

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

STAFF REPORT FOR REGULAR MEETING OF MARCH 24-25, 2005

Prepared on March 2, 2005

ITEM: 24

SUBJECT: Conditional Waiver of Waste Discharge Requirements for the Big Basin Water Company Non-Industrial Timber Management Plan, (1-04NTMP-011 SCR), Santa Cruz County, Regional Board Resolution No. R3-2005-0054

SUMMARY: Harvest Type: Selective Harvest - Non-Industrial Timber Management Plan (NTMP)

Project Area:	450 acres
Total Harvest Area:	364 Acres
Current Harvest Area:	109 Acres (Fallen Leaf Unit = 41 Acres, Filter Plant Unit = 68 Acres)
Water Courses:	Four Class II and Six Class III Streams
Watershed:	Boulder Creek
Forester:	Joe Culver
Landowner:	Thomas Moore
Eligibility Criteria Rank:	Tier IV

DISCUSSION

On March 15, 2004, Regional Board staff received a request from Joe Culver, a Registered Professional Forester (RPF) with Big Creek Lumber Company, for water quality regulation of the Big Basin Water Company Non-Industrial Timber Management Plan (NTMP) entry into the Fallen Leaf and Filter Plant Units. For an NTMP “entry” means “timber harvesting operations.” The NTMP is a long-term timber harvest plan with multiple entries at set intervals (10 to 15 year entry cycle depending on the harvest). A new conditional waiver of waste discharge requirements or waste discharge requirements are required for each entry into the proposed harvest area.

This entry into Big Basin Water Company NTMP involves selective harvesting of 109 acres of land from two separate units, utilizing ground-based yarding and helicopter operations. The Big Basin Water Company NTMP is 450 acres with six

harvest units totaling 364 acres. The two currently proposed harvest units cover 1.5 percent of the 7,347-acre watershed (Calwater). In the last 14 years approximately 12% of the watershed has been selectively harvested.

Regional Board staff has inspected the proposed areas of harvest. Regional Board staff evaluated the proposed Big Basin Water Company NTMP harvest using our draft Eligibility Criteria (Attachment 4). The proposed Big Basin Water Company NTMP falls into Tier IV. The harvest is proposed in a 303d listed watershed (listed for impacts from sediment), with a high cumulative effects ratio. The proposed NTMP area has a high drainage density index and the proposed activities will result in “medium soil disturbance factor” (as defined by the Criteria) if winter operations occur. The Board directed staff to try the draft Eligibility Criteria with this individual timber harvest plan as a practical manner of learning from this individual waiver for purposes of modifying the criteria for the general conditional waiver requirements (to be

considered at the May meeting). The Board indicated that some way of dealing with the soil erosivity of the timber harvest areas should be included in the criteria. The soil erosivity in this watershed ranges from moderate to high. Consideration of this factor does not change the Tier IV determination for this NTMP.

Regional 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, forensic (as necessary), effectiveness, and water quality compliance monitoring.

Implementation and effectiveness monitoring will include visual observation of all roads, watercourse crossings, landings, skid trails, water diversions, all watercourse confluences, known landslides, and all mitigation sites in the timber harvest plan area. Photo-point monitoring points shall be at locations within the timber harvest plan area where timber harvest activities have the greatest risk of potential discharge. Photo-point monitoring points shall be established up and down stream of each newly constructed or reconstructed Class I and Class II watercourse crossings and landings within a Class I or II Watercourse or Lake Protection Zone (WLPZ).

Two photo points, S30 and M18, have been identified and shall be monitored within the proposed harvest area. Even though the proximity is close, these two locations will be treated as separate photo points. Regional Board staff propose that photographs of these sites be taken in the first year prior to any activity in the watercourse, following completion of activities or prior to October 15th, and following the end of the first winter period prior to April 30th. End of year photopoint monitoring in years two and five will also be required.

If there is water in the Class II streams from May 1 through October 15, temperature monitoring shall be conducted in the Class II watercourses when timber harvest operations occur in Class II WLPZ. Based on the current flow in the Class II watercourses and the property owner's past experience with summer flow for those watercourses, the class II watercourses in the Fallen Leaf unit will not have sufficient water

through the months of May 1 through October 15 to successfully monitor temperature.

Some of the Class II watercourses in the Filter Plant unit exhibit similar characteristics to those in the Fallen Leaf unit, although others have a higher likelihood of delivering reliable data.

One purpose of monitoring temperature is to determine effects on salmonid species in Class I watercourses. Staff has consulted with the property owner and forester to have temperature monitoring at two sites on Class I Jamison Creek, above and below where Class II watercourses from the Filter Plant unit enter Jamison Creek (outside the harvest area). This monitoring design will more likely capture any change in conditions associated with timber harvesting since it encompasses all flow from the Filter Plant unit.

The Discharger shall monitor all newly constructed or reconstructed Class I and II crossings area in place after October 15th within the timber harvest plan, for turbidity (a hand held turbidimeter is acceptable for this purpose). Turbidity shall be measured approximately 25 feet upstream and downstream of all newly constructed or reconstructed Class I and II road crossings.

The NTMP proposes to replace one culvert (S30) with a bridge and to remove a check dam (M18). Due to the close proximity of these two points (approximately 30 feet), Regional Board staff propose two turbidity grab sample locations, one above these two points and one below them. The Discharger shall submit reports to the Regional Board by November 15 of each year. The Discharger shall submit reports to the Regional Board within forty-eight (48) hours of a significant erosion event, of impact to water quality, or non-compliance with the conditional waiver requirements. The proposed Timber Management Plan (1-04NTMP-011 SCR) and the conditions contained in Resolution No. R3-2005-0054 will be in the public interest. The conditional waiver requirements can be terminated at any time. These conditional waiver requirements expire on March 25, 2010, and the responsible party must provide information for Regional Board consideration of additional conditional waiver requirements at that time, if the owner wishes to continue with harvesting draft eligibility

**CALIFORNIA ENVIRONMENTAL
QUALITY ACT (CEQA)**

The above-referenced NTMP was submitted by Joe Culver, 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 NTMP serves as a substitute negative declaration for the proposed timber harvest. CDF consulted with Regional Board staff when it developed the NTMP. Regional Board staff has considered the NTMP and recommends the NTMP proponent or their authorized representative (Discharger), as a condition of this waiver, comply with all requirements of the NTMP.

RECOMMENDATION

Staff recommends adoption of Resolution No. R3-2005-0054, Individual Conditional Waiver Requirements, and Monitoring and Reporting Program No. R3-2005-0054 for the proposed Timber Management Plan (1-04NTMP-011 SCR).

ATTACHMENTS

1. Proposed Board Resolution No. R3-2005-0054
2. Proposed Monitoring & Reporting Program R3-2005-0054
3. Site Plan
4. Big Basin Eligibility Criteria Chart Illustration.

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