

Staff Report

2025 Remediation of the Water Quality Control Plan for the North Coast Region (Basin Plan)



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1.0 Executive Summary

This Staff Report presents the proposed non-regulatory amendments to the *Water Quality Control Plan for the North Coast Region* (Basin Plan) to incorporate by reference applicable provisions of State Water Board plans and policies, keep pace with changes in regulation, more accurately describe the physical and social characteristics within the region, and improve the overall clarity of the Basin Plan.

2.0 Introduction

2.1 The Basin Plan

The *Water Quality Control Plan for the North Coast Region* (Basin Plan) contains the water quality standards and regulations adopted by the North Coast Water Board to control the discharge of waste and other controllable factors affecting the quality of waters of the state within the boundaries of the North Coast Region. It is amended from time to time to incorporate new beneficial uses, water quality objectives, and programs of implementation, including monitoring programs, and to conduct substantive and non-substantive revisions of existing language.

The Basin Plan establishes beneficial uses for surface waters and groundwater; the water quality objectives necessary to support those uses, including an antidegradation policy; the prohibitions, policies, and action plans by which protections are implemented; and the monitoring programs conducted to ensure attainment of water quality standards. Under the Clean Water Act, water quality standards include designated uses, water quality criteria, and an antidegradation policy. The *Porter-Cologne Water Quality Control Act* (Porter-Cologne) modifies the federal language to refer to designated uses as *beneficial uses* and water quality criteria as *water quality objectives*, which includes the State Water Board's Antidegradation Policy. Porter-Cologne also requires a *program of implementation* for water quality protection in California. Implementation is achieved through State Water Board plans and policies, and regional and waterbody-specific plans, policies, and prohibitions.

The Basin Plan forms the basis for regulatory actions taken by the North Coast Water Board to protect waters of the state and to ensure compliance with applicable federal and state laws, including the federal Clean Water Act and the California Water Code. Porter-Cologne defines "waters of the state" to mean any surface water or groundwater, including saline waters, within the boundaries of the state. Section 303 of the federal Clean Water Act requires states to adopt water quality standards, which consist of three parts (1) the designated uses of waters ("beneficial uses" under Porter-Cologne in California), (2) water quality criteria (referred to as "water quality objectives" in California) necessary to protect those designated uses, and (3) an antidegradation policy. Under California Water Code section 13240, each California regional water board is required to formulate and adopt a water quality control plan (i.e., a basin plan)

for all areas within their region. At the North Coast Water Board, the Planning Unit has a responsibility to ensure the Basin Plan is kept up to date and accurate by making changes that clarify or update information to be consistent with new laws, plans, and regulations or to correct minor errors.

2.2 Amending the Basin Plan

The Basin Plan is amended from time to time to incorporate new beneficial uses, water quality objectives, and programs of implementation, including monitoring programs, and to conduct substantive and non-substantive revisions of existing language.

New objectives, plans, and policies adopted by the State Water Board are considered editorial amendments when brought into the Basin Plan as they have already been through the regulatory process at the State level, including scientific peer review, California Environmental Quality Act (CEQA) and public comment. New statewide requirements that override existing Basin Plan language are in full effect once passed by the State Water Board and approved by the Office of Administrative Law as well as U.S. EPA. These regulatory requirements are then later amended into the Basin Plan to improve clarity and consistency.

Revisions of existing Basin Plan language that do not have a regulatory effect are also considered editorial amendments. These amendments generally improve the accuracy and clarity of the Basin Plan. Basin Plan amendments are not final until approved by the North Coast Water Board, State Water Board and Office of Administrative Law. The U.S. EPA must also review and approve amendments that add or modify water quality standards for waters of the United States.

2.3 Triennial Review

Section 13240 of the Porter Cologne Water Quality Control Act requires periodic review of basin plans, and section 303(c)(1) of the federal Clean Water Act requires a public hearing at least once every three years for the purpose of reviewing basin plans to keep pace with changes in regulation, new technologies, policies, and physical changes within the region. The North Coast Water Board is responsible for reviewing the Basin Plan and is required to: 1) identify those portions of the Basin Plan in need of modification or new additions; 2) adopt standards as appropriate; and 3) recognize those portions of the Basin Plan which are appropriate as written. By resolution, the North Coast Water Board approves a list of basin plan amendment projects during Triennial Review of the Basin Plan, generally every three years. The project list then denotes the Planning Program Workplan for the following period. This Basin Plan Remediation project was included in the Planning Program Workplan approved with the 2023 Triennial Review.

2.4 Public Participation

The 2023 Triennial Review project involved significant public outreach and participation to develop the Planning Program Workplan that included this Basin Plan Remediation project. The proposed remedial amendments to the Basin Plan are made available with this Staff Report for public review and comment from March 13 to April 28, 2025. A public hearing will be held at a future meeting of the North Coast Water Board, currently scheduled for June 12th or 13th 2025, where oral comments can be made to the Board and the Board will consider adoption of a Resolution approving the amendments to the Basin Plan described in this Staff Report.

3.0 Amendment Overview

3.1 Scope of Amendment

The adopted 2023 Triennial Review Staff Report provided an overview of this project, listing some of the proposed editorial changes to each chapter of the Basin Plan. These include general changes to improve clarity and consistency, correct typographical errors and punctuation, and remediate the Basin Plan to comply with the Americans with Disabilities Act. Chapter specific changes include incorporating applicable provisions of statewide plans and policies that have been adopted by the State Water Board (new and amended), listing State Water Board plans and policies individually to improve understanding, and reorganizing Implementation contents to improve clarity. Full descriptions of proposed changes are found in section 4.0 of this Staff Report, Amendment Description.

The revisions discussed in this report are non-regulatory changes to the Basin Plan because they are editorial in nature or incorporate provisions that were adopted by the State Water Board and are already in effect statewide (and therefore, the North Coast Water Board is already subject to and implementing those provisions). Consequently, the revisions are changes that do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of the Basin Plan, and are therefore without regulatory effect under California Code of Regulations ((CCR), title 1, section 100, subdivision (a)). Rather, these Basin Plan revisions improve and clarify the application and implementation of water quality protections already applicable to the North Coast Region.

The proposed action to amend the Basin Plan is not a “project” within the meaning of CEQA because it will cause neither a direct physical change in the environment nor a reasonably foreseeable indirect physical change in the environment (Public Resources Code, section 21065; CCR, title 14, section 15378; Public Resources Code, section 21080.1). As a result, the non-regulatory Basin Plan amendment is not subject to CEQA and, therefore, not subject to the State Water Board’s certified regulatory program

regulations for implementing CEQA (CCR, title 23, section 3720, subdivisions (b) and (c)(2)).

3.2 Purpose of Amendment

The purpose of the Basin Plan Remediation project is to ensure the Basin Plan for the North Coast Region is clear, accurate, current, and accessible. The State Water Board has adopted several amendments to its statewide plans and in some cases, the statewide water quality objectives established by those plans supersede the Basin Plan (i.e., mercury and bacteria objectives). In addition, the State Water Board has adopted new and revised existing statewide policies that are in effect and applicable to the North Coast Region. Permit writers and interested persons referring to the Basin Plan for applicable water quality objectives may be unaware of these statewide objectives or misguided about the objectives that have been superseded. Other regulatory changes outside of State Water Board also require updates to language in the Basin Plan to accurately reflect regulations applicable to water quality protection in the North Coast Region. This missing and outdated information may limit the ability of permit-writers to write, and interested persons and permittees to comply with, permits that effectively protect water quality.

4.0 Amendment Description

This section describes the Basin Plan amendment, organized by chapter. The amendment is entirely non-regulatory and changes generally fall into the following categories: 1) incorporate applicable provisions of statewide water quality control plans and policies, 2) improve clarity and consistency of the Basin Plan, and 3) correct typographical errors. The discussion sections describe the changes in greater detail.

The full text of each Basin Plan chapter is attached to this Staff Report, showing the amendment in track changes with strikethrough and underline. Removal of text is shown in dark red strikethrough (i.e., ~~dark red strikethrough~~) and addition of text is shown in dark red underline (i.e., dark red underline). Sections that have moved are shown in blue double strikethrough (i.e., ~~blue double strikethrough~~) where they were previously located and blue double underline (i.e., blue double underline) in their new location.

This is the North Coast Water Board's first Basin Plan amendment required to meet AB 434 website accessibility requirements. The proposed Basin Plan amendment will meet these requirements, resulting in cosmetic changes that do not constitute formal revisions requiring review and adoption by the North Coast Water Board. Some examples of cosmetic changes are: increasing the font size to meet accessibility requirements; changes in capitalization, italicization, underline or boldface; changing the increase or decrease of heading levels; and resulting changes in pagination. Cosmetic changes are not presented as proposed revisions or displayed in track changes.

4.1 General Updates

Some of the changes are so minor they are not included in the list but shown in track changes in the public review draft. The following revisions correct errors, update naming conventions, or conform to office writing guidelines throughout the Basin Plan:

- North Coast Water Board replaces instances of Regional Water Board or Regional Board
- State Water Board replaces instances of State Board
- California Department of Fish and Wildlife (CDFW) replaces instances of California Department of Fish and Game (CDFG)
- NOAA Fisheries replaces instances of National Marine Fisheries Service (NMFS)
- Chapter to replace misuse of “section”
- REC-1 and REC-2 replace REC 1 and REC 2
- Consistent single word uses for: waterbody, watercourse, streambank, ongoing, stormwater, subwatershed, regionwide, countywide, statewide
- Power plant replaces instances of powerplant
- Dissolved oxygen replaces instances of DO

4.2 Chapter 1: Introduction

Editorial changes to Chapter 1 improve descriptions in the Setting of North Coast Region section for clarity and accuracy.

During the 2023 Triennial Review proposal solicitation, staff received a request to update language in this section to include California Native American Tribes in the North Coast Region. The proposed language is an appropriate addition to the overview of the environmental and socioeconomic setting of the North Coast Region.

In the Middle Klamath River Hydrologic Area section, descriptions of the Klamath River dams have been removed to make the Basin Plan current with the recent dam removal project.

In the Water Quantity section, language has been added to clarify that reduced stream flows impact water quality.

A new section, Climate Change, has been added to Chapter 1. This section provides a general overview of climate change impacts in the North Coast Region and water quality changes attributed to climate change.

4.3 Chapter 2: Beneficial Uses

Editorial changes to Chapter 2 were made to improve the clarity, consistency, and accuracy of the Basin Plan.

Beneficial uses have been alphabetized in the narrative and in Table 2-1.

Hydroelectric generating projects description in Section 2.3 has been updated to remove the recently removed Klamath River dams.

Section 2.5.3 Wetlands has been updated to improve consistency with current statewide policies and procedures and federal requirements.

4.4 Chapter 3: Water Quality Objectives

Editorial changes to Chapter 3 were made to improve clarity, consistency, and accuracy of the Basin Plan.

Statewide water quality objectives that have been established by the State Water Board have been added to Chapter 3 and superseded water quality objectives removed. These include bacteria objectives, mercury objectives, toxicity objectives, and trash objectives. These water quality objectives are written as they apply to the North Coast Region. North Coast Region water quality objectives that are superseded by Statewide water quality objectives have been removed from the Basin Plan.

4.5 Chapter 4: Statewide Implementation, Prohibitions, Plans and Policies

The content of Chapter 4 (Implementation) from the 2018 Basin Plan has been moved in its entirety to Chapters 5 and 6 as described below. The content from the 2018 Basin Plan Chapter 5 (Plans and Policies) was moved to form a new Chapter 4 for the 2025 Basin Plan, Statewide Implementation, Prohibition, Plans and Policies. Statewide plans and policies are listed individually in Chapter 4, replacing the single link presented in the 2018 Basin Plan that directed the reader to a State Water Board webpage listing plans and policies of the State Water Board. The new section listing statewide plans and policies individually is intended to improve understanding, affirm the applicability of these plans and policies to the North Coast Region, and improve access to the full regulatory framework necessary for implementation. The link to the State Water Board Plans and Policies webpage remains as part of the Chapter 4 introduction, and a link to

the full text of each plan or policy is included with each plan or policy description. The statewide plans and policies summarized in Chapter 4 include:

- Antidegradation Policy
- Areas of Special Biological Significance and State Water Quality Protection Areas
- Aquatic Toxicity Provisions
- Bacteria Provisions and Variance Policy
- California Ocean Plan
- California Thermal Plan
- California Wetlands Conservation Policy
- Cannabis Cultivation Policy
- Cleanup and Abatement Policies and Procedures
- Compliance Schedule Policy
- Comprehensive Response to Climate Change
- Consolidated Cleanup Plan
- Enclosed Bays and Estuaries Plan
- Enclosed Bays and Estuaries Policy
- Enforcement Policy
- Human Right to Water Resolution
- Listing Policy
- Impaired Waters Policy
- Instream Flows Policy
- Low-Threat Underground Storage Tank Closure Policy
- Mercury Provisions
- Municipal Solid Waste Policy
- Nonpoint Source Pollution Implementation and Enforcement Policy
- Once-Through Cooling Water Policy for Coastal and Estuarine Waters
- Once-Through Cooling Water Policy for Inland Waters
- Onsite Wastewater Treatment Systems Policy

- Recycled Water Policy
- Sources of Drinking Water Policy
- State Implementation Policy
- State Policy for Water Quality Control
- State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State
- Supplemental Environmental Projects Policy
- Trash Provisions
- Water Reclamation Policy

4.6 Chapter 5: Regionwide Implementation, Prohibitions, Plans and Policies

The content of Chapter 5 from the 2018 Basin Plan has been moved to Chapter 4 as described above. In the proposed 2025 Basin Plan, Chapter 5 is renamed from “Plans and Policies” to “Regionwide Implementation, Prohibitions, Plans and Policies” to reflect the chapter content which includes implementation, prohibitions, and regionwide plans and policies that were previously in Chapter 4 (2018 Basin Plan). An introductory section has been added providing information about the contents of Chapter 5 and the relationship between the three implementation chapters 4, 5, and 6.

Regionwide implementation, prohibitions, plans, and policies now found in Chapter 5 include:

- Permitting and Enforcement Tools
- Waste Discharge Prohibitions
- Schedules of Compliance
- Interim Policy on the Regulation of Waste Discharges from Underground Petroleum Tank Systems
- Interim Action Plan for Cleanup of Groundwaters Polluted with Petroleum Products and Halogenated Volatile Hydrocarbons
- Action Plan for Low Threat Discharges
- Action Plan for Stormwater Discharges
- Onsite Wastewater System Requirements
- Policy on Disposal of Solid Wastes
- Policy for Agricultural Wastewater Management
- Action Plan for Regulation of Mining Wastes
- Action Plan for Accidental Spills and Contingencies

- Policy on the Regulation of Fish Hatcheries, Fish Rearing Facilities, and Aquaculture Operations
- Policy on Power Plant Cooling
- Policy on Residual Wastes
- Action Plan for Logging, Construction, and Associated Activities
- Guidelines for Implementation and Enforcement of Discharge Prohibitions Relating to Logging, Construction, or Associated Activities
- Policy for the Control of Discharges of Herbicide Wastes from Silvicultural Applications
- Action Plan for Control of Discharges of Herbicide Wastes from Silvicultural Applications
- Policy for the Implementation of the Water Quality Objectives for Temperature
- Policy in Support of Restoration in the North Coast Region
- Guidelines for Implementation of Restoration Policy

Updates to the Policy on Disposal of Solid Wastes, now in section 5.1.8, and the Policy for Agricultural Wastewater Management, now in section 5.1.9, provide information consistent with current regulations.

Introductory language to section 5.2 Nonpoint Source Measures was updated for clarity and consistency.

Attainment strategies, TMDLs, and waterbody-specific action plans have been moved to Chapter 6, TMDLs and Watershed Action Plans. See Chapter 6 description in this Staff Report (section 4.7, below) for the list of action plans and TMDLs that have been moved to that chapter.

4.7 Chapter 6: Total Maximum Daily Loads and Watershed Action Plans

Chapter 6 (formerly Surveillance and Monitoring) is a new chapter in the Basin Plan titled “Total Maximum Daily Loads and Watershed Specific Action Plans.” Surveillance and Monitoring chapter has moved to chapter 7. Although this TMDL and Watershed Action Plans chapter is new, there is no new information being included that is substantive. Watershed specific implementation information has been moved into this chapter from Chapter 4 of the 2018 Basin Plan, and new explanatory language and structure have been added for the purpose of clarity.

Section 6.1, “Policies and Regulatory Tools Applicable to TMDLs,” was previously located in section 4.2.7. This section previously included some policies and regulatory tools that apply more broadly, those have been moved to the appropriate chapters in the 2025 Basin Plan: the Nonpoint Source Policy was moved to 4.23 in the Statewide

Implementation chapter, the Policy for the Implementation of the Water Quality Objectives for Temperature was moved to 5.3.5 and the Permitting and Enforcement Tools section has been moved to 5.1 in the Regionwide Implementation, Prohibitions, Plans and Policies chapter. A new section 6.1.3 Other Implementation Mechanisms includes references to the new locations for these policies and regulatory tools.

Section 6.2 is a new section titled “Total Maximum Daily Loads for the North Coast Region.” This section provides a table, Table 6-1, listing all TMDLs applicable to the North Coast Region, including those adopted by the North Coast Water Board as basin plan amendments and those that were established by the United States Environmental Protection Agency. The table identifies the pollutants addressed by each TMDL as well as the implementation mechanism that was established to achieve TMDL goals.

Watershed specific TMDL Action Plans are now located in section 6.3, previously section 4.3. TMDL Action Plans have also been alphabetized for organizational purposes.

Section 6.4, “Additional Watershed Action Plans,” was previously located in section 4.1, “Point Source Measures.” Given that these are watershed specific action plans, they have been moved to chapter 6 for clarity and organization. Now, all plans that are not at the state level, or region level, reside in the new Chapter 6.

The following TMDLs and watershed action plans have been moved into this chapter:

- Action Plan to Address Elevated Water Temperatures in the Eel River Watershed
- Action Plan for the Upper Elk River Sediment TMDL
- Action Plan for The Garcia River Watershed Sediment TMDL
- Action Plan for The Klamath River Total Maximum Daily Loads Addressing Temperature, Dissolved Oxygen, Nutrient, And Microcystin Impairments in the Klamath River in California and Lost River Implementation Plan
- Action Plan to Address Elevated Water Temperatures in the Mattole River Watershed
- Action Plan to Address Elevated Water Temperatures in the Navarro River Watershed
- Action Plan for the Scott River Sediment and Temperature Total Maximum Daily Loads

- Action Plan for the Shasta River Watershed Temperature and Dissolved Oxygen Total Maximum Daily Loads
- Action Plan for Humboldt Bay Area
- Action Plan for the Santa Rosa Area Interim Action Plan (1986 – 1990) for the Santa Rosa Area
- Interim Action Plan for the Trinity River
- Policy on the Control of Water Quality with Respect to Onsite Waste Treatment and Disposal Practices Specific to the Russian River Watershed, Including the Laguna De Santa Rosa

4.8 Chapter 7: Surveillance and Monitoring

The Surveillance and Monitoring information has been moved from Chapter 6 to a new Chapter 7, to make room for the newly created TMDL chapter. The content of the Surveillance and Monitoring chapter has been updated to remove outdated information that no longer has regulatory effect and bring in descriptions of current monitoring programs and information.

The following programs are proposed additions to the Monitoring and Surveillance chapter content:

- California Water Quality Monitoring Council
- Groundwater Ambient Monitoring and Assessment
- Surface Water Ambient Monitoring Program (SWAMP), including Bioassessment, Harmful Algal Blooms, Bioaccumulation Monitoring Program, Stream Pollution Trends Monitoring Program, and Quality Assurance and Quality Control.

The following sections are proposed for removal from the Monitoring and Surveillance chapter content as they are no longer active:

- Toxic Substances Monitoring Program
- State Mussel Watch Program
- Bay Protection and Toxic Cleanup Program
- Water Quality Assessment
- Inland Surface Waters Toxicity Testing Program

The following sections have minor edits proposed to improve clarity and consistency with current information:

- 7.1.4 Water Quality Inventory

- 7.2.1 Surface Water Monitoring
- 7.2.3 Compliance Monitoring
- 7.2.4 Complaint Investigations
- 7.2.7 Water Quality Models
- 7.2.8 Groundwater Monitoring
- Laboratory Support and Quality Assurance has been moved to a new QA/QC Quality Assurance and Quality Control subsection of 7.1.3 Surface Water Ambient Monitoring Program

4.9 Appendices

The Appendices in the 2018 Basin Plan include a table of Basin Plan amendments (Appendix 1), and copies of several resolutions, plans, and policies that are now described in Chapter 4 and include links so each can be found online in its entirety. For the 2025 Basin Plan, staff recommend removing the following appendices as unnecessary and already incorporated by reference:

- Appendix 3: Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California
- Appendix 4: California Ocean Plan
- Appendix 5: Water Quality Control Policy for the Enclosed Bays and Estuaries of California
- Appendix 6: State Water Resources Control Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality Waters in California
- Appendix 6B: Federal Anti-degradation Policy
- Appendix 7: State Water Resources Control Board Resolution No. 88-63, A Policy Entitled “Sources of Drinking Water”
- Appendix 8: Water Quality control Policy for the Use and Disposal of Inland Waters Used for Power Plant Cooling (Power Plant Cooling Policy)
- Appendix 9: Policy with Respect to Water Reclamation in California (Reclamation Policy)

Appendix 1, Basin Plan Amendments, will be maintained.

A new Appendix 2, 2025 Basin Plan Crosswalk, will be added to guide readers familiar with the 2018 Basin Plan to locations of sections that moved in the 2025 Basin Plan.

5.0 2025 Basin Plan Summary

As described in section 4.0 above, the amendments to the Basin Plan for this project involve editorial changes to each chapter, including moving implementation measures and the creation of a new chapter to present implementation information in a logical order. The outline for the 2025 Basin Plan is presented below as it will appear on the updated Basin Plan webpage.

Chapter 1: Introduction provides general information about the Basin Plan, the North Coast Region, and general water quality-related introductory information.

Chapter 2: Beneficial Uses provides a description of the statewide and regional beneficial use categories by which waters in the North Coast Region are defined. Table 2-1 of the Basin Plan designates beneficial uses on a waterbody-by-waterbody basis, though the North Coast Water Board adopts orders and permits to protect verified, existing beneficial uses of water, whether or not they are listed in Table 2-1.

Chapter 3: Water Quality Objectives describes the purpose and use of water quality objectives, including the antidegradation policy, in establishing requirements in permits and orders to control the discharge of waste and other controllable factors associated with the discharge of waste. Chapter 3 references statewide objectives, for example as described in the Ocean Plan, Bays and Estuaries Plan, and subparts of what will be incorporated into the Inland Surface Waters Plan. It also establishes both numeric and narrative objectives specific to the North Coast Region for both surface waters and groundwaters.

Chapter 4: Statewide Implementation, Prohibitions, Plans and Policies describes the plans and policies of implementation that apply statewide.

Chapter 5: Regionwide Implementation, Prohibitions, Plans and Policies describes the programs of implementation that apply regionwide, under which the North Coast Water Board implements water quality objectives and other beneficial use protections.

Chapter 6: Total Maximum Daily Loads and Watershed Action Plans describes watershed-specific programs of implementation in the North Coast Region.

Chapter 7: Surveillance and Monitoring describes the monitoring activities of the North Coast Region.

Appendix 1: Basin Plan Amendments presents a summary of all amendments to the Basin Plan from 1975

Appendix 2: 2025 Basin Plan Crosswalk presents a table of previous Basin Plan section locations aligned with the 2025 Basin Plan sections.