

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
8:30 A.M., Thursday, March 14, 2013
Santa Rosa, California

ITEM: 6

SUBJECT: **Public Hearing** on Order No. R1-2013-0013 to consider the matter of an Extension of Limited Term Amendment Order No. R1-2011-0038, to NTMP Provisions of Order No. R1-2009-0038, **Categorical Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities on Non-Federal Lands in the North Coast Region.** *(Jim Burke)*

BOARD ACTION: Consider adoption of Order No. R1-2013-0013. This Order will serve to extend Order No. R1-2011-0038 for Nonindustrial Timber Management Plans (NTMPs).

BACKGROUND: On March 24, 2011, the Regional Water Board adopted Order No. R1-2011-0038, the *Limited Term Amendment to Nonindustrial Timber Management Plan (NTMP) Provisions of Order No. R1-2009-0038, Categorical Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities on Non-Federal Lands in the North Coast Region* (referred to as the Limited Term Amendment).

The intent of the Limited Term Amendment is to provide Regional Water Board staff additional time to evaluate the adequacy of the Forest Practice Rules to protect water quality within NTMPs and to engage in dialogue with stakeholders to reconcile Waiver conditions that implement water quality standards with practical considerations of landowners, foresters and the Department of Forestry and Fire Protection (CAL FIRE).

Regional Water Board staff has concluded their investigations of the water quality protection provided by the FPRs in collaboration with California Department of Forestry and Fire Protection (CAL FIRE) and has engaged in ongoing and productive dialogue with stakeholders from a wide spectrum of viewpoints on timber and related watershed protection. As a result of these efforts, Regional Water Board has developed draft Order No. R1-2013-0005, a Waiver of Waste Discharge Requirements specific to NTMPs (NTMP Waiver).

The draft Order establishes two tiers designed to implement water quality standards that provide landowners options for waivers of waste discharge requirements for their NTMPs. On January 24, 2013, the Regional Water Board conducted a public workshop on the draft NTMP Waiver. The draft Order was publicly noticed on January 8, 2013 and the comment period ended on February 11, 2013. At the Workshop, the Regional Water Board directed staff to complete ongoing discussions with landowners, foresters, focus groups, and CAL FIRE and to bring a final Waiver for Regional Water Board consideration at the May 2, 2013 Board Meeting.

Without an extension, the NTMP provisions included in the 2009 Timber Waiver would be re-instated on March 30, 2013. Therefore, a short term extension/renewal of the existing Limited Term Amendment is necessary and appropriate. The proposed Order under consideration today extends the terms of the Limited Term Amendment until the Regional Water Board adopts draft Order No. R1-2013-0005.

RECOMMENDATION: Adopt Order No. R1-2013-0013 as proposed.

SUPPORTING
DOCUMENTS: Proposed Order No. R1-2013-0013