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**North Coast Regional Water Quality Control Board**

**Revised Notice of Public Hearing  
to**

Adopt the revised Proposed Basin Plan Amendment to the Water Quality Control Plan of the North Coast Region for the Action Plan for the Upper Elk River Sediment Total Maximum Daily Load (TMDL Action Plan)

**Resolution No. R1-2016-0017**

And

Adopt a Mitigated Negative Declaration  
and  
**Proposed Order No. R1-2016-0004**

Waste Discharge Requirements and General Water Quality Certification  
for

Nonpoint Source Discharges and Other Controllable Water Quality Factors Related to Timber Harvesting and Associated Activities Conducted by Humboldt Redwood Company, LLC in the Upper Elk River Watershed, Humboldt County

**NOTICE IS HEREBY GIVEN** that the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) is continuing a hearing held on April 7, 2016 to consider adoption of a proposed amendment to the Water Quality Control Plan for the North Coast Region (Basin Plan) to establish a sediment Total Maximum Daily Load (TMDL) and Program of Implementation for the Upper Elk River (TMDL Action Plan).

Regional Water Board staff will also conduct a public hearing to consider adoption of Proposed Order No. R1-2016-0004 and associated Mitigated Negative Declaration, both hearings will be held on May 12, 2016, at 8:30 A.M., or as announced in the Regional Water Board's agenda. The meeting will be held at the Wiyot Community Center, Loleta, Humboldt County. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed Order, or take other action.

## **I. Edits to Proposed TMDL Action Plan**

Staff has reviewed and refined certain edits to the Upper Elk River TMDL Action Plan that were contemplated toward the end of the hearing on April 7, 2016. Please see Document Availability below to access the revised TMDL Action Plan. These edits reflect minor changes requested by Board members in response to the public testimony at the April 7 hearing to clarify: 1) that hillslope indicators and targets are used to inform Board decision making; 2) that a load allocation does not constitute an effluent limitation or a waste load allocation and that the Board has discretion in implementing the allocation in WDRs, waivers or other actions to reduce and eliminate waste discharges; and 3) that staff will review the sediment source analysis for the Upper Elk River, sediment deposition in the impacted reach and Lower Elk River, and the need for a Lower Elk River sediment TMDL in its five year reassessment using Recovery Assessment tools and other available data, as appropriate. These edits are not substantive and fall within the logical outgrowth of the content previously noticed for this item. As directed by the Board Chair on April 7, 2016, the public hearing on this agenda item has been closed and no new oral or written comment, testimony or evidence will be accepted. The Board will resume its deliberations on this matter on May 12, 2016.

## **II. Waste Discharge Requirements**

The consideration of Waste Discharge Requirements (WDR; Order No. R1-2016-0004) was previously noticed for the April 7, 2016 Board meeting. The Board did not open the public hearing for the Order at that meeting; accordingly, this revised notice incorporates the information and procedures provided in the prior hearing notices, which can be accessed at:

[http://waterboards.ca.gov/northcoast/board\\_info/board\\_meetings/03\\_2016/pdf/hrc/151203\\_ELK\\_WDR\\_PublicNotice.pdf](http://waterboards.ca.gov/northcoast/board_info/board_meetings/03_2016/pdf/hrc/151203_ELK_WDR_PublicNotice.pdf)

[http://www.waterboards.ca.gov/northcoast/board\\_info/board\\_meetings/04\\_2016/pdf/elk/160108\\_ELK\\_WDR\\_Supplemental\\_PublicNotice.pdf](http://www.waterboards.ca.gov/northcoast/board_info/board_meetings/04_2016/pdf/elk/160108_ELK_WDR_Supplemental_PublicNotice.pdf)

[http://www.waterboards.ca.gov/northcoast/board\\_info/board\\_meetings/04\\_2016/pdf/elk/160307\\_Notice\\_of\\_Meeting\\_Location\\_Change.pdf](http://www.waterboards.ca.gov/northcoast/board_info/board_meetings/04_2016/pdf/elk/160307_Notice_of_Meeting_Location_Change.pdf)

In accordance with the prior hearing notice, written public comments were due on January 18, 2016. The written comment period is closed and the Board will not accept additional written comments for this agenda item. The time limits for oral testimony or comments at the public hearing will be set by the Regional Water Board Chair and are subject to change.

## **III. Document Availability**

Information on Resolution No. R1-2016-0007 and the Regional Water Board's revised proposed TMDL Action Plan, including the prior hearing notice, which this Revised Notice supplements, can be found at:

[http://www.waterboards.ca.gov/northcoast/water\\_issues/programs/tmdls/elk\\_river/](http://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/elk_river/)

Information on the Regional Water Board's proposed WDR (Order No. R1-2016-0004) and Mitigated Negative Declaration can be found at:

[http://www.waterboards.ca.gov/northcoast/water\\_issues/programs/timber\\_operations/elk\\_river\\_wdrs/](http://www.waterboards.ca.gov/northcoast/water_issues/programs/timber_operations/elk_river_wdrs/)

Both documents may be viewed during public hours in person at the Regional Water Board's office at:

North Coast Regional Water Quality Control Board  
5550 Skylane Boulevard, Suite A  
Santa Rosa, CA 95403

#### **IV. Hearing Date and Location**

**Date and Time: May 12, 2016, 8:30 A.M.**

**Location: Wiyot Community Center  
1000 Wiyot Drive  
Loleta, CA 9551**

#### **V. Public Hearing Accessibility**

Anyone requiring reasonable accommodation to participate in the hearing should contact Patti Corsie, Executive Assistant, at (707) 576-2307, at least five days prior to the scheduled Board Meeting. The hearing location is accessible to persons with disabilities. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

#### **VI. Contact for further Information**

Questions regarding the TMDL should be directed to Alydda Mangelsdorf, by phone at 707-576-6735 or email at [Alydda.Mangelsdorf@waterboards.ca.gov](mailto:Alydda.Mangelsdorf@waterboards.ca.gov). Questions regarding the Waste Discharge Requirements should be directed to Jim Burke, by phone at 707-576-2289 or email at [James.Burke@waterboards.ca.gov](mailto:James.Burke@waterboards.ca.gov)

Matthias St. John  
Executive Officer  
April 28, 2016