



File Code: 2530-3/5150

Date: May 6, 2009

Andrea Stanley
Engineering Geologist
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Boulevard
South Lake Tahoe, CA 96150

Dear Ms. Stanley:

The revised Lahontan Regional Water Quality Control Board (Regional Board) timber waiver, as proposed on April 15, 2009, has significant potential to improve the ability of the USDA Forest Service (USFS) to effectively manage all vegetation to restore the ecosystems, reduce the risk from wildfire, and protect water quality on and deriving from National Forest System (NFS) lands. I appreciate the efforts of the Regional Board and its staff to develop new regulatory procedures to streamline approval of projects that require basin plan prohibition exemptions and changes to planned activities in riparian areas. Owing to the high fuel loadings common to riparian areas, mechanical thinning and pile burning are needed to reduce fire risks in these areas. The use of prescribed fire without mechanical treatments and piling would involve unacceptable risks to firefighters and local communities.

Several provisions of the proposed waiver can be made more specific to ensure that the new streamlined procedures perform as intended. Specifically, I request the following clarifications:

1. That General Condition 9 include as item (d) the relocation of skid trails within waterbody buffer zones, not including watercourse crossings, as a material change that can proceed upon notification to the Regional Board staff.
2. That General Condition 9 applies to all activities for projects that are enrolled under waiver category 6.
3. That Category 2, Condition 7. b., Category 4, Condition 15. c., and Category 6, Condition 20. a. specify that pile burning in waterbody buffer zones outside of the Little Truckee River, Truckee River, or Lake Tahoe Hydrologic Units can be conducted if the 3 criteria listed for those conditions are met.
4. That Category 6 Condition 20 b. specify that pile burning can be conducted on granitic soils at least 25 feet from watercourses on topographic slopes less than 40%, that piles shall not exceed 10 feet in diameter and 5 feet in height, that no more than 30% of any SEZ acre may be occupied by piles, that no more than 15% of a SEZ acre may be burned each year, and that minimum distances between piles will be 15 feet.

Thank you for the opportunity to provide comments on the revised waiver. If you have any questions, please contact Barry Hill of my staff at (707) 562-8968.



Sincerely,

/s/ James M. Peña (for)

RANDY MOORE

Regional Forester

cc: lahontan

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