

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
9:00 A.M., October 4, 2012
Yreka, California

ITEM: 2

SUBJECT: Public Hearing on Order No. R1-2012-0087, to consider adoption of Waste Discharge Requirements for Discharges Related to Green Diamond Resource Company's Forest Management Activities Conducted within the Area Covered by its Aquatic Habitat Conservation Plan in the North Coast Region (*Kaete King*)

BOARD ACTION: Consider adoption of Order R1-2012-0087.

BACKGROUND: On August 1, 2012, a public notice was issued announcing the availability of the draft Green Diamond Resource Company Forest Management WDR (Forest Management WDRs) and a public workshop on August 23, 2012. A public notice was posted on the Regional Water Board's website, published in a local newspaper, and sent to an interested parties list.

On August 23, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) conducted a public workshop on the proposed Forest Management WDRs to hear public comments.

A public hearing notice was posted on the Regional Water Board's website, published in a local newspaper, and sent to an interested parties list on August 31, 2012, announcing that the Regional Water Board would consider adoption of the Forest Management WDRs at its Board Meeting on October 4, 2012 in Yreka, California.

On September 5, 2012, the Regional Water Board announced a seven (7) day extended comment period, until September 12, 2012, for only the Report of Waste Discharge documents submitted by Green Diamond for the Forest Management WDRs.

In July 2007, Green Diamond began implementing their Aquatic Habitat Conservation Plan (AHCP). The AHCP is designed to maintain cool water temperature, minimize and mitigate human-caused sediment inputs, provide for the recruitment of large wood into streams, and minimize timber harvest-related impacts, all with the goal of maintaining or increasing populations of Chinook salmon, coho salmon, steelhead, cutthroat trout, rainbow trout, southern torrent salamander, and tailed

frog. Management measures address riparian, slope stability, road, and harvest-related impacts of timber harvest operations.

On June 10, 2010 the Regional Water Board adopted Order No. R1-2010-0044 Waste Discharge Requirements for Discharges Related to Road Management and Maintenance Activities Conducted Pursuant to the Green Diamond Resource Company Aquatic Habitat Conservation Plan in the North Coast Region (Roads WDR). The Forest Management WDR complements the Roads WDR, and together will provide Green Diamond with programmatic, ownership-wide waste discharge coverage for timber management activities.

The Forest Management WDR represents a new, integrated approach to regulating industrial timber harvest activities that improves upon the piecemeal approach that it replaces. The Forest Management WDR will result in greater consistency across multiple state and federal agencies, will streamline paperwork submittals, and will promote landscape-based stewardship of water quality.

The Forest Management WDR covers all commercial timberland acreage on the west slopes of the Klamath Mountains and the Coast Range in Del Norte and Humboldt counties where Green Diamond owns land or harvesting rights that are subject to the AHCP. This area is currently 384,400 acres, and is subject to adjustment as Green Diamond buys and sells property. This area is located in the following watersheds: Smith River, Lower Klamath River, Redwood Creek, Maple Creek, Little River, Mad River, Jacoby Creek, Freshwater Creek, Elk River, Salmon Creek, Van Duzen River and the Lower Eel River.

The draft Forest Management WDR will require Green Diamond to comply with enforceable mitigation measures contained in the AHCP, as well as with applicable provisions of the California Forest Practice Rules and the Mitigated Negative Declaration and Master Agreement for Timber Operations prepared by the California Department of Fish and Game. The draft WDR also supersedes and incorporates the provisions of Order No. R1-2006-0043, Watershed Wide Waste Discharge Requirements for Timber Harvesting Plan Activities Conducted by, or on Land Owned by, Green Diamond Resource Company in the South Fork Elk River Watershed.

Management activities to be covered in the draft Forest Management WDR include:

- **Timber Product Harvest**
- **Silvicultural Regimes and Methods**
- **Timber Stand Regeneration and Improvement**
- **Minor Forest Product Harvest**

- **In-stream and Riparian Restoration**
- **Road Construction and Reconstruction**
- **General Road Use**

ISSUES:Extended Comment Period

As a courtesy, the Regional Water Board allowed an additional seven (7) days for limited review of the documents associated only with the Report of Waste Discharge submitted by Green Diamond, with a new close of public comment date of September 12, 2012. Additional comments were limited only to the Report of Waste Discharge:

- Project Description
- Covered Activities Matrix
- Review of Green Diamond Resource Company's Timber Harvest Operations and Forest Management Activities As They Relate to Rate of Harvest and Cumulative Watershed Effects

A supplemental response to these comments is forthcoming prior to the October Board Meeting.

Major Comment Themes

- Exclude the Mad River
- Harvest rate limitation of 1.5%
- CEQA process
- Lack of public involvement
- Additional time for review
- Responses to these comments are in the accompanying Response to Comments document.

SIGNIFICANT CHANGES:

No significant changes were made to the draft order. There were minor nonsubstantive changes, as follows:

- Minor edits for clarification and grammar
- Updated map with names of rivers
- Added Attachment D: Final Certification Notice form
- Added Attachment E: CEQA findings

SUPPORTING DOCUMENTS:

1. Revised Forest Management WDRs
2. Response to Comments
3. Public Comment letters and emails received
4. Notice of Public Hearing