



DEPARTMENT OF PARKS AND RECREATION
Sierra District
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Ruth Coleman, *Director*

February 9, 2009

California Regional Water Quality Control Board
Lahontan Region
2501 Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attention: Andrea Stanley

RE: Lahontan Region 2009 Tentative Revised Timber Waiver

Greetings Ms. Stanley,

Thank you for the opportunity to comment on the Tentative Revision of the Conditional Waiver of Waste Discharge Requirements for Waste Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region or "Timber Waiver". I am commenting on behalf of the California Department of Parks and Recreation (CA State Parks), Sierra District whose park units are within the Lahontan Region. We would like to share with you our comments and recommendations with the continued intent of improving and further refining the Timber Waiver. Our recommended changes to the Working Draft text are indicated by italic font.

General Comments

- We appreciate that many of our comments were incorporated in the tentative revision and this version of the waiver is clearer and less ambiguous.
- We appreciate that there is an invitation for monitoring program feedback with respect to one's project on the monitoring forms.

Comment 1

Page 4, A. Findings, 6., (b) For Category 2..., 2nd sentence.

Suggest changing to "Category 2 covers only those projects that are conducted by hand crews and *low ground pressure apparatus and equipment.*" Request change to generic low ground pressure apparatus and equipment instead of specific identification of low ground pressure chippers and mowers since there is and may be in the future other low ground pressure apparatus and equipment that can/will be used by hand crews to assist with tree thinning and removal.

Comment 2

Page 5, A. Findings, 9. "Timber harvest and vegetation management activities"...

Please remove “hazard tree removal” from the list. Hazard tree removal is considered by CA State Parks as a facility maintenance activity related to facilities management and liability, (i.e., campgrounds, parking lots, public use areas, etc.). Hazard tree removal is not a general forest and vegetation management activity.

Comment 3

Page 12, D. Timber Waiver Categories, Category 2: Timber harvest and vegetation management activities conducted by hand crews, Conditions, (3) “Prior to the commencement of timber harvest and vegetation management activities within Waterbody Buffer Zones (WBZs), trees with a DBH greater than 3 inches planned for removal or trees designated for retention must be marked (including a base marked below the cut line)...”

The riparian areas in our park unit forests are densely stocked with trees. It is very time consuming and costly to mark every tree for removal, including a base mark, especially if marking numerous 3 inch DBH white firs. This requirement discourages inclusion of riparian areas for forest health thinning and fuels reduction projects which can lead to untreated corridors of high fuel loading and to the increased risk of spread of catastrophic wildfire which ultimately affects our natural resources, including air and water quality, and public safety. Aesthetically it is not acceptable to mark trees for retention by CA State Park standards. Many times to facilitate efficiency in time and labor, a “designation by description” thinning treatment prescription is written by our Registered Professional Forester (RPF) that is followed by the hand crew. It is the responsibility of the RPF to check that the hand crew is following the treatment prescription.

An alternative to the 3 inch DBH requirement is to increase the DBH of the marked trees in WBZs to 14” DBH to be consistent with the Tahoe Regional Planning Agency, Code of Ordinance Chapter 71.3.

If the 3 inch DBH requirement is to remain in the proposed timber waiver, we recommend that the proposed timber waiver CEQA Initial Study includes the analysis of the indirect impacts on air quality and fire protection.

Comment 4

Page 12, D. Timber Waiver Categories, Category 2: Timber harvest and vegetation management activities conducted by hand crews, Conditions, (5), “All Areas disturbed by timber harvest and vegetation management activities must be stabilized (as defined in Attachment A)...”

Please define the work “stabilized” in Attachment A

Comment 5

Page 12, D. Timber Waiver Categories, Category 2: Timber harvest and vegetation management activities conducted by hand crews, Conditions, (7), (a) If fuel breaks are constructed, effective waterbreaks...

What is the rationale for determining 30% or more “chance” of rain within 24 hours chosen as the threshold for triggering waterbreak construction?

Comment 6

Page 14, D. Timber Waiver Categories, Category 4: Timber harvest and vegetation management activities which rely on existing roads..., Eligibility Criteria, (10) No timber harvest or vegetation management activities that include the application of herbicides...

Please clarify if this section pertains to native plant vegetation management activities that affect forest regeneration or non-native invasive weed species eradication or both? Is a timber waiver necessary if conducting non-native invasive weed species eradication or control activities under the Lahontan Regional Water Quality Control Board and Lake Tahoe Weed Coordinating Group Memorandum of Understanding regarding herbicide use in the Lake Tahoe Basin?

Comment 7

Page 14, D. Timber Waiver Categories, Category 4: Timber harvest and vegetation management activities which rely on existing roads..., Conditions, (8) Prior to the commencement of timber harvest and vegetation management activities within Waterbody Buffer Zones...

Please see Comment 3 regarding marking trees in Waterbody Buffer Zones.

Comment 8

Page 16, D. Timber Waiver Categories, Category 4: Timber harvest and vegetation management activities which rely on existing roads..., Conditions, (14), a. Prescribed broadcast burns...

- a) Recommend removing "broadcast".
- b) Recommend increasing the size of the definition of large woody debris to DBH of *30" or greater and greater than 12 feet long*. Smaller woody debris is difficult to preserve from fire.
- c) See Comment 5 regarding chance of rain.

Comment 9

Page 21, D. Timber Waiver Categories, Category 6: Timber harvest and vegetation management activities that do not qualify for categories 1-5..., Conditions, (12) All areas disturbed by timber harvest and vegetation management activities must be stabilized...

See Comment 4 requesting definition of "stabilized".

Comment 10

Page 21, D. Timber Waiver Categories, Category 6: Timber harvest and vegetation management activities that do not qualify for categories 1-5..., Conditions, (16) Prior to the commencement of timber harvest and vegetation management...

See Comment 3 regarding tree marking DBH.

Comment 12

Page 21, D. Timber Waiver Categories, Category 6: Timber harvest and vegetation management activities that do not qualify for categories 1-5..., Conditions, (18), b. Prescribed broadcast burning...

- a) Recommend removing "broadcast" and "the loss of large woody debris (as defined in Attachment A) which..." so the sentence reads as follows:

Prescribed burning (as defined in Attachment A) is allowed as long as the prescription does not result in destabilized soils adjacent to a waterbody.

b) Please see Comment 8, b) regarding large woody debris.

Comment 13

Page 22, D. Timber Waiver Categories, Category 6: Timber harvest and vegetation management activities that do not qualify for categories 1-5..., Conditions, (18), d. if fuel breaks are constructed...

See Comment 5 regarding chance of rain.

Comment 14

Page 22, D. Timber Waiver Categories, Category 6: Timber harvest and vegetation management activities that do not qualify for categories 1-5..., Conditions, (19) Pursuant to Water Code section 13267...

See Comment 6 regarding non-native invasive plants.

Comment 15

Attachment A, page 3, Large Woody Debris.

See Comment 8.

Comment 16

Attachment A, page 3, Prescribed Burning

Recommend definition of prescribed burning to include "*under specific environmental conditions*".

Comment 17

Attachment A, page 3, Stabilized

Need a definition for "stabilized".

Comment 18

Attachment B, Waterbody Buffer Zones

Recommend changing sentence to:

Water Board Staff will accept documents and timber waiver applications that use terminology other than "Waterbody buffer Zones" as long as such zones or areas will not be smaller than the Water Buffer Zones *defined in Table B1. Water Buffer Zone Widths*.

Comment 19

Attachment J, Effectiveness Monitoring Form, bottom 8th of page, beginning with "Inspect all the following areas and infrastructure..."

Please increase the amount of space after each of the areas listed for comments per the directions or make the directions clearer where you want the comments to be placed.

Comment 20

Attachment K, Monitoring and Reporting Program, page 8

Recommend including a chart with monitoring type, monitoring form required, monitoring periods, and monitoring due dates for reference.

If you have any questions or would like clarification to any of our comments, please do not hesitate to contact me.

Sincerely,



Tamara Sasaki
Senior Environmental Scientist

cc: Todd Ferrara, Resources Agency
Pam Armas, District Superintendent
Rich Adams, District Forester