

INITIAL STUDY

1. **Project Title:** General Conditional Waiver of Waste Discharge Requirements – Timber Harvest Requirements, Central Coast Region
2. **Lead agency name and address:** Central Coast Regional Water Quality Control Board
895 Aerovista Place, San Luis Obispo, CA 93401
3. **Contact person and phone number:** Howard Kolb (805) 549-3332
4. **Project location:** All or parts of San Mateo, Santa Cruz, Santa Clara, San Benito, Monterey, San Luis Obispo, Santa Barbara, and Ventura counties
5. **Project sponsor's name and address:** Central Coast Regional Water Quality Control Board
895 Aerovista Place, San Luis Obispo, CA 93401
6. **General plan designation:** _____ n/a
7. **Zoning:** _____ n/a
8. **Description of project:** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Summary: The Central Coast Regional Water Quality Control Board (Water Board) is responsible for regulating waste discharges from timber harvesting activities that could affect the quality and beneficial uses of waters in the Central Coast Region. Land uses associated with timber production and their effect on water resources have led to the Water Board being active in regulating discharges from logging, construction and associated activities since 1972. Timber harvesting in watersheds supporting multiple land uses can have an influence on water quality and beneficial uses of water in the timber producing areas of the Central Coast Region. As a responsible agency, the Central Coast Water Board annually reviews 15 to 25 proposed timber operation plans and notices that are submitted to the California Department of Forestry and Fire Protection (CDF). CDF is the State lead agency responsible for regulation of timber harvest activities in California.

This project involves the adoption and implementation of a Resolution that sets out eligibility criteria and conditions for a specified set of timber harvest activities to proceed on non-federal lands with a conditional waiver of waste discharge requirements. Waiver requirements are conditional and the Water Board can terminate the waiver for good cause at any time, either in general or as to a specific discharger. The Executive Officer can also terminate waiver coverage as to a particular discharger for good cause at any time. Timber harvest activities conducted in compliance with the requirements described in this Resolution will not adversely affect water quality or beneficial uses of waters of the State and will be in the public interest pursuant to California Water Code (CWC) Section 13269.

Background: For all discharges of waste that could affect the quality of the waters of the State, other than into a community sewer system, the Water Board may prescribe waste discharge requirements pursuant to the CWC, or the Water Board may waive waste discharge requirements for a specific type of discharge, so long as the waiver is conditional, consistent with the applicable Water Quality Control Plan (Basin Plan), and found to be in the public interest, pursuant to CWC Section 13269. The term “waiver” refers to the procedural requirement to obtain a particular type of permit (called waste discharge requirements), but does not waive any substantive requirements of the Basin Plan or the CWC.

The Water Board, in accordance with CWC Section 13269, waived waste discharge requirements for certain types of timber harvest activities in 1989 as set forth in Central Coast

Region Water Board Resolution No. 89-04. However, these waivers expired effective January 1, 2003. Any new waivers of waste discharge requirements for specific types of discharges may not have a term in excess of five years. The Water Board may renew a waiver at any time after considering the waiver conditions at a public hearing.

Proposed Project: This project involves the adoption and implementation of a Resolution waiving waste discharge requirements for specified discharges associated with timber harvest activities in accordance with an approved California Department of Forestry and Fire Protection (CDF) Timber Harvest Plan (THP) and/or Non-Industrial Timber Management Plan (NTMP) within the Central Coast Region. Any such waiver requirements must be conditional and may be terminated at any time by the Water Board. The Water Board proposes to make a determination that timber harvest activities conducted in compliance with the general conditional waiver requirements described in the Resolution will not adversely affect the quality of or the beneficial uses of waters of the State, and will not be against the public interest pursuant to CWC Section 13269.

The project authorizes specified discharges associated with timber harvest activities to proceed in compliance with the CWC. The proposed Resolution would apply to timberlands throughout the Central Coast Region.

Definitions used in this Initial Study and Associated Resolution

"Timber Harvest Activities" means all activities on non-federal timberland relating to timber harvesting, including the cutting or removal or both of timber and other solid wood forest products, including Christmas trees, from timberlands for commercial purposes, together with all the work incidental thereto, including, but not limited to, construction and maintenance of roads, fuel breaks, firebreaks, stream crossings, landings, skid trails, beds for the falling of trees, fire hazard abatement, site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities, and herbicide application, but excluding preparatory tree marking, surveying or road flagging.

"Commercial purposes" includes the cutting or removal of trees which are processed into logs, lumber, or other wood products and offered for sale, barter, exchange, or trade, or the cutting or removal of trees or other forest products during the conversion of timberlands to land uses other than the growing of timber, including but not limited to residential or commercial developments, production of other agricultural crops, recreational developments, water development projects, and transportation projects.

"Non-federal timberland" means lands owned and managed by private landowners, local or State governments, public utility districts, etc. throughout the Central Coast Region.

"Project" means any Timber Harvest Plan, Non-industrial Timber Management Plan, other discretionary permits issued by the CDF to harvest timber, including all amendments thereto that propose a change in timber harvest activities that in any way could adversely affect water quality, or any Timber Operation accepted by CDF, or any other project, as defined by CEQA, that involves timber harvest activities provided that the project has complied with CEQA.

"Monitoring" refers to all types of monitoring undertaken in connection with determining water quality conditions and factors that may affect water quality conditions, including but not limited to, instream water quality monitoring undertaken in connection with timber harvest activities, monitoring to identify short and long-term trends in water quality, active inspections of timber harvest activities, hillslope implementation and effectiveness monitoring, and project completion inspections for timber harvest activities.

"Discharger" means the landowner and anyone working on behalf of the landowner in the

conduct of timber harvest activities.

"Waste" includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal. Wastes specifically regulated under this Resolution include: earthen materials including soil, silt, sand, clay, rock; organic materials such as slash, sawdust, or bark that enter or threaten to enter into waters of the state; heat; petroleum products; and nutrients. Examples of wastes not specifically regulated or waived under this waiver include: pesticides, hazardous materials, or human wastes.

All other terms shall have the same definitions as prescribed by the Porter-Cologne Water Quality Control Act or the Forest Practices Act, unless specified otherwise.

Timber Harvest Planning Process

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 of regulating timber harvesting on private and state-owned lands in California occurs under the Forest Practices Act (FPA), California PRC Sections 4511 et seq., and the California Environmental Quality Act (CEQA). The nine-member Board Of Forestry and Fire Protection (BOF) adopt regulations under authority of the FPA, and CDF administers those rules. In 1975, the courts and the Attorney General found that CDF's approval of THPs were subject to the requirements of the CEQA, thus requiring analysis of environmental impacts of proposed timber harvest activities in an environmental document. These events caused California's Resources Agency to issue regulations that established the framework for the current multidisciplinary timber harvest plan review process (14 CCR 1037.5). The review team process is exempt from CEQA's requirement to prepare environmental documents (negative declarations, EIRs and initial studies) for THPs or NTMPs. (Ca. Pub. Res. Code §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. Forest activities are not otherwise exempt from CEQA. Water Board staff are identified by regulation as members of the interdisciplinary CDF Review Team.

When the legislature enacted the FPA, they stated as their intent two primary goals: 1) to enhance, restore, and maintain, where feasible, the productivity of timberland, and 2) to achieve maximum sustained production of high-quality timber while giving consideration to values relating to recreation, watersheds, wildlife, range and forage, fisheries, regional economic vitality, employment, and aesthetic enjoyment (Public Resources Code § 4513).

CEQA and the FPRs both prohibit CDF from approving a project as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of the project. The applicant must disclose and identify the significant effects of a project for state agency and public review.

The foundation for the regulation of forest practices in California is the FPRs. The underlying principle and goal of the FPRs are to achieve timber-harvesting objectives without causing a significant adverse impact to any forest resource. CDF encourages the registered professional forester (RPF) to seek input from knowledgeable individuals when preparing plans. Under the FPA, an RPF must submit a timber harvest plan or non-industrial timber management plan for CDF's approval for each timber harvest. CDF staff examines each plan to determine whether the plan may have a significant impact on the environment and is in compliance with the FPA, CEQA, and other state and federal laws. The time frame for plan review is established in statute and ranges from 60 to 80 days.

The timber harvest review team consists of representatives of the California Department of

Forestry (CDF), Department of Fish and Game (DFG), California Geological Survey (CGS) and the Water Board. Other agencies may participate in the review team, including the Department of Parks and Recreation and County planning departments. The CDF chairs the review team and makes the final decision on the logging procedures included in the plans. The other agencies act in advisory roles. As set forth in FPR §1037.5, the function of the review team is "to assist the [CDF] Director in determining if [plans] are in conformance with [the BOF] rules and to evaluate the potential environmental impacts of timber operations". The other agencies may non-concur (disagree) in writing with the CDF chairperson's recommendations regarding approval of a plan. The State Water Resources Control Board (State Water Board) or the DFG and may appeal CDF's decision directly to the BOF (14 CCR §1056).

A Timber Harvest Plan and /or Non-Industrial Timber Management Plan (plan) must include a description of the site, the types of timber activities to be conducted, and mitigation measures consistent with FPR and other applicable state and federal laws. The plan must include information concerning silvicultural systems, yarding methods, reforestation methods, erosion control methods, stream protection, cultural and historical resources, road building, and erosion hazard potential and erosion control measures. The RPF must conduct a field investigation to apply the rules with respect to watercourse classification and protection measures, location of sensitive terrain, and development of appropriate mitigation measures or alternatives. CDF conducts a pre-harvest inspection before approving a plan. Other review team members may participate in the PHI. Water board staff typically participate. The plan is also subject to public review. CDF considers all comments by the agencies and the public, and prepares a written response to comments before making a decision on the plan. CDF imposes additional mitigation measures in most plans before final approval.

Pursuant to the Clean Water Act Section 208, the State Water Board has adopted a management agency approach for controlling discharges from timber harvest activities to waters of the State. The Water Board, CDF and the BOF all have direct authority, responsibility, staffing resources and expertise to require that timber harvest activities on plans and notices are implemented, enforced and evaluated. On January 21, 1988, the State Water Board approved a Management Agency Agreement (MAA) that designates the BOF and the CDF as joint management agencies for timber operations within the State.

Under the management agency approach, the State and Regional Water Boards have much to gain by obtaining the commitment and cooperation of CDF and the BOF to act as partners in controlling discharges of waste from timber operations that they directly regulate. These benefits include:

1. Streamlining the regulatory process by avoiding duplicative regulatory requirements.
2. Incorporating the programs of CDF and BOF as being part of the State's nonpoint source program for controlling pollution and protecting the quality and beneficial uses of the State's waters.
3. Reducing the level of resources needed by State and Regional Water Boards in controlling discharges from timber harvest activities.
4. Minimizing the expense to the public for review of plans and notices.

Additionally, under recent revisions to the Forest Practices Act (Pub. Resources Code, Section 4582.71), CDF is prohibited from approving a THP and/or NTMP if the 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. The Water Board's authority to make such a finding can be delegated to the Executive Officer.

Forest Practice Rules Specific to Counties in the Central Coast Region

The Forest Practice Rules (FPR) contains "Article 13 - County Rules." This Article contains additional specific rules for Santa Clara County (FPR 925), Santa Cruz County (FPR 926), San

Mateo County (FPR 928) and Monterey County (FPR 965). Section 913.8 of the FPR contains special rules specific to the Southern Subdistrict of the Coast District (which includes Santa Cruz, San Mateo and Santa Clara Counties) which specify minimum stand retention requirements, minimum basal area retention requirements and requirements for a minimum number of countable trees per acre on forested lands subject to harvest.

County Timber Harvesting Ordinances

Most timber harvesting in the Central Coast Region occurs in Santa Cruz County. Santa Cruz County has stringent requirements for timber harvesting. (Chapter 16.52, Timber Harvesting Regulations; Chapter 13.10, Part III, Art. VII, Timber Production Districts.) which apply in addition to the FPR.

State and Regional Water Boards Non-Point Source Control Process

The Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program (NPS Policy), consistent with the Porter-Cologne Water Quality Control Act (Porter-Cologne), requires regulation of all NPS discharges of waste. The NPS Policy requires the Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board to take actions to ensure control of NPS discharges. The primary methods of regulation identified in the NPS Policy are basin plan prohibitions, the issuance of individual or general Waste Discharge Requirements (WDRs) or waiver of WDRs.

The NPS Policy is consistent with legislative changes to Porter-Cologne in 1999 and 2003, which significantly changed the use of waivers as a regulatory tool by mandating specific waiver requirements. Porter-Cologne waiver requirements now include the following:

- All waivers must be conditional and may be terminated at any time;
- Waivers must be consistent with the public interest as well as state and regional water quality control plans;
- Monitoring must be included as a waiver condition; and
- Waivers must be enforced.

The NPS Policy requires dischargers to develop NPS implementation programs that must include the following key elements:

- Key Element 1: Implementation programs must explicitly acknowledge the beneficial uses and water quality requirements the programs are designed to protect and meet;
- Key Element 2: Dischargers must identify the management practices (MPs) they plan to implement as well as the MP selection and implementation verification process;
- Key Element 3: Dischargers must establish an implementation time schedule as well as verifiable milestones; and
- Key Element 4: Dischargers must implement an appropriate monitoring program, so that a determination can be made as to whether the program is on time and on track or whether additional measures are needed.
- Key Element 5: The Regional Water Quality Control Board shall make clear the need for additional implementation actions (e.g. management measures, enforcement, etc.) if a proposed nonpoint source implementation program fails to protect or enhance water quality and associated beneficial uses.

The NPS Policy states that dischargers may individually develop implementation programs, or do so as part of a coalition of dischargers under the jurisdiction of, or represented by a third party. A third party is defined as any entity that is not under the permitting or enforcement

jurisdiction of the State Water Board or a Regional Water Board. The NPS Policy also requires that all NPS implementation programs be approved or endorsed by the appropriate Regional Water Board.

In addition, while the NPS Policy acknowledges that the regional boards have significant leeway in working with dischargers to improve ongoing programs, it also, in Key Element 5, recommends that Regional Water Boards look ahead to situations where there will be a need to take an enforcement action. To save staff time and resources, the NPS Policy recommends that permits and approvals be structured with this possibility in mind, thus providing the most efficient and effective use of limited staff resources.

The NPS Policy is available on the State Water Board's website.

Specifics of the Proposed Project

The proposed Resolution: "GENERAL CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS - TIMBER HARVEST ACTIVITIES" is attached to this Initial Study as Appendix 1. The proposed waiver requirements will only cover timber harvest activities that meet specified criteria. Those activities that do qualify for coverage under the General Waiver must obtain an individual waiver or waste discharge requirements.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The Resolution would govern waste discharges resulting from specific timber harvesting activities that met certain eligibility criteria and conditions throughout the Central Coast Region. The Central Coast Region of California extends from southern San Mateo County in the north to northern Ventura County in the south, and includes Monterey, Santa Cruz, San Benito, San Luis Obispo, Santa Barbara and portions of Santa Clara counties. A significant portion of the Central Coast Region is forestland. Other significant land uses include rangeland, grazing, irrigated agriculture, dry farming, recreation, rural subdivisions, and urban uses.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

Timber Harvest Projects must often obtain permits from local, state, and/or federal permitting agencies prior to receiving coverage under the waiver requirements provided under this proposed Resolution. These include, where applicable, California Department of Fish and Game streambed alteration permits, County of Santa Cruz Timber Harvesting Permits, County of Monterey protected tree removal permits (Monterey County Ordinance Chapter 16.60), etc. On private timberlands, the CDF is the lead agency for issuing permits to timberland owners and operators harvesting timber within the region.

The California Endangered Species Act also requires measures to minimize and fully mitigate the impacts on endangered species, as do other requirements of the California Department of Fish and Game Code. For example, Fish and Game Code Section 1603 generally prohibits persons from substantially diverting or obstructing the natural flow or substantially changing the bed, channel, or bank of any river, stream, or lake designated by DFG, or from using any material from the streambeds, unless they have first notified DFG of the activity. All rivers, streams, and lakes in California have been designated by DFG, pursuant to California Code of Regulations, Title 14, Section 720. In addition, Section 1603 generally prohibits persons from commencing any activity affected by Section 1603 until DFG has found that the activity will not substantially adversely affect an existing fish or wildlife resource, or until DFG proposals, or the decisions of a panel of arbitrators assembled pursuant to procedures set forth in Section 1603, have been incorporated into the activity. DFG enters into lake or streambed alteration agreements (1603 Agreements) with those persons who notify DFG of their proposed activities pursuant to Section 1603 in cases where DFG determines the activities may substantially

adversely affect an existing fish or wildlife resource. A 1603 Agreement sets forth the proposals that DFG and the notifying person agree will be incorporated into the proposed activities. Upon execution of a 1603 Agreement, the notifying person may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by DFG or use any material from the streambeds, so long as the activities are conducted in accordance with the terms of the 1603 Agreement. Section 1603 authorizes DFG to enter into 1603 Agreements for a term not to exceed five years for performance of the proposed activities. In accordance with Section 1603, a 1603 Agreement will renew automatically upon the expiration of its term, unless DFG determines that there has been a substantial change in conditions.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

X I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X

Finding: Less than significant Impact. a) Although unregulated timber harvesting activities could have aesthetic impacts, the waiver requires all timber harvest activities to comply with the Z'berg-Nejedly Forest Practice Act, the California Forest Practice Rules (FPRs) and the Water Quality Control Plan for the Central Coast Region (Basin Plan).

Subchapter 2, Article 1, Section 896 of the FPRs states: "(a) The purpose of the Forest Practice Rules is to implement the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 in a manner consistent with other laws, including but not limited to, the Timberland Productivity Act of 1982, the California Environmental Quality Act (CEQA) of 1970, the Porter Cologne Water Quality Act, and the California Endangered Species Act. The provisions of these rules shall be followed by Registered Professional Foresters (RPFs) in preparing Timber Harvest Plans, and by the Director in reviewing such plans to achieve the policies described in Sections 4512, 4513, of the Act, 21000, 21001, and 21002 of the Public Resources Code (PRC), and Sections 51101, 51102, and 51115.1 of the Government Code.

"It is the Board's intent that no THP shall be approved which fails to adopt feasible mitigation measures or alternatives from the range of measures set out or provided for in these rules which would substantially lessen or avoid significant adverse impacts which the activity may have on the environment. The THP process substitutes for the EIR process under CEQA because the timber harvesting regulatory program has been certified pursuant to PRC Section 21080.5. In recognition of the certification and PRC Section 4582.75, these rules are intended to provide the exclusive criteria for reviewing THPs. If the Director believes that there are significant adverse environmental impacts not covered in the existing rules, matters should be referred to the Board as otherwise specified in these rules".

Section 913.8 of the FPR contains special rules specific to the Southern Sub-district of the Coast District (which includes Santa Cruz, San Mateo and Santa Clara Counties) which specify minimum stand retention requirements, minimum basal area retention requirements and requirements for a minimum number of countable trees per acre on forested lands subject to harvest.

The requirements of the Resolution further mitigate any impacts with additional conditions, including prohibiting the creation of nuisance conditions as prescribed in the Basin Plan.

In accordance with the above, the Resolution incorporates mitigation measures to reduce any aesthetic impacts to a less than significant level.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

Finding: No Impact. Timber harvesting activities will only occur at locations that have obtained all applicable land use entitlements. This project will not alter the need to comply with land use requirements.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Finding: Less-than-significant Impact. Specific timber harvesting activities may generate dust emissions as the result of road and trail construction and use, and the construction of landings and pads. Nitrogen oxides (NOx) and sulfur oxides (SOx) will be emitted during timber harvesting activities, including from use of heavy equipment engines. Most timber harvesting activities are conducted at locations removed from populated areas, in areas dispersed across the landscape. Any emissions are likely to dissipate before reaching levels that violate air quality standards or that are otherwise objectionable. No other air pollutant discharges are anticipated. The environmental reviews conducted by CDF addresses emissions from timber harvesting activities. Although unregulated timber harvesting activities could have air quality impacts, the project will not have a significant impact because the Resolution requires timber harvest activities to comply with the FPRs.

Subchapter 2, Article 1, Section 896 of the FPRs states: “(a) The purpose of the Forest Practice Rules is to implement the provisions of the Z’berg-Nejedly Forest Practice Act of 1973 in a manner consistent with other laws, including but not limited to, the Timberland Productivity Act of 1982, the California Environmental Quality Act (CEQA) of 1970, the Porter Cologne Water Quality Act, and the California Endangered Species Act. The provisions of these rules shall be followed by Registered professional Foresters (RPFs) in preparing Timber Harvest Plans, and by the Director in reviewing such plans to achieve the policies described in Sections 4512, 4513, of the Act, 21000, 21001, and 21002 of the Public Resources Code (PRC), and Sections 51101, 51102, and 51115.1 of the Government Code.”

“It is the Board’s intent that no THP shall be approved which fails to adopt feasible mitigation measures or alternatives from the range of measures set out or provided for in these rules which would substantially lessen or avoid significant adverse impacts which the activity may have on the environment. The THP process substitutes for the EIR process under CEQA because the timber harvesting regulatory program has been certified pursuant to PRC Section 21080.5 In recognition of the certification and PRC Section 4582.75, these rules are intended to provide the exclusive criteria for reviewing THPs. If the Director believes that there are significant adverse environmental impacts not covered in the existing rules, matters should be referred to the Board as otherwise specified in these rules”.

In accordance with the above, the Resolution incorporates mitigation measures to reduce any impact to a less than significant level.

The requirements of the Resolution further mitigate any impacts with additional conditions, including prohibiting the creation of nuisance conditions in accordance with the Central Coast Basin Plan.

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited				

to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Finding: Less-than-significant Impact. This project will not result in significant adverse impacts of waste discharges on biological resources. Timber harvest activities are subject to environmental impact evaluation and mitigation by the established processes used in planning those activities by the CDF.

The proposed Resolution contains general conditions applicable to all activities that require they adhere to environmental documents prepared for them (the 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. Beneficial uses of waterbodies in the Central Coast Region cover a broad scope, including eleven separate designations for biological resources (Warm Freshwater Habitat; Cold Freshwater Habitat; Inland Saline Water Habitat; Estuarine Habitat; Marine Habitat; Wildlife Habitat; Preservation of Areas of Special Biological Significance; Rare, Threatened, or Endangered Species; Migration of Aquatic Organisms; Spawning, Reproduction, and/or Early Development; Shellfish Harvesting). By requiring compliance with these performance standards, this Resolution ensures that all these beneficial uses are protected from adverse impacts of timber harvesting activities.

Additionally, the regulation of timber harvest activities ensures that biological impacts will not result from timber harvest activities conducted in compliance with the criteria and conditions of the waiver requirements. Projects that qualify for coverage under the conditional waiver requirements are subject to the criteria detailed in the Forest Practice Rules for an approved non-industrial timber management plan or timber harvest plan. These criteria include a prohibition on even-aged silviculture (clear cutting), ensuring that biological habitat is not reduced across the watershed. In addition, Section 913.8 of the FPR contains special rules specific to the Southern Sub-district of the Coast District (which includes Santa Cruz, San Mateo and Santa Clara Counties) which specify minimum stand retention requirements, minimum basal area retention requirements and requirements for a minimum number of countable trees per acre on forested lands subject to harvest. These provisions further ensure the biological integrity of forested lands subject to harvest.

The conditional waiver requirements include the provision that water quality standards must be met, including the specific requirements of the Central Coast Region Water Board's Basin Plan.

In combination, the categorical waiver assures that impacts from timber harvest activities on biological resources, individually or cumulatively, will be less than significant.

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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a) Cause a substantial adverse change in the significance of a historical resource as defined in .15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to .15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Finding: No Impact. This project will not result in adverse impacts of waste discharges on cultural or historical resources. Timber harvest activities are subject to cultural and historical impact evaluation and mitigation by the established processes used in planning those activities by the CDF.

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) 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?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available				X

for the disposal of wastewater?				
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Finding: Less-than-significant Impact. b) Although unregulated timber harvesting activities could cause substantial soil erosion or the loss of topsoil if appropriate prevention or mitigation measures are not implemented, the waiver requires compliance with the FPRs. Prevention and/or mitigation measures must be prescribed for specific timber harvesting activities as part of the review team process. This project will provide additional assessment of soil erosion as part of the determination of potential impacts of earthen discharges in determining monitoring requirements.

Subchapter 2, Article 1, Section 896 of the CFPRs states: “(a) The purpose of the Forest Practice Rules is to implement the provisions of the Z’berg-Nejedly Forest Practice Act of 1973 in a manner consistent with other laws, including but not limited to, the Timberland Productivity Act of 1982, the California Environmental Quality Act (CEQA) of 1970, the Porter Cologne Water Quality Act, and the California Endangered Species Act. The provisions of these rules shall be followed by Registered professional Foresters (RPFs) in preparing Timber Harvest Plans, and by the Director in reviewing such plans to achieve the policies described in Sections 4512, 4513, of the Act, 21000, 21001, and 21002 of the Public Resources Code (PRC), and Sections 51101, 51102, and 51115.1 of the Government Code.

“It is the Board’s intent that no THP shall be approved which fails to adopt feasible mitigation measures or alternatives from the range of measures set out or provided for in these rules which would substantially lessen or avoid significant adverse impacts which the activity may have on the environment. The THP process substitutes for the EIR process under CEQA because the timber harvesting regulatory program has been certified pursuant to PRC Section 21080.5 In recognition of the certification and PRC Section 4582.75, these rules are intended to provide the exclusive criteria for reviewing THPs. If the Director believes that there are significant adverse environmental impacts not covered in the existing rules, matters should be referred to the Board as otherwise specified in these rules”.

In accordance with the above, the Resolution incorporates mitigation measures to reduce any impact to a less than significant level.

The proposed Resolution requires that timber harvest activities adhere to environmental documents prepared for them pursuant to the FPR. The 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. Erosion that reaches watercourses in amounts that could threaten beneficial uses would not be permitted under this Resolution.

Additionally, the regulation of timber harvest activities ensures that impacts to geologic stability will not result from timber harvest activities conducted in compliance with the criteria and conditions of the waiver requirements. Projects that qualify for coverage under the conditional waiver requirements are subject to the criteria detailed in the Forest Practice Rules for an approved non-industrial timber management plan or timber harvest plan. These criteria include a prohibition on even aged silviculture, ensuring that geologic stability is not reduced across the watershed. In addition, the California Department of Mines and Geology reviews THPS and NTMPs to ensure that impacts to geologic stability will not result from these activities.

In combination, the existing timber harvest plan approval processes along with the general conditional waiver requirements assure that impacts from timber harvest activities on excess erosion, individually or cumulatively, will be less than significant. This project will not result in adverse impacts to water quality resulting from soil erosion.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or				X

disposal of hazardous materials?				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Finding: No Impact. This project does not permit the discharge of hazardous waste.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which general waste discharge requirements have been granted)?				X

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Finding: Less-than-significant Impact. The following discussion applies to c through f - Although unregulated timber harvesting activities that have the potential to alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in erosion or siltation on- or off-site, flooding on- or off-site, provide additional sources of polluted runoff, or otherwise affect water quality, the waiver requires compliance with the FPRs. Prevention and/or mitigation measures must be prescribed for specific timber harvesting activities as part of the review team process. This project will provide additional assessment of siltation, nuisance flooding, pollution runoff, and related discharges as part of the determination of potential impacts of from timber harvest activities to waters of the region.

Subchapter 2, Article 1, Section 896 of the CFPRs states: "(a) The purpose of the Forest Practice Rules is to implement the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 in a manner consistent with other laws, including but not limited to, the Timberland Productivity Act of 1982, the California Environmental Quality Act (CEQA) of 1970, the Porter Cologne Water Quality Act, and the California Endangered Species Act. The provisions of these rules shall be followed by Registered professional Foresters (RPFs) in preparing Timber Harvest Plans, and by the Director in reviewing such plans to achieve the policies described in Sections 4512, 4513, of the Act, 21000, 21001, and 21002 of the Public Resources Code (PRC), and Sections 51101, 51102, and 51115.1of the Government Code.

"It is the Board's intent that no THP shall be approved which fails to adopt feasible mitigation measures or alternatives from the range of measures set out or provided for in these rules which would substantially lessen or avoid significant adverse impacts which the activity may have on the environment. The THP

process substitutes for the EIR process under CEQA because the timber harvesting regulatory program has been certified pursuant to PRC Section 21080.5. In recognition of the certification and PRC Section 4582.75, these rules are intended to provide the exclusive criteria for reviewing THPs. If the Director believes that there are significant adverse environmental impacts not covered in the existing rules, matters should be referred to the Board as otherwise specified in these rules”.

Specifically, PRC § 4562.7 states “The purpose of this section is to ensure the protection of beneficial uses that are derived from the physical form, water quality, and biological capability of streams. To these ends, in addition to the rules provided for in Section 4551.5, the board shall adopt rules for control of timber operations which will result or threaten to result in unreasonable effects on the beneficial uses of the waters of the state. The rules shall include rules for:

(a) The disposal of petroleum products, sanitary wastes, refuse, and cleaning agents in proper dumps or waste treatment facilities to prevent them from entering streams.

(b) Construction of logging road and tractor trail stream crossings to assure substantially unimpaired flow of water and to assure free passage of fish both upstream and downstream.

(c) Minimizing damage to unmerchantable streamside vegetation, particularly hardwood trees.

(d) Minimizing damage to streambeds or banks resulting from skidding or hauling logs through, across, or into streams, by operating tractors or other heavy equipment in or near streambeds, or by construction of log landings or logging roads in or near the channels of streams.

(e) Control of slash, debris, fill, and side cast earth, resulting from timber operations, which may be carried into streams.

(f) Minimizing the effects of erosion on watercourses and lakes by all of the following:

1. Installation and maintenance of drainage facilities and soil stabilization treatments as required on timber operations.

2. Planned abandonment of roads and landings.

3. Maintenance of installed drainage facilities and soil stabilization treatments on skid trails, roads, and landings for a period of at least one year after filing of the work completion report, provided the report is approved.”

CDF has adopted rules that comply with this statute.

In accordance with the above, the Resolution incorporates mitigation measures to reduce any impact to a less than significant level.

The proposed Resolution requires that timber harvest activities adhere to environmental documents prepared for them pursuant to the FPR (reference FPR Articles 4, 5, and 6). These 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. 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 this Resolution.

Additionally, the regulation of timber harvest activities ensures that impacts to hydrology and water quality will not result from timber harvest activities conducted in compliance with the criteria and conditions of the waiver. Projects that qualify for coverage under the conditional waiver requirements are subject to the criteria detailed in the Forest Practice Rules for an approved nonindustrial timber management plan or timber harvest plan. These criteria include a prohibition on even aged silviculture, ensuring that hydrology and water quality is not reduced across the watershed.

The discharge specifications prevent any of the following that constitute nuisance or adversely affect beneficial uses: coloration; concentrations of floating material (including solids, liquids, foams, and scum); concentrations of suspended material; deposition of material; concentrations of oils, greases, waxes, or other materials that result in a visible film on the water or on objects in the water; concentrations of biostimulatory substances that promote aquatic growths; suspended sediment load or discharge rate; an increase in turbidity of more than 20 percent above background levels; concentrations of toxic substances toxic to human, plant, animal, or aquatic life; or concentrations of pesticides.

Further mitigations are required to obtain waivers of waste discharge requirements that will add additional protection measures that address erosion of soils that could discharge to streams. This project will prohibit adverse impacts to water quality resulting from discharges associated with timber harvest activities.

IX. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Finding: No Impact

The project will not result in the division of an established community.

X. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Finding: No Impact. This project will not affect mineral resources.

XI. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient				X

noise levels in the project vicinity above existing pre-project levels?				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing pre-project levels?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Finding: Less-than-significant Impact. d) The FPRs (sections 925.7, 925.10, 926.9, 926.10, 928.5, 928.6, and 965.4) set performance standards and require mitigation measures to minimize the changes in noise levels. For example, hours of work and log hauling are limited to the work week hours of 7:00 am to 7:00 pm and prohibited on Saturdays, Sundays, and legal holidays.

XII. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Finding: No Impact. This project will have no impacts on population or housing. Timber harvesting activities would not directly or indirectly induce population growth, displace any existing housing, or job supply.

XIII. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the				

public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

Finding: No Impact. This project will have no impacts on public services. Timber harvesting activities will neither increase the number of structures, require additional public services, nor require new governmental facilities.

XIV. RECREATION --	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Finding: No Impact. This project will have no impacts on recreation. Timber harvesting activities do not include recreational facilities and will not increase the use of any recreational facility.

XV. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Finding: Less-than-significant Impact. a) The FPRs (sections 925.7, 925.10, 926.9, 926.10, 928.5, 928.6, and 965.4) require minimization of the changes in traffic patterns and volumes on specific roadways. For example, hours of work and log hauling are limited to the work week and prohibited on Saturdays, Sundays, and legal holidays. Additional restrictions may be set in the THP to “prevent a serious hazard to traffic flow and safety and to prevent hazardous conditions that would endanger public safety.” Compliance with the FRPs mitigates any potential noise impacts. Additionally, the waiver will prohibit the creation of nuisance conditions.

XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Finding: No Impact. Timber harvesting activities will not adversely impact utilities and service systems. This project will have no impact on utilities and service systems.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Finding: Less than significant Impact. a-c) Observation and information documented in Water Board pre/post harvest inspection reports and discharger data submitted as a condition of previously approved conditional waivers documents the protection of water quality and beneficial uses.

For timber operations, impacts must be addressed and mitigated in accordance with the Z'berg-Nejedly Forest Practice Act and the California Forest Practice Rules (CFPRs). The Forest Practice rules require CDF to consider cumulative impacts before approving a THP or NTMP. (14 CCR §§897(b), 898, 1034.)

Board of Forestry Technical Addendum #2 on Cumulative Impact Assessment (FPR Article 2, pg 32) requires evaluation of cumulative impacts that may occur as a result of proposed timber operations. The Addendum requires a detailed analysis of the cumulative effects on water resources, including sediment, water temperature, organic debris, chemical contamination and peak flow; watercourse condition; soil productivity; biological resources; recreational resources; visual resources; and traffic-related impacts. The assessment must include evaluation of both on-site and off-site interactions of proposed project activities with the impacts of past and reasonably foreseeable future projects.

14 CCR §§ 916, 936 and 956 Intent of Watercourse and Lake Protection states, in part, "The purpose of this article is to ensure that the beneficial uses of water, native aquatic and riparian species, and the beneficial functions of riparian zones are protected from potentially significant adverse site-specific and cumulative impacts associated with timber operations."

REFERENCES:

1. Cafferata, Peter H., (1990) Watercourse Temperature Evaluation Guide, Department of Forestry and Fire Protection
2. Klein, Randy, (2003) Duration of Turbidity and Suspended Sediment Transport in Salmonid-Bearing Streams, North Coastal California, A Report to the US Environmental Protection Agency, Region IX.

March.

3. Regional Water Quality Control Board, Central Coast (1994), Water Quality Control Plan Central Coast Region (Basin Plan) – Region
4. California Forest Practice Rules, Title 14, California Code of Regulations, Chapters 4, 4.5 and 10

Central Coast Region Water Quality Control Board Determination

The Water Board has determined that implementation of this project (Adopting General Conditional Waiver of Waste Discharge Requirements – Timber Harvest Activities in the Central Coast Region) within the bounds of the eligibility criteria and conditions and termination requirements, in view of the Water Board's authority to adopt Waste Discharge Requirements with additional conditions for Projects that will not qualify for this waiver, and in the context of the existing timber harvest activity review processes for timber activities, the effects of this project on the environment will be less than significant.