

California North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220

Second Revised Notice of Public Hearing

of

Resolution No. R1-2021-0017

for

The Elk River Restoration Project as an Exception to the Enclosed Bays and Estuaries Policy Prohibiting Waste Discharges to Humboldt Bay for the Elk River Wastewater Treatment Plant

On the basis of preliminary staff review and application of lawful standards and regulations, the California North Coast Regional Water Quality Control Board (Regional Water Board) proposes to adopt Resolution No. R1-2021-0017 (Resolution) approving the Elk River Restoration Project as an Exemption to the Enclosed Bays and Estuaries Policy Prohibiting Waste Discharges to Humboldt Bay for the Elk River Wastewater Treatment Plant.

This item, previously noticed under the title “The Elk River Restoration Project as an Exception to the Enclosed Bays and Estuaries Policy Prohibiting Waste Discharges to Humboldt Bay”, was originally open for public comment between **March 23, 2021 and April 22, 2021**. The public comment period was previously extended to **May 3, 2021** at the request of multiple interested parties. Regional Water Board staff has agreed to provide an additional 10 days of public comment to allow for further consideration of the Resolution and has retitled the Resolution to provide added clarity. The 10-day public comment extension will end **June 28, 2021**.

Public Hearing Procedures

A public hearing to consider comments and objections to the proposed Resolution is scheduled for the Regional Water Board’s **August 19 or 20, 2021** Board Meeting, or as announced in the Regional Water Board’s agenda. Due to the COVID-19 emergency and the Governor’s Executive Orders (Order Nos. N-29-20 and N-33-20 and N-08-21) to protect public health by limiting public gatherings and requiring social distancing, this meeting is scheduled to occur solely via remote participation. Please follow the North Coast Regional Water Quality Control Board website for information on how to participate in the meeting and any updates regarding this agenda item.

Live video and audio broadcasts of the public hearing will be available via the internet and can be accessed at the [CalEPA Public Meeting Live Webcasts page](#). The public hearing will be recorded.

Please be aware that dates and venues may change. You can access the current agenda for changes in dates and locations at the [North Coast Regional Water Quality Control Board website](#). At the public hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed permit.

In order for the Regional Water Board to consider any evidentiary material concerning this hearing, any documents, including written comments, technical reports and other evidentiary material, must be submitted to the [Regional Water Board email](#) no later than 5:00 p.m., on **June 28, 2021**. All documents that are received timely will be distributed to the Regional Water Board members and interested persons. These records will also become a permanent part of the administrative record for this public hearing.

Except at the discretion of the Regional Water Board Chair, written material received after the above date will not be accepted. If the Chair chooses to accept late written material, that material will not be incorporated into the administrative record if doing so would prejudice the Permittee or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, Title 23, sections 648.1 and 648.4).

The Regional Water Board will accept written and oral comments and evidence regarding this item. Written comments and evidence must be submitted to the Regional Water Board no later than **June 28, 2021**. Oral comments or testimony at the above-scheduled hearing may summarize or explain timely submitted or late-accepted written evidence but shall not add new evidence. The time constraints for oral testimony or comments will be set by the Regional Water Board Chair and usually will allow no more than 10 minutes for the Regional Water Board staff and District staff and five minutes for other interested persons. A timer may be used, and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, such groups will be expected to select a spokesperson and not be repetitive.

Document Review

The Proposed Resolution and related documents are available at the [Regional Water Board's website for tentative orders for Board decisions](#). Additionally, the Proposed Resolution be inspected or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. During the COVID-19 emergency and pursuant to the Governor's Executive Order N-22-30, appointments are required for document review and can be made by calling (707) 576-2220. If you have any questions about this notice or the scheduled hearing, you may contact Justin McSmith at (707) 576-2082 or Justin.McSmith@waterboards.ca.gov.

Matthias St. John
Executive Officer
June 16, 2021