

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

Notice of Public Hearing

Order No. R1-2012-0030

Short Term Renewal of Order No. R1-2006-0081

Conditional Waiver for Discharges Related to Specific Land Management Activities in  
the Scott River Watershed  
North Coast Region

The California Regional Water Quality Control Board, North Coast Region (Regional Water Board) will hold a Public Hearing on March 15, 2012, to consider adoption of an order that would waive waste discharge requirements for discharges related to specific land management activities in the Scott River watershed, North Coast Region.

**Purpose and Justification for Proposed Action**

On August 9, 2006, the Regional Water Board adopted Order No. R1-2006-0081, "Categorical Waiver of Waste Discharge Requirements for Discharges Related to Specific Land Management Activities in the Scott River Watershed, North Coast Region" (Scott River Waiver). The Scott River Waiver was renewed via Resolution R1-2011-0063 and currently expires on March 31, 2012.

The Scott River Waiver is the primary regulatory mechanism used to provide coverage for discharges of waste from nonpoint sources in the Scott River watershed not covered by other existing regulatory programs. It conditionally waives the requirement to file Reports of Waste Discharge and obtain Waste Discharge Requirements for discharges addressed in the *Action Plan for the Scott River Watershed Sediment and Water Temperature Total Maximum Daily Loads* (Scott River Action Plan), for dischargers who choose to participate in the on-going collaborative programs including the implementation, as applicable, of the recommended measures described in Table 4 of the Scott River Action Plan.

The Scott River Action Plan and Waiver do not have provisions for formal reporting of activities completed that enable the Regional Water Board to assess participation and compliance status. To address this deficiency, Regional Water Board staff hosted a public workshop in Fort Jones on April 21, 2011 to provide the community covered by the Scott River Waiver an opportunity to report to Regional Water Board staff on activities reflecting progress made in implementing measures described in Table 4 of

the Scott River Action Plan. Regional Water Board staff received significant information during and subsequent to this workshop regarding such activities.

A draft revision of the Scott River Waiver is underway, but is not yet completed. Regional Water Board staff are considering information presented before, during and subsequent to the April 21, 2011 workshop during the process of revising the existing Scott River Waiver, and cannot adequately incorporate this information and complete the waiver revision process prior to the expiration date of the existing waiver. It is anticipated that a revised Scott River Waiver will be considered for adoption no later than August 2012. Consequently, a short term renewal of the existing Scott River Waiver is needed to continue coverage of specific land management activities in the interim while the revised waiver is developed. With a short-term renewal, programs and activities being conducted under the existing waiver can continue without interruption, provided they comply with the conditions and criteria of Order No. R1-2006-0081.

### **Public Comment Period**

The proposed Order is available for public review prior to the Public Hearing beginning on **February 1, 2012** and for the subsequent 19 days, ending at 5:00 p.m. on **February 20, 2012**. Persons wishing to comment on the proposed Order must submit comments in writing to the Regional Board no later than 5:00 p.m. on **February 20, 2012**.

Comments may be submitted to Bryan McFadin, North Coast Water Board, 5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403 or [BMcfadin@waterboards.ca.gov](mailto:BMcfadin@waterboards.ca.gov)

### **Hearing Procedures**

The public meeting to consider the proposed Order has been scheduled for March 15, 2012, in Santa Rosa at 9:00 a.m., or as announced in the Regional Water Board's agenda to be mailed approximately February 22, 2012. The meeting will be held at the Regional Water Board's office located at 5550 Skylane Blvd, Suite A, in Santa Rosa. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed 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 5:00 p.m., on **February 20, 2012**, at 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403.

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 Dischargers or the Regional Water Board. 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).

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 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.

### **Public Hearing**

A Public Hearing to consider adoption of the proposed Order No. R1-2012-0030, *Short Term Renewal of Order No. R1-2006-0081 Conditional Waiver of Waste Discharge Requirements for Discharges Related to Specific Land Management Activities in the Scott River Watershed, North Coast Region* will be conducted on **March 15, 2012**, at 9:00 a.m. or as soon thereafter as possible, at the Regional Water Board hearing room, 5550 Skylane Boulevard, Suite A, Santa Rosa, California.

### **Document Review**

Copies of the proposed Order, related documents and comments received are on file and may be inspected or copied at the Regional Water Board office during normal business hours or viewed at:

[http://www.waterboards.ca.gov/northcoast/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders/)

For further information, please contact Regional Board staff member Bryan McFadin (707) 576-2751 or [Bmcfadin@waterboards.ca.gov](mailto:Bmcfadin@waterboards.ca.gov).