

To Regional Water Board from Kristi Wrigley

Elk River Proposed Revised WDR.

First Some General Comments:

1. This Elk River / HRC WDR is very poorly written. Clearly nothing is clearly stated. It appears as though it wants to look like it is restricting logging while maintaining an avenue to expand logging when certain illdefined circumstances appear to help make conditions better, but no real monitoring results or even any monitoring is specified.
2. It is obvious the aim of this WDR is the same as all other controls: allow the maximum possible logging.
3. The document is full of fluff which glorifies and excuses the polluter while belittling the residents harm. (Sediment generated by upstream logging is not "stored": it is deposited pollution on downstream neighbors property without their approval: logging, logging and more logging is the cause of the sediment causing residents harm)
Write this document in plain English

so any ordinary intelligent person can easily understand the new measures you are planning to do.

4. It is awkward and difficult for the residents to change the process at the last minute; wrong to prolong the TMDL process out for 13 years while enabling more harm to occur. And now double wrong to split out and decide to revise the WDR separate from the TMDL. It looks like a blatant step to enable logging while achieving the aim of the TMDL. It further complicates the process for the residents already overwhelmed by the seemingly endless government procedures.

We are common and common sense people who understand you stop causing harm to innocent citizens (now called victims); you clean up the mess and make their lives whole again; then you cautiously add the harmful activity to be executed while careful robust duplicatable monitoring is carried out. That is what needs to be done in Elk River; it is never too late to do the right thing even though good science, common sense, the law and justice have told everyone for 20 plus years,

Other Comments

Explain how this WDR prevents further damage to Elk River and its tributaries and to the downstream residents.

Explain how this WDR provides compliance with the TMDL without using the phrase "we believe" when it actually permits nearly as much logging on the North Fork as the present WDR which is not controlling new sediment discharges. No amount of "good logging" has ever made the watershed better, nor has it ever improved conditions for direct downstream residents.

Explain the measure of safety and the confidence factor used to conclude that this WDR as written will ensure compliance with the TMDL.

List subwatersheds by area; show what acreage has been logged in the last 10 years. This is especially significant in the North Fork Elk River directly above where residents live, in Dunlap and Brown's gulches.

Explain how cutting 2% maximum of the upstream watershed (on the N.F. Elk Rm.) with poor canopy cover which has been overlogged for 30 years will achieve

water quality standards in the CWA, Porter-Cologne Act and the Antidegradation Policy, and in what time frame.

Explain how the new buffers will prevent new sediment from new logging, especially in the North Fork Elk River, from entering the river.

Explain the scientific basis that 150ft² basal area is protective in a sensitive severely damaged watershed.

Demonstrate how this WDR will recover Elk River, especially the North Fork. Elk River is already severely impaired by logging (303d designation.) Any new logging will contribute more sediment. Recovery is not likely to occur while allowing sediment delivery to the maximum capacity of the river to carry sediment, especially when allowed before any mitigations have not been completed - and proved through quality monitoring to be effective.

Explain how this WDR will not contribute to the already adverse cumulative effects in the severely degraded Elk River Watershed.

First hand observation and credible science shows water quality improves with the cessation of logging. When logging begins there is a return to the high level of impairment. Explain how this information is being used to recover safe and quality conditions for the immediate downstream neighbors (residents) of industrial logging in Elk River who have been suffering from increased flooding (occurring as I write) and severely degraded domestic water (supplied usually by Elk River surface flows) for 20 years.

It is apparent that the goal of this WDR is to achieve maximum logging for ITRC and turn the Elk River's priority use into being an industrial waste ditch. Residents' rights to domestic water, agricultural water, ensuring safety, promoting security of our homes and returning the historical economic uses of our property is given secondary consideration.

It is also obvious that the severe early and continued damage from logging in the North Fork has not been addressed by this WDR. This WDR aims to continue the highly damaging rate of logging that caused the problems the residents are suffering. After 30 years of continuous

increasing harm to the residents, their recovery should be the priority consideration. The means to their quickest recovery should dominate the requirements of the new WDR. This WDR ensures more harm, definitely at a level above the minimum achievable.

The residents would rather have no participation by HRC outside their own property and no logging, than cater to their demands with the stipulation that they get credit for cleaning up the mess logging created as W.A. wants to do. The State created this mess on our property and the State should clean it up - without allowing more pollution (to allow the State to not have to foot the whole costs.) Compliance with the law should be just that - surdy at this point!

Explain how the maximum benefit to the people of California is achieved by allowing more harm from logging to continue to occur. Stopping logging would not stop the harm but it is the surest fastest way to recovery from logging when coupled with effective mitigation such as the publically funded projects to clean out the river around residents property. Instead this WDR ensures profit for one specific landowner and one activity: Fisher and industrial logging.

those of us with small agricultural operations such as apple farming, flower growing and general vegetable production are ignored to the point that we cannot see when we will ever be able to engage in these activities again. Our losses are not recognized or taken into account in this WDR or any other document by the State. I've lost over \$400,000 in the last 10 years because of flooding in winter and disgusting unusable agricultural water in summer.

Explain how this WDR is fair to the residents who farm or want to farm. Fences are continually destroyed every year. Explain your authority to selectively harm the residents directly below logging, violate their Constitutional right to live securely in their homes, pursue happiness, and destroy their historical livelihoods and economic pursuits.

This WDR does not appreciably lower flood frequency, duration or height. All of which are extremely scary to the residents, especially those in their homes last night surrounded by rising flood water. In 2002 the flood frequency was elevated more than 25% above that in 1997 - but the flood frequency in 1997 was extremely elevated from the historical norm in 1985. Before that we would flood on average

three times in 10 years, by 1997 we were flooding at least 3 times a year. That is a thousand percent increase over normal. It is noted that conditions have worsened since 2002 with at least another foot of sediment deposit on the banks of the river. If the residents are ever to experience recovery in their lifetime (too late for some who have already passed away) then maximum recovery measures need to be adopted immediately. Stop the cause of the problem while correcting the problem is not a new concept. The situation in Elk River is very dire and the convenience of having plenty of time to correct the problem has come (1997) and gone. This is an emergency and should be addressed as such.

The writer of this WDR sat down with the polluter to write this new pollution guidelines. He now needs to sit down with the victims for an equal or greater time to go through this WDR to get their perspective on the verbage, intent and ability of these measures to meaningfully recover our water, homes and property.

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