



**California Regional Water Quality Control Board
Central Coast Region**

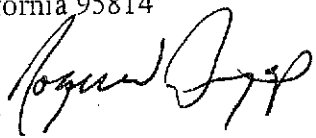


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Arnold Schwarzenegger
Governor

TO: Daniel N. Frink **SWRCB/OCC FILE A-1714**
Senior Staff Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor,
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FROM: Roger W. Briggs 
Executive Officer
Central Coast Regional Water Quality Control Board
895 Aerovista Pl., Ste. 101
San Luis Obispo, CA 93401

DATE: October 19, 2005

SUBJECT: PETITION OF CITIZENS FOR RESPONSIBLE FOREST MANAGEMENT; LOMPICO WATERSHED CONSERVANCY; AND SIERRA CLUB, SANTA CRUZ GROUP (GENERAL CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS – TIMBER HARVEST ACTIVITIES, ORDER NO. R3-2005-0066), PETITION RESPONSE SWRCB / OCC FILE A-1714

Enclosed are the following in response to Citizens for Responsible Forest Management; Lompico Watershed Conservancy; and Sierra Club, Santa Cruz Group Petition for Review:

1. October 19, 2005, Central Coast Regional Water Quality Control Board Memorandum - Petition Response
2. Master Index (Administrative Record sent separately)

Please call Julia Dyer (805) 594-6144 or Regional Board Counsel, Lori Okun at (916) 341-5165 if you have any questions regarding this matter.

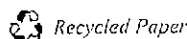
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cc; with Enclosure 1 and Master Index only:

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Item 11, Attachment No. 5
July 7, 2006 Meeting
Timber Harvest Program

California Environmental Protection Agency



Mr. Kevin Collins
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California Regional Water Quality Control Board

Central Coast Region



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Arnold Schwarzenegger
Governor

INTEROFFICE MEMORANDUM

Via Facsimile (916) 341-5199 and U.S. Mail

TO: Daniel N. Frink
Senior Staff Counsel

FROM: Roger W. Briggs
Executive Officer

DATE: October 19, 2005

Signature: 

SUBJECT: PETITION OF CITIZENS FOR RESPONSIBLE FOREST MANAGEMENT; LOMPICO WATERSHED CONSERVANCY; AND SIERRA CLUB, SANTA CRUZ GROUP (GENERAL CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS – TIMBER HARVEST ACTIVITIES, ORDER NO. R3-2005-0066), PETITION RESPONSE SWRCB / OCC FILE A-1714

The Citizens for Responsible Forest Management, Lompico Watershed Conservancy, and Sierra Club (Petitioners) filed petitions (received August 8, 2005) for review of the Central Coast Regional Water Quality Control Board's (Central Coast Water Board) Order No. R3-2005-0066 allowing for the waiver of waste discharge requirements of timber harvest activities.

INTRODUCTION AND BACKGROUND

The California Department of Forestry and Fire Protection (CDF), a department of the California Resources Agency (CRA), is the State lead agency responsible for regulation of timber harvest activities in California. Under state law, lands zoned for timberland production are restricted to growing and harvesting timber and to compatible uses (Government Code Section 5110 et seq.) CDF's process regulates timber harvesting on private and state-owned lands in California under the Forest Practice Act (FPA) (Public Resources Code (PRC) Sections 4511 et seq.) and the California Environmental Quality Act (CEQA). The nine-member Board of Forestry and Fire Protection (BOF) adopts regulations known as the Forest Practice Rules (FPR)¹ under authority of the FPA, and CDF administers those regulations.

The FPR provide for a review team process to review Timber Harvest Plans (THPs) and Non-industrial Timber Management Plans (NTMPs). The review team process is exempt from CEQA's requirement to prepare negative declarations, EIRs or initial studies for THPs or NTMPs. (CPRC §21080.5, 14 CCR §§15250, 15251(a)). Instead, the THP or NTMP serves as the environmental document for a harvest, since these documents require a level of environmental review that satisfies CEQA. The Central Coast Water Board is identified by regulation as a member of the interdisciplinary CDF Review Team. (14 Cal. Code of Regs. §1037.5.)

¹ 14 Cal. Code of Regs., Chapter 4.

The Central Coast Water Board is responsible for regulating waste discharges and related nuisances from timber harvesting activities that could affect the quality and beneficial uses of waters in the Central Coast Region. Waste discharges do not include the actual cutting of trees. However, the Central Coast Water Board has no statutory authority to serve as the lead agency for timber activities.

Since 1972, the Central Coast Water Board has regulated waste discharges associated with Timber Harvest Activities. In 1989, the Central Coast Water Board adopted Resolution No. 89-04 (Central Coast Water Board Resolution No. 89-04, Water Quality Control Plan (Basin Plan) Appendix A-23) waiving waste discharge requirements for timber operations conducted pursuant to either timber harvest plans (THPs) approved by CDF or for timber sales approved by the USFS. The only eligibility of condition the waiver was to operate under an approved THP.

As a result of passage of SB 390 revising California Water Code Section 13269, all existing waivers of waste discharge requirements in place as of January 1, 2000, including waiver of timber harvest activities, were terminated effective January 1, 2003. In July 2005, the Central Coast Water Board adopted the General Conditional Waiver of Waste Discharge Requirements – Timber Harvest Activities in the Central Coast Region to regulate waste discharges from timber harvesting.

CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD ACTION

On July 8, 2005, the Central Coast Water Board, at a public hearing in San Luis Obispo, California, adopted Order No. R3-2005-0066, General Conditional Waiver of Waste Discharge Requirements – Timber Harvest Activities in the Central Coast Region (Waiver) and MRP No. R3-2005-0066 Monitoring and Reporting Program for Timber Harvest Requirements (MRP).

A timber owner or operator seeks coverage in the Waiver by completing a Notice of Intent (NOI) (Waiver, Attachment A) that provides the Central Coast Water Board with the THP or NTMP as well as detailed information that the Central Coast Water Board uses to regulate timber harvests. This information includes information on logging techniques, erosion hazard, stream classes, canopy retention, roads, landings, skid trails and Clean Water Act section 303(d) listings. Much of this information is already reported to CDF via the THP. But, the NOI requests more detailed information regarding these topics. Rather than a presence / absence survey, as can be found in the THP, the NOI requires the applicant to report length of roads, number of landings, and number of stream crossings. The applicant then needs to further delineate as to whether these features are new or proposed, how much or many exist in each of the soil erosion hazard rating categories, and for stream crossing the class of stream being crossed (I, II, or III). The Executive Officer determines whether a NOI meets the requirements for waiver coverage by considering this information, other information from the Central Coast Water Board files such as activities in nearby harvests, and the Eligibility Criteria. (Waiver, § 4.) The Eligibility Criteria are the cumulative effects ratio (CER), the drainage density index (DDI) and the soil disturbance factor (SDF).² As provided in the Eligibility Criteria Decision Tool and Paragraph 4 of the Waiver, a timber harvest activity that poses an unacceptably high risk to water quality *does not qualify for*

² The Staff Report for the adoption of the Waiver, staff's response to comments, [and the Supplemental Sheet for the July 8, 2005 meeting] contain extensive discussions of the CER, DDI and SDF.

Waiver coverage. Petitioners fail to distinguish between these harvests and those that *do* qualify for waiver coverage in arguing that the General Conditional Waiver has satisfied the "fair argument" standard under CEQA and thereby necessitating the preparation of an EIR.

Although it was pre-Waiver, a recent application for an individual waiver is illustrative of how the process works. The Walsh-Fletcher non-industrial timber management plan # 1-98NTMP-019 SCL, when run through the eligibility criteria required a low monitoring level. But, once the surrounds cumulative impacts in the watershed were incorporated into the criteria the plan was required to conduct monitoring at Tier III. The Waiver preserves this same process.

The Waiver conditions require compliance with the FPR, but that is not the only condition. Petitioners argue that the Central Coast Water Board concluded that the FPR adequately protects water quality despite what Petitioners claim is evidence to the contrary. Petitioners are mistaken. If the FPR were adequate, the Central Coast Water Board could have adopted a general waiver³ that only required compliance with the FPR without imposing additional conditions or committing precious staff resources to overseeing implementation of those conditions. In addition to other Waiver conditions, the monitoring and reporting program is an important part of the Waiver's regulatory program, since it enables the Central Coast Water Board to ensure that dischargers comply with the Waiver as well as the portions of the FPR related to water quality. The FPR do not include similar monitoring or reporting requirements.

EVIDENCE SUPPORTING CENTRAL COAST WATER BOARD ACTION

The Waiver is structured similar to other general conditional waivers of Waste Discharge Requirements and complies with California Water Code (CWC) sections:

Section 13269.(a)(1): "On and after January 1, 2000, the provisions of subdivisions (a) and (c) of Section 13260, subdivision (a) of Section 13263, or subdivision (a) of Section 13264 may be waived by the state board or a regional board as to a specific discharge or type of discharge if the state board or a regional board determines, after any necessary state board or regional board meeting, that the Waiver is consistent with any applicable state or regional water quality control plan and is in the public interest. The state board or a regional board shall give notice of any necessary meeting by publication pursuant to Section 11125 of the Government Code."

Section 13269(a)(2): "A waiver may not exceed five years in duration, but may be renewed by the state board or a regional board. The waiver shall be conditional and may be terminated at any time by the state board or a regional board. The conditions of the waiver shall include, but need not be limited to, the performance of individual, group, or watershed-based monitoring, except as provided in paragraph (3). Monitoring requirements shall be designed to support the development and implementation of the waiver program, including, but not limited to, verifying the adequacy and effectiveness of the waiver's conditions. In establishing monitoring requirements, the regional board may

³ General waivers are also referred to as "categorical waivers."

consider the volume, duration, frequency, and constituents of the discharge; the extent and type of existing monitoring activities, including, but not limited to, existing watershed-based, compliance, and effectiveness monitoring efforts; the size of the project area; and other relevant factors. Monitoring results shall be made available to the public.”

Section 13267(b)(1): “In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”

The Central Coast Water Board considered relevant factors to determine whether the General Conditional Waiver is in the public interest, including the following:

- Whether timber harvest activities are already regulated by another governmental entity;
- Whether harvesters will observe reasonable practices to minimize the deleterious effects of any discharge;
- Whether a feasible treatment method exists to control the pollutants in the discharge;
- Whether conditionally waiving ROWDs and/or waste discharge requirements will adequately protect beneficial uses while allowing the Central Coast Water Board to utilize more of its scarce resources to conduct field oversight, public outreach and, where necessary, enforcement.

The Central Coast Water Board found that the adoption of the General Conditional Waiver would not have a significant impact on the environment and will be in the public interest provided that dischargers:

- Comply with the conditions of the Waiver; and
- File the applicable eligibility documents with the Central Coast Water Board, as described in the Waiver, to demonstrate that compliance with the Waiver conditions will be achieved; and
- Comply with applicable State Water Resources Control Board (State Water Board) and Central Coast Water Board plans and policies.

The Waiver is conditioned on the following:

- a. The Discharger must submit a Notice of Intent (NOI) to comply with the conditions of the Waiver. The Waiver does not take effect for a particular timber operation until the Executive Officer approves the NOI in writing.
- b. The Discharger must comply with all requirements of applicable Water Quality Control Plans as these may be modified from time to time pursuant to amendments to water quality control plans adopted by the Central Coast Water Board and approved by the State Water Board and water quality control plans and policies adopted by the State Water Board. Attachment B to the Waiver sets forth examples of applicable Basin Plan provisions. These include water quality objectives for temperature, turbidity, sediment and toxicity, among others.
- c. The Discharger must obtain CDF approval of the THP or NTMP for the timber harvest activities before enrollment in the Waiver takes effect. The Discharger is required to conduct timber harvest activities in accordance with the approved THP or NTMP and with all applicable sections for the Forest Practice Rules.
- d. The Discharger must notify the Central Coast Water Board concurrently when submitting a request to CDF for a minor or major amendment.
- e. The Discharger must obtain and comply with all local, state and federal permits required by law. The Discharger must comply with all applicable county ordinances related to timber operations, including zoning ordinances.
- f. The Discharger cannot create a condition of pollution, contamination, or nuisance, as defined by CWC Section 13050.
- g. The Discharger cannot discharge any waste not specifically regulated by the Waiver, unless the Discharger obtains waste discharge requirements, an individual waiver, or otherwise complies with CWC Section 13264. Waste specifically regulated by the Waiver includes the following earthen materials including soil, silt, sand, clay, rock; organic materials such as slash, sawdust, or bark. Examples of waste not specifically regulated by the Waiver include petroleum products, hazardous materials, or human waste.
- h. The Discharger cannot cause an alteration in stream temperature that exceeds Basin Plan requirements.
- i. The Discharger must allow Central Coast Water Board staff reasonable access onto the affected property to perform inspections to determine compliance with the Waiver conditions.
- j. The Discharger must comply with Monitoring and Reporting Program No. R3-2005-0066.

- k. The Discharger must take immediate action to repair failed crossings, culverts, roads and other sources of sediment.
- l. The Discharger must maintain all erosion and sediment control devices, management measures and mitigations prescribed in a THP or NTMP in good working order for the term of the Waiver requirements.

The Central Coast Water Board designed Monitoring and Reporting Program No. R3-2005-0066 to support the development and implementation of the Waiver program, including verification of the adequacy and effectiveness of Waiver conditions. The Monitoring and Reporting Program accomplishes this by establishing monitoring requirements via an eligibility criteria matrix used to help establish monitoring Tier levels I through IV. Tier I is the least restrictive and Tier III is the most restrictive. Operations that fall under Tier IV are not eligible for coverage under the Waiver. In those cases, staff will develop site-specific regulatory options and monitoring programs (see discussion in next paragraph). The various tiers require specific monitoring combinations that include photo documentation, visual observations, temperature and turbidity sampling, and submittal of technical and/or monitoring reports. Staff will also use this information to make determinations and recommendations regarding the adequacy and effectiveness of the Waiver's conditions.

As stated earlier, not all timber harvest activities conducted in the Central Coast Region are eligible for coverage by the Waiver. Under a variety of potential circumstances, some proposed timber harvest activities will not meet the conditions of the Waiver and will fall into Tier IV. In those cases, staff will propose site-specific (individual) waivers or individual waste discharge requirements for the Board's consideration. For individual waivers or individual waste discharge requirements, an individual monitoring and reporting program will be developed based on site-specific conditions.

Read in the context of Porter-Cologne, "the public interest" in section 13269 is appropriately defined by the purpose of the Act set forth in Water Code section 13000: to regulate "activities and factors which may affect the quality of the waters of the state to attain the highest water quality which is reasonable, considering all demands being made and to be made on those waters and the total values involved, beneficial and detrimental, economic and social, tangible and intangible." Further defining the "public interest" are the State Board's antidegradation policy (Resolution 68-16) and the water quality objectives and implementation programs in the Basin Plan, adopted in accordance with the purpose of Porter-Cologne, to protect water quality and beneficial uses from degradation. (See Wat. Code §§ 13000, 13001, 13240-13242.) The Waiver is consistent with these definitional components of the public interest.

True, the waiver does continue the case-by-case BMP approach of the FPRs and does not institute a watershed-wide approach based on cumulative watershed effects analysis that water and forestry experts consider to be essential in protecting water quality and beneficial uses from timber harvest discharges. However, the BMP approach is recognized as a valid and effective approach by the EPA, Porter-Cologne, the Clean Water Act, and the State Board's anti-degradation policy and nonpoint source control program; it applies in the case of WDRs as well

as the waiver; and it cannot be summarily discarded. In addition, as water and forestry experts acknowledge, the BMP approach must be continued with feasible improvements pending the completion of cumulative watershed analyses on which the watershed-wide approach depends. The analyses are considered to be beyond the capabilities of individual dischargers and must be developed through multidisciplinary assessments sponsored by a consortium of state agencies.

Finally, the interagency approach is consistent with the regulatory history of Section 13269, as described in the 1982 memorandum by Craig M. Wilson to William R. Attwater.

DEFINITION OF TERMS

BMP:	Best Management Practice
BOF:	Board of Forestry
CDF:	California Department of Forestry and Fire Protection
CER:	Cumulative Effects Ratio
CESA:	California Endangered Species Act
CEQA:	California Environmental Quality Act
CRA:	California Resources Agency
CWC:	California Water Code
DDI:	Drainage Density Index
Discharger:	Landowner
EIR:	Environmental Impact Report
FPA:	Forest Practices Act
FPRs:	Forest Practice Rules
MRP:	Monitoring and Reporting Program
NMFS:	National Marine Fisheries Service
NOI:	Notice of Intent
NTMP:	Nonindustrial Timber Management Plan
PHI:	Pre-harvest Inspection
PRC:	Public Resource Code
RPF:	Registered Professional Forester
SDF:	Soil Disturbance Factor
THP:	Timber Harvest Plan
WDR:	Waste Discharge Requirements

PETITION SUMMARY AND RESPONSE FORMAT

The Petitioners' key arguments and statements are excerpted below in bold text. Where possible, arguments are in the order they appear in the Petition. Some arguments were grouped together in order to respond to one continuous argument. In either case, each argument is addressed individually in the following discussion. The Petitioners' statements are also identified by the item number(s) in "Section 4. Statement of Reasons the Action was Inappropriate and Improper" of the Petition. All citations to the Administrative Record A-1714 are given in parenthesis and provide the volume, date, name of author, binder letter, and item number (i.e. Volume I, 5/8/2004, Smith, Binder A, Item #7)

The administrative record is being transmitted separately.

PETITION ARGUMENTS AND CENTRAL COAST WATER BOARD RESPONSE

According to the petitioners' statements in Items A, No. 1, 2, 6, 7, 7a, 7b, and 7b(i) of the petition: The Negative Declaration is flawed and the Central Coast Water Board must prepare a full EIR.

The Negative Declaration, Negative Declaration Resolution, and Initial Study approved by the Regional Board are all based, to an overwhelming extent, upon the pretext that the Forest Practice Rules, the Forest Practice Act, the review process for THPs, and related permits reduce environmental effects, including aesthetics, to a level below significance⁴. The Waiver conditions for new logging discharges do not add any conditions that would be more effective than the FPRs at mitigating cumulative impacts to water quality.

The Water Board offered no evidence to show that the Waiver will prove effective in reducing the environmental impacts of pre-approved, new sediment discharges from future logging projects to a level in which there is no potential to degrade the quality of the environment, contribute to cumulative adverse impacts, or substantially affect human health.

The Central Coast Water Board does not base its decision to adopt the Waiver requirements for timber harvest activities upon the pretext that the Forest Practice Rules (FPR), the Forest Practice Act (FPA), and the review process for THPs reduce environmental effects to a level below significance. The adopted Waiver requires that the following conditions be met, in addition to FPRs, to mitigate cumulative impacts to water quality to less than significant levels.

- The Basin Plan contains water quality objectives developed to protect the beneficial uses of water. The factors in CWC Section 13241, including economic considerations, were considered, as required by law, during the development of these objectives. Prohibitions, provisions, and specifications contained in this Waiver implement these previously developed water quality objectives. Compliance with water quality objectives will protect those beneficial uses.
- The Discharger shall not create a condition of pollution, contamination, or nuisance, as defined by CWC Section 13050.

The above condition thereby prevents activities covered under the General Conditional Waiver from contributing to cumulative impacts to water quality.

- The Discharger shall not cause alteration in stream temperature that exceeds Basin Plan requirements.
- The Discharger shall take immediate action to repair failed crossings, culverts, roads and other sources of sediment.

⁴ This reference is taken from a letter (DEIA Comments, November 1998) not in the record, but staff believes it refers to EPA comments on a Pacific Lumber Co. harvest in the North Coast.

- All erosion and sediment control devices, management measures and mitigations prescribed in a THP or NTMP shall be maintained in good working order for the term of the Waiver requirements.
- The Executive Officer shall not approve the NOI or shall terminate the applicability of a Waiver to specific timber harvest activities (as applicable) if the Executive Officer makes any of the following determinations:
 - The timber harvest activity is not in compliance with any applicable condition of this Waiver.
 - The timber harvest activity has varied in whole or in any part from the approved THP or NTMP, unless these changes result in better protection of water quality.
 - The timber harvest activity is likely to adversely affect the quality or beneficial uses of waters of the State. In making this determination, the Executive Officer shall consider, at a minimum, the THP or NTMP, information from the pre-harvest inspection or other site inspections, the Notice of Intent, the Eligibility Criteria (Exhibit 1 to MRP R3-2005-0066), and all available monitoring reports.

In addition the Initial Study states:

- The Waiver requirements include the provision that water quality standards must be met, including the specific requirements of the Central Coast Water Board's Basin Plan.
- In combination, the existing timber harvest plan approval processes along with the Waiver requirements assure that impacts from timber harvest activities on excess erosion, individually or cumulatively, will be less than significant.
- Discharges of wastes such as sand, silt, clay, and other wastes associated with timber harvest activities that reaches watercourses in amounts that could threaten beneficial uses would not be permitted under the Waiver.

In addition, Santa Cruz County is subject to stricter harvesting standards in relation to the rest of the state per the following language taken out of the Forest Practice Rules:

“926.25 Special Harvesting Methods [Santa Cruz County]

In addition to 14 CCR 913.8 subsection (a), the harvesting limitation, re-entry period and leave tree standards shall be modified as follows:

(a) The cutting standards are as follows:

- (1) For areas where the proposed harvest rate is 51-60% of the trees greater than 45.7 cm (18 in.) d.b.h., the minimum re-entry period shall be 14 years.
- (2) For areas where the proposed harvest is 50% or less of the trees greater than 45.7 cm (18 in.) d.b.h., a 10 year re-entry period shall apply.
- (3) Regardless of re-entry period, no more than 40% of the trees greater than 35.6 cm. (14 in.) and less than 45.7 cm (18 in.) d.b.h. shall be harvested.”

Petitioners made the statement that sediment will have an adverse effect on aesthetics, but do not even explain what visual impacts might result from sediment or whether visually detectible sedimentation will even occur in areas where humans are present. This is not substantial evidence.

The Initial Study fails to demonstrate that cumulatively significant impacts are either absent or mitigated to an extent that is less than significant. The Waiver does not include any conditions that address the universally recognized shortcomings of FPRs and any site-specific best management approach to address cumulative impacts to water quality that result from logging operations.

A Negative Declaration can only be made if “[t]here is no substantial evidence in light of the whole record before the lead agency” that a significant impact to the environment may occur. (Pub. Res. Code § 21080(c)(1).) All of the evidence in the administrative record demonstrates that the Waiver will have a significant effect on the environment. The initial study lacks anything to substantiate or support the determination to prepare a Negative Declaration. The statement used in the initial study to support the finding of no significant impact that “timber harvest activities are subject to environmental impact evaluation and mitigation by the established processes used in planning those activities by the CDF” is deficient. The deficiencies are due to FPRs being inadequate to protect water quality. Watersheds of Central California have been and continue to be adversely impacted by timber operations, and the MAA with CDF and BOF, and to the FPRs is unreliable.

The General Conditional Waiver and associated monitoring and reporting program will prevent significant impacts. In order to assess the environmental impacts of the Waiver, it must be assumed that regulated dischargers will comply with the Waiver conditions. The Negative Declaration studied the impacts of operations conducted in accordance with the conditions and criteria in the waiver. Other activities, including those that are not eligible for the Waiver or those that violate its conditions, are neither authorized by the Waiver nor part of the Project under study.

The Petitioners assume that dischargers will routinely violate the conditions and that the Central Coast Water Board will not enforce the conditions. Since the Central Coast Water Board started imposing similar conditions in Individual Waivers in 2003, Central Coast Water Board staff has not observed significant adverse impacts. This can be verified by review of post harvest inspection reports, discharger annual reports, and additional requested data contained in the case files of Volume III in Administrative Record A-1714. The petitioners' cited evidence predates 2003 and/or is from other geographical areas (i.e. North Coast Region) that have different site conditions and timber management practices. For example, the North Coast Region typically has higher rainfall amounts, steeper slopes, and larger scale more intensive timber harvest activities.

The Petitioners' cumulative impacts argument again assumes the “Project” is approval of timber harvesting activities. As indicated above, the Water Board has no statutory authority to act as the lead agency for timber harvesting. Thus, the cumulative impacts the Water Board must consider are those that will result from the Waiver. For example, cumulative adverse impacts from immediate repair of road and culvert failures would be something that the Water Board would have to consider. Petitioners point to *no* potential cumulative impacts from the Waiver requirements, or even from sediment BMPs. Rather, they argue for different or more stringent waiver conditions. They are essentially seeking an alternatives analysis of other potential projects. No alternatives analysis is required unless an EIR is required; Petitioners cannot support their CEQA challenge by arguing that other, better projects might exist.

An EIR must be prepared if the cumulative impact may be significant. Under the fair argument standard, an agency must prepare an EIR whenever substantial evidence in the record supports a “fair argument” that a project may have a significant effect on the environment. CEQA’s “low threshold” requirement for conducting an EIR and the record of impaired watersheds from sediment loads, temperature changes, and turbidity, induced at least in part by logging in the Central Coast Region precludes a finding by the Regional Board of no significant impact.

Under the fair argument standard, “argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate...does not constitute substantial evidence” (CEQA Guidelines Section 15064(d), 15384). The Petitioners have the burden of proof (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal. App. 3d 1337, 1348-1349). Irrelevant evidence or speculation do not meet this standard. Even where the record contains *no* evidence regarding a potential impact, a lack of evidence or study standing alone does not constitute a fair argument. (*City of Murietta v. Gentry* (1995) 36 Cal.App.4th 1359, 1380-1381.) As discussed below, there is no lack of evidence or study in this case.

Central Coast Water Board staff began development and implementation of the project in approximately January of 2003. The evidence presented by the petitioners to date is based on practices not representative of the timber management practices utilized in the Central Coast Region. As stated above in 926.25 Special Harvesting Methods (Santa Cruz County) of FPR allows only selective harvesting. In addition harvests outside the central coast routinely utilize herbicides for site preparation, a practice never used in Santa Cruz County. The local evidence presented predates the Central Coast Region’s current program, which started in 2003. Evidence of adverse impacts in the absence of significant regulatory oversight is not a fair argument that the Waiver and its conditions may lead to adverse impacts. Using that “evidence” to conclude that the Waiver will have adverse impacts (i) ignores evidence in the record that there is now significant regulatory oversight by the Water Board; (ii) ignores the Waiver’s conditions altogether; and (iii) is pure speculation. For example, the evidence submitted from July 16, 2002 through April 2004 cites Forest Practice Rules (FPRs) failure to protect water quality (See Attachment B for list of evidence reviewed). The photographic evidence predates 2003 (e.g. Harpootlian 1990 (1-90-277SCR); Rattlesnake Gultch 1994 (1-94-353SCR); Firtch Creek/Koppala 1996 (1-96-247SCR); Gamecock 1996 (1-96-275SCR), etc.). The examples cited resulted in enforcement by CDF and, in select cases, the Central Coast Water Board (Gamecock). The implementation of the FPRs alone are not adequately protective of water quality in all cases. That is why the Waiver contains additional conditions for the protection of water quality and monitoring to ensure compliance with the conditions of the Waiver.

Additionally, reports specific to other areas do not meet the “fair argument” standard. Conjecture that similar impacts may occur in the Central Coast Region are merely speculation or unsubstantiated opinion. (See Guidelines 15064 (d).) The specific cites on page 13 of the Petition are discussed below. Similarly, the “University of California Committee on Cumulative Watershed Effects, A Scientific Basis for the Prediction of Cumulative Watershed Effects” applies to areas outside the Central Coast Region.

1. Joseph Blum Declaration, 2000. Blum notes discrepancies between THP applications and conditions on the ground. The Waiver will address that by requiring additional reporting and monitoring and making additional staff time available for inspections. Nothing in the declaration addresses the conditions of the Waiver or whether they will adequately address the impacts on anadromous fish habitat. In fact, the Waiver prohibits changes that would cause these adverse impacts by incorporating water quality objectives, for example by including temperature and sediment objectives, and requiring immediate correction of road and culvert failures.

2. Dunne Report, 2001. This document makes no statement about the extent of water quality impacts due to timber harvest activities. But, in its own words provides a model to provide "calculations of the relative risk of water quality deterioration . . . from different management scenarios [in a watershed]" so that "the models [can] be implemented as planning models."

3. Little Hoover Report, Timber Harvest Plans, 1994. This report was prepared before the revisions to the FPRs and do not consider the conditions of the Waiver. The report cites criticism of the then-existing THP process and makes procedural recommendations, but reaches few conclusions and is not a scientific analysis. Moreover, the report is largely irrelevant. Its conclusions are based in part on impacts from emergency and exempt plans. There were over 8,000 such harvests in 1993, and the acreage of emergency and exempt plans from 1989 to 1991 was five times that of THPs. Neither emergency nor exempt plans qualify for Waiver coverage. Similarly, the report does not distinguish between harvesting practices allowed in the Central Coast as opposed to the North Coast or other timber areas of the state. The report includes clearly outdated policies, citing, for example, an outdated CDF practice to only review 20% of all THPs and the Water Boards' then-limited role. The report criticizes a parcel-by-parcel approach rather than watershed-wide regulation. However, the Waiver is not a parcel-by-parcel approach because the Eligibility Criteria include the Cumulative Effects Ratio. Water Board staff has already "ground-truthed" the CER, and will continue to do so as more data are collected, as required by Section 13269. The requirement of a monitoring plan to verify the adequacy of the Waiver's regulatory program adds another measure of protection against adverse impacts because changes in the program will be required if such impacts do begin to occur. The report does not determine what adverse impacts are occurring, what they are or what practices cause them. Rather, the report discusses criticisms of the regulatory process and makes recommendations for streamlining that process. It is not possible to extrapolate from this report any conclusions about whether adverse impacts will occur if the Waiver conditions are satisfied. The report cites criticism from environmental groups that the THP process focuses on paperwork to the exclusion of inspections and enforcement. The Waiver, on the other hand, is a tool to enhance inspections and enforcement by ramping up monitoring and reporting requirements.

The report goes on to state on page 44,

"While the lack of credible cumulative impact requirements and the abundance of litigation indicate the Timber Harvest Plan process is not working well, there is also other compelling evidence that the environment is not well served. A partial listing of indicators of environmental damage includes:

- The federal Environmental Protection Agency has listed 17 of Northern California's rivers as "impaired" waterways. The EPA cites sediment discharges from logging activities as the major contributor damaging the rivers.
- The federal government has listed the marbled murrelet as a threatened species, citing the loss of nesting habitat from the logging of old-growth and mature forests.
- The Board of Forestry has been petitioned to list the coho salmon as a sensitive species because of their declining population. The decline has been attributed to the effect logging has had on stream temperatures, sediment in spawning areas and overall habitat degradation."

The amount and type listings of waterways as in the North Coast is not indicative of what is occurring on the Central Coast. The General Conditional Waiver, through the eligibility criteria, requires turbidity and temperature monitoring for THPs in 303(d) listed water bodies. In addition, Senate Bill 810 (John Burton) does not allow CDF to approve a THP in a 303(d) listed water body if the Central Coast Regional Water Quality Control Board objects to the plan. Listing of the marbled murrelet as a threatened species due to logging of old-growth is outside the purview of the Central Coast Regional Water Quality Control Board, as it is not a water quality issue. Coho Salmon can be negatively affected by deterioration in water quality due to increases in sediment or temperature. This is why General Conditional Waiver bases its compliance on changes in these two water quality constituents.

4. LSA Report, 1990. This report primarily addresses old-growth harvesting in the North Coast region. Small amounts of old growth can be found at Big Basin State Park, Henry Cowell State Park, Soquel Demonstration Forest, and infrequently on private property in Santa Cruz County and in the National Forest on the Big Sur coast. Due to the scarcity of old growth redwood in the Central Coast Region, it is inappropriate to compare this area and its harvesting practices to those in the North Coast Region. The Report states that "*the findings of this report apply to this geographic area [Northern California Coast] and are not necessarily applicable to other areas.*" This report does not say mitigation of timber impacts is infeasible, just that CDF uncritically accepted foresters' infeasibility claims *in 1990*. LSA also criticizes CDF's tacit endorsement of no significant impacts findings in most cases *in 1990 on the North Coast* and cites old-growth clear-cutting as an "obvious example." "Our conclusion is that the present situation results from the inadequate cumulative impact analysis methodology that is currently in place." But that methodology was changed since 1990, when the checklist included only a single question on cumulative impacts. (For current requirements, see FPR 912.9 http://www.fire.ca.gov/php/rsrc-mgt_content/downloads/2005FPRulebook.pdf page 30) and Technical Rule Addendum No. 2 (2000).) Petitioners provide no evidence that these and other criticisms of how CDF conducted its THP/NTMP review process in 1990 in the North Coast exist in the Central Coast today.

5. Lippe and Bailey, 2001. This article specifically states (see page 1 of the article) that it *responds* to concerns about *clearcutting* in the North Coast and Sierra Nevada, and exempt logging of rangelands. None of these practices have anything to do with the Waiver. This article is a law review article and not a scientific analysis. Like the Little Hoover Commission report, it is a treatise regarding procedural problems. It does not analyze the specific harvesting practices

covered by the Waiver. Although it includes general statements about potential impacts of logging, it does not analyze the type of logging conducted in the Central Coast, or any mitigation measures, or whether impacts will result from compliance with the Waiver.

6. Salmonid Conservation Measures, 1999(Draft) We were unable to locate a copy of this document in the administrative record and therefore object to Petitioners' reference to it. (23 CCR 2050(a)(9), 2050.6.) Staff located a copy of this document on the internet and provides the following response, in the event the objection is overruled: This document was prepared "to provide a thorough example of conservation measures that would be necessary to obtain a short-term, 3-5 year, habitat conservation plan (HCP)." This would be an excellent tool for developing a localized HCP. However, this is not a document that demonstrates any inadequacy within the General Conditional Waiver or its Monitoring Program.

7. Santa Cruz County Justification Packet, 2003. This document is part of the administrative record and can be found in Binder D, Item 17. This packet includes:

- Suggested changes to the Forest Practice Rules (FPR)
- E-mail to the Santa Cruz County Planner regarding the costs associated with notification to neighbors of a THP
- Agenda for a property boundary principles workshop
- Chronology of roads constructed for CDF-Approved timber harvest plans
- Hecht Kittleson July 1998 Assessment of Streambed Conditions and Erosion Control Efforts in the San Lorenzo River Watershed, Santa Cruz County, California
- Article from the Santa Cruz Sentinel 7/20/98, "Silt Threatens Water Quality"
- Santa Cruz County Regulations, California Code, and Proposed Santa Cruz County General Plan Amendments,
- Field Photos taken of THPs submitted to CDF in: undated, 1990, 1992, 1994, and 1996,
- Chapter IV of the 1979 San Lorenzo River Watershed Management Plan
- Santa Cruz County Code Enforcement paperwork
- A CDF March 27, 1995 Inspection Report for THP 1-90-774 SCR Lands of Silicon Joulé Corp.
- An unidentified Addendum for Road Abandonment
- A list of certified professions in erosion and sediment control (undated)
- City of Santa Cruz Water Department Forest Management Report, 1994
- Soquel Creek Water District Watershed Management Plan, 1996
- Packet of information regarding the importance of riparian buffers
- National Marine Fisheries Service Essential Fish Habitat, 3/26/98
- The Importance of Riparian Vegetation to stream ecosystems, Knight and Bottorff, undated
- The Importance of Riparian Systems to Amphibians and Reptiles, Brode and Bury (undated)
- Appeals, nonconcurrences, and notice of violation letters written from the County of Santa Cruz to various THPs

Although this material may contain relevant information to facilitate overall improvement in the Timber Harvest Plan approval process for Santa Cruz County and reinforce the importance of managing land to protect its variety of human and nonhuman uses, this packet contains no

evidence of adverse cumulative environmental impacts that will result by applying the General Conditional Waiver conditions as the basis for approving new logging activities in the region. All the material in the packet either contains suggestions for programmatic / legal changes, local watershed characterization, management practice information and updates, or outdated scientific data.

8. Scientific Review Panel Report, 1999. This document specifically states: "The state and federal [Memorandum of Agreement] MOA [that called for the formation of the Scientific Review Panel] specifically addressed steelhead in the Northern California and Klamath Mountains Province ESUs within California. Considerations and recommendations presented in this report apply to this geographic area and are not necessarily applicable to other areas."

9. USEPA, 1998. The USEPA findings do not address the Central Coast generally or the Waiver conditions specifically. In fact, the findings indicate that the Water Boards should use their authority under Porter-Cologne to continue to regulate timber, which the Waiver does.

10. Curry letter, 2005. This letter does not conclude or even consider whether timber harvesting is causing sedimentation or other impacts. The letter includes a general statement on pages 2-3 that most turbidity in headwaters areas is from roads, skid trails and landings, and general conclusions that roads or winter operations can create erosion channels if not properly managed. Curry does not address whether the Waiver conditions would prevent sedimentation from harvesting activities or even naturally occurring sedimentation, or address the conditions at all. Rather, this is a discussion of appropriate monitoring techniques with incidental discussion of various features that might cause impacts.

Since January 2003, all waste discharges from timber harvest activities have been:

- Regulated through Individual Conditional Waivers of waste discharge requirements
- Inspected by Central Coast Water Board staff
- Required to conduct monitoring and reporting in addition to that required by CDF

Central Coast Water Board staff has conducted enforcement actions for failure to comply with conditions of the Individual Waivers. This has resulted in improved maintenance and oversight of management practices by timber owners and timber representatives.

The project continues the level of oversight and tracking of management practice implementation that did not exist prior to January 2003. Petitioners did not provide evidence that timber harvest operations since that time have had any significant adverse impact on the environment where the operations complied with applicable waivers and THPs/NTMPs.

According to the petitioners' statements in Item No. 1 Footnote 5 and 7b(ii) of the petition:
 The discussion on the CESA in the Initial Study for the Categorical Waiver is both inaccurate and logically inconsistent. While the first sentence mentions CESA, the following section covers streambed alteration agreements under Fish and Game Code section 1603. This adds to the confusion and lack of clarity in the Initial Study, and fails to provide support for any conclusion that the Categorical Waiver will not impact species listed under CESA.

The Initial Study's conclusion that the Waiver will not adversely affect biological resources relies heavily on adherence to the FPRs, the Basin Plan, staff site access, and THP approval which have consistently been shown to be inadequate to protect water quality and avoid significant adverse impacts to beneficial uses. Findings also rely on "compliance with performance standards." No performance standards other than the ineffective FPRs are evident in the Waiver.

As cited above, additional conditions listed in the adopted Waiver require that timber harvest activities conducted under the Waiver for timber harvest activities are protective of beneficial uses including preservation of biological habitats of special significance, cold freshwater habitat, estuarine habitat, migration of aquatic organisms, rare, threatened, or endangered species, spawning, reproduction, and development, warm freshwater habitat, wildlife habitat, and inland saline water habitat. Should any timber harvest activities conducted in the Central Coast Region under the Waiver violate Basin Plan standards to the detriment of beneficial uses, the Executive Officer has the authority to issue a notice of violation, take enforcement action, and terminate the applicability of a Waiver to specific timber harvest activities.

According to the petitioners' statements in Item 3 footnote 6 and No. 8B(a) of the petition:
 In spite of strong Central Coast Board support for staff field participation in the THP review, the first three THPs to be reviewed following adoption of the Waiver have conducted pre-harvest inspections without Regional Board staff participation.

Petitioners are improperly augmenting the record, since by definition these events occurred after the Central Coast Water Board adopted the Waiver.

Although Regional Board staff was not able to attend the first three pre-harvest inspections after the July 8, 2005 Board Meeting, staff inspected the sites pre-harvest as outlined in the following table:

Timber Harvest Plan	CDF PHI Inspection Date	Regional Board Inspection Date
Wilson / Mattos	July 11, 2005	August 2, 2005
Holderman	July 12, 2005	August 3, 2005
Brooktree – Lands of Holland	July 25, 2005	August 25, 2005

These three inspections allowed Water Board staff to see 301 acres of pre-harvest timberland. There were no problems observed during the site visits. Staff photographed several landings, roads, and crossing to document and compare to conditions post harvest. Should there have been problems with the plans as proposed those issues would have been addressed in the field and

additional management practices incorporated into a revised THP. Should issues not be resolved at that time staff would not have recommended the site to be enrolled under the General Conditional Waiver until such issue be resolved or require that the land owner apply for an individual waiver.

According to the petitioners' statements in Items A, No. 3, and No. 5 of the petition:
The Initial Study improperly limited the scope of the project, refusing to address the acknowledged impacts of the logging that will be governed by the Waiver. The Initial Study improperly truncates the scope of the project, purporting to regulate discharges resulting from hundreds of future logging operations but asserting that the logging operations themselves are not within the scope of work of the Waiver project.

The Initial Study states that the "project is the Waiver, and the Central Coast Water Board has no jurisdiction to issue permits for timber harvest activities, but can only regulate water quality impacts of timber harvest activities that the CDF approved." By limiting the project to the Waiver itself the Regional Board is inconsistent with CEQA guidelines definition of the project. The term project must be interpreted broadly to maximize protection of the environment and ensure "that environmental considerations do not become submerged" Yet, the Board's Initial Study provides a mere cursory description of the project, and fails to satisfy the minimum requirements for CEQA review. The project is the Waiver and the associated timber harvest activities that indirectly affect the Waiver.

The Regional Board neglects to include the discharges from the logging operations, and mistakenly confuses "jurisdiction to issue permits" with the ability to impose Best Management Practices as criteria for enrollment in the Waiver.

The Petitioners confuse the project of adopting the waiver with CDF's subsequent approval of particular timber harvesting activities. The Central Coast Water Board has no authority to permit timber cutting; only CDF can do so. The Central Coast Water Board jurisdiction is limited to preventing water quality and nuisance impacts such as erosion, sedimentation, and temperature increases. The Waiver does not authorize that even one tree be cut. Rather, it provides a set of conditions and monitoring requirements that THPs/NTMPs, once approved by CDF, must meet, in order to add a further layer of water quality protection above what the FPRs provide. The Waiver thus supplements the timber harvest approval process of other agencies to include conditions that protect water quality.

Petitioners mischaracterize the Project as regulating timber harvesting. The Waiver does not directly or indirectly authorize timber harvesting activities and does not allow discharges of waste from those activities. The entire function of the Waiver is to prevent significant waste discharges from timber harvest activities that CDF approves. If CDF concludes the proposed activities satisfy the FPR in a non 303(d) listed water body, CDF will approve the harvests whether or not the Water Board regulates the water quality impacts.

No potential adverse effects of the Eligibility Criteria and Waiver conditions are evidenced in the record. Rather, the conditions provide a level of regulatory control for waste discharges

associated with covered timber harvest activities that would not exist without the Waivers. There is no indication that individual waste discharge requirements issued after approval of THPs or NTMPs could provide the same level of regulation, let alone a more stringent level, nor is there any evidence that more stringent requirements are necessary.

Petitioners incorrectly contend that the project description was inadequate. The Negative Declaration and Initial Study attached a copy of the proposed Waiver and Monitoring and Reporting Plan. Since the Project is the regulation of waste discharges and not the permitting of timber harvesting, the Initial Study thus set forth the Project verbatim. This complies with the CEQA Guidelines, which only require "in brief form: (1) A description of the project including the location of the project; ..." (14 Cal. Code of Regs. §15063(d)(1).)

Petitioners cite *San Joaquin Raptor Wildlife/Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730. That case involved lead agency approval of a new housing development. The court found the environmental impact report's project description to be inadequate because it did not include a sewer project that was a necessary component of the housing development. The court was concerned about "piecemealing" a project for CEQA review. That is not the case here because the Water Board has no statutory authority to authorize timber harvesting or to supplant the CDF environmental review process in the FPR. Water Board jurisdiction is limited to waste discharges and related nuisance such as temperature impacts, which is exactly what the Project description addressed. The Waiver here describes all conditions that comprise the Project. One of these conditions is CDF approval of the THP/NTMP.

The definition of "lead agency" for CEQA purposes supports the Water Board's CEQA analysis. "Lead agency" means the public agency which has the principal responsibility for carrying out or approving a *project* which may have a significant effect upon the environment." (Pub. Res. Code § 21067, emphasis added; see Guidelines, § 15367 [defining "lead agency"].) The Water Board has no authority to approve timber harvesting, let alone the principal responsibility. Thus, the project is the Waiver and not timber harvesting itself. With respect to timber harvesting, the Water Board is not and cannot be the lead agency. (See, *City of Sacramento v. SWRCB* (1992) 2 Cal.App.4th 960, 973-978.)

According to the petitioners' statements in Item No. 4 of the petition:

The Initial Study's Description of the Environmental Setting is inaccurate and deficient. The initial study avoided any discussion of the current degraded conditions, 303(d) listings, coho and steelhead habitat, and erosive terrain, that exist throughout the Central Coast Region due to adverse impacts from logging operations and other activities. It also does not acknowledge that logging alone can result in discharges that negatively impact water quality.

Staff reviewed the (Volume I, 7/8/2005, Briggs, Binder I, Item #45o) comments and responses and (Volume I, 7/8/2005, Briggs, Binder I, Item #45s) minutes for Board Meeting July 8, 2005 and were unable to find record of this issue being raised before. Petitioners failed to raise this issue before the Central Coast Water Board as is therefore precluded from raising it now. (23 Cal. Code of Regs. 2050(a)(9).) We request the State Water Board to strike these arguments but provide the following response in the event this request is denied.

The description of the environmental setting complies with the CEQA Guidelines, which only require "in brief form: ... (2) An identification of the environmental setting ..." (14 Cal. Code of Regs. §15063(d)(2).) The court in *Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1192 held:

An EIR's description of the environmental setting must be sufficient to allow "an understanding of the significant effects of the proposed projects and its alternatives" but "no longer." (Guidelines, § 15125, subd. (a).) That description should place "[s]pecial emphasis" "on environmental resources that are rare or unique to that region and would be affected by the project" and "must permit the significant effects of the project to be considered in the full environmental context." (Guidelines, § 15125, subd. (c).)

However, the Guidelines merely require an initial study, in contrast to an EIR, to briefly identify the environmental setting. (Guidelines, § 15063, subd. (d)(2); cf. Guidelines, § 15125, subd. (a).) An initial study is only a "preliminary analysis" (Guidelines, § 15365) and the regulatory requirements regarding its contents are not as demanding as those imposed upon an EIR. (See Guidelines, § 15063, subd. (d), cf. Guidelines, § 15120 et seq.) "[A]n initial study is neither intended nor required to include the level of detail included in an EIR." (Guidelines, § 15063, subd.(a)(3).)

The court concluded, "The City was not required, as part of a brief 'environmental setting' description, to analyze the extent to which off-leash dog use had caused or contributed to the existing environmental conditions." (*Id.* at 1194.) Similarly, CEQA does not require the description of the Waiver's environmental setting to include a discussion of the causes of existing degradation.⁵

CDF is prohibited from approving a THP and/or NTMP if the Central Coast Water Board finds that it will result in a discharge to a watercourse listed as impaired due to sediment under Section 303(d) of the Clean Water Act. (*See*, Pub. Res. Code §4582.71.) Since an approved THP or NTMP is a condition of eligibility, a harvest subject to such a finding would not be part of the "project."

The Waiver contains general conditions applicable to all activities that require they adhere to their NTMP or THP and with the FPRs. The Waiver conditions also prevent timber harvesting activities from causing an unreasonable interference with beneficial uses amounting to a pollution or nuisance as defined by California Water Code section 13050.

⁵ Moreover, such existing degradation is properly considered as part of the CEQA baseline against which the Water Board measures potential impacts of the Waiver. Petitioners concede that "the Santa Cruz Mountains include some of the most erosive terrain in California." (Petition at 14.) As staff stated in the Response to Comments for the July 2005 Board meeting, this results in natural erosion that occurs even without timber harvesting. This natural erosion is also part of the CEQA baseline.

In addition, the eligibility criteria which includes a cumulative effects ratio (CER), drainage density index (DDI), and soil disturbance factor (SDF)⁶ incorporates a factor for waterbodies listed as impaired by sediment or temperature (303(d) list). The listing evaluates sources of sediment and temperature changes from timber as well as non-timber activities.

Based on timber harvest that fall under the conditions of this project (since 2003) field observations and data indicate that plans that comply with conditions of the waiver are not contributing sediment to water such that they impact waters of the state.

According to the petitioners' statements in Item No. 7b(ii) of the petition:

The non-concurrence and skid trail mapping language was deleted during Board discussion at the July 8 hearing. This [non-concurrence] language would have empowered other agency THP reviewers and most likely required implementation of additional site-specific BMPs to satisfy removal of the non-concurrence. Deleting the Waiver condition requiring resolution of non-concurrences by resource agencies (Condition 1.e) will not cause an adverse impact on the environment. The FPR require the review team chairperson to prepare a report explaining how the plan adequately addresses the non-concurrence, but do not require CDF to adopt all suggested changes. (14 Cal. Code of Regs. §1037.5(e).) Since CDF can resolve a non-concurrence without adopting the non-concurring agency's suggested changes, it is questionable whether the proposed language would have changed the existing CDF process at all. Condition 4.c of the Conditional Waiver better addresses non-concurrences that affect issues within the Water Board's jurisdiction and that are not adequately resolved during the review team process. Condition 4.c states:

4. The Executive Officer shall not approve the NOI or shall terminate the applicability of a Waiver to specific timber harvest activities (as applicable) if the Executive Officer makes any of the following determinations:

- c. The timber harvest activity is likely to adversely affect the quality or beneficial uses of waters of the State. In making this determination, the Executive Officer shall consider, at a minimum, the THP or NTMP, information from the pre-harvest inspection or other site inspections, the Notice of Intent, the Eligibility Criteria (Exhibit 1 to MRP R3-2005-0066), and all available monitoring reports.

Thus, Waiver coverage cannot commence until water-quality (or related nuisance) non-concurrences are adequately addressed.

⁶ The Staff Report for the adoption of the Waiver, staff's response to comments, [and the Supplemental Sheet for the July 8, 2005 meeting] contain extensive discussions of the CER, DDI and SDF.

The replacement language for the skid trail mapping under the SDF “for unmapped acreage, add 100 feet per acre” is inadequate to prevent or mitigate impacts to biological resources.

Regardless of the mapping requirements for skid trails, the Waiver requires the implementation and maintenance of management practices (including management practices for roads). The Waiver requirements do not allow timber harvest activities to significantly exacerbate sediment movement into waters of the state beyond baseline conditions, which include significant natural sediment movement (i.e., the Waiver allows no significant introduction of sediment into the stream caused by timber harvest activities). The Central Coast Water Board program also has an enforcement component to assure compliance with Waiver conditions. Enforcement results in more consistent implementation of management practices.

According to the petitioners' statements in Item No. 7b(ii) of the petition:

Because there is no requirement in the Waiver that Regional Board staff participate in the review of a THP, staff may have no first hand knowledge of issues of concern prompting other agencies to non-concur.

The Central Coast Water Board is identified by regulation as a member of the interdisciplinary CDF Review Team. Central Coast Water Board staff participates in the review of the THP/NTMPs, including pre-harvest inspections, as appropriate and as resources allow.

Central Coast Water Board staffing levels are 0.6 person years. This amounts to approximately 1270 hours to accommodate THP review and field monitoring. It was the intention of the Central Coast Water Board, in adopting the Waiver, to streamline paperwork for harvest operations with minimal potential for environmental impact and focus on plans involving sensitive areas and resources. The General Conditional Waiver will allow staff to shift away from paperwork compliance and toward outcome-based results through more intensive use of monitoring, enforcement and effectiveness evaluation, in addition to participating in the THP/NTMP review process as feasible. As indicated above, a water-quality-related non-concurrence is one of the factors that the Executive Officer must consider in determining whether a THP is eligible for waiver coverage.

Even if the Water Board were to issue individual waivers or waste discharge requirements, nothing would require staff to participate in the review team process. Where appropriate, staff could rely on the written record of a THP or PHI, including the record of non-concurrences and CDF's resolution of them.

According to the petitioners' statements in Item No. 7b(iii) of the petition:

The Waiver will have an adverse impact on hydrology and water quality. The Regional Board's water quality "analysis" inappropriately relies on future environmental documents, the presumed success of future mitigations – especially those based on the FPRs – to assume that these impacts will be fully mitigated.

The petitioner assumes that the project proponents will not comply with the conditions of the Waiver and that the Central Coast Water Board will not enforce against non-compliance. In order to assess the environmental impacts of the Waiver, it must be assumed that regulated dischargers will comply with the Waiver conditions. Compliance with the conditions of the Waiver and associated monitoring and reporting program will prevent significant adverse impacts. Since the Central Coast Water Board started imposing similar conditions in Individual Waivers in 2003, Central Coast Water Board staff has not observed significant adverse impacts. Data in the record supports these observations.

According to the petitioners' statements in Item No. 7b(iv) of the petition:

The Regional Board finds that the project will have no adverse impacts [on geology and soils] while simultaneously admitting that "specific timber harvesting activities could cause substantial soil erosion or the loss of topsoil" if mitigation measures are not properly implemented. Substantial evidence in the record actually shows that, even where recognized management practices are employed, significant erosion may nevertheless result.

If a THP or NTMP is proposed to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, the project would have the potential to impact water quality. Such a plan would need coverage under individual waste discharge requirements or Individual Waiver of waste discharge requirements (Tier IV of the Conditional Waiver).

The highly variable physical geography and climate of Region 3 presents an equally variable number of inherent sediment conditions affecting water quality. Due to the dynamic geologic and tectonic forces at play in this landscape, in conjunction with the Mediterranean climate of the area, erosion and sedimentation naturally occur at rapid rates in much of the region. The drought, fire and flood sequence that is symptomatic of a Mediterranean climate can cause natural erosion and sedimentation to affect waterbodies on a periodic basis. That is, erosion and sedimentation is a baseline condition and would occur even in the complete absence of timber harvesting (Volume I, 5/8/2003, T. Best, Binder D, Item #36)

Human alteration of the landscape introduces anthropogenic disturbance that is often difficult to discern from this natural, or baseline, disturbance. In turn, it can be extremely difficult to distinguish the water quality effect of erosion and sedimentation caused by human disturbance from that caused by natural disturbance. (Volume I, 7/8/2005, Briggs, Binder I, Item #45o)

Observation and information documented in Central Coast Water Board pre/post harvest inspection reports and discharger data submitted as a condition of previously approved Waivers

documents the protection of water quality and beneficial uses. (Volume III, 12/13/2002 to 7/8/2005, Items 1-30)

According to the petitioners' statements in Item No. 7.b(iii) and 8 of the petition:

The Negative Declaration incorrectly assumes its conditions or mitigation measures will work. The Waiver document provides no basis for determining that its conditions will achieve any of the asserted goals. The Regional Board relied on mitigation measures that are to be developed at a later date, using post hoc rationalization for its findings. This is expressly prohibited by CEQA.

Central Coast Water Board staff has been conducting post-harvest inspections on Central Coast timber operations for many years. Water Board staff have observed that these operations protect water quality and beneficial uses when timber harvest management practices are properly implemented and maintained. The conditions of the Waiver require proper implementation and maintenance of management measures. In order to assess the environmental impacts of the Waiver, it must be assumed that regulated dischargers will comply with the Waiver conditions. Compliance with the conditions of the Waiver and associated monitoring and reporting program will prevent significant adverse impacts. Since the Central Coast Water Board started imposing similar conditions in Individual Waivers in 2003, Water Board staff has not observed significant adverse impacts. Data in the record supports these observations. (Volume III, 12/13/2002 to 7/8/2005, Items 1-30)

Sundstrom held that a "condition requiring compliance with environmental regulations is a common and reasonable mitigating measure. (See *Perley v. Board of Supervisors* (1982) 137 Cal.App.3d 424, 430, 187 Cal.Rptr. 53.) The similar conditions in the use permit relating to compliance with air and water quality standards are beyond criticism. ... In the case of the conditions regarding air and water quality standards, the County possessed "meaningful information" reasonably justifying an expectation of compliance. (*No Oil, Inc. v. City of Los Angeles* [(1974)] 13 Cal.3d 68, 77, fn. 5, 118 Cal.Rptr. 34, 529 P.2d 66.) Since compliance would indeed avoid significant environmental effects, the conditions were proper." (*Sundstrom* at 308-309; see also, *Sacramento Old City Ass'n v. City Council* (1991) 229 Cal.App.3d 1011, citing *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376 [although tests differ for EIRs and negative declarations, *Sacramento Old City Ass'n* provides a useful discussion of *Sundstrom*.])

Sundstrom distinguished proposed mitigation consisting of alternate disposal locations, since the only evidence in the record was that no such sites existed. There is no such evidence in this case, but there is evidence that, at least since 2003, when necessary the Water Board has actively enforced the conditions of its individual waivers, including the condition requiring compliance with the FPRs. (Volume I, 7/8/2005, Briggs, Binder I, Item #46) Moreover, harvests that do not comply with the Waiver conditions do not qualify for coverage and are not even part of the Project. Petitioners' assumption of rampant non-compliance with the Waiver and the Water Board's failure to enforce Waiver conditions is unsupported speculation and is contrary to evidence in the record.

According to the petitioners' statements in Item No. 8, 8B, 8Ba, and 8Bb of the petition:
The Eligibility Criteria and monitoring required under the MRP is not scientifically defensible, lack a Quality Assurance / Quality Control Plan to provide scientifically viable information, and will not ensure the protection of water quality.

The eligibility criteria and monitoring and reporting program violate water code requirements. The arbitrary eligibility criteria establish the minimum level of monitoring and reporting required. The Regional Board's monitoring provisions are inadequate to verify the effectiveness at protecting beneficial uses of the Waiver's conditions, and are consequently inconsistent with legal requirements of Water Code Section 13269. The Water Code does not provide for varying levels of monitoring. The Waiver must be consistent with the Basin Plan, and the monitoring program must demonstrate this consistency. The three criteria in the eligibility criteria, drainage density index, soil disturbance factor, and cumulative effects ratio are not supported by the literature. The cumulative effects ratio is insufficient as it does not account for cumulative effects outside 303(d) listed water bodies.

The Eligibility Criteria is intended to be a screening tool. Staff believes that the Cumulative Effects Ratio (CER) threshold, which applies to both 303(d) listed and nonlisted water bodies, of 15% (where a CER of 15% or greater is considered high) is appropriate. Staff developed the Eligibility Criteria to illustrate one process we use to evaluate THPs/NTMPs. The CER is one component of the Eligibility Criteria that staff evaluates when reviewing THPs and NTMPs.

The intent of the water quality compliance monitoring (turbidity monitoring) is to provide Central Coast Water Board staff with data to "ground truth" field observations. Staff intends to use this data to help confirm that turbidity and sediment are not being transported from the timber harvest area into waters of the State, and that timber harvest activities are not impacting water clarity. This information will also assist in determining whether timber harvest activities are complying with the Waiver requirements.

The MRP states, "The Discharger shall monitor all newly constructed or reconstructed Class I and II crossings within the timber harvest plan area in place after October 15th for turbidity (a hand held turbidimeter is acceptable for this purpose). The Discharger shall measure turbidity approximately 25 feet upstream and downstream of all newly constructed or reconstructed Class I and II road crossings. The Central Coast Water Board Executive Officer may require turbidity monitoring if no newly constructed or reconstructed crossings exist within a proposed timber harvest plan and the plan has activity within a Class I or II WLPZ." The intent is to provide a quantifiable confirmation that field observations and reporting are accurate and consistent among THPs and NTMPs.

Additionally, the MRP states, "If timber activities cause a discharge (sediment, soil, other organic material, etc.) into waters of the state, the Discharger shall measure in-stream turbidity (using grab samples) at the point of discharge into waters of the state. If a discharge has occurred into a Class III watercourse and there is no longer flow, the Discharger shall measure in stream turbidity in the closest Class I or II watercourse downstream of the discharge." This information will be useful to document compliance or lack of compliance with the conditions of the Waiver and "ground truth" field observations.

In combination with the MRP, the Central Coast Water Board will use the Central Coast Ambient Monitoring Program, the San Lorenzo Sediment TMDL monitoring program, and information from the California Polytechnic Little Creek Sediment Assessment (currently in progress) to evaluate compliance with Waiver conditions and ensure long-term trends do not appear that threaten beneficial uses.

The monitoring reports are not required to be received by the Regional Board until November 15, after the winter period is well under way and therefore far too late to allow for adaptive management to increase water quality protection.

The annual monitoring reports are not the only reporting requirements in place; the annual report is a summary of the previous year's activities similar to that required by the storm water general permit. There are several other opportunities for staff to check on-going activities and allow for adaptive management to increase water quality protection throughout the year. In addition to annual monitoring reports, staff will be conducting winter operation and winter post-harvest inspections, issuing notices of violation for improperly installed or failing management practices and requiring foresters to repair any failing management measures immediately as necessary. The monitoring and reporting program also requires the Discharger to repair or replace management practices immediately to prevent discharge and impacts to water quality if management measures fail (this includes failure to implement appropriate management measures) and to photo-document repairs.

If at any time during implementation or effectiveness monitoring, the Discharger observes a discharge (sediment, soil, other organic material, herbicides, pesticides, fluids [oil, hydraulic fluid, etc], from timber equipment, etc.), the Discharger is required to notify the Central Coast Water Board within 24 hours. The Discharger must then submit to the Central Coast Water Board a written report, including photo documentation, water quality data, and the management measures or corrective actions and a description of their effectiveness within 10 working days. Upon review of the report, the Central Coast Water Board Executive Officer will determine completeness of the report and the need for additional actions necessary for the protection of water quality and beneficial uses.

The Discharger must maintain logbooks for recording all visual and water quality analysis data. Logbooks must include documentation of maintenance and repair of management practices. These logbooks must be available [upon request] for inspection by the Central Coast Water Board staff. The Discharger is required to report to the Central Coast Water Board within 48 hours, whenever as little as one cubic yard of soil is released to a waterway due to anthropogenic causes or five cubic yards of soil is released to a waterway due to natural causes, or when turbidity is noticeably greater downstream compared to upstream (of a crossing or the Plan area). The Discharger is required to submit a written report to the Central Coast Water Board within 10 days of detection. The Discharger is required to investigate sources of sediment discharge. If sources are found, the Discharger must document the source and size of the release. If sources related to timber harvest activities are found, the Discharger is required to immediately correct the condition if possible, or schedule corrective action at an appropriate time given the site conditions.

According to the petitioners' statements in their second Item No. 8B of the petition:
The Regional Board Waiver is contrary to the public interest and leads to a violation of the Basin Plan. Reviews and decisions by staff do not need to be done at a public hearing with accompanying notice and comment procedures.

As stated in the Waiver, the Central Coast Water Board found that the adoption of the "General Conditional Waiver of Waste Discharge Requirements - Timber Harvest Activities" will not have a significant impact on the environment and will be in the public interest provided that dischargers:

- Comply with the conditions of [the Waiver]; and
- File with the Central Coast Water Board the applicable eligibility documents as described [in the Waiver], to demonstrate that compliance with the Waiver conditions will be achieved; and
- Comply with applicable State Water Board and Central Coast Water Board plans and policies and as those plans and policies may be amended from time to time through the amendment process.

We are unsure about what Basin Plan violations the petitioners are talking about.

As long as the discharger is complying with the above conditions, the Waiver remains in the public interest. Should any timber harvest activities conducted in the Central Coast Region under the Waiver violate basin plan standards to the detriment of beneficial uses or violate the terms of the Waiver, the Executive Officer has the authority to issue a notice of violation, take enforcement action, and terminate the applicability of a Waiver to specific timber harvest activities.

The Regional Board has not provided any evidence that its Waiver will either meet water quality objectives or reduce pollutant loadings in Central Coast surface waters.

As stated in the (Volume I, 7/8/2005, Briggs, Binder I, Item #45o) comments and responses, there is no evidence that current harvest practices (since 2003) are contributing to water quality impairment. The Waiver conditions explicitly require compliance with water quality objectives. It is not the function of waste discharge requirements or waivers to "reduce pollutant loadings" to impaired waters; that is a function of the TMDL program. For waters that are not impaired, reduction of "pollutant loading" may not be necessary.

The Regional Board lacked evidence regarding who is discharging, what they are discharging, where they are discharging, what management practices are in use or available beyond the disputed Forest Practice Rules, or whether particular management practices are effective in controlling specific pollutants.

The Central Coast Water Board extensively considered prior harvest activities, various management practices, the general nature of timber harvesting within the Region, and the Region's hydrogeology before it adopted the Waiver. Nothing in Water Code sections 13263(i)

or section 13269 require a regional water board or the State Water Board to undertake a site-by-site consideration of covered activities in issuing general waste discharge requirements or waivers. Doing so would be inconsistent with the concept of general orders. It would also require a premature, speculative CEQA analysis of actual future harvests. (*See, Pala Band of Mission Indians v. County of San Diego* (1998) 68 Cal.App.4th 556, 569-570, 575-578.) This argument is particularly compelling here, because by statute the Water Boards are only responsible agencies for approval of timber harvests. Whether or not the Waiver is subject to an EIR, the FPRs require each THP and NTMP to have an environmental document. That is the appropriate time for the specific review that Petitioners advocate.

The Waiver states the following to address discharges from timber harvest activities:

1. The Discharger shall not create a condition of pollution, contamination, or nuisance, as defined by CWC Section 13050.
2. The Discharger shall not discharge any waste not specifically regulated by this [Waiver], except in compliance with CWC Section 13264. Waste specifically regulated by this [Waiver] includes: earthen materials including soil, silt, sand, clay, rock; organic materials such as slash, sawdust, or bark. Examples of waste not specifically regulated by this [Waiver] include petroleum products, hazardous materials, or human wastes.
3. The Discharger shall take immediate action to repair failed crossings, culverts, roads and other sources of sediment.
4. As provided by CWC Section 13350(a), any person who, in violation of any Waiver condition, discharges waste, or causes or permits waste to be deposited where it is discharged, into the waters of the state, is subject to administrative or civil liability for the violation.

Should any timber harvest activities conducted in the Central Coast Region under the conditional Waiver violate Basin Plan standards or violate the terms of the conditional Waiver, the Executive Officer has the authority to issue a notice of violation, take other enforcement action, and terminate the applicability of a Waiver to specific timber harvest activities.

The Regional Board failed to explain what, if any, fees will apply to logging operations.

The Central Coast Water Board cannot charge an annual fee until the State Water Board establishes a fee schedule, such as the one recently adopted for irrigated agriculture waivers. There are no annual fee requirements at this time.

SUMMARY / CONCLUSIONS

The petitioners argue **“The Central Coast Water Board must prepare a full EIR, that compliance with the Waiver relies heavily on the Forest Practice Rules, and that the Initial Study and Monitoring and Reporting Program is inadequate.”** As laid out in the response above, the evidence in the record does not support the petitioner’s argument. All the evidence submitted by the petitioner predates 2003 and is not representative of the proposed project. The adopted Timber Harvest Requirements comply with all applicable California Water Code (CWC) sections. The Central Coast Regional Board requests that the State Board deny the petition.

Attachments:

- A. Master Index (Listed by Reference)
- B. Evidence Reviewed For The Ocean Conservancy, Citizens for Responsible Forest Management, Sierra Club – Santa Cruz Group and the Lompico Watershed Conservancy

Administrative Record Index A-1714 Volume I - General Program Files

Binder	Item	Name of Organization	Name of Correspondent	Subject of Article	Date
A	01	State Water Resources Control Board	Kerry W. Mulligan	Statement of Policy with Respect to Maintaining High Quality of Waters in California Resolution 68-16	10/28/1968
A	02	State Water Resources Control Board	Maureen Marche	Certification of a Water Quality Management Plan for Timber Operations on Nonfederal lands under section 208 of the Federal Clean Water Act Resolution 88-13	1/21/1988
A	03	State Water Resources Control Board	W. Don Maughan; Harold R. Walt; Jerry Partain	Management Agency Agreement between the Water Resources Control Board, the Board of Forestry, and the Department of Forestry and Fire Protection, State of California	1/21/1988
A	04	California Regional Water Quality Control Board Central Coast Region	William R. Leonard	Resolution NO. 89-04 Adopting Amendments to the Water Quality Control Plan and Requesting Approval from the State Water Resources Control Board	11/17/1989
A	05	Board of Forestry and Fire Protection		Regulatory Changes or Existing Rules Since 1999 Addressing Water Quality July 6, 1999 Regulatory Petition	7/6/1999
A	06	Office of Chief Counsel State Water Resources Control Board	Craig M. Wilson	Waiver of Waste Discharge Requirements	10/5/1982
A	07	County of Santa Cruz		Memorandum of Amicus Curiae, County of Santa Cruz, Regarding: Environmental Protection Information Center vs. Andrea Tuttle Case No: 00-073-SC (Includes Exhibits)	6/8/2000
A	08	Golden Gate University Law Review	Thomas N. Lippe and Kathy Bailey	Regulation of Logging on Private Land in California under Governor Gray Davis	4/1/2001
A	09	Citizens for Responsible Forest Management	Jodi Frediani	EPIC's Supplemental Submittal of Evidentiary Documents for Proposed Waiver R3-2003-0010	1/16/2002
A	10	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Response to Request for Regional Input on Waiver Policies	1/25/2002
A	11	United States Environmental Protection Agency	Wendy L. Melgin	Comments on Cumulative Impacts Rule	4/6/1998

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A	12	California Regional Water Quality Control Board San Diego Region		Workshop to consider the regional board's waiver policy	4/30/2002
A	13	Tab not used			
A	14	VanderHorst Forestry, Inc.	Niel E. Fischer	Comments on Public Workshop of Waivers for Silvicultural Activities	7/4/2002
A	15		William E. Blackwell	Public Comment - Waiver for Silvicultural Activities - SB 390	7/8/2002
A	16	Citizens for Responsible Forest Management	Jodi Frediani	Request for participation in the review of timber harvest plans	7/8/2002
A	17	California Regional Water Quality Control Board North Coast Region	William R. Massey, Chairman	Notice of July 17 workshop meeting on waivers of waste discharge	7/9/2002
A	18	Howell It Is	Dan Howell	Waiver of Discharge Requirements, Silvicultural Activities	7/9/2002
A	19	United States Environmental Protection Agency Region IX	Alexis Strauss	Analysis of the Impacts of Timberland Management on Water Quality based on North Coast TMDLs from 1998 through 2001	7/11/2002
A	19	United States Environmental Protection Agency Region IX	Alexis Strauss	Objections to Waiver of Waste Discharge Requirements for Silviculture Activities	7/11/2002
A	20	Bob Whitney, M.A.	Bob Whitney	Waivers for Silvicultural Activities and Timber Operations	7/11/2002
A	21	California Licensed Foresters Association	Bonnie J. Burchill	Notice of Public Workshops, July 17, 2002; Review of Waivers for Silvicultural Operations	7/15/2002
A	22	Environmental Protection Information Center	Michael R. Lozeau	Public Workshop: Review of Waivers for Silviculture Activities	7/16/2002
A	23	California Regional Water Quality Control Board Central Coast Region	Susan A. Warner	Comments for Record for the July 17th Workshop on Silvicultural Activity Waivers	7/16/2002
A	24		Jennifer Sharkey	Waste Discharge Requirements	7/17/2002
A	24	Sierra Pacific Industries	Edward C. Murphy	Comments on Implementation of SB 390's Amended Section 13269	7/17/2002

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A	25		Deanna Toczyl	Waiver of Discharge Requirements, Silvicultural Activities	7/17/2002
A	26	Fruit Growers Supply Co.	Daniel J. Fisher	Comments on Waivers for Silvicultural Activities	7/17/2002
A	27	Forest Landowners of California	D. Weldon	Public Workshop: Review of Waivers for Silviculture Activities	7/17/2002
A	28	Campbell Timberland Management	Peter F. Ribar	Public Workshop: Review of Waivers for Silviculture Activities July 17, 2002	7/17/2002
A	29	Timber Products Co.	Jim Ostrowski	Testimony Before the California State Water Board THP Waiver Workshop July 17, 2002	7/17/2002
A	29	Stephen M. Launi Forestry Services	Stephen M. Launi	Waiver of Discharge Requirements, Silvicultural Activities	7/17/2002
A	30	Sierra Club	Karen Maki	Comments on Waivers for Silvicultural Activities	7/17/2002
B	31	Department of Forestry and Fire Protection	Stan L. Dixon	Waiver of Discharge Requirements, Silvicultural Activities	7/17/2002
B	32		John H. Sneed	Waiver of Discharge Requirements, Silvicultural Activities	7/17/2002
B	33	Department of Forestry and Fire Protection	Ross Johnson	Comments on Waivers Work Shop - State Water Resources Control Board	7/17/2002
B	34	Citizens for Responsible Forest Management	Jodi Frediani	Letter to State Board/attached letter from EPIC July 16, 2002 regarding silvicultural waivers	7/19/2002
B	35	California Regional Water Quality Control Board Central Coast Region	Bill Arkfield	THP process issues	8/11/2002
B	36	Board of Forestry and Fire Protection		Selected Regulation Changes Since 1999 Affecting Water Quality	8/28/2002
B	37	California Regional Water Quality Control Board Lahontan Region	Tom Suk	Draft changes to FPR's	8/29/2002
B	38	California Regional Water Quality Control Board Central Valley Region		Waivers For Silvicultural Activities-Public Workshop and Scoping Meeting	9/1/2002

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B	39	California Regional Water Quality Control Board Central Coast Region		Notice of Public Workshop and Public Scoping Meeting - Waivers for Silvicultural Activities Conducted within the Central Valley Region	9/5/2002
B	40	Tab not used			
B	41	Tab not used			
B	42a	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 23 - Status Report - Waiver Policy and Related Actions/with Attachments 2. "Region 3 Waiver Policy Actions Planned", August 20,	9/20/2002
B	42b	Central Coast Regional Water Quality Control Board	Roger Briggs	Item 23 Attachment 1. Basin Plan Appendix A-23, "Types and Nature of Waste Discharges Which Will be considered for Waiver of Regulation"	9/20/2002
B	42c	Central Coast Regional Water Quality Control Board	Roger Briggs	Item 23 Attachment 2. "Region 3 Waiver Policy Actions Planned", August 20, 2002	9/20/2002
B	42d	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 23 - Supplemental Sheet - Status Report - Waiver Policy and Related Actions	9/20/2002
B	42e	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 23 - Minutes for Board Meeting September 20, 2002	9/20/2002
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B	44	California Regional Water Quality Control Board Central Coast Region	Howard Koib	Letter of Notification for Amendment - Waiver Policy Resolution - General Waiver of Waste Discharge Requirements	10/18/2002
B	45	California Regional Water Quality Control Board Lahontan Region	Tom Suk	Monitoring Info Re: Timber Harvest Activities	10/18/2002
B	46	California Forestry Association	Mark Rentz	Silvicultural Waiver from Waste Discharge Requirements, CCRWQCB	11/19/2002
B	47	Department of Conservation - California Geological Survey	Trinda L. Bedrossian	Review of July 2002 EPA Analysis of Impacts of Timberland Management on Water Quality	11/27/2002

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B	48	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Resolution R3-2002-0115 Waiver Policy	12/13/2002
B	49	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Notice of Public Meeting and Address Change/ Waiver Actions Related to Timber Harvest Activities	12/20/2002
B	50	California Regional Water Quality Control Board Central Coast Region	Chris Adair	Initial Study for Timber Harvest Activities in the Central Coast Region	1/10/2003
C	01	State of California Governor's Office of Planning and Research State Clearinghouse	Scott Morgan	Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities in the Central Coast Region	1/10/2003
C	02	California Regional Water Quality Control Board Lahontan Region	Carrie Granados	Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities in the Lahontan Region	1/15/2003
C	03	Big Creek Lumber Co.	Joseph Culver	Comments Regarding "Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities"	1/15/2003
C	04	Hildreth Forestry Consulting LLC	James Hildreth	Comments Regarding "Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities"	1/17/2003
C	05	Gary Paul, Consulting Forester	Gary Paul	Comments Regarding "Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities"	1/17/2003
C	06	Department of Forestry and Fire Protection	Andrea E. Tuttle	Suggestions to "Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities" No. R3-2003-0010	1/17/2003
C	07	California Licensed Foresters Association	David Van Lennep	Comments Regarding "Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities in the Central Coast Region"	1/20/2003
C	08	Matt Bissell Forestry	Matthew Bissell	Comments Regarding Waiver of Waste Discharge Requirements for Silviculture Discharges	1/20/2003

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C	09	Environmental Protection Information Center	Cynthia Elkins	Re: Objections to Waiver of Waste Discharge Requirements for Silviculture Discharges and Proposed Adoption of a Negative Declaration--Proposed Resolution No. R3-2003-0010	1/20/2003
C	10	Lompico Watershed Conservancy	Kevin Collins	Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities Pursuant to California Water Code Section 13269	1/21/2003
C	11	Big Creek Lumber Co.	Eric K. Huff	Re: Resolution No. R3-2003-0010, Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities, Initial Study and Negative Declaration	1/23/2003
C	12	Staub Forestry and Environmental Consulting	Cassady Bill Vaughan	Re: Region 3 Waiver of Waste Discharge Requirements	1/23/2003
C	13	Martin and Catherine Moore	Martin and Catherine Moore	Concerns Regarding "Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities"	1/23/2003
C	14	Public Employees for Environmental Responsibility	Karen Schambach	Re: Notice of Public Workshop and Public Scoping Meeting--Waivers for Silvicultural Activities Conducted Within the Central Coast Region	1/27/2003
C	15	U.S. Department of Agriculture	Jack A. Blackwell	Description of Necessary Changes for the Adoption of the Conditional Waiver of Waste Discharge Requirements for Timber Harvest Activities	1/27/2003
C	16	John H Warren	John H. Warren	Imposition of Fees on Timber Harvest Operations	1/28/2003
C	17a	Citizens for Responsible Forest Management	Jodi Frediani	Re: Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities/ 6 Attachments	1/28/2003
C	17b	Citizens for Responsible Forest Management	Michael R. Lozeau; Cynthia Elkins	Attachment I: July 16, 2002 EPIC letter to Gaylon Lee, State Water Resources Control Board	1/28/2003
C	17c	Citizens for Responsible Forest Management	Jodi Frediani	Attachment II: "Justification Pack" submitted to Board of Forestry by Santa Cruz County Board of Supervisors	1/28/2003

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C	17d	Citizens for Responsible Forest Management	Jodi Frediani	Attachment III: Timber Harvest Photos - Problems in Santa Cruz County	1/28/2003
C	17e	Citizens for Responsible Forest Management	Jodi Frediani	Attachment IV: 2001 Central Coast Regional Board 303(d) and TMDL Priority List	1/28/2003
C	17f	Citizens for Responsible Forest Management	Cynthia Elkins	Attachment V: Press Release - EPIC Lawsuit Filed Against Region I Waivers	1/28/2003
C	17g	Citizens for Responsible Forest Management	Jodi Frediani	Attachment VI: Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities Pursuant to California Water Code Section 13269	1/28/2003
D	18	Environmental Committee for the San Lorenzo Valley Valley Women's Club	Nancy B. Macy, Chair	Timber Harvest Waste Discharge Waivers	1/29/2003
D	19	Lompico Watershed Conservancy	Kevin Collins	Second letter of comment on the Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities Pursuant to California Water Code Section 13269	1/29/2003
D	20	Central Coast Forest Association	Peter Twight	Comments on Proposed Waiver	1/29/2003
D	21	California Forestry Association	Mark S. Rentz	Re: Resolution No. R3-2003-0010, Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities	2/4/2003
D	22	Big Creek Lumber Co.	Bob Berlage	Re: Recommendation of Interim One-Year Categorical Waiver of Waste Discharge Requirements for silvicultural Discharges and Adoption of Negative Declaration Regarding Proposed Resolution No. R3-2003-0010	2/6/2003
D	23a	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 16 - Staff Report - Categorical Waivers Related to Timber Harvest Activities Resolution NO. R3-2003-0010	2/7/2003
D	23b	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 16 Attachment 1. Resolution No. R3-2003-0010 and Attachment A	2/7/2003
D	23c	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 16 Attachment 2. Negative Declaration	2/7/2003

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D	23d	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 16 Attachment 3. Initial Study	2/7/2003
D	23e	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 16 - Supplemental Sheet - General Timber Harvest Waiver, Response to Comments, Enclosures Staff Report Addendum and Final Draft of Attachment A	2/7/2003
D	23f	California Regional Water Quality Control Board Central Coast Region	Chris Adair	Item 16 - PowerPoint Presentation - Timber Waiver Policy	2/7/2003
D	23g	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 16 - PowerPoint Presentation - Consideration of initial Study and Negative Declaration and Waiver Resolution	2/7/2003
D	23h	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 16 - Minutes for Board Meeting February 7, 2003	2/7/2003
D	23i	Department of Forestry and Fire Protection		Item 16 - PowerPoint Presentation - WQ Presentation Santa Cruz Mountains Timber Harvesting Photos	2/7/2003
D	24	Central Coast Forest Association	Twight	Item 16 - Letter from Peter Twight February 7, 2003 Board Meeting	2/7/2003
D	25	unknown	Unknown	News Article Seattle Post-Intelligencer - Stormwater killing Puget Sound Salmon - Lisa Stiffler	2/7/2003
D	26	Department of Forestry and Fire Protection	Denis O. Hall	Documents Concerning Adoption of Waiver Discharge Requirements for Discharges Related to Timber Harvest Activities	2/14/2003
D	27	Big Creek Lumber Co.	Bob Berlage	Re: Feb. 7, 2003 Public Hearing on Proposed Resolution No. R3-2003-0010, Waiver of Waste Discharge Requirements for Silviculture Discharges and Adoption of Negative Declaration	2/20/2003
D	28		Senator Sher	SB 923 An act to amend Sections 13261, 13265, and 13269 of the Water Code, relating to water.	2/21/2003
D	29	Sierra Club	Betsy Herbert	Re: Waiver of Waste Discharge Requirements for Timber Harvest Operations	2/25/2003

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D	30	State Water Resources Control Board	Karen G. Shine	Petitions are complete A-1539 (North Coast); A-1546 (Lahontan); A-1552 and A-1552(a) (Central Valley);	4/18/2003
D	31	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Notice of Meeting - Timber Harvest Field Tour/ Itinerary	4/28/2003
D	32	Citizens for Responsible Forest Management	Jodi Frediani	Documents provided by Jodi for April 28, 2003 Timber Harvest Field Trip.	4/28/2003
D	33	California Regional Water Quality Control Board Central Coast Region	Bill Arkfield	Reasons why none of the THPs identified by J. Frediani for the Timber Harvest Field Trip are feasible.	4/28/2003
D	34	State Water Resources Control Board	Karen G. Shine	Extension of time to file Administrative Records and Respond to the following petition A-1539 (North Coast); A-1546 (Lahontan); A-1552 and A-1552(a)(Central Valley)	5/6/2003
D	35	State Water Resources Control Board	Debbie Irvin	Notice of Pre-Hearing Conference for petitions A-1539 (North Coast); A-1546 (Lahontan); A-1552 and A-1552(a)(Central Valley)	5/8/2003
D	36	Timothy C. Best, CEG	Timothy C. Best	RE: Comments on the Impact of Timber Harvesting on Sediment production and Water Quality (Item 28)	5/8/2003
D	37	Redwood Empire	David Van Lennep	Letter concerning May meeting. (Item 28)	5/8/2003
D	38	Redwood Empire	David Van Lennep	Concerns letter written by J. Frediani on April 28, 2003.	5/16/2003
D	39	Department of Conservation California Geological Survey	Thomas E. Spittler, CEG	Response to question on causes of landslides on City of Santa Cruz land visited during the field trip with the Central Coast Regional Water Control Board members on April 28, 2003.	5/29/2003
D	40	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Invitation for Dr. Jerry J. Smith (Department of Biological Sciences) to speak on the status of coho and steelhead in the Santa Cruz watershed at the September 12, 2003 board meeting.	6/9/2003
D	41	Department of Forestry and Fire Protection	Nancy Drinkard	This letter is in response to a letter dated May 15, 2003, by jodi Frediani	6/11/2003

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D	42	California Regional Water Quality Control Board Lahontan Region	Carrie Granados	Adopted resolution for authorizing the executive officer to enter into a memorandum of understanding between the State Water Resources Control Board, the Department of Forestry and Fire Protection, and Designated regional water quality control boards	6/23/2003
D	43a	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 25 - Staff Report - Timber Harvest Regulation Status with Attachments	7/11/2003
D	43b	Central Coast Regional Water Quality Control Board	Roger Briggs	Item 25 Attachment 1. Example of the four letters received from Foresters on June 16, 2003	7/11/2003
D	43c	Central Coast Regional Water Quality Control Board	Roger Briggs	Item 25 Attachment 2. Waiver package example	7/11/2003
D	43d	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 25 - Minutes for Board Meeting July 11, 2003	7/11/2003
D	44	Guadalupe Regional Group	Werner Barasch	Timber Harvest Framework	8/8/2003
D	45	Gary Paul Consulting Forester	Gary Paul	Timber Harvest Framework	8/15/2003
D	46	Big Creek Lumber Co.	Joseph Culver	Timber Harvest Framework	8/18/2003
D	47	Stephen R. Staub Forester and Environmental Consultant	Cassady Bill Vaughan	Comments on waiver policy	8/18/2003
D	48	Big Creek Lumber Co.	Bob Berlage	Timber Harvest Framework	8/19/2003
D	49	Redwood Empire	Peter A Twight	Staff Report of 8/4/2003	8/20/2003
D	50	Stephen R. Staub Forester and Environmental Consultant	Stephen R. Staub	Timber Harvest Framework Regulations	8/20/2003
E	01	Redwood Empire	David Van Lennep	Re: 9/12/2003 Regional Board Meeting in Salinas, Ca.	8/20/2003
E	02	Department of Forestry and Fire Protection	Duane Shintaku	Timber Harvest Framework with 9 Attachments	8/20/2003

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E	03	Central Coast Forest Association	Peter A Twight	Timber Harvest Framework	8/21/2003
E	04	California Forestry Association	Mark S. Rentz	Timber Harvest Framework	8/21/2003
E	05	Collective	Stephen R. Staub; Peter A Twight; Gary Paul; Robert D. Reynolds; Cassady Bill Vaughan; Steve R. Auten; David Van Lennep; Joseph Culver; Eric K. Huff	Timber Harvest Framework	8/21/2003
E	06	Department of Forestry and Fire Protection	John Ferreira	Timber Harvest Framework/ attached Soquel Demonstration State Forest Instream Temperature Monitoring 2002	8/21/2003
E	07	Big Creek Lumber Co.	Eric K. Huff	Timber Harvest Framework	8/22/2003
E	08	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Timber Harvest Framework	9/2/2003
E	09	Lompico Watershed Conservancy	Kevin Collins	Timber Harvest Framework	9/3/2003
E	10	Citizens for Responsible Forest Management	Jodi Frediani	Timber Harvest Framework	9/3/2003
E	11	Redwood Empire	Peter A. Twight	Timber Harvest Framework	9/8/2003
E	12	Big Creek Lumber Co.	Eric K. Huff	Timber Harvest Framework/ Review comments related to July 17 letter...", Robert Ziemer, PhD	9/9/2003
E	13	Driscoll Berry Farms	Edwin Driscoll Jr.	Regulation of Timber Harvest Activities	9/12/2003
E	14	Redwood Empire	David Van Lennep	Timber Harvest Framework	9/12/2003
F	15a	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 14 - Staff Report- Timber Harvest Framework with Attachments	9/12/2003
F	15b	Central Coast Regional Water Quality Control Board	Roger Briggs	Item 14 Attachment 1. Timber harvest Package Information Instructions	9/12/2003
F	15c	Central Coast Regional Water Quality Control Board	Roger Briggs	Item 14 Attachment 2. Timber Harvest information form with timber harvest plan fact sheet	9/12/2003

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F	15d	Central Coast Regional Water Quality Control Board	Roger Briggs	Item 14 Attachment 3. Decision Model	9/12/2003
F	15e	Citizens for Responsible Forest Management; Sierra Club Santa Cruz Group; Lompico Watershed Conservancy	J. Frediani; Kevin Collins; Betsy Herbert; Donald Alley; Robert Curry	Item 14 Attachment 4. July 17, 2003 Letter - CRFM proposal with attachments.	9/12/2003
F	15f	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 14 - Supplemental Sheet - Timber Harvest Framework - Monitoring with Attachments (Monitoring Matrix)	9/12/2003
F	15g	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 14 - Supplemental Sheet - Timber Harvest Framework - Existing Monitoring Plans Summary	9/12/2003
F	15h	Gary Paul Consulting Forester	Gary Paul	Item 14 - Supplemental Sheet - Timber Harvest Framework - Existing monitoring plan summary Attachment 1. August 8, 2003 letter from Gary Paul regarding Beedon/Decker and Pelphrey Timber Harvest Plans.	9/12/2003
F	15i	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 14 - Supplemental Sheet - Timber Harvest Framework - Comments	9/12/2003
F	15j	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 14 - PowerPoint Presentation - Timber Harvest Framework	9/12/2003
F	15k	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 14 - Minutes for Board Meeting September 12, 2003	9/12/2003
F	16	Citizens for Responsible Forest Management	Jodi Frediani	Timber Harvest Framework	10/2/2003
F	17	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Response to (CRFM) October 2, 2003 Inquiry	10/17/2003
F	18	California Regional Water Quality Control Board Central Coast Region	Dominic Roques	Timber Harvest Framework	11/7/2003
F	19	The Ocean Conservancy	Kaitilin Gaffney; Jodi Frediani; Kevin Collins	Regulation of Timber Harvest Activities	11/19/2003
F	20	State Water Resources Control Board	Lori T. Okun	State water resources control board draft orders on timber waivers	12/9/2003

Binder	Item	Name of Organization	Name of Correspondent	Subject of Article	Date
F	21	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Resolution package for San Lorenzo River TMDL for Sediment Including Carbonera Creek, Lompico Creek, and Shingle Mill Creek, approved February 19, 2004 (OAL approved December 18, 2003, which is the effective date)	12/18/2003
F	22	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Regulation of Timber Harvest Activities	12/24/2003
G	23	The Ocean Conservancy	Sarah Newkirk	Comments regarding proposed waivers of WDRs for THP 1-03-082, THP 1-04-008, and THP 1-03-071	1/30/2004
G	24	California Polytechnic State University	Brian C. Dietterick	Draft V3 - An Overview of the Little Creek Project attachments 1. Little Creek Project Brochure, 2. Swanton Pacific Ranch Brochure, 3. Map of Little Creek Watershed, and 4. Research Report-Study documents effects of timber harvest on mountain watersheds.	2/1/2004
G	25	Big Creek Lumber Co.	Homer T. McCrary	Regulation of Timber Harvest Activities	2/2/2004
G	26	Big Creek Lumber Co.	Janet McCrary Webb	Regulation of Timber Harvest Activities	2/12/2004
G	27	Big Creek Lumber Co.	Homer T. McCrary	Regulation of Timber Harvest Activities (error found in 2/2/2004)	3/9/2004
G	28	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Response to 2/2/2004 Regulation of Timber Harvest	3/17/2004
G	29	Dennis Jackson - Hydrologist	Dennis Jackson	re: Waiver of Waste Discharge Requirements for THP 1-03-082 SCR, 1-04-008 SCR, and 1-03-071 SCR	3/15/2004
G	30	Citizens for Responsible Forest Management	Jodi Frediani	Comments on proposed timber waivers	4/26/2004
G	31	The Ocean Conservancy	Sarah G. Newkirk	Comments on proposed timber waivers	4/27/2004
G	32	The Ocean Conservancy	Sarah G. Newkirk	Comments on proposed monitoring conditions for waivers	4/30/2004
G	33	Lompico Watershed Conservancy	Kevin Collins	Waivers of Waste Discharge Requirements for timber harvest plans (including an NTMP) up for consideration at the May 13-14 meeting.	4/30/2004

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G	34	Citizens for Responsible Forest Management	Jodi Frediani	RB3 Monitoring Workshop	5/3/2004
G	35	Citizens for Responsible Forest Management	Jodi Frediani	Comments regarding THP 1-03-042 SCR, THP 1-03-173 SCR, NTMP 1-98NTMP-022 SCR, THP 1-04-046 SCR.	5/3/2004
G	36	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	RE: Response to comments on proposed timber harvest waivers	5/6/2004
G	37	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	RE: Comment Deadlines	5/6/2004
G	38	Citizens for Responsible Forest Management	Jodi Frediani	Letter representing Citizens for Responsible Forest management, Sierra Club - Santa Cruz Group, the Lompico Watershed Conservancy, and the Ocean Conservancy.	5/12/2004
G	39	California Regional Water Quality Control Board Central Coast Region	Dominic Roques	Timber Harvest Workshop Agenda for June 28, 2004 /attached Panelist Biographical sketches and PowerPoint presentations	6/28/2004
G	40	Sierra Club	Betsy Herbert	Letter from Betsy Herbert	7/7/2004
G	41	Redwood Empire	David Van Lennep	Re: Request for Recommendations on Timber Harvest Monitoring	7/19/2004
G	42	Big Creek Lumber Co.	Janet McCrary Webb	Waste Discharge Waiver with attached ConcernsForestry (silviculture) Management Measures	7/19/2004
G	43	The Ocean Conservancy	Sarah G. Newkirk	Agenda Item Regarding Timber Monitoring Workshop	7/27/2004
G	44	California Regional Water Quality Control Board Central Coast Region	Chris Adair	PowerPont Presentation - Timber Harvest Monitoring	7/28/2004
G	45	Department of Forestry and Fire Protection	Dennis O. Hall	input for monitoring related to timber harvest plans	9/7/2004
G	46a	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 6 - Supplemental Sheet - Public Forum - Regional Board Policy on Timber Harvest Monitoring	9/10/2004
G	46b	The Ocean Conservancy	Sarah G. Newkirk	Item 6 - Public Forum - Attachment 1. Ocean Conservancy Letter dated August 30, 2004	9/10/2004

Binder	Item	Name of Organization	Name of Correspondent	Subject of Article	Date
G	46c	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 6 - Supplemental Sheet - Board Meeting Minutes	9/10/2004
G	47	Redwood Empire	David Van Lennep	Re: Clarification for proccesion of Timber Harvest Waivers	9/17/2004
G	48	Big Creek Lumber Co.	Janet McCrary Webb	request for current status of timber harvest waivers	9/29/2004
G	49	Central Coast Forest Association	Charles E. Burton	Regulation of Timber Harvest Activities	10/5/2004
G	50	Lompico Watershed Consevancy	Kevin Collins	Prospect of CCRWQCB allowing timber falling under a THP without a Waiver of Waste Discharge Requirement	10/11/2004
H	01	Central Coast Forest Association	Dick Burton	Re: Waivers and costs	10/14/2004
H	02	The Ocean Conservancy	Sarah G. Newkirk	Claims that Regoin 3 staff does not review the results of monitoring timber harvest operations.	10/21/2004
H	03	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Re: Clarification for processing of timber harvest waivers	10/21/2004
H	04			Individual Waivers, monitoring, inspections, and Report Summary	10/27/2004
H	05	Big Creek Lumber Co.	Janet McCrary Webb	Re:request for current status of timber harvest waivers	10/28/2004
H	06	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Re: Clarification for processing of timber harvest waivers	10/28/2004
H	07	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Re: Claims that Regoin 3 staff does not review the results of monitoring timber harvest operations.	11/10/2004
H	08		Andy Morse	Inspection Report for Smelt Locatelli THP 1-04-008, Lower Gamecock Canyon Creek/Browns Creek (outside Corralitos, CA)	11/11/2004
H	09	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Agenda Item Announcement - Summary of Timber Activities and Proposed Action at the December 3, 2004 board meeting	11/19/2004

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H	10	Lompico Watershed Conservancy	Kevin Collins	Item 4A under agenda item 31 for the Dec. 3, 2004 meeting	11/24/2004
H	11	The Ocean Conservancy	Sarah G. Newkirk	letter representing Citizens for Responsible Forest management, Sierra Club - Santa Cruz Group, the Lompico Watershed Conservancy, and the Ocean Conservancy.	11/29/2004
H	12a	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 - Staff Report - Summary of Timber Activities and Proposed Actions with Attachments	12/3/2004
H	12b	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 1. List of 24 approved individual waivers and pre/post timber harvest inspections conducted by Regional Board staff	12/3/2004
H	12c	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 2. Example of waiver conditions in existing waivers	12/3/2004
H	12d	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 3. Example of monitoring and reporting requirements in existing waivers	12/3/2004
H	12e	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 4. Enforcement Actions	12/3/2004
H	12f	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 4A. Clarification regarding how the Regional Board regulates tree falling .	12/3/2004
H	12g	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 5. Monitoring "Bar" program	12/3/2004
H	12h	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 6. Porter-Cologne sections	12/3/2004
H	12i	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 7. Timber Harvest Workshop Summary	12/3/2004
H	12j	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 8. Follow up Letters to the Timber Harvest Workshop	12/3/2004
H	12k	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 9. Monitoring types defined by the State Monitoring MOU Workgroup	12/3/2004

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H	12l	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 10. Summary of Monitoring and Assessment Activities Related to Aquatic Life Beneficial Uses In the Big Basin Hydrologic Unit	12/3/2004
H	12m	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 Attachment 11. Meeting notes Department of Fish and Game, Regional Water Quality Control Boards and State Water Resources Control Board Timber Harvest Review coordination group.	12/3/2004
H	12n	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 31 - Minutes for Board Meeting December 3, 2004	12/3/2004
H	13	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Need for a waiver of waste discharge requirement to conduct timber harvest activities	12/8/2004
H	14	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Clarification for proposed timber harvest activities, including tree falling without waste discharge requirements or waiver of waste discharge requirements	1/4/2005
H	15	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Request for comments on proposed monitoring and reporting program for regulated timber harvest operations	2/1/2005
H	16	Big Creek Lumber Co.	Janet M. Webb	Re: Proposed timber harvest monitoring and reporting program	2/2/2005
H	17	The Ocean Conservancy	Sarah G. Newkirk	Re: Timber Harvest Program Update	2/7/2005
H	18	Citizens for Responsible Forest Management	Jodi Frediani	RE: Agenda Item #4 Status Report: Timber Harvest program Update	2/10/2005
H	19	Big Creek Lumber Co.	Janet M. Webb	Letter from Big Creek	2/10/2005
H	20	Dennis Jackson - Hydrologist	Dennis Jackson	re: Timber Harvest Program Update - Monitoring and Reporting Program	2/10/2005
H	21	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Timber Harvest Activities MRP	2/10/2005
H	22a	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 4 - Proposed Timber Harvest Monitoring and Reporting Program with Attachments	2/10/2005

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I	40	Citizens for Responsible Forest Management	Jodi Frediani	Draft General Conditional Waiver of Waste Discharge Requirements R3-2005-0066, and Monitoring and Reporting Plan attachments to this letter can be found on the coresspondingly labled disc, Item #10 in the media file.	5/17/2005
I	41	Redwood Empire	David Van Lennep	Re: General Conditional Waiver of Waste Discharge Requirements - Timber Harvest Activities - Central Coast Region R3-2005-0066	5/18/2005
I	42	County of Santa Cruz Planning Department	Donna Bradford	Re: General Conditional Waiver of Waste Discharge Requirements - Timber Harvest Activities - Central Coast Region R3-2005-0066	5/18/2005
I	43	Lompico Watershed Conservancy	Eugene Kojan	Re: Draft General Conditional Waiver of Waste Discharge Requirements R3-2005-0066, and Monitoring and Reporting Plan	5/18/2005
I	44a	Superior Court of California, County of Sacramento	Lloyd G. Connelly	Environmental Protection Information Center et al., vs. California Regional Water Quality Control Board - Central Valley Region, et al.,	6/30/2005
I	44b	Lompico Watershed Conservancy	Kevin Collins	Attachment of legal and code references for the May 18, 2005 General Timber Waiver letter from the Lompico Watershed Conservancy, CRFM, and Sierra Club.	5/18/2005
I	45a	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 25 - Staff Report - Initial Study and Negative Declaration for a General Conditional Waiver with Attachements	7/8/2005
I	45b	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 25 Attachment 1. Resolution R3-2005-0075	7/8/2005
I	45c	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 25 Attachment 2. Initial Study	7/8/2005
I	45d	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 25 Attachment 3. Negative Declaration	7/8/2005
I	45e	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 25 Attachment 4. Order NO. R3-2005-0066	7/8/2005

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H	22b	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 4 Attachment 1. Regulatory and Monitoring Requirement Decision Tool (Eligibility Criteria) and Spreadsheets for CER, DDI, and SDF	2/10/2005
H	22c	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 4 Attachment 2. Timber Harvest Activities - monitoring and reporting program	2/10/2005
H	22d	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 4 Attachment 3. Summary of Results Using Eligibility Criteria	2/10/2005
H	22e	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 4 Attachment 4. Spread of Potential Outcomes Generated by the Eligibility Criteria	2/10/2005
H	22f	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 4 Attachment 5. Monitoring "Bar" program	2/10/2005
H	22g	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 4 Attachment 6. Monitoring types defined by the State Monitoring MOU Workgroup	2/10/2005
H	22h	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 4 Attachment 7. Characterizing the Regulatory Environment Affecting the Forest Products Industry in California, Timber Harvest Plan Costs	2/10/2005
H	22i	California Regional Water Quality Control Board Central Coast Region	Howard Kolb	Item 4 - PowerPoint Presentation - Proposed Timber Harvest Monitoring and Reporting Program	2/10/2005
H	22j	California Regional Water Quality Control Board Central Coast Region	Howard Kolb	Item 4 - Powerpoint - Summary of Timber Activities and proposed actions	2/10/2005
H	22k	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 4 - Minutes for Board Meeting February 10, 2005	2/10/2005
H	23	Central Coast Regional Water Quality Control Board	Richard R. Harris	Comments on proposed MRP for regulated timber harvest operations (Feb 1, 2005)	2/14/2005
H	24	Sierra Club	Betsy Herbert	Comments on proposed MRP for regulated timber harvest operations (Feb 1, 2005)	2/28/2005
H	25	Department of Forestry and Fire Protection	Dennis O. Hall	Comments on proposed MRP for regulated timber harvest operations (Feb 1, 2005)	3/3/2005

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H	26	Dennis Jackson - Hydrologist	Dennis Jackson	Re: Eligibility Criteria and Monitoring and Reporting Plan	3/7/2005
H	27		Leslie Reid	Re: Hillslope Recovery	3/7/2005
H	28	Watershed Institute Institute for Earth Systems Science and Policy Cal State University, Monterey Bar	Robert Cury	Comments on proposed MRP for regulated timber harvest operations (Feb 1, 2005)	3/8/2005
H	29	Dennis Jackson - Hydrologist	Dennis Jackson	Re: THP Monitoring	3/17/2005
H	30	Redwood Empire	David Van Lennep	Comments on proposed MRP for regulated timber harvest operations (Feb 1, 2005)	3/23/2005
H	31	Dennis Jackson - Hydrologist	Dennis Jackson	re: Timber Harvest Program Update - Monitoring and Reporting Program	3/24/2005
I	32	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Notice of adoption of Draft General Conditional Waiver of Waste Discharge Requirements R3-2005-0066	4/12/2005
I	33		Robert R. Ziemer, PhD	Comments on proposed MRP for regulated timber harvest operations (Feb 1, 2005)	5/10/2005
I	34	Governor's Office of Planning and Research State Clearinghouse and Planning Unit	Terry Roberts	General Conditional Waiver of Waste Discharge Requirements - Timber Harvest Activities - Central Coast Region	5/13/2005
I	35	Department of Fish and Game	Robert W. Floerke	General Conditional Waiver of Waste Discharge Requirements - Timber Harvest Activities - Central Coast Region	5/16/2005
I	36	Dennis Jackson - Hydrologist	Dennis Jackson	re: Timber Harvest Program Update - Monitoring and Reporting Program	5/17/2005
I	37	Big Creek Lumber Co.	Janet M. Webb	Re: Eligibility Criteria (EC) and the Monitoring and Reporting Program (MRP) for the Proposed General Timber Harvest Waiver for the July 8, 3005 Board Meeting	5/17/2005
I	38	City of Santa Cruz - Water Department	Chris Berry	Re: Draft General Conditional Waiver of Waste Discharge Requirements R3-2005-0066	5/17/2005
I	39	Department of Forestry and Fire Protection	Duane Shintaku; Clay A. Brandow; Peter H. Cafferata	Draft General Conditional Waiver of Waste Discharge Requirements R3-2005-0066	5/17/2005

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I	45f	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 - Staff Report - General Conditional Waiver of Waste Discharge Requirements - Timber Harvest Requirements	7/8/2005
I	45g	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 Attachment 1. Timber Harvest Requirements - General conditional waiver of waste discharge requirements, Order No. R3-2005-0066	7/8/2005
I	45h	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 Attachment 2. Timber Harvest Requirements- Monitoring and reporting program No. R3-2005-0066 (MRP)	7/8/2005
I	45i	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 Attachment 3. Eligibility Criteria Decision Tool (Eligibility Criteria)	7/8/2005
I	45j	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 Attachment 4. Spreadsheets for CER, DDI, and SDF	7/8/2005
I	45k	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 Attachment 5. Summary of Results Using Eligibility Criteria	7/8/2005
I	45l	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 Attachment 6. Watercourse Definitions for Class I, II, III, and IV	7/8/2005
I	45m	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 Attachment 7. Monitoring types defined by the State Monitoring MOU Workgroup	7/8/2005
I	45n	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 - Supplemental Sheet - Comments - General Conditional Waiver of Waste Discharge Requirements - Timber Harvest Requirements with attachments.	7/8/2005
I	45o	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 - Supplemental Sheet - Attachment 1. Comments and Responses	7/8/2005
I	45p	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 - Supplemental Sheet - Attachment 2. Proposed Monitoring and Reporting Program R3-2005-0066	7/8/2005
I	45q	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 26 - Supplemental Sheet - Attachment 3. Proposed General Order R#-2005-0066	7/8/2005

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I	45r	California Regional Water Quality Control Board Central Coast Region	Howard Kolb	Items 25 & 26 - PowerPoint Presentation - Initial Study and Negative Declaration	7/8/2005
I	45s	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Item 25 and 26 - Minutes for Board Meeting July 8, 2005	7/8/2005
I	46	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Summary of THPs (1988-1997) identified in the Virtual Timber Tour and the Santa Cruz Justification Packet compiled for the July 8, 2005 Board Meeting. Full files listed by reference and available at CCRWQCB Office.	7/8/2005
I	47a	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Signed Order NO. R3-2005-0066 - General Conditional Waiver of Waste Discharge Requirements - Timber Harvest Activities; and signed Monitoring and Reporting Program for Timber Harvest Requirements	7/8/2005
I	47b	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Monitoring and Reporting Program for Timber Harvest Requirements	7/8/2005
I	48	Lompico Watershed Conservancy	Kevin Collins	Lompico Watershed Conservancy, CRFM, and Sierra Club are filing a petition for review...	8/5/2005
I	49	California Regional Water Quality Control Board Central Coast Region	Roger Briggs	Central Coast Regional Water Quality Control Board Timber Harvest Program Interested Party List, Electronic and Hard Copy	7/8/2005

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The following documents are part of the administrative record but have not been duplicated in order to save paper. Copies will be provided upon request.

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1	John Jackson and Elizabeth Eaton	1-88-605 SCR JACKSON/EATON	8/24/1988
2	Jeff Connolly	1-90-577 SCR HARPOOTLIAN	8/10/1990
3	George Pope	1-92-170 SCR POPE	6/22/1992
4	Byron and Hilda Sanchez and Lee and Laura Peterson	1-92-322 SCR DEER CREEK	9/18/1992
5	Gray Whale Ranch Investors	1-93-279 SCR GRAY WHALE/MAJORS CREEK	7/15/1993
6	Eric Diesel and George Golitzen	1-94-353 SCR RATTLESNAKE GULCH	7/29/1994
7	Gray Whale Ranch Investor LP.	1-94-392 SCR GRAY WHALE	8/22/1994
8	Central Coast Regional Water Quality Control Board	Water Quality Control Plan for the Central Coast Region (Basin Plan)	9/8/1994
9	Martin and Marie Shore	1-95-175 SCR BURNS CREEK	5/15/1995
10	George Thompson	1-96-053 SCR THOMPSON THP	2/22/1996
11	Peter Kruprocki	1-96-228 SCR KINGS CREEK/KRUPROCKI	6/10/1996
12	Roger Burch and Brian Coleman	1-96-275 SCR GAMECOCK CANYON	6/20/1996
13	Roger and Michelle Burch	1-96-442 SCR LANDS OF BURCH	9/19/1996
14	Mike Mosko et. All	1-96-518 SCR MOSKO ET AL.	11/18/1996
15	Gregory Koppala/Eel River Sawmills, Gary Urdahl, Lawrence Ratto	1-96-247 SCR LANDS OF EEL RIVER SAWMILLS	11/18/1996
16	Gregory Koppala, R. Cook Enterprises Inc.	1-97-291 SCR KOPPALA/COOK	7/31/1997

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(Individual Waivers January 2003 - July 2005)

Item	Name of Organization	Subject of Article	Date
01	Foxx/Elam	Foxx/Elam NTMP 1-96NTMP-018 SCR; General Low Threat Waiver Resolution R3-2002-0115; and entire case file	12/13/2002
02	Land Trust of Santa Cruz County c/o Laura Pery	Land Trust NTMP 1-01NTMP-032 SCR NTO#2; General Waiver Resolution R3-2002-0115; and entire case file	12/13/2002
03	Big Creek Lumber Company	Scott Creek THP 1-02-101 SCR; Individual Waiver Resolution R3-2003-0053; and entire case file	3/21/2003
04	Ron Beeson; Herb Decker	Beeson/Decker THP 1-03-004 SCR; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
05	Dennis and Candy Pelphrey	Pelphrey THP 1-03-019 SCR; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
06	Tim and Rebecca Peet	Gold Gulch NTMP 1-02NTMP-007; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
07	Roger and Michelle Burch	MacLean THP 1-02-190 SCR; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
08	Roger and Michelle Burch	Hammond THP 1-02-159 SMO; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
09	Roger and Michelle Burch	Ramsey II THP 1-02-064 SCR; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
10	Roger and Michelle Burch	Kings Creek THP 1-01-189 SCR; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
11	Mildred and Catherine Holmes	Lands of Holmes THP 1-00-247; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
12	RMC Pacific Materials c/o J.W. O'Connell	RMC I THP 1-01-439 SCR; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
13	Madera Roja Inc c/o Mike Jani	Madera Roja NTMP 1-01NTMP-016; Individual Waiver Resolution R3-2003-0082; and entire case file	5/16/2003
14	Vonita Bartlebaugh	Bartlebaugh THP 1-03-071 SCR; Individual Waiver Resolution R3-2004-0010; and entire case file	3/19/2004
15	RMC Pacific Materials c/o J.W. O'Connell	RMC II THP 1-03-082; Individual Waiver Resolution R3-2004-0009; and entire case file	3/19/2004

Item	Name of Organization	Subject of Article	Date
16	Smelt; John and Gina Locatelli	Smelt/Locatelli THP 1-04-008 SCR; Individual Waiver Resolution R3-2004-0011; and entire case file	3/19/2004
17	Roger and Michelle Burch	Pryce Fork THP 1-03-173 SCR; Individual Waiver Resolution R3-2004-0036; and entire case file	5/14/2004
18	Redtree Properties, L.P. c/o Douglas P. Ley	Meyley Unit THP 1-03-042 SCR; Individual Waiver Resolution R3-2004-0035; and entire case file	5/14/2004
19	Richard Estrada	Estrada I THP 1-98NTMP-022 SCR NTO#3; Individual Waiver Resolution R3-2004-0037; and entire case file	5/15/2004
20	Richard Estrada	Estrada II THP 1-98NTMP-022 SCR NTO#4; Individual Waiver Resolution; and entire case file	7/9/2004
21	Cal Poly State University	Lower Little Creek 1-04-053 SCR; Individual Waiver Resolution R3-2004-0074; and entire case file	7/9/2004
22	M. Anne Jennings	Jennings THP 1-03-239 SCR; Individual Waiver Resolution R3-2004-0075; and entire case file	7/9/2004
23	John and Janice Filice	Filice THP 1-04-115 SCR; Individual Waiver Resolution R3-2004-0128; and entire case file	9/10/2004
24	Castro Valley Ranch LLC c/o Don Long	Castro Valley Ranch THP 1-04-127 SCL; Individual Waiver Resolution R3-2004-0078; and entire case file	9/10/2004
25	V.K. Vitanen	Vitanen et al THP 1-04-094 SCR; Individual Waiver Resolution R3-2005-0055; and entire case file	3/25/2005
26	Big Basin Water Co. c/o Thomas Moore	Big Basin Water Co. NTMP Filter Plant and Fallen Leaf Units 1-04NTMP-011 SCR NTO#1; Individual Waiver Resolution R3-2005-0054; and entire case file	3/25/2005
27	James and Kathkeen Werle	Werle NTMP 1-94NTMP-010 SCR NTO#2; Individual Waiver Resolution R3-2005-0076; and entire case file	5/13/2005
28	Roger and Michelle Burch	Cowell South Unit THP 1-04-165 SCR; Individual Waiver Resolution R3-2005-0100; and entire case file	7/8/2005
29	Walsh-Fletcher Enterprises LTD	Walsh Fletcher NTMP Unit 3 1-99NTMP-019 SCL NTO#5; Individual Waiver Resolution R3-2005-0104; and entire case file	7/8/2005
30	Saint Francis Youth Center c/o Fr. Richard Presenti	St. Francis Youth Center THP 1-01-081 SCR/SCL; Individual Waiver Resolution R3-2005-0103; and entire case file	7/8/2005

Administrative Record A-1714 Volume IV - Media Files
(DVDs, CDs, CASSETTES, VHS)

Item	Media Type	Name of Organization	Title/Contents	Date
1	Cassette Tape	California Regional Water Quality Control Board Central Coast Region	September 20, 2002 Board Meeting/Items 22, 23, 24	9/20/2002
2	DVD	California Regional Water Quality Control Board Central Coast Region	February 7, 2003 Board Meeting/Item 16	2/7/2003
3	Video Tape	California Regional Water Quality Control Board Central Coast Region	Timber/Gamecock Tour and Timber Tour 4/28/2003	4/28/2003
4	DVD	California Regional Water Quality Control Board Central Coast Region	July 11, 2003 Board Meeting/Item 25	7/11/2003
5	Cassette Tape	California Regional Water Quality Control Board Central Coast Region	September 12, 2003 Board Meeting/Items 9, 10, 11, 14 (4 tapes)	9/12/2003
6	DVD	California Regional Water Quality Control Board Central Coast Region	Timber Harvest Workshop June 28, 2004 (3 discs)	6/28/2004
7	DVD	California Regional Water Quality Control Board Central Coast Region	September 10, 2004 Board Meeting/Item 6	9/10/2004
8	DVD	California Regional Water Quality Control Board Central Coast Region	December 3, 2004 Board Meeting/Item 31	12/3/2004
9	CD (MP3)	California Regional Water Quality Control Board Central Coast Region	February 10, 2005 Board Meeting/ Item # 4 Proposed Timber Harvest Monitoring and Reporting Program; July 8, 2005 Board Meeting/Item # 25 & 26 Initial Study & Conditional Waiver	2/10/2005
10	CD (PDF)	Citizens for Responsible Forest Management	Support Documents for May 18, 2005 letter	5/17/2005
11	CD (JPG)	California Regional Water Quality Control Board Central Coast Region	Timber Harvest Photos/Monitoring data as required by Individual Waivers (2 CDs) (Approximately 4,000 hardcopy slides and non-digital printed photos available for review at the CCRWQCB)	8/13/2005

Attachment B

The petitioners make consistent reference to the following list of evidence to support their argument. The evidence reviewed by Water Board staff and determined to be irrelevant per reasons outlined in the petition response, is now listed here with specific reference to where the full text of each document can be located Volume I (Binder, Item #) in Administrative Record A-1714.

1. January 20, 2003 letter "Objections to Waiver of Waste Discharge Requirements for Silvicultural Discharges and Proposed Adoption of a Negative Declaration – Proposed Resolution No. R3-2003-0010" from EPIC (C, 9)
2. Undated letter received January 21, 2003 "Waiver of Waste Discharge Requirements Related to Timber Harvest Activities Pursuant to California Water Code Section 13269" from the Lompico Watershed Conservancy (C, 10)
3. January 28, 2003 letter and attachments, "Re: Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities" from Citizens for Responsible Forest Management (C, 17g)
4. February 25, 2003 letter and attachments, "Re: Waiver of Waste Discharge Requirements for Timber Harvest Operations" from Betsy Herbert (D, 29)
5. July 17, 2003 letter and attachments, "Proposal for regulating discharges of sediment from timber harvest operations" representing The Ocean Conservancy, Citizens for Responsible Forest Management, Sierra Club – Santa Cruz Group and the Lompico Watershed Conservancy (F, 15e)
6. September 3, 2003 letter "Comment on Agenda Item 14 "Framework for Timber Harvest Regulation" from the Lompico Watershed Conservancy (E, 9)
7. November 19, 2003 letter "RE: Regulation of Timber Harvest Activities" from The Ocean Conservancy (F, 19)
8. January 30, 2004 letter representing the Ocean Conservancy, Citizens for Responsible Forest Management, Sierra Club – Santa Cruz Group and the Lompico Watershed Conservancy, RMC Timber Harvest (THP No. 1-03-082 SCR), the Smelt-Locatelli Timber Harvest (THP No. 1-04-008 SCR SCR), and the Bartlebaugh Timber Harvest (THP No. 1-03-071 SCR). (G, 23)
9. March 15, 2004 letter by Dennis Jackson, Hydrologist (G, 29)
10. April 27, 2004 letter representing The Ocean Conservancy, Citizens for Responsible Forest Management, Sierra Club – Santa Cruz Group and the Lompico Watershed Conservancy (G, 31)
11. April 30, 2004 letter from Lompico Watershed Conservancy, May 4, 2004 letter from Redwood Empire, Pryce Fork THP 1-03-173SCR, Redtree Properties 1-03-042SCR, and Estrada NTMP 1-98NTMP-022SCR. (G, 33)
12. May 3, 2004 letter from Citizens for Responsible Forest Management, Pryce Fork THP 1-03-173SCR. (G, 35)
13. May 12, 2004 letter representing Citizens for Responsible Forest Management, Sierra Club – Santa Cruz Group, the Lompico Watershed Conservancy, and The Ocean Conservancy. (G, 38)
14. August 30, 2004 letter regarding monitoring conditions, representing the Ocean Conservancy, Citizens for Responsible Forest Management, Sierra Club – Santa Cruz Group and the Lompico Watershed Conservancy. (G, 46b)

15. November 29, 2004 letter representing Citizens for Responsible Forest Management, the Lompico Watershed Conservancy, and The Ocean Conservancy. (H, 11)