

NOTICE OF PUBLIC HEARING

AND

NOTICE OF DOCUMENTS FOR PUBLIC REVIEW AND COMMENT

Draft Waiver of Waste Discharge Requirements, General Water Quality Certification, and Monitoring and Reporting Program

for the

Mendocino County Permit Coordination Program

Mendocino County

NOTICE IS HEREBY GIVEN that the North Coast Regional Water Quality Control Board (Regional Water Board) will hold a public workshop and subsequently conduct a public hearing, to consider adoption of *draft* Order No. R1- 2019-0004, *Waiver of Waste Discharge Requirements and General Water Quality Certification for the Mendocino County Permit Coordination Program and Monitoring and Reporting Program* (collectively referred to as the *draft* Order).

The *draft* Order is proposed to replace Order No. R1-2013-0059 issued to the Mendocino County Resource Conservation District (District) for the Mendocino County Permit Coordination Program (Program) which expires on November 20, 2018.

A public hearing is scheduled for February 20, 2019 at 8:30 a.m., or as announced in the Regional Water Board's agenda. The meeting will be held at the Regional Water Board Hearing Room, 5550 Skylane Blvd, Suite A, in Santa Rosa, CA. At the public hearing, the Regional Water Board will consider whether to affirm, reject, or modify the *proposed draft* Order.

Overview

The District and Natural Resources Conservation Service (NRCS) developed the Program to promote the implementation of high-quality conservation and restoration projects on farms, ranches, and forestland throughout the watersheds of Mendocino County.

Projects implemented through the Program are designed to control erosion and sediment discharges, improve instream habitat for aquatic species, stabilize eroding streambanks, promote native vegetation growth, and enhance aquatic and terrestrial habitat that may be affecting water quality and beneficial uses.

The Program is designed to address sediment and temperature impairments, including on lands within the following watersheds: Albion River, Big River, Eel River-Upper Main, Eel River Middle Main, Eel River-Middle Fork, Eel River-South Fork, Garcia River, Gualala River-North Fork, Mattole River, Navarro River, Noyo River, Upper Russian River, and Ten Mile River.

The Program also provides effectiveness monitoring and reporting requirements to ensure successful project outcomes, address unforeseeable problems, and to verify that agency mandates are met.

On June 12, 2012, the District adopted a mitigated negative declaration (SCH No. 2012052019) for the Program to comply with the California Environmental Quality Act (CEQA).

The Regional Water Board adopted Order No. R1-2013-0059 in November 20, 2013; the Order expires five years later, on November 20, 2018.

Document Review

The *draft* Order is available and can be downloaded from the Regional Water Board's website at:

https://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders/

https://www.waterboards.ca.gov/northcoast/public_notices/public_hearings/npdes_permits_and_wdrs.shtml

Copies of the *draft* Order, related documents, and comments received are on file and can also be viewed or copied by contacting or visiting the Regional Water Board's office, 5550 Skylane Blvd, Suite A, Santa Rosa, CA, weekdays between 8:00am and 5:00pm. Appointments are recommended and can be made by calling (707) 576-2220

For further information, please contact Regional Water Board staff member Jonathan Warmerdam by telephone at (707) 576-2468 or via email at Jonathan.Warmerdam@waterboards.ca.gov.

Public Comment Period

The *draft* Order is available for 45-day public review beginning on November 24, 2018 and ending at 5:00 p.m. on January 8, 2019. Persons wishing to comment in writing on the *draft* Order must submit comments to the Regional Water Board no later than 5:00 p.m. on January 7, 2019.

Written comments may be submitted by U.S. mail, email, or fax to Jonathan Warmerdam at:

North Coast Regional Water Quality Control Board
Attn: Jonathan Warmerdam
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

Jonathan.Warmerdam@waterboards.ca.gov

Fax: (707) 523-0135

Public Hearing Procedures

The public hearing to consider adoption of the *draft* Order has been scheduled for February 20, 2019, at the Regional Water Board office in Santa Rosa, California. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the *draft* Order, or take another action.

In order for the Regional Water Board to consider any evidentiary material concerning this hearing, any documents, including written technical reports and other evidentiary material, must be received by the Regional Water Board no later than 5:00pm on January 7, 2019, at 5550 Skylane Blvd, Suite A, Santa Rosa, CA 95403. This written material will be submitted to the Regional Water Board members and all interested persons along with the full agenda materials.

Written material received after the above date will not be accepted except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice the Discharger 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, section 648.1 and 648.4).

All those who plan to testify at the hearing must submit written statements to the Regional Water Board. The statements should provide the name of the witness, their qualifications (if an expert), and the scope of their intended testimony. 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 allow no more than 15 minutes for Regional Water Board staff and the Discharger and three 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.

For directions to the Regional Water Board office, please refer to:

https://www.waterboards.ca.gov/northcoast/about_us/contact_us/. Parking for the meetings is available onsite. Individuals requiring special accommodations are requested to contact Ms. Patti Corsie, Executive Assistant, at (707) 576-2307 or Patti.Corsie@waterboards.ca.gov at least five days prior to the meeting. TTY/TDD/Speech-to-Speech users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Ex Parte Disclosures

Ex parte communications are allowed in this matter subject to the disclosure requirements of Water Code section 13287. A form to assist in this process can be found on the Regional Water Board's website at:

https://www.waterboards.ca.gov/northcoast/public_notices/pdf/2013/130118_NorthCoast_disclosure.pdf.

The Water Board is required to post the disclosure on its website and to distribute it via any electronic distribution list for the *draft* Order. Ex parte disclosures shall not constitute written comments or evidence on a proposed general order. You must provide the comments or evidence by following the procedure and timelines provided above. **Ex parte communications are prohibited for a period beginning 14 days before the board meeting at which the *proposed* Order is scheduled for Regional Water Board action.** For communications concerning any issue in this proceeding, ex parte communications are prohibited starting on February 6, 2019. If the Regional Water Board does not take action on February 20, 2019, the ex parte prohibition will remain in place until the board, the

Chair, or the Executive Officer directs otherwise. Once lifted, the prohibition on ex parte communications may be reinstated for 14 days before the day of the board meeting to which the decision is continued. The board will provide notice to any interested parties listed for this item if the prohibition is lifted and/or reinstated.

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