
Lahontan Regional Water Quality Control Board

September 21, 2018 **(Revised October 16, 2018 to extend due date, see second page)**

REQUEST FOR PUBLIC COMMENT

DRAFT CHANGES TO THE LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD'S TIMBER HARVEST AND VEGETATION MANAGEMENT REGULATORY DOCUMENT

NOTICE IS HEREBY GIVEN that staff of the Lahontan Regional Water Quality Control Board (Water Board) is requesting public comment on draft changes to our timber harvest and vegetation management regulatory document. The Water Board is the California state agency responsible for water quality protection from the Oregon border to the northern Mojave Desert east of the Sierra Nevada crest.

NEED FOR REVISIONS

The Water Board's current timber harvest regulatory document is a conditional waiver of waste discharge requirements (the 2014 Timber Waiver, Board Order No. R6T-2014-0030) to regulate waste discharges resulting from timber harvest and fuel reduction projects. The 2014 Timber Waiver applies to vegetation management projects that range from homeowner defensible space operations to local Fire Protection Districts' community protection plans, to large Wildland Urban Interface projects proposed by the California Department of Parks and Recreation, the Bureau of Land Management, and the US Forest Service (USFS). Commercial timber harvest conducted by small landowners, industrial timber companies, and the USFS are also covered under Timber Waiver categories. The 2014 Timber Waiver expires in April 2019. In California, all waivers of waste discharge requirements are limited to five years in duration, after which they must be renewed or replaced (California Water Code section 13269(a)(2)).

Due to the increased severity of wildfires in California, regulatory and policy changes are being contemplated by the California legislature to allow a more streamlined approach to forest management and fuels reduction projects. For example, Senate Bill (SB) 901 is a broad package of proposed legislation to address multiple aspects of wildfire prevention and recovery within California. Among its provisions, SB 901 would create two new timber harvesting exemptions within the Forest Practice Rules, including one which would allow for road building. In developing a revised timber harvest regulatory program, Water Board staff is contemplating ways to respond to such upcoming legislation to facilitate increasing the pace and scale of projects to improve forest resilience and mitigate mounting wildfire risk worsened by climate change, while protecting and maintaining water quality.

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

CONTEMPLATED CHANGES TO TIMBER WAIVER

Change the Timber Waiver to General Waste Discharge Requirements. By changing the conditional waiver to general waste discharge requirements (WDR), there will no longer be a requirement to renew the regulatory document every five years. Removing the need to renew the Timber Waiver every five years would allow our staff and implementing agency staff to focus on more important tasks, such as field inspections to ensure water quality is being protected, and working directly with stakeholders in planning for increased pace and of scale projects. The WDR is anticipated to have a similar structure as the 2014 Timber Waiver with different tiers of projects types ranging from Category 1 of no to low water quality threat up to Category 6 for the highest water quality threat. The Water Board has the discretion to reopen the WDR and make changes if needed anytime.

Streamline and Simplify Regulatory Processes. Water Board staff are considering revising categorical notification, application, and monitoring requirements to simplify permitting. A new category may be added to streamline permitting for vegetation management activities associated with utility corridors and infrastructure.

Clarify Requirements for Non-Industrial Timber Management Plans (NTMPs). The 2014 Timber Waiver includes categorical requirements for enrolling NTMPs. To comply with requirements under SB 901 (if the SB is passed), additional clarification on enrollment processes and requirements for NTMPs would be needed in the timber harvest regulatory document to allow multiple landowners to operate under one plan.

Water Board staff would like your comments on these potential changes, and would appreciate comments on other changes you wish to see to our timber harvest regulatory document.

DOCUMENT AVAILABILITY

The 2014 Timber Waiver, Board Order No. R6T-2014-0030, is available on the following webpage:

https://www.waterboards.ca.gov/lahontan/water_issues/programs/waste_discharge_requirements/timber_harvest/timberwaiver.html.

HOW TO SUBMIT COMMENTS

Please email your written comments to Lahontan@waterboards.ca.gov and include "2019 Timber Harvest Regulations" in the subject line. If you do not have access to the Internet, please submit your written comments to:

Lahontan Regional Water Quality Control Board
Attention: Jim Carolan
2501 Lake Tahoe Blvd. South Lake Tahoe, CA 96150.

Comments are due by ~~October 22, 2018~~, at 5:00 pm.

November 15, 2018

NEXT STEPS

Following receipt of comments, staff will consider all comments received in the process of developing proposed changes to the Lahontan Region's timber harvest regulatory document, including environmental documentation pursuant to the California Environmental Quality Act. Staff anticipate bringing the proposed changes to the Water Board for consideration at a public meeting in spring 2019. There will be several more opportunities for public input during fall and winter of 2019. Notices of public scoping meetings and future opportunities for comment and input will be posted to the Water Board's website at: <https://www.waterboards.ca.gov/lahontan/>.

Please bring the above information to the attention of anyone you know to be interested in this matter. Any questions regarding this notice should be directed to Jim Carolan at (530) 542-5477 (jim.carolan@waterboards.ca.gov).

AH/ma/T: Timber Harvest Update Solicitation
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