

California Regional Water Quality Control Board
North Coast Region

Resolution No. R1-2003-0076

Forwarding the Elk River Sensitive Watershed Nomination
To

The California Board of Forestry and Fire Protection

Humboldt County

WHEREAS, The Regional Water Quality Control Board, North Coast Region (Regional Water Board), is the primary agency responsible for ensuring protection of water quality in the North Coast Region;

WHEREAS, The California Board of Forestry and Fire Protection is responsible for developing regulations to implement the Z'berg-Nejedly Forest Practice Act (FPA), and the California Department of Forestry and Fire Protection implements the FPA;

WHEREAS, Section 916.8 of the Forest Practice Rules (FPR) allows the Regional Water Board to nominate Elk River planning watersheds to the California Board of Forestry and Fire Protection for classification as sensitive to further timber operations;

WHEREAS, The Regional Water Board has determined that the Elk River watershed is impaired by sediment, and that water quality objectives are not being attained to ensure protection of the beneficial uses of water;

WHEREAS, The US Environmental Protection Agency concurred that the Elk River is impaired, and approved the listing under Section 303(d) of the Clean Water Act;

WHEREAS, The Elk River watershed is documented by multiple state agencies as “significantly cumulatively impacted” as a result of historic land management activities;

WHEREAS, The documented impacts include but are not limited to loss of and impairment to domestic water supplies, increased frequency and magnitude of flooding, loss of aquatic habitat, and overall decline in anadromous species;

WHEREAS, The impaired Elk River watershed is highly sensitive to additional sediment discharges from land management activities that may cause further impairment;

WHEREAS, The primary upland land management activity in the Elk River watershed is timber harvesting;

WHEREAS, Regional Water Board staff conducted an analyses that demonstrates the watershed conditions, relative to flooding, will continue to worsen and will not recover in the foreseeable future under the existing Forest Practice Rules, and rates of harvest established thereunder by the California Department of Forestry and Fire Protection;

WHEREAS, On January 24, 2003, the Regional Water Board provided direction to its staff to prepare sensitive watershed nomination packages to be submitted to the California Board of Forestry and Fire Protection for Elk River and Freshwater, Bear, Jordan, and Stitz Creeks;

WHEREAS, The Regional Water Board and its staff gathered technical and other information to comply with section 916.8 of the Forest Practice Rules;

WHEREAS, The Regional Water Board has notified interested agencies and persons of its intent to nominate Elk River as a sensitive watershed under FPR 916.8, and provided them with an opportunity on August 27, 2003, to present their comments and recommendations;

THEREFORE, BE IT RESOLVED, that the California Regional Water Quality Control Board, North Coast Region, hereby submits five Elk River Planning Watersheds for classification as sensitive under FPR 916.8, and transmits the documentation in the attached report titled *Sensitive Watershed Nomination for Elk River Planning Watersheds, Humboldt County, California*, to the California Board of Forestry and Fire Protection for their consideration.

Certification

I, Catherine Kuhlman, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, North Coast Region, on August 27, 2003.

Catherine Kuhlman
Executive Officer