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Sent via electronic mail to: northcoast@waterboards.ca.gov on date shown below

February 15, 2016

Mr. Mathias St. John
Executive Officer
North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

RE: EPIC Comments Regarding Draft Combined Upper Elk River Total Maximum Daily Load Action Plan and Basin Plan Amendment

Dear Mr. St. John and Regional Board Staff and Members,

The following comments are submitted on behalf of the Environmental Protection Information Center (EPIC) regarding the proposed Upper Elk River Total Maximum Daily Load (TMDL) Action Plan and associated North Coast Regional Water Quality Control Plan (Basin Plan) Amendment. EPIC appreciates the opportunity to provide written comments at this time, and respectfully requests a formal written response.

General Comments

EPIC supports both the authority of the Regional Board in adopting regulatory controls to uphold its statutory mandate to protect the quality and beneficial uses of waters of the State, such as the TMDL Action Plan, and the Basin Plan Amendment, as well as WDRs, as well as the necessity to do so in the case of the Upper Elk River Watershed, given the heavily impacted watershed conditions and the unreasonable burden that these conditions place on the public, especially local residents, beneficial uses and natural resources.

Elk River was determined to be “Significantly Adversely Cumulatively Impacted” by excessive sedimentation generated from poorly-regulated and implemented timber operations all the way back in 1997, almost 19 years ago, by the Inter-agency Team investigating watershed condition in the wake of the New

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Year's Eve 1996–1997 storms, and the lawless and reckless logging conducted by the Pacific Lumber Company under MAXXAM ownership. In the present day, timber operations continue to contribute to the unreasonably degraded water quality conditions in the Upper Elk River Watershed.

Water Quality Objectives are not being attained in the Upper Elk River Watershed, and have not been so in almost two decades; the regulatory agencies have simply not done enough to constrain the root cause of adverse watershed conditions; industrial timber harvesting and associated activities. As articulated in the original 1998 303(d) listing by the Regional Board, water quality problems resulting from timber operations include, but are not limited to: sedimentation and threat of sedimentation, impaired domestic and agricultural water supplies, impaired spawning habitat for listed salmonids and steelhead, and real property damage. (*Upper Elk River Technical Analysis for Sediment* (Tetra Tech 2015), at section 3.1, p. 18.). The Regional Board has an affirmative duty to take whatever actions are necessary to attain and recover the water quality conditions in the Upper Elk River Watershed.

Thus, EPIC fundamentally questions the overall approach, and likelihood of compliance with applicable legal and regulatory standards, for achieving a zero new sediment input load allocation in the Upper Elk River watershed as expressed in the Notice and Proposed TMDL Action Plan and Basin Plan Amendment. The extensive and rigorously tested scientific information available clearly demonstrates that conditions in the Upper Elk River Watershed continue to worsen under the current management and regulatory regimes, and that Water Quality Standards and Objectives are not presently being attained. The results of the *Upper Elk River Technical Analysis for Sediment* (hereafter, “Tetra Tech 2015”) demonstrates that existing regulatory constraints to protect, enhance, and restore water quality in the Upper Elk River Watershed simply have not been enough to stem to the tide of sedimentation and aggradation resulting from contemporary timber operations, and that far more stringent measures are needed, given the reality of a zero assimilative capacity for new sediment inputs in the so-called “Impacted Reach.”

The approach articulated in the December 23, 2015 *Notice and Draft Combined TMDL Action Plan and Basin Plan Amendment*, will not actually result in a zero additional allocation of anthropogenic sediment loading, and thus, it seems highly unlikely that Water Quality Objectives can be attained, and nuisance conditions that are adversely affecting the lives, safety, and property of local residents and natural resources can be remedied.

The proposed TMDL Action Plan and Basin Plan Amendment, at page 5, states that the zero load allocation is “necessarily conceptual,” reasoning that no amount of land use restrictions can completely eliminate new sediment inputs from anthropogenic and “natural” sources. This logic and reasoning fundamentally fails

to recognize that there are very real—and anything but conceptual—impaired water quality conditions in the Upper Elk River , especially as experienced by those people and resources most affected by the failure of the regulatory agencies to adequately constrain logging practices in the watershed. Poorly regulated and implemented industrial logging practices have and continue to directly result in the severely impacted conditions we now see. Local residents have lost their property, property values, livelihoods, and their ingress and egress have been compromised. EPIC remains concerned that the Regional Board’s reliance on non-regulatory and voluntary measures to achieve compliance with the Basin Plan and other applicable laws is itself, nothing more than “conceptual,” with no real evidence, or hope, of actually attaining the needed objective, which is to recover the river, and as soon as possible.

Applicable Legal and Regulatory Standards—“Rules of the Road”

In evaluating whether or not the proposed *Draft Combined TMDL Action Plan and Basin Plan Amendment* will cut muster, we must necessarily gauge the proposals in light of the myriad of applicable legal, regulatory, and policy requirements articulated by State and federal Law. The following provides a brief outline of these, in the context of their applicability to the Regional Board’s regulatory and non-regulatory proposals for the Upper Elk River watershed.

Public Trust

As we know, the genesis of modern law and regulation is rooted deeply in its predecessor, known as “common law.” Common law forms the guiding principles by which civil, democratic societies then formulate laws to generate laws that constrain order and self-governance. One of the most basic underpinnings of common law in democratic societies is the Justinian “Public Trust Doctrine.”

The Public Trust Doctrine, as it relates to water, holds that the sea, the shores of the sea, the air and running water are common to everyone, and not appropriate to be held for private use alone. Here in the United States, the Public Trust Doctrine has been a recognized underpinning of the law since the 1892 case, *Illinois Central Railroad v. Illinois*, 146 U.S. 387, in which federal courts held that the government could not alienate the public’s right to lands under, and associated with, navigable waters.

The Public Trust Doctrine persists as a fundamental and foundational basis of public and environmental law in California today. In *Environmental Protection Information Center v. California Dept of Forestry & Fire Protection*, 44 Cal.4th 459 (2008), California courts articulated a two-part public trust responsibility for government agencies, which relative to water, involves the government’s

affirmative duty to consider the public trust in the planning and allocation of water resources of the State.

It is this basic principle of the Public Trust, that the public's right to use, and enjoy navigable waters of the State and Nation, and government's affirmative responsibility to refrain from allocating these for private use, must necessarily guide the formation of all other laws, regulations, and policies regarding water quality, protection, allocation, and management.

The case of the Upper Elk River Watershed represents a bench-mark example of how state and federal regulators have failed to uphold their responsibilities to the public and the Public Trust in the regulation of the timber industry in the watershed.

Federal Clean Water Act

The federal "Clean Water Act," came into being, in its modern form, in the Federal Water Pollution Control Act Amendments of 1972. The intent of Congress in enacting this legislation was "to restore and maintain the chemical, physical, and biological integrity of the nation's waters," by preventing point and nonpoint pollution sources. By the early 70's research was showing that runoff from non-point source pollutants were degrading the quality and beneficial uses of water across the country, and resulting from a number of different anthropogenic industries. It is very telling, given this context, that the intent of the Clean Water Act is to "restore and maintain," and not solely to protect.

Under Section 303(d) of the Clean Water Act, water bodies suffering from some limiting factor which prevent attainment of Water Quality Standards are listed as "impaired," and a Total Maximum Daily Load (TMDL), with specified Numeric Targets must be developed. The applicable requirements for TMDL development and implementation is discussed below.

California Porter-Cologne Water Quality Control Act

California's Porter-Cologne Water Quality Control Act, California Water Code, Division 7, section 130000 *et seq.*, reiterates the spirit of the Public Trust Doctrine in its statement of legislative findings, stating, "the people of the state have a primary interest in the conservation, control, and utilization of the water resources of the state, and that the quality of all the waters of the state shall be protected for use and enjoyment by the people of the state."

The legislature, in enacting the Porter-Cologne Water Quality Control Act, was very explicit to state that, "the health, safety and welfare of the people of the state requires that there be a statewide program for the control of the quality of all

the waters of the state.” This means that the rights of the people, the public at-large, bestow a duty onto the government of this state to prioritize the health, safety, and general welfare of the people over private interests when implementing the provisions of this important statute.

It is the Porter-Cologne Water Quality Control Act that established the State Water Resource Control Board, and the associated Regional Water Quality Control Boards. Each region has an associated Water Quality Control Plan, otherwise referred to as a “Basin Plan.”

A Water Quality Control Plan, or Basin Plan, by statute, must include three main public benefits: (1) beneficial uses protected; (2) Water Quality Objectives (to ensure beneficial uses are protected); and (3) A program of implementation needed for achieving water quality objectives.

The Porter-Cologne Act provides that “All discharges of waste into the waters of the State are privileges, not rights.” California Water Code section 13263[g]. This principle is consistent with the tenants of the Public Trust Doctrine, which prioritizes the rights of public benefits over the privilege of private use.

North Coast Region Water Quality Control Plan (Basin Plan)

The *Water Quality Control Plan for the North Coast Region* (May, 2011) articulates an overarching water quality objectives policy for the region. This policy is articulated at 3-1:

"Controllable water quality factors shall conform to the water quality objectives contained herein. When other factors result in the degradation of water quality beyond the levels or limits established herein as water quality objectives, then controllable factors shall not cause further degradation of water quality. Controllable water quality factors are those actions, conditions, or circumstances resulting from man's activities that may influence the quality of the waters of the State and that may be reasonably controlled."

In addition to this general policy objective, the Basin Plan also includes an Action and Implementation Plan to address non-point source pollutants, such as sediment, generated as a result of industrial logging operations on the North Coast at section 4-26.00. Prohibitions in the Basin Plan’s Action Plan for Logging on the North Coast include:

1. The discharge of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of

whatever nature into any stream or watercourse in the basin in quantities deleterious to fish, wildlife, or other beneficial uses is prohibited.

2. The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature at locations where such material could pass into any stream or watercourse in the basin in quantities which could be deleterious to fish, wildlife, or other beneficial uses is prohibited.

Total Maximum Daily Loads

The *Peer Reviewed Draft Staff Report* to support the development of the Upper Elk River TMDL (Draft Staff Report) (NCRWQCB 2013) clearly articulates the required components for a TMDL:

The requirements of a TMDL are described in Title 40 of the Code of Federal Regulations, Section 130.2 (40 CFR 130.2), and Section 303(d) of the CWA, as well as in various guidance documents. A TMDL is defined as the sum of the individual point source waste load allocations (*WLA*), nonpoint sources load allocations (*LA*), load allocation to account for natural background pollutant loads (*NB*) as well the need to provide a margin of safety (*MOS*) to account for uncertainties in the analysis. (NCRWQCB 2013, at section 1-3, p. 1-15).

In addition, the Water Quality Management Planning process requires States to include TMDLs and associated implementation measures and monitoring in the State Water Quality Management Plans. In this context, the adoption of the TMDL Action Plan as an amendment to the Basin Plan is proposed to codify and make enforceable the TMDL numeric targets and other substantive requirements.

Environmental Setting and Condition in Upper Elk River Watershed

The *Draft Proposed TMDL Action Plan for Upper Elk River* (NCRWQCB 2015,) provides a concise rendition of the water quality problem in the watershed:

Site specific assessment of water quality conditions in the Upper Elk River Watershed confirm that sediment discharges from timberlands in the upper watershed and sedimentation in the impacted reaches exceed the water quality objectives for sediment, suspended material, settleable matter, and turbidity resulting in adverse impact to several beneficial uses, including domestic water supplies (MUN), agricultural water supplies (AGR), cold water habitat (COLD); spawning, reproduction and early development (SPWN); rare, threatened, or endangered species (RARE), and recreation (REC-1 and REC-2). Sedimentation in the impacted reaches also has resulted in conditions of nuisance, including increased rates and depth of annual

flooding and loss of property, use of property, access to property, and risk to human health and welfare. (Draft Combined TMDL Action Plan and Basin Plan Amendment, at p. 2).

The Upper Elk River was placed on the federal Clean Water Act's 303(d) list of impaired waterbodies in 1998 when the Regional Board fully recognized the severity and extent of non-point source pollution plaguing the watershed as a result of modern timber harvest activities. Today, some 18 years later, the condition of the Upper Elk River watershed has not substantially improved, and in some regards, has actually gotten worse, despite changes in regulatory framework, ownership, and HCP implementation by the two large industrial timberland owners in the watershed, and no TMDL has yet been adopted or implemented.

The overwhelming evidence gathered since 1997–1998 in the Upper Elk River watershed shows a clear nexus between the impacts of upstream industrial timber operations and the adverse, and extremely impaired nuisance conditions in the watershed. When considered in light of the legal and regulatory standard articulated herein, it is clear that industrial timber operations permitted in the watershed from approximately 1985–present have caused, and continue to cause, water quality violations and have continually violated state and federal law and regulations. Most importantly, the permitting of these activities by state and federal regulatory agencies has violated the government's duty to uphold the Public Trust Doctrine, and to protect regular people, and the local environment on which they depend.

Moreover, the intent of the Legislature in enacting the Porter-Cologne Water Quality Control Act has not been upheld in the case of the Upper Elk River Watershed. And, the impaired condition of the Upper Elk River Watershed cannot be blamed on so-called “legacy” inputs from pre-regulatory logging. Rather, the impairment now chocking the life out of Elk River has largely accrued in the last 25–30 years, under the implementation of the Porter-Cologne Water Quality Control Act by the State and Regional Water Boards.

The Proposed TMDL Action Plan and Basin Plan Amendment

On December 23, 2015, the Regional Board issued and circulated the notice of public comment period, and announced the hearing date, for its proposed adoption of the Upper Elk River TMDL Action Plan and associated Basin Plan Amendment (hereafter, “Notice”). The three main components of this action include: 1) the *Upper Elk River Sediment TMDL Technical Report* (Tetra Tech 2015); 2) *The Program of Implementation* (WWDRs, Recovery Assessment, Watershed Stewards Program); and 3) CEQA compliance documentation. We herein address each of these in turn.

Upper Elk River Sediment TMDL Technical Report

The *Upper Elk River Sediment TMDL Technical Report* (Tetra Tech 2015 or Tetra Tech Report), is largely a synthesis of previous work, most notably, the Regional Board's Draft Staff Report (NCRWQCB 2013). The Tetra Tech Report sums up its findings thusly:

This document confirms several important findings, which can be addressed through TMDL analyses and implementation. Specifically, existing control mechanisms are not correcting the sediment impairment and the sediment source analysis confirms that the impairment continues to persist and worsen. (Tetra Tech 2015, at section 2.3.4, p. 19).

It should be noted that this condition is being documented after approximately 15 years of implementation of Regional Board regulatory actions, such as WWDR's, Clean-up and Abatement Orders, Cease and Desist Orders, Monitoring and Reporting Orders, and THP-by-THP CEQA/Forest Practice Act review. The litany of these regulatory actions is listed and provided in the Regional Board's *Draft Staff Report* (NCRWQCB 2013), at Appendix 2-C, and thus will not be revisited here.

The Tetra Tech Report graphically illustrates that anthropogenic sediment loading from industrial logging activities in the watershed, peaked at a whopping 966 yd³/mi²/yr, which constitutes approximately 77 percent of the total sediment loading in the watershed, from the time period between 1988-1997, which was the MAXXAM/PALCO era. (Tetra Tech 2015, section 6.2.3.2, Table 9, p. 61). By sharp contrast, the period between 1998–2000 and 2001–2003, the period of the so-called “moratorium,” i.e., temporary prohibition period, during which CAL FIRE and the Regional Board did not permit new industrial timber operations in the entire watershed by MAXXAM/PALCO, the anthropogenic sediment loading was 531 yd³/mi²/yr, and 476, yd³/mi²/yr, respectively. (*Ibid.*).

This striking difference is significant on two fronts. First, it clearly shows that temporary logging prohibitions can, and do work to stem the tide of non-point source sediment pollution in the Upper Elk River. Second, it points out that, even if this is done, the damaging and long-lasting legacy of contemporary industrial timber harvest activities can still result in non-point source sediment pollution, which will still be felt in the watershed because of occurrences such as harvest-related landslides, bank erosion, and road and crossing-related sediment delivery. In other words logging-related sediment will still continue to get into the river system because of the significant disturbance caused, whether logging is ongoing or not, and probably for a considerable period of time.

The fact that logging-related sediment will get into the river system regardless of a temporary probation on harvesting is not, and should not, be a reason to permit further logging; quite to the contrary, it is the very reason why a temporary prohibition on all industrial logging activities should be implemented, and as soon as possible, especially given that the Report has found that a zero load allocation for new sediments is necessary to recover beneficial uses and the conditions of the river.

A final, and very real and significant part of the TMDL Action Plan is the amendment of the Numeric Targets into the Basin Plan so as to codify them and make them enforceable. The Numeric Targets articulated in the *Draft Combined TMDL Action Plan* and *Basin Plan Amendment*, ironically, are mostly not actually numeric, but rather, qualitative and narrative. For example, the Instream Water Quality Indicators and Numeric Targets for chronic turbidity state, “Clearing of turbidity between storms to a level sufficient for salmonid feeding and surface water pumping for domestic and agricultural water supplies.” (NCRWQCB Draft Combined TMDL Action Plan and Basin Plan Amendment, Table 3, at p. 5).

How does one define, “clearing of turbidity,” and based on what criteria? This is, in essence, not a Numeric Target, but a hard to define or enforce, qualitative and highly subjective judgmental decision. This example is one of but many of how the Numeric Targets and Water Quality Indicators articulated in the *Draft Combined TMDL Action and Basin Plan Amendment* are simply not actually numeric, objective, enforceable targets, but narrative, qualitative, and highly debatable as to their meaning and interpretation.

What’s more, Numeric Targets and Water Quality Indicators for instream habitat for listed fish species have been excluded, on the basis that the PALCO/HRC HCP addresses these. Given that the Regional Water Board is not a signatory agency to the HCP, and that there appears to be no legal or regulatory escape valve to allow the Regional Board to exclude these instream Numeric Targets for listed fish on the basis of a landowner’s HCP, EPIC seriously questions the legality and appropriateness of the exclusion.

Overall, the TMDL Numeric Targets and Water Quality Indicators are really where the rubber hits the road in terms of enforceability and actual, real-life, instream improvement of nuisance conditions in the watershed. What is provided by the Regional Board simply will not result in abatement of nuisance conditions or watershed recovery.

Program of Implementation

The Program of Implementation contains three constituent parts. These include, 1) the *HRC Watershed-Wide WDR* (WWDRs) proposal; 2) the *Elk River Recovery Assessment*; and 3) the *Elk River Watershed Stewards Program*.

1). HRC Watershed-Wide WDR

EPIC submitted comments regarding the HRC Watershed-Wide WDR proposal on January 18, 2016. These comments are attached, and incorporated herein by reference.

2). Elk River Recovery Assessment

The purpose of the *Elk River Recovery Assessment*, as described in the December 23, 2015 Notice, is that, “instream sediment remediation and channel restoration is necessary to improve the hydrologic and sediment transport capacity of the impacted reach of Upper Elk River.”

The December 23, 2015 Notice does not actually describe or articulate the framework of the Recovery Assessment, or otherwise describe the purpose or goals of it. There is no information about what actions might be contemplated, the planned-for funded projects or their purpose or intent, and no information about the anticipated contribution of Recovery Assessment efforts to the remediation of nuisance conditions in the Impacted Reach, and if anticipated, the time frame in which remediation efforts may result in physical reality.

In sum, the Recovery Assessment effort, while certainly meritorious, simply does not seem to have advanced to the point of accruing actual on-the-ground and in-the-stream benefits to the river, or local residents who suffer, and will continue to suffer, from the heavily impacted conditions in the Upper Watershed. Therefore, any anticipated benefits at this stage, are simply “conceptual,” and based on speculation, and belief, not substantial evidence.

Elk River Stewardship Program

The December 23, 2015 Notice describes the *Elk River Stewardship Program* as, “the overarching component of implementation is to convene a participatory program that engages residents, community members, scientists, land owners, land managers, and regulatory agencies in developing a collaborative planning process that seeks to enhance conditions in the Elk River watershed.” (Notice, at p. 2).

While this process certainly sound potentially promising, its effect on remediation of nuisance conditions currently impairing the Upper Elk River

watershed, are not even as real as “conceptual”; rather, a review of the Regional Board’s website reveals that there is no publically available information whatsoever about this program as yet. Whatever this process is, or ends up evolving into, one thing is clear: the condition of the Upper Elk River Watershed will only continue to worsen in severity while the collaborative process—which is very likely to engender even yet more process, not actual protection or remediation—and the river, the fish, and the local residents will continue to suffer as water quality standards and objectives continue to be exceeded.

CEQA Compliance

The Regional Board has prepared and circulated a Draft Initial Study and Mitigated Negative Declaration to support its adoption of the TMDL Action Plan and Basin Plan Amendment. The Regional Board has the authority to promulgate such actions pursuant to its certified regulatory program under CEQA.

EPIC fundamentally questions how the proposed actions can be compliant with CEQA given that the *Draft Initial Study and Mitigated Negative Declaration* do not address the significant adverse and cumulative environmental impacts of Green Diamond Resource Company’s timber operations in the Upper Elk River Watershed. Additionally, EPIC questions how the Regional Board can be assured that a Mitigated Negative Declaration is appropriate, given that no regulatory actions to amend Green Diamond’s WDR (Order No. R1-2012-0087) or its South Fork Elk River Management Plan have been developed, or publically noticed for adoption by the Board. Reliance upon the hopes or presumptions that such *may* happen in the future leaves the environment, as well as local residents, very much at continued risk, and these risks are clearly significant, especially since there appears to be no mechanism proposed to prohibit Green Diamond timber operations in three of the five-identified “high-risk” sub-watersheds.

For example, the Green Diamond-Property-Wide WDR for forest management activities (Order No. R1-2012-0087), in its attached South Fork Elk River Management Plan, in sub-section C, page 9 of the management plan, states the allowable harvest for Green Diamond in its South Fork Elk River holdings: “Green Diamond will limit the rate of harvest in South Fork Elk River to approximately 75 acres per year, calculated on a 3-year rolling average. The 3-year rolling average provides operational flexibility while maintaining a low annual harvest rate.”

Similarly, in its most-recent approved THP in the South Fork Elk River Watershed holdings, (THP 1-14-119HUM), Green Diamond provides the following table to demonstrate its projected future harvest activities in its holdings:

The following table summarizes the forecasted available harvest areas by year within the 10 year planning horizon discussed above:

YEAR SOURCED	AVAILABLE	CLEARCUT	SELECTION	GROUND	CABLE
2015	211.50	198.53	12.97	164.02	47.48
2016	26.61	26.61	0.00	10.75	15.86
2017	36.53	34.52	2.01	36.45	0.08
2018	59.89	55.91	3.98	42.10	17.79
2019	139.88	114.74	25.14	97.15	42.73
2020	87.46	84.09	3.37	66.34	21.12
2022	57.53	49.61	7.92	52.19	5.34
2023	70.11	49.11	21.00	44.39	4.60
Total	689.50	613.11	76.39	513.39	155.00

(THP 1-14-119HUM, Section IV, page 229 of approved plan.).

As stated in our January 18, 2016 comments on the HRC Draft WWDR, Green Diamond owns and manages timber in three of the five so-called “high risk,” sub-basins in the South Fork Elk River, in which Humboldt Redwood Company would be temporarily be prohibited from harvesting for at least five years, if the Draft Order (Order No. R1-2016-004) is adopted by the Regional Board.

The Draft Initial Study does not consider, or analyze the potential for significant adverse and cumulative impacts to result from restricting HRC harvesting while allowing Green Diamond timber operations to continue, unchanged. Furthermore, the Draft Initial Study fails to articulate or discuss equally feasible, less damaging alternatives to the current proposal, which would allow Green Diamond to continue its short-rotation clearcutting and other potentially damaging practices, in three of the five so-called “high risk” sub-basins in the Upper Elk River Watershed.

There seems to be no reason in law, science, or common sense, to allow Green Diamond to continue timber operations in these so-called “high-risk” sub-watersheds, and the Draft Initial Study fails to clear the legal bar of evaluating the potentially significant cumulative impacts of allowing such activities to continue, or to inform the public about what, if any alternatives were considered, and why the proposed alternative is deemed preferable.

Conclusion

EPIC strongly supports the Regional Board’s authority, responsibility, and the clearly-demonstrated necessity of promulgating the proposed suite of actions. However, we are concerned that the *Proposed Combined TMDL Action Plan and Basin Plan Amendment* and its constituent parts, quite simply put, are coming far too little, and far, far, too late.

Please do not hesitate to contact me should there be any questions. We respectfully request a written response to these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob DiPerna", with a long horizontal flourish extending to the right.

Rob DiPerna

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Attachments

Attachment-A: EPIC Comments to Regional Water Board regarding Draft Order No. R1-2016-004 (Humboldt Redwood Company Watershed-Wide WDR). January 18, 2016.

Works Cited

North Coast Regional Water Quality Control Board 2013. Peer Review Draft Elk River TMDL Staff Report.

North Coast Regional Water Quality Control Board 2012. Green Diamond Resource Company Property-Wide Forest Management WDR (R1-2012-0087).

North Coast Regional Water Quality Control Board 2015. Draft Watershed-Wide WDR for Humboldt Redwood Company Timber Operations in Upper Elk River Watershed.

North Coast Regional Water Quality Control Board 2015. Draft Combined TMDL Action Plan and Basin Plan Amendment for Upper Elk River. December 23, 2015.

North Coast Regional Water Quality Control Board 2015. Notice of Public Comment Period, Workshop, and Hearing, to Consider Adoption of the Draft Basin Plan Amendment to the Water Quality Control Plan for the North Coast Region. December 23, 2015.

North Coast Regional Water Quality Control Board 2015. Draft Initial Study and Mitigated Negative Declaration in Support of Adoption of Humboldt Redwood Company Draft Watershed-Wide WDR. December 4, 2015.

Tetra Tech 2015. Upper Elk River Technical Analysis for Sediment. October 21, 2015.