

Comment on WDR for Humboldt Redwood Co, LLC in Elk River:

Draft Order No. R-1-2016-0004

To North Coast Regional Water Quality;

I do not know what more the residents' of upper Elk River have to endure or how we can communicate to you the level of harm we are forced to live with because of timber caused sediment. Not a day goes by that you don't hear on the news of devastating floods causing so much personal loss of property and threats to people's lives from flooding yet upper Elk River residents are forced to endure ever increasing harm by flooding caused by known man made activity: logging. The importance of good usable water quality is paramount across America and extremely critical in California yet water quality in Elk River is allowed to deteriorate to serve industrial timber operations. Every agency understands that logging causes siltation just as smoking causes lung cancer. Making better cigarettes is not the answer to stopping lung cancer caused by smoking. Stopping smoking is. Making logging better has not made flooding better; it has not made water quality better; it has not made the residents' safer in their homes. WQ and CDF enabled the logging that caused so much harm in the 1990's through 2006 without effective restrictions even though they knew flooding from logging sediment was the cause of so much damage to residents, the river and the forest. The first WDR was not restrictive enough; many of the directly affected upper Elk River residents tried to inform the regulatory agencies. No one heeded our knowledge and by 2010 we residents showed that indeed the WDR was not being effective at stopping ever increasing flooding. It took another 6+ years of too much logging years to get where we are today: Water Quality once again planning to re-issue yet another WDR that will continue the ever harmful logging. Enabling logging before effective projects have been executed and proved effective is knowingly directing more harm onto residents. It is diabolical that HRC gets to do what causes the harm because WQ thinks their measures will enable recovery when WQ has never been right about our recovery. It is also odd that using the fact that sedimentation would still go on if all logging was stopped as an excuse to keep on logging...it should actually show how obviously damaging any logging will be. Protection of people and property and recovery of water quality are of paramount importance over pollution profits for Timber. Protecting citizens is governments' job. Stopping logging may not stop all the harm but it would reduce it to the minimum possible and enable real recovery to begin whether projects to remove sediment were done or not.

The limits in the revised WDR miss recovery by a long shot. Those of us that have watched Elk River recover from logging and have watched its demise from logging are the best scientists on the job. We know from experience what protective tree density and cover it takes to protect the fine and very fragile soil in the upper watershed. Real science begins with real observations over the longest period of time. I am definitely one of the individuals who know Elk River and cumulative effects from logging yet my knowledge and understanding is almost never honestly heeded. I have a better than average education with a better than average brain along with 60+ years of observation and 20+ years of concentrated attention and inspection. Yet Timber "science" is held on high. The power and pressure of Timber authorities is given way too much control over residents' lives and property. Our knowledge is too easily dismissed by the regulatory bodies in favor of logging guestimates and proclamations. Once again this

revised WDR cuts off the dog's tail an inch at a time...and serves to, at best, reduce the rate of harm. It is too easy for an agency representative to be impressed by power politics than do their real job of protecting small insignificant residents. It is too easy for them to "believe" their added measures will reasonably[whatever that means] remedy the dire situation because they do not live here and have no context for what it means to live in Elk River, and do not get Board support.

The buffer zones are too small and definitely should be measured on the horizontal not slope distance. Small intermittent streams need at least 50 ft. no cut zones, smaller all year streams need 100 ft. no cut zones and Elk River itself needs 300 ft. no cut protection to even begin to enable reasonable recovery. Water quality was always maintained down in the valley as it came to us out of the forested area; being the first downstream land owner and apple farmer we paid attention. It is not Elk River below my farm that causes the sediment but it is the area that bears all the harm.

The canopy cover needs to be considerably more than the old 75 to 150 ft. basal area that was relied on. Elk River watershed soils are all very erosive and at this point need a much higher degree of protection to achieve any success at staying in place. A 250 basal area [or whatever equivalent % cover that converts to] is a minimum that should be maintained throughout the entire watershed above where residents live. It was probably in the 400 to 600 ft. basal area in much of the upper watershed when recovery was achieved before Maxxam's logging began in the mid to late 1980's. Our problem is dissolved sediment running in the water column which does not leave a track to follow. Salmon Forever has 4 years' worth of tracking suspended sediment which has not been analyzed and should be. Residents do not have the financial resources that Big Timber companies do yet we are held to an even higher standard of proof. We also know what we know because we have seen with our eyes what has happened to the river, our property and the water in Elk River. We can show you in narrative form what we mean yet timber data is held up to counter what we have seen. Adona White has been the long time inspector in Elk River [before James Burke] and is the only WQ representative that the residents have talked to and been heard by over a long enough time period. The Matt St John, the EO, and Fred Blatt have both made a formidable attempt to see and understand what is happening where and why. Staff cannot be effective without strong Board Support and so far The Regional Water Board has shown inordinate concern for Timber company profit and privilege rather than residents' rights and safety.

This past year produced a higher flood on the North Fork in my orchard than I have seen from past equivalent rainstorms. It backed up in my orchard and made higher lakes onto my neighbor property than we normally would see. This is only knowable if you have observed flooding under normal before Maxxam horrendous logging [all permitted by WQ and CDF] and non-normal flooding afterwards. Most of Timber sciences data comes after the harm so any decrease in the rate of harm is an improvement in their eyes. Timber reps are then very persuasive to the agency representative, especially if the agency reps themselves have not had long term firsthand experience with Elk River. Elk River took 30+ years to recover from the logging of the 40's and 50's. If WQ/CDF had taken the time to thoroughly understand that recovery entailed both agencies would have thoroughly interviewed all of us that know it intimately. And yet even at its worst the flooding in the 50's was nowhere near what it became in the 1990's. Flooding has

continued to get worse, always on an ever increasingly deteriorating spiral...both WQ and CDF responsible for permitting all that continued unnecessary damage to residents.

Requiring a 3 inch rainstorm in 24 hours as a basis for road inspection is inept. We rarely have a three inch rainstorm but we frequently flood on a 2 inch rainstorm. Some of us have been witness to extreme sediment runoff from one to two inch storms. We cannot easily record these occurrences and when we do little credence is given. The wet weather operations need to stop by Oct 15th and not restart till May 15th period. That is what was done when we experienced during the 60's through the mid 1980's when water quality improved and flooding became less frequent. Keep in mind the best recovery seen by the residents in recent times was when logging was curtailed [no new plans allowed] from 1997 to 2001. We know what we saw and it was clearer water, real gravel, less flashy flooding. The limit on logging should be zero till the residents recover security in their homes and farms, and historical water quality for domestic and agricultural purposes.

This WDR uses too many words to ever be able to accomplish meaningful recovery for the residents in upper Elk River in a timely manner. It allows too much logging to continue before real relief is lived by the direct downstream residents, it has too much wiggle language and allows too much interpretation by the Timber industry as to "feasible" measures. It is hard to see where the Zero called for in the TMDL will have effective achievement in a time frame that will benefit the severely affected residents who have already been suffering for over 20 years. There is no return to our historical domestic or agricultural water use insight. This all seems fine to WQ, CDF and the Timber industry because our political significance doesn't rise to the level of meaningful human concern, only lip service. Allowing logging is the aim of this WDR. The aim should be securing safety for residents and returning the use of their land and water in the most timely manner. Most of the measures in this WDR are not scientifically proven to recover water quality, reduce flooding and return residents' security in their homes in a timely manner...they are hopeful best estimates. There is too much Timber Industry input and regulatory reliance on their measures. Longtime residents like myself who have the direct knowledge of Elk River should be solicited on an equal footing if not higher than the industry that causes the problem. We are certainly more knowledgeable on all the aspects of what logging does to the river, our property, and our lives and therefore have a better understanding of what it takes for recovery.

This WDR was written for the Timber industry with the help of the Timber industry. It does not protect citizens' lives, property and water. Listen to the residents and let us help you write an effective permit: we know Elk River and what it takes to get to recovery. We deserve regulatory protection now, not in 20 years as a hopeful best guess.

Thank you,

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