

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

STAFF REPORT FOR REGULAR MEETING OF MAY 12-13, 2005

Prepared on April 12, 2005

ITEM: 30

SUBJECT: Conditional Waiver of Waste Discharge Requirements for the Werle Non-Industrial Timber Management Plan, (1-94NTMP-010 SCR), Santa Cruz County, Regional Board Resolution No. R3-2005-0076.

SUMMARY: Harvest Type: **Selective Harvest - Non-Industrial Timber Management Plan (NTMP)**
Project Area: **100 acres**
Total Harvest Area: **84 Acres**
Current Harvest Area: **84 Acres**
Water Courses: **One Class I and two Class III Streams**
Watershed: **Cascade Creek**
Forester: **Cassady Bill Vaughan**
Landowner: **James and Kathleen Werle**
Eligibility Criteria Rank: **Tier I**

DISCUSSION

On March 23, 2005, Regional Board staff received a request from Cassady Bill Vaughan, a Registered Professional Forester (RPF) with Staub Forestry & Environmental Consulting, for water quality regulation of and entry into the Werle Non-Industrial Timber Management Plan (NTMP). 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 the Werle NTMP involves selective harvesting of 84 acres of land utilizing ground-based yarding. The proposed harvest covers 1.4% of the 5,894-acre watershed (Cascade Creek - CalWater v2.2 3304.20002). The only harvest in the last ten years within the watershed was the previous entry into the NTMP in 1995.

Water Board staff inspected the proposed areas of harvest on April 20, 2005. Water Board staff evaluated the proposed Werle NTMP harvest using our draft Eligibility Criteria (Attachment 4). The proposed Werle NTMP falls into Tier I. The harvest is proposed in a watershed with a low cumulative effects ratio. The proposed NTMP area has a low drainage density index and the proposed activities will result in "low soil disturbance factor" (as defined by the Criteria) if winter operations occur. The Board directed staff to use the draft Eligibility Criteria with this individual conditional waiver for purposes of modifying the criteria for the general conditional waiver requirements (to be considered at the July 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 the plan area ranges from moderate to high. Consideration of this factor does not change the Tier I determination for this NTMP.

The Tier I monitoring level for this NTMP entry requires the landowner to implement visual monitoring as required by CDF. This plan is in the "low" category for all of the Eligibility Criteria parameters. The main access road is a paved, all-season road that has been reviewed and approved by the Santa Cruz County Planning Department. The Class I watercourse is outside the plan boundary and the plan proposes no harvesting within the Class I WLPZ.

Water Board staff feels that this plan, if conducted in accordance with the Forest Practice Rules, has a low potential to impact water quality. Although Tier I monitoring requirements are appropriate for this plan, the project proponent has agreed to Tier II requirements and will include visual and photo monitoring points.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The above-referenced NTMP was submitted by Cassidy Bill Vaughan, 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. R3-2005-0076, Individual Conditional Waiver Requirements, and Monitoring and Reporting Program No. R3-2005-0076 for the proposed Timber Management Plan (1-94NTMP-010 SCR).

ATTACHMENTS

1. Proposed Board Resolution No. R3-2005-0076
2. Proposed Monitoring & Reporting Program R3-2005-0076
3. Site Plan
4. Werle NTMP Criteria Chart Illustration.

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