, PhyloChip™ Microbial Community Analysis, land cover, and land use. The Action Plan for Pathogens in the Russian River Watershed (Action Plan) addresses Russian River Watershed fecal indicator bacteria impairments and protections by establishing a TMDL, a fecal waste discharge prohibition, and a program of implementation for wastewater treatment facilities, sanitary sewer systems, recycled water, land application of biosolids, municipal stormwater runoff, onsite wastewater treatment systems (OWTS), dairies, ranches and hobby farms, and homeless encampments.

**DISCUSSION:** The Action Plan adds a TMDL, waste load allocations (WLA), load allocations (LA), and targets for all surface waters of the Russian River Watershed with the water contact (REC-1) beneficial use based upon the [statewide Bacteria Water Quality Objectives](https://www.waterboards.ca.gov/bacterialobjectives/docs/bacteria.pdf) (<https://www.waterboards.ca.gov/bacterialobjectives/docs/bacteria.pdf>) for *E. coli* or enterococci applicable to those waters, depending on the salinity level. Key to the program of implementation, the Action Plan adds a watershed-wide fecal waste discharge prohibition, mechanisms and compliance timeframes for each sector to comply with the prohibition, and establishes a region-specific assessment program for OWTS across the Russian River Watershed. Taken together with the WLAs and LAs, these elements minimize human exposure to pathogens and protect the REC-1 beneficial use.

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The Action Plan contains the following watershed-wide fecal waste discharge prohibition:

*Discharges of waste containing fecal material from humans or domestic animals to waters of the state within the Russian River Watershed are prohibited.*

Compliance with the fecal waste discharge prohibition can be achieved by providing adequate treatment or management practices that prevent the discharge of fecal waste, compliance with a National Pollutant Discharge Elimination System (NPDES) permit, or Waste Discharge Requirement (WDR) permit, waiver of WDRs, or implementing terms of Memoranda of Understanding between the North Coast Regional Water Quality Control Board and relevant local agencies, as applicable.

In 2012, the State Water Board adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems ([OWTS Policy](https://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf)), prompting regional water boards to incorporate the statewide OWTS Policy into their Basin Plans within a given timeframe. The North Coast Water Board incorporated the statewide OWTS Policy into its Basin Plan in 2015, retaining the pre-existing *Policy on the Control of Water Quality with Respect to On-Site Waste Treatment and Disposal Practices Specific to the Russian River Watershed, Including the Laguna de Santa Rosa* (Regional OWTS Policy). The Regional OWTS Policy for the control of OWTS discharges in the Russian River Watershed remains in effect until the Action Plan takes effect.

Upon effect of the Action Plan, the siting and design requirements within the Regional OWTS Policy will be removed from the Basin Plan, no longer applying to the Russian River Watershed. Instead, the Action Plan applies standard statewide OWTS Policy requirements for WDR waiver coverage across the Russian River Watershed. All design and siting criteria for OWTS will be as described under the statewide OWTS Policy or in accordance with provisions under an approved Local Agency Management Program (LAMP). This includes requirements for OWTS subject to an Advanced Protection Management Program (APMP). Compliance with an approved LAMP also complies with the statewide OWTS Policy.

In addition to statewide OWTS Policy and LAMP requirements, the Action Plan establishes the components for the basic operational inspection of OWTS and a North Coast Water Board OWTS assessment program to identify OWTS not authorized under the statewide OWTS Policy or approved LAMPs.

On March 24, 2025 the public review and comment period began for the draft *Action Plan for the Russian River Watershed and Russian River Watershed Total Maximum Daily Load* (now titled *Action Plan for Pathogens in the Russian River Watershed*) and draft *Staff Report for the Action Plan for the Russian River Watershed Pathogen Total Maximum Daily Load* (now titled *Staff Report for the Action Plan for Pathogens in the*

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*Russian River Watershed*). The change in Action Plan and Staff Report document names between the public comment period and documents proposed for adoption more broadly reflects the Action Plan's scope which includes not only a TMDL, but also a Fecal Waste Discharge Prohibition and mechanisms to comply with both.

During the public comment period, at the April 1, 2025 Board meeting, staff presented the proposed revisions to the Action Plan previously adopted by the North Coast Water Board on December 2, 2021. Staff also met with community members on April 30, 2025, to discuss questions and concerns related to the Action Plan revisions. Staff received four written comment letters by May 8, 2025, which was the end of the 45-day public comment period.

All public comments have been considered, and staff has provided written responses to each comment in the *Response to Public Comments on the Action Plan for Pathogens in the Russian River Watershed* (Supporting Document 4). The key topic commenters expressed relate to the retention of cesspool and holding tank prohibitions from the existing Regional OWTS Policy. Concerns from commenters stem from an absence of specific data directly linking cesspools or holding tanks to adverse impacts on the contact recreation beneficial use (REC-1) and concerns related to technical and economic challenges that may be faced by owners of those systems. Staff acknowledge these challenges and upon consideration of other regulatory mechanisms available to manage cesspools and holding tanks that may be discharging to surface waters in the Russian River Watershed, the proposed Action Plan and final Staff Report do not retain this prohibition language.

### **RECOMMENDATION:**

Staff recommend that the North Coast Water Board:

1. Adopt Resolution No. R1-2025-0030 amending the Water Quality Control Plan for the North Coast Region to include the *Action Plan for Pathogens in the Russian River Watershed* including the prohibition against the discharge of fecal waste materials in the Russian River Watershed and to remove the *Policy on the Control of Water Quality with Respect to On-Site Waste Treatment and Disposal Practices Specific to the Russian River Watershed, Including the Laguna De Santa Rosa*.
2. Authorize the Executive Officer or designee to submit the amendments adopted under North Coast Water Board Resolution No. R1-2025-0030, 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 Revisions to a Basin Plan Amendment Regarding The Russian River Watershed Pathogen Total Maximum Daily Load*
2. *Proposed Action Plan for Pathogens in the Russian River Watershed*

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3. *Final Staff Report for the Action Plan for Pathogens in the Russian River Watershed*
4. *Response to Public Comments on the draft Action Plan for the Russian River Watershed and Russian River Watershed Total Maximum Daily Load*
5. *Resolution No. R1-2025-0030 adopting the Action Plan for Pathogens in the Russian River Watershed into the Basin Plan and removing the Policy on the Control of Water Quality with Respect to On-Site Waste Treatment and Disposal Practices Specific to the Russian River Watershed, Including the Laguna De Santa Rosa*