



Item No. 6

Public Hearing to Consider Adoption of Proposed Order No. R1-2019-0008

Short-Term Renewal of Order No. R1-2014-0011,
*Categorical Waiver of Waste Discharge Requirements
for Discharges Related to Timber Harvest Activities
on Non-Federal Lands in the North Coast Region*

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April 18, 2019



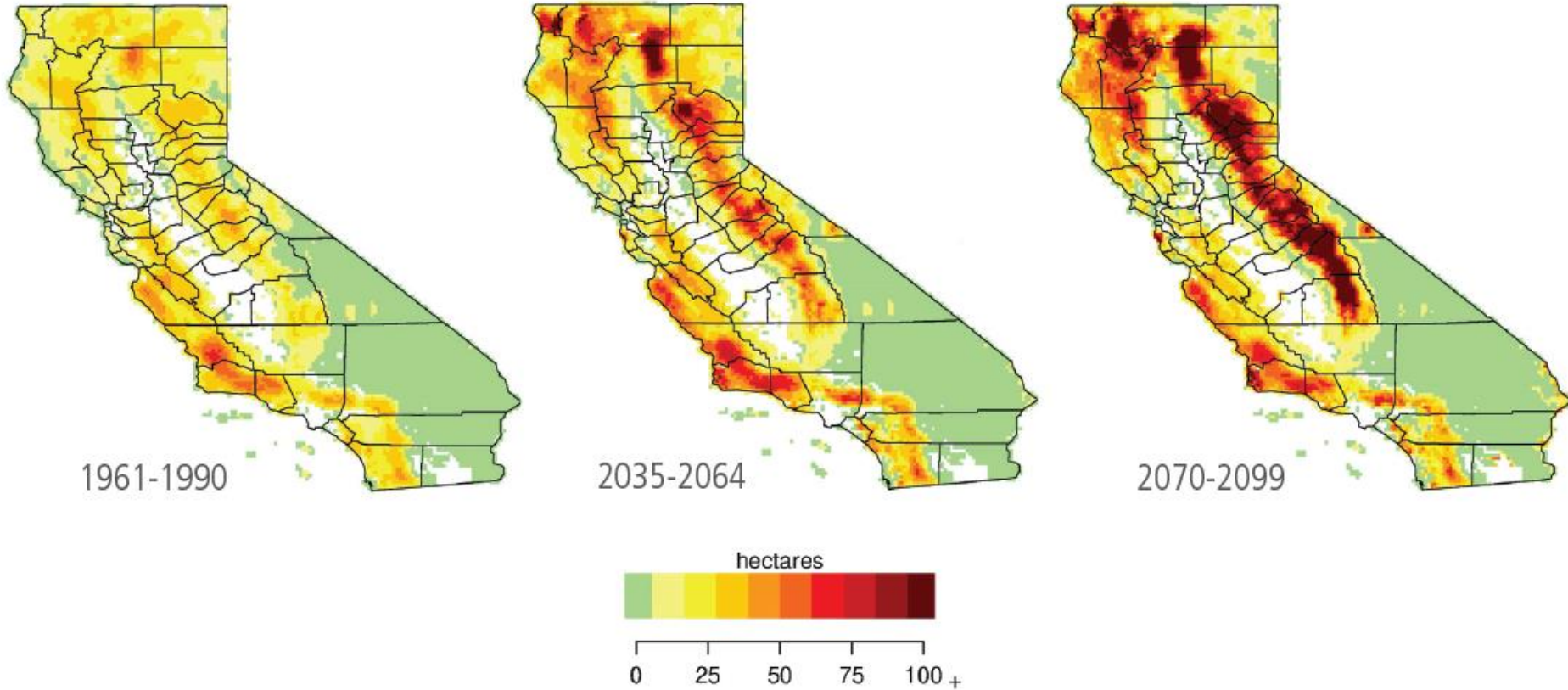
Presentation Outline

1. California's Changing Environment
2. Recent Wildfire-Related Executive Orders and Legislation
3. Inspection Workplan for Post-Fire Salvage Projects
4. 2014 Categorical Waiver
5. Proposed Order
6. Staff Recommendation



1. California's Changing Environment

California's Changing Environment



Modeled area burned by wildfires throughout the 21st century as a result of increased surface temperatures.

A photograph of a dense forest of tall, thin trees, likely pines or firs, with sunlight filtering through the canopy. The trees are arranged in a regular pattern, and the ground is covered with ferns and other forest floor vegetation. The overall scene is bright and natural.

2. Recent Wildfire-Related Executive Orders and Legislation



Executive Order B-52-18

- **Signed** by former Governor Brown on **May 10, 2018**
- Sets the goal of **doubling the statewide rate of forest treatments from 250,000 acres to 500,000 acres** within 5 years through timber harvest, prescribed burns, and fuels management
- Established the ***Forest Management Task Force***




Executive Order N-05-19

- **Signed** by Governor Newsom on **January 8, 2019**
- Directs the Department of Forestry and Fire Protection (CAL FIRE) to:
 - **Recommend immediate, medium, and long-term actions** to help prevent destructive wildfires
 - Determine **within 45 days** which **communities are at greatest risk** and **identify priority projects**
- CAL FIRE **identified 35 projects** in the February 2019 **Community Wildfire Prevention and Mitigation Report**



Senate Bill 901 (Dodd)

- Creates new Forest Practice Rules Exemptions for **Small Timberland Owners** and **Forest Fire Prevention**
- Requires new process for utility corridor **vegetation management**
- Revises **NTMPs** and **WFMPs**
- Allocates **\$200 million per year for 5 years**
- Requires **annual report to legislature on the use of Emergency Notices and Exemptions** (PRC 4589)



3. Inspection Workplan for Post-Fire Salvage Projects

Inspection Workplan for Post-Fire Salvage Projects

- Staff developed Workplan to:
 - Review consistency with permit requirements
 - Evaluate potential water quality impacts
 - Inform future Waiver revisions
- 20+ Emergency Notice projects will be inspected across North Coast Region
- Project criteria for inspections:
 - Greater than 5 acres
 - Watercourses/waterbodies present
 - Moderate/high erosion hazard rating
 - Operated on in 2018

The image shows two overlapping forms. The top form is the 'Inspection Work Plan for Post-Fire Salvage Projects' from the North Coast Regional Water Quality Control Board. The bottom form is the 'Emergency Notice Inspection Form' from Water Boards. The inspection form includes sections for 'Inspection Information' (with fields for Date, Inspector, Fire Name, etc.), an 'Observation Checklist' with a risk scale (1-5) and flag #, and an 'Attachment' field for the CAL FIRE EM No.

Inspection Workplan and CAL FIRE Monitoring

- SB 901 requires CAL FIRE to conduct monitoring of Emergency Notices and Exemptions
- Requires CAL FIRE and BOF to report annually to legislature
- CAL FIRE and Regional Water Board now collaborating on post-fire salvage project monitoring
- Joint inspections began on April 8, 2019

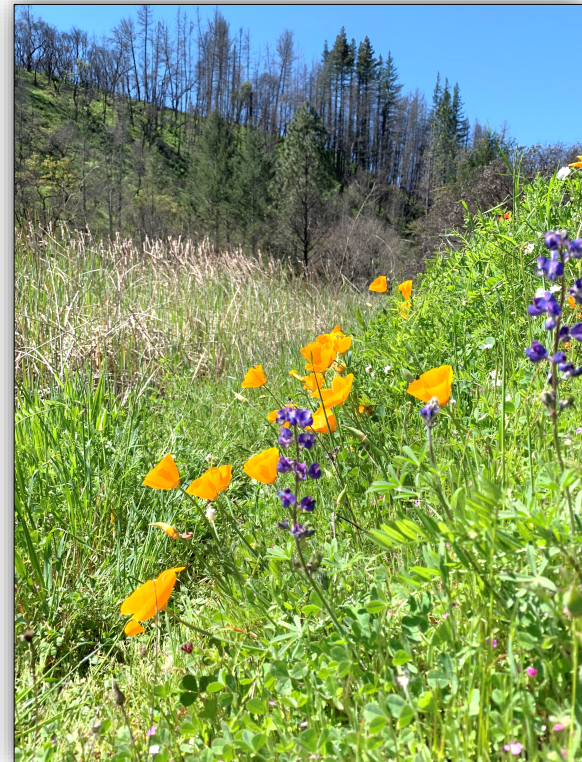




4. 2014 Categorical Waiver

Activities Covered by the 2014 Categorical Waiver

- Category A – **68%**
 - Emergency Notices
 - Exemptions
- Category B – **30%**
 - Conversion Exemptions
- Category C – **<1%**
 - Sediment TMDL Compliant THPs
- Category D – **<1%**
 - Modified THPs
- Category F – **<2%**
 - “Other” projects



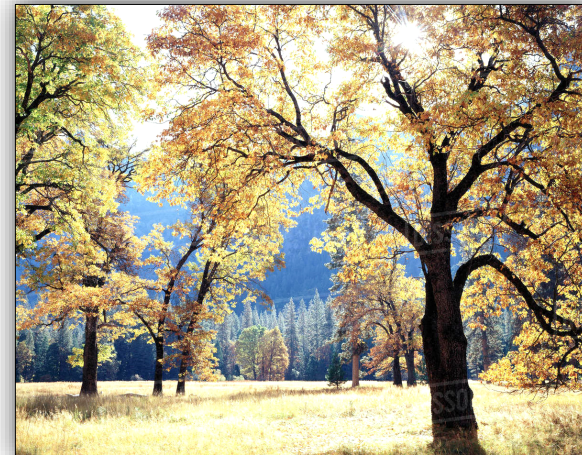
Category A – Emergency Notices

- Include:
 - **Post-fire salvage** projects
 - **Fuel hazard reduction** projects
 - Removal of trees affected by **Sudden Oak Death**
 - **Emergency road repair** projects



Category A – Exemptions

- Include:
 - Christmas trees
 - Dead, dying, or diseased trees in amounts <10% average volume per acre
 - Structure protection (0-300 feet)
 - Drought mortality and “substantially damaged”
 - Oak Woodland Management
 - **Small Timberland Owner**
 - **Forest Fire Prevention**



Category B – Conversion Exemptions

- Includes:
 - **Less-than-three-acre conversions**
 - **Construction or maintenance of right-of-way** by a public agency on public land
 - **Clearing trees by a private or public utility** for construction, maintenance, or repair of the utility or right-of-way





5. Proposed Order



Proposed Order

- Retains **all provisions and authority**
- Necessary to:
 - **Maintain coverage** on new eligible and existing projects
 - Allow staff **time to consider implications from Senate Bill 901 and Inspection Workplan**
- Anticipated **short-term renewal** timeframe of **two years**
- **Sixteen** comment letters received during 30-day comment period:
 - Two in support
 - Two in opposition
 - Eleven related to future revisions
 - One related to Inspection Workplan

A scenic landscape featuring a rocky river in the foreground, a dense forest of evergreen trees in the middle ground, and a sunlit hillside in the background. The sky is clear and blue. The text "6. Staff Recommendation" is overlaid in the center of the image.

6. Staff Recommendation



Staff Recommendation

Adopt Proposed Order No. R1-2019-0008

Short-Term Renewal
of
Order No. R1-2014-0011

*Categorical Waiver of Waste Discharge Requirements for Discharges
Related to Timber Harvest Activities on Non-Federal Lands in the North
Coast Region*

A scenic landscape photograph featuring a range of mountains in the background under a clear blue sky. The middle ground is filled with dense green trees and shrubs. In the foreground, a field of dry, golden-brown grass is dotted with several bright yellow flowers, with two prominent ones in sharp focus.

Questions?

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