
North Coast Regional Water Quality Control Board

March 12, 2025

USDA Forest Service
Pacific Northwest Region
1220 SW 3rd Ave Ste. G015
Portland, OR 97204

Subject: Draft Environmental Impact Statement (EIS) Comments - Northwest Forest Plan Amendment, United States Forest Service (USFS) Region 6, Pacific Northwest Region

File: USDA – USFS Pacific Northwest Region 6 (CW- 900200)
USDA - USFS Pacific Southwest Region 5 (CW- 817444)

The North Coast Regional Water Quality Control Board (North Coast Water Board) appreciates the opportunity to comment on the draft Environmental Impact Statement (EIS) for the Proposed Amendment to the Northwest Forest Plan (NWFP). The purpose of this letter is to comment on the activities proposed in the Amendment. Additionally, we are providing you with information regarding compliance with the recently adopted *General Waste Discharge Requirements for Nonpoint Source Discharges Related to Certain Land Management Activities on Federal Lands in the North Coast Region*, Order R1-2024-0012 (Federal Lands Permit). Please see the Waste Discharge Requirements section below for more information about the Federal Lands Permit and amendment specific comments.

Proposed Amendment Summary

On November 14, 2024, the Regional Water Board received a notification for the opportunity to comment on the EIS for the proposed NWFP Amendment (proposed amendment). This amendment aims to address current challenges and incorporate updated scientific knowledge in managing National Forest System (NFS) lands across California, Oregon, and Washington. The lead agency for this amendment is the United States Department of Agriculture (USDA) Forest Service, with several cooperating agencies including the Bureau of Land Management, the United States Environmental Protection Agency (USEPA), and state departments of natural resources. The goal is to promote ecological resilience, community sustainability, and long-term forest health. The amendment emphasizes that the purpose of these revisions is to improve the

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protection and enhancement of late-successional and old-growth forest ecosystems while accounting for other resource and management needs. The amendment considers Tribal inclusion, biodiversity, forest stewardship, fire resilience, and climate.

General Waste Discharge Requirements

As background, California state law assigns responsibility for protection of water quality within north coast watersheds to the Regional Water Board. The Regional Water Board implements and enforces the Porter-Cologne Water Quality Control Act ("Porter-Cologne Act": Wat. Code, §13000 et seq.) and the Water Quality Control Plan for the North Coast Region (Basin Plan). All Federal projects within California must comply with all substantive and procedural requirements of the Porter-Cologne Act (Water Code) and the Basin Plan.

The Basin Plan contains water quality objectives, implementation plans for meeting those objectives, and other policies, including State Water Resources Control Board (State Water Board) and federal policies, which are applicable to operations on NFS lands within California. Water Code section 13260(a) requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the state, other than into a community sewer system, must file with the appropriate Regional Water Board, a report of waste discharge containing such information and data as may be required. Pursuant to Water Code section 13260, Regional Water Boards prescribe waste discharge requirements (WDRs) except when it finds, pursuant to Water Code section 13269, that a waiver of WDRs for a specific type of discharge is in the public interest.

The State Water Board *Policy for the Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (Nonpoint Source Policy) requires that all nonpoint source discharges of waste be regulated by WDRs, waivers of WDRs, or prohibitions to ensure compliance with the Basin Plan. Additionally, the Project must be in compliance with any total maximum daily load (TMDL) for the watersheds in which a project will occur.

The Regional Water Board developed and adopted the Federal Lands Permit as a means for USFS and nonpoint source projects to comply with the Nonpoint Source Policy, the Water Code, and TMDLs. In order to receive coverage under the Federal Lands Permit, a project must meet specific eligibility criteria and conditions. The Federal Lands Permit is available for review and can be downloaded at the following web address:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/forest_activities/federal_lands/

Comments

Please accept the following comments based on preliminary information provided in the proposed amendment:

1. The EIS proposes to enhance tribal collaboration as part of the NWFP amendment process. Please provide clarification on whether coordination efforts will extend to non-federally recognized tribes, particularly California Native American tribes that have historical and cultural ties to these forested lands.

Will there be opportunities for non-federally recognized tribes to participate in decision-making, consultation, or land management discussions under this amendment? Additionally, how will the USFS ensure inclusiveness and engagement with these tribes in the planning and implementation process?

Thank you for the opportunity to comment on the Proposed Amendment and EIS. We would appreciate receiving copies of the environmental documents and wish to remain on the mailing list for future USFS Pacific Southwest and Northwest Regions.

If you have any questions, please feel free to contact Carley Dunleavy at carley.dunleavy@waterboards.ca.gov or Forest Fortescue at forest.fortescue@waterboards.ca.gov.

Sincerely,

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