

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF JULY 7-8, 2005**

Prepared on June 2, 2005

**ITEM: 27**

**SUBJECT: WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR THE COWELL-SOUTH UNIT TIMBER HARVEST, THP NO. 1-04-165 SCR, SANTA CRUZ COUNTY, CENTRAL COAST WATER BOARD ORDER NO. R3-2005-0100**

<b>KEY INFORMATION: Timber Harvest Type:</b>	<b>Selective Harvest - Timber Harvest Plan</b>
<b>Project Area:</b>	<b>350 acres</b>
<b>Harvest Area:</b>	<b>324 acres</b>
<b>Water Courses:</b>	<b>One Class I, Two Class II and 20 Class III Stream Segments</b>
<b>Watershed:</b>	<b>Boulder Creek</b>
<b>Forester:</b>	<b>David Van Lennep</b>
<b>Landowner:</b>	<b>RMB Family Trust</b>
<b>Eligibility Criteria Rank:</b>	<b>Tier III</b>

**SUMMARY**

This item is a typical Individual Conditional Waiver Requirements Order. The Order proposes specific requirements and monitoring appropriate for the harvest site conditions, and accomplishes reasonable protection of water quality and riparian corridor habitat.

**DISCUSSION**

On May 19, 2005, Water Board staff received a request from David Van Lennep, Registered Professional Forester (RPF), for Water Quality regulation of the proposed Cowell-South Unit Timber Harvest (Cowell-South THP). The proposed project involves selective harvest of 350 acres using ground-based yarding methods. The THP covers approximately 4.8% percent of the 7,530 acre watershed (Boulder Creek - CalWater 3041.20203). In the last 10 years approximately 13% of the watershed has been selectively harvested. Two other proposed harvests in the watershed totaling 135 acres received conditional

individual waiver requirements at the March 2005 Water Board meeting

Water Board staff inspected the proposed area of harvest on September 7, 2004 and February 16, 2005.

The Cowell-South THP was approved by California Department of Forestry and Fire Protection (CDF) on May 12, 2005. Water Board staff evaluated the road and skid trail system on this plan. The road system was in good overall condition and did not show signs of excessive erosion. The Cowell-South THP proposes mitigations to correct some areas of the harvest infrastructure that were poorly designed and constructed during the previous owner's operations. Water Board staff has reviewed and supports these proposed mitigations.

The plan contains 17 Class III haul-road crossings and one bridge (R17) crossing of a Class II stream. Four of the Class III haul-road crossings (R2, R6, R7, and R9) are culverted and the rest are rocked dips. The culvert crossings will have critical dips

added to provide overflow in case of failure. Trash racks will be installed or upgraded up-stream of each culvert.

There are 2 skid trail crossings (C3 and C20) where an existing culvert will be removed and slash packed following timber harvest operations. The Class I stream segment designations are due to domestic water intakes, rather than the presence of fish.

Approximately 3500' of a Class II segment of Boulder Creek is located within the harvest area. The lower half of this segment has steep to vertical banks and evidence of recent bank failures. This segment also contains an existing landslide with the active landslide "toe" in Boulder Creek. This landslide requires special considerations to avoid further destabilization. Based on the September 7, 2004 inspection and the special considerations of this site, Regional Board staff recommended a 30-foot setback from the creek.

Geologists from the Water Board, Santa Cruz County, California Department of Fish & Game, the California Geological Survey, California Department of Forestry and Fire Protection (CDF) and other staff walked the active landslide and discussed the implications of the landslide to this segment of Boulder Creek on February 16, 2005. After review and discussion in the field, the review team agreed that there were some trees within the recommended 30-foot setback. that could be harvested without significant impact to the landslide or water quality. CDF staff and the RPF have re-marked the landslide area to identify trees to be harvested.

### **ELIGIBILITY CRITERIA**

Regional Board staff evaluated the proposed Cowell-South Unit THP using our revised Eligibility Criteria (Attachment 3). The revised Eligibility Criteria includes factors that address soil erosivity of the timber harvest areas and cumulative impacts from non-timber harvest activities.

The proposed Cowell-South THP falls into Tier III. Operations will occur in a 303(d) listed

watershed, automatically resulting in a high cumulative effects ratio. The proposed THP has a low drainage density index and the proposed activities will result in a medium soil disturbance factor if winter operations occur. The soil erosion hazard rating in the Cowell-South THP area is moderate to high. Consideration of these factors do not change the Tier III determination for this THP.

Water Board staff propose a set of individual conditional waiver requirements (Attachment 1) and a monitoring and reporting program (Attachment 2) for Regional Board consideration. The proposed monitoring and reporting program will include implementation and effectiveness monitoring, water column monitoring and forensic monitoring (as necessary).

Implementation and effectiveness monitoring will include visual observation of roads, watercourse crossings, landings, skid trails, water diversions, watercourse confluences, known landslides, and mitigation sites in the timber harvest plan area (see map attached to MRP).

Photo-point monitoring points will be at locations RM 8 and Crossing C20 , where timber harvest activities have the greatest risk of potential discharge.

Temperature will be monitored in the Class II Boulder Creek as it maintains water longer into the season than do other Class II watercourses in the plan area and may have a contiguous flow of water adequate for temperature measurements between May and November. Two locations, one above the project and one below, are described in the MRP.

Turbidity will be monitored at crossing C20. where a 30" diameter pipe will be removed from a Class II watercourse crossing. It is also one of the few locations where sufficient water volume exists for long enough duration to collect turbidity samples. Significant amounts of fill will also be removed or stabilized at this site. Some minor temporary increase in turbidity is anticipated below the crossing after mitigation is completed. The removal of this crossing will be a long-term benefit by reducing potential sediment delivery into the watershed.

The Discharger shall submit reports to the Water Board by November 15 of each year. The Discharger shall submit reports to the Water Board within forty-eight (48) hours of a significant erosion event, impact to water quality, or non-compliance with the conditional waiver requirements.

The proposed project, if conducted in accordance with Timber Harvest Plan 1-04-165 SCR and the conditions contained in Order No. R3-2005-0100 will be in the public interest. Order No. R3-2005-0100 can be terminated at any time. This Order expires on July 8, 2010.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The above-referenced THP was submitted by David VanLennep, a Registered Professional Forester, and was granted discretionary approval by the California Department of Forestry and Fire Protection (CDF). The Secretary of the Resources Agency has certified that CDF's timber harvest plan regulatory program can function as a substitute for an Environmental Impact Report or a negative declaration. (CEQA Guidelines § 15251.) CDF considered all the potential significant environmental effects of the Plan and made a finding that the timber operations will not have a significant effect on the environment. Therefore the above-referenced THP serves as a substitute negative declaration for the proposed timber harvest. CDF consulted with Regional Board staff when it developed the THP. The Regional Board staff has considered the THP and recommends the THP proponent or their authorized representative (Discharger), as a condition of this waiver, comply with all requirements of the THP.

#### **RECOMMENDATION**

Staff recommends adoption of Order No. R3-2005-0100, Individual Conditional Waiver Requirements, and Monitoring and Reporting Program No. R3-2005-0100 for proposed Timber Harvest Plan 1-04-165 SCR.

#### **ATTACHMENTS**

1. Proposed Board Order No. R3-2005-0100
2. Proposed Monitoring & Reporting Program R3-2005-0100
3. Cowell-South Unit THP Eligibility Criteria Chart Illustration and Spreadsheets.

S:\NPS\Timber Harvest\Board Meetings\2005\July\Cowell-South Unit\Cowell-South Unit 1-04-165 SCR staff report 6-1-05 draft.doc