

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
8:30 A.M., Thursday, January 24, 2013
Santa Rosa

ITEM: 6

SUBJECT: Workshop on draft Order No. R1-2013-0005, *Waiver of Waste Discharge Requirements for Discharges for Timber Operations on Non-Industrial Timber Management Plans (NTMPs) in the North Coast Region (NTMP Waiver)*

BOARD ACTION: This is an informational item. No action will be taken by the Regional Board.

BACKGROUND: The North Coast Regional Water Quality Control Board (Regional Water Board) will conduct a public workshop for draft Order No. R1-2013-0005, the *NTMP Waiver*.

The purpose of the workshop is to provide the Regional Water Board, public and interested parties the opportunity to comment on and discuss the draft Order during the comment period, so that revisions can be made and the *NTMP Waiver* re-issued if significant changes are necessary prior to the March 14, 2013 hearing date. The public comment period begins on January 8, 2013 and ends at 5:00 p.m. on February 11, 2013.

A Public Hearing to consider adoption of the draft Order is scheduled for March 14, 2013, in Santa Rosa, California, or as announced in the Regional Water Board's agenda. The meeting will be held at the Regional Water Board's Office, located at 5550 Skylane Boulevard, Suite A, Santa Rosa, California.

In the North Coast Region, discharges of waste resulting from timber harvest activities that pose a low or insignificant threat to water quality are regulated by conditional waivers of waste discharge requirements. In June, 2009, the Regional Water Board adopted Order No. R1-2009-0038, the Categorical Waiver for Timber Harvest Activities in the North Coast Region (Categorical Waiver), which included revised conditions for Non-Industrial Timber Management Plans (NTMPs). In response to concerns of landowners, foresters and the Department of Forestry and Fire Protection (CAL FIRE) that

revised conditions in the Categorical Waiver would impose unreasonable burdens on NTMP owners as well as CAL FIRE, the Regional Water Board adopted limited term amendments to the Categorical Waiver to temporarily suspend the revised provisions for NTMPs (Order Numbers R1-2011-0038, R1-2012-0010 and R1-2012-0085). One of the primary purposes of the amendments was to allow time for Regional Water Board staff to work with NTMP landowners, CAL FIRE and other interested parties to evaluate the adequacy of protective measures designed into NTMPs to achieve compliance with Total Maximum Daily Loads (TMDLs), Basin Plan standards, and rules for protecting water quality included in the Forest Practice Rules.

Since March 2011, Regional Water Board staff have undertaken a variety of investigations and conducted outreach to interested parties to develop a dialogue and identify solutions to controlling discharges from NTMPs to achieve compliance with TMDLs, Basin Plan standards, and rules for protecting water quality included in the Forest Practice Rules. Based on these efforts, Regional Water Board staff have developed a tiered approach to waiving waste discharge requirements for NTMPs. The draft Order allows NTMPs landowners two options for Waiver coverage; those options consist of either, a) identifying and treating all sites within an area covered by a Notice of Timber Operations (NTO) that have the potential to adversely impact the beneficial uses of water, concurrent with operations under the NTO, or b) preparing an Erosion Control Plan (ECP) for the entire NTMP area and treating sites according to an implementation schedule that may exceed the five year timeframe of the waiver.

RECOMMENDATION: This is an informational item. No recommendations are proposed at this time.

**SUPPORTING
DOCUMENTS:**

Draft Order No. R1-2013-0005, *Waiver of Waste Discharge Requirements for Discharges for Timber Operations on Non-Industrial Timber Management Plans (NTMPs) in the North Coast Region (NTMP Waiver)*

Notice of Public Workshop and Public Hearing on draft Order No. R1-2013-0005