

Subsequent Mitigated Negative Declaration

This statement and attachments constitute the Subsequent Mitigated Negative Declaration prepared pursuant to California Code of Regulations title 14 section 15162, as proposed for adoption by the North Coast Regional Water Quality Control Board (Regional Water Board) for the project described below.

Posting Date: March 14, 2019
To State Clearinghouse: March 14, 2019
Comment Period: March 14, 2019, to April 15, 2019
Proposed Adoption Date: June 19 or 20, 2019

Project Name: Draft Order No. R1-2019-0021 *Waste Discharge Requirements for Nonpoint Source Discharges and Other Controllable Factors Related to Timber Harvesting and Associated Activities*

Staff Contact: Jim Burke (707) 576-2289

Project Description: The “Project” consists of adoption of draft Order No. R1-2019-0021, *Waste Discharge Requirements For Nonpoint Source Discharges and Other Controllable Water Quality Factors Related to Timber Harvesting and Associated Activities Conducted by Humboldt Redwood Company (HRC), LLC In the Upper Elk River Watershed, Humboldt County* (HRC’s Elk River WDR) by the North Coast Regional Water Quality Control Board (Regional Water Board). If adopted, the draft Order would revise water quality requirements established by adoption of Order No. R1-2016-0004 in November 2016 for nonpoint source waste discharges and other controllable factors related to timber harvesting and associated activities conducted by Humboldt Redwood Company, LLC (HRC), a timberland management company, in the Upper Elk River (UER) watershed, Humboldt County, California. Revisions to HRC’s Elk River WDR are being made to ensure it incorporates the hillslope indicators and numeric targets and load allocation from the Action Plan for the Upper Elk River Sediment TMDL (TMDL Action Plan).

This initial study and subsequent mitigated negative declaration have been prepared to evaluate the potential for environmental impacts to result from revisions to Specific Requirements for Riparian Zone Protection and Wet Weather Limitations originally established by Order No. 2016-0004. Changes to Specific Requirements that would result from by adoption of draft Order No. R1-2019-0021 described in detail in the initial study are summarized as follow:

Riparian Zone Protection

The draft Order includes riparian zone protection that has been expanded to require minimum 50% post-harvest overstory canopy cover within 300 feet of Class I and II watercourses and 150 feet of Class III watercourses.

Wet Weather Limitations

Between October 15 and May 1, hauling shall be limited to permanent rocked all-season roads that meet the HCP stormproofed standard and shall cease for a period of 48 hours following a precipitation event that results in 0.25 inches or more of rainfall within any 24-hour period.

The seasonal shut down for road construction/reconstruction has been extended from September 15 to October 15. Between September 15 and October 15, erosion control BMPs

shall be on-site and ready to deploy and shall be applied to the entire length of new road construction prior to any day for which a chance of rain of 30 percent or greater is forecast by the National Weather Service. The seasonal shut down for ground-based yarding and mechanical site preparation has been changed from October 1 to October 15.

Project Location: Elk River watershed in Humboldt County, Calwater (version 2.2) planning watersheds, Lower Elk River (1110.000201), Lower North Fork Elk River, Upper North Fork Elk River (1110.000202), Lower South Fork Elk River (1110.000302), and Upper South Fork Elk River (1110.000301).

Environmental Findings: 1. This Subsequent Mitigated Negative Declaration reflects the decision making body's independent judgment and analysis; 2. The decision-making body has reviewed and considered the information contained in this Subsequent Mitigated Negative Declaration including the information contained in the Initial Study and Draft Order No. R1-2019-0021, and the comments received during the public review period; and 3. On the basis of the whole record before the decision making body, there is no substantial evidence that the project will have a significant effect on the environment.

Lead Agency: North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A, Santa Rosa, California 95403
Phone: (707) 576-2220. Fax: (707) 523-0135

Public Hearing: On June 19 or 20, 2019, at 9:00 a.m., in the City Council Chambers at the Eureka City Hall in Humboldt County or at the location to be announced in the Regional Water Board's agenda and on its website at:
<http://www.waterboards.ca.gov/northcoast/>.

Attachments: Initial Study; and Draft Order No. R1-2019-0021 *Waste Discharge Requirements for Nonpoint Source Discharges and Other Controllable Factors Related to Timber Harvesting and Associated Activities* and Attachments.

How to Submit Comments: The Lead Agency invites comments on the proposal from all interested persons and parties. Comments must be submitted by April 15, 2019 at James.burke@waterboards.ca.gov or at the above address. For more information contact: Jim Burke at (707) 576-2289, or James.burke@waterboards.ca.gov