

Executive Officer's Summary Report
8:30 a.m., December 10, 2009
Regional Water Board Office
5550 Skylane Blvd. Suite A
Santa Rosa , CA

ITEM: 7

SUBJECT: Public Hearing on Order R1-2009-0114 to consider short term renewal of Order No. R1-2004-0015, Categorical Waiver for Discharges Related to Timber Harvest Activities on Federal Lands Managed by the United States Department of Agriculture, Forest Service in the North Coast Region.

Discussion

The proposed Order provides a short term renewal of an existing waiver of waste discharge requirements for timber harvest activities on federal lands until a revised waiver can be considered and adopted. No substantive changes are recommended at this time.

The current waiver of Waste Discharge Requirements, Order No. R1-2004-0015, *Categorical Waiver For Discharges Related to Timber Harvest Activities On Federal Lands Managed by the United States Department of Agriculture, Forest Service in the North Coast Region* (Federal Timber Waiver) expires on December 10, 2009. The Federal Timber Waiver is the primary regulatory mechanism used to provide coverage for timber harvesting activities by the US Forest Service within the North Coast Region, which occupy significant portions of major watersheds in the region, including the Klamath, Trinity, Salmon, Scott, Shasta, Rogue, Smith, and Eel rivers.

In the interest of streamlining multiple program oversight for nonpoint source discharges similar to those related to timber harvest activities, Regional Water Board staff proposes the expansion of the existing waiver of WDR to include additional activities that can result in nonpoint source pollution on Forest Service Lands within the North Coast Region.

A draft revision of the Federal Timber Waiver to include all potential nonpoint source pollution sources is well underway, but is not yet completed. It is anticipated the revised Federal Timber Waiver for nonpoint source activities will be considered for adoption by April 2010.

Consequently, a short term extension/renewal of the existing Federal Timber Waiver is needed to continue coverage of federal timber harvest activities in the interim while development of the revised waiver is completed. It is essential that the Federal Timber Waiver remain in effect until a revised federal waiver for nonpoint source activities is

considered and adopted. Without a waiver, the Forest Service can not enroll any new projects, potentially causing significant delays in planned timber and fuels treatment activities on federal lands. Timber operations already waived under the existing waiver can continue without interruption, provided they comply with the conditions and criteria of Order No. R1-2004-0015. An extension of the existing Federal Timber Waiver ensures that timber harvest activities on federal lands comply with the Basin Plan until the revised waiver is considered and adopted.

The Regional Board has notified interested parties of its intent to temporarily extend the Federal Timber Waiver.

PRELIMINARY STAFF
RECOMMENDATION:

Adopt Order No. R1-2009-0114 as proposed.