

Lahontan Regional Water Quality Control Board: Timber Waiver Revision

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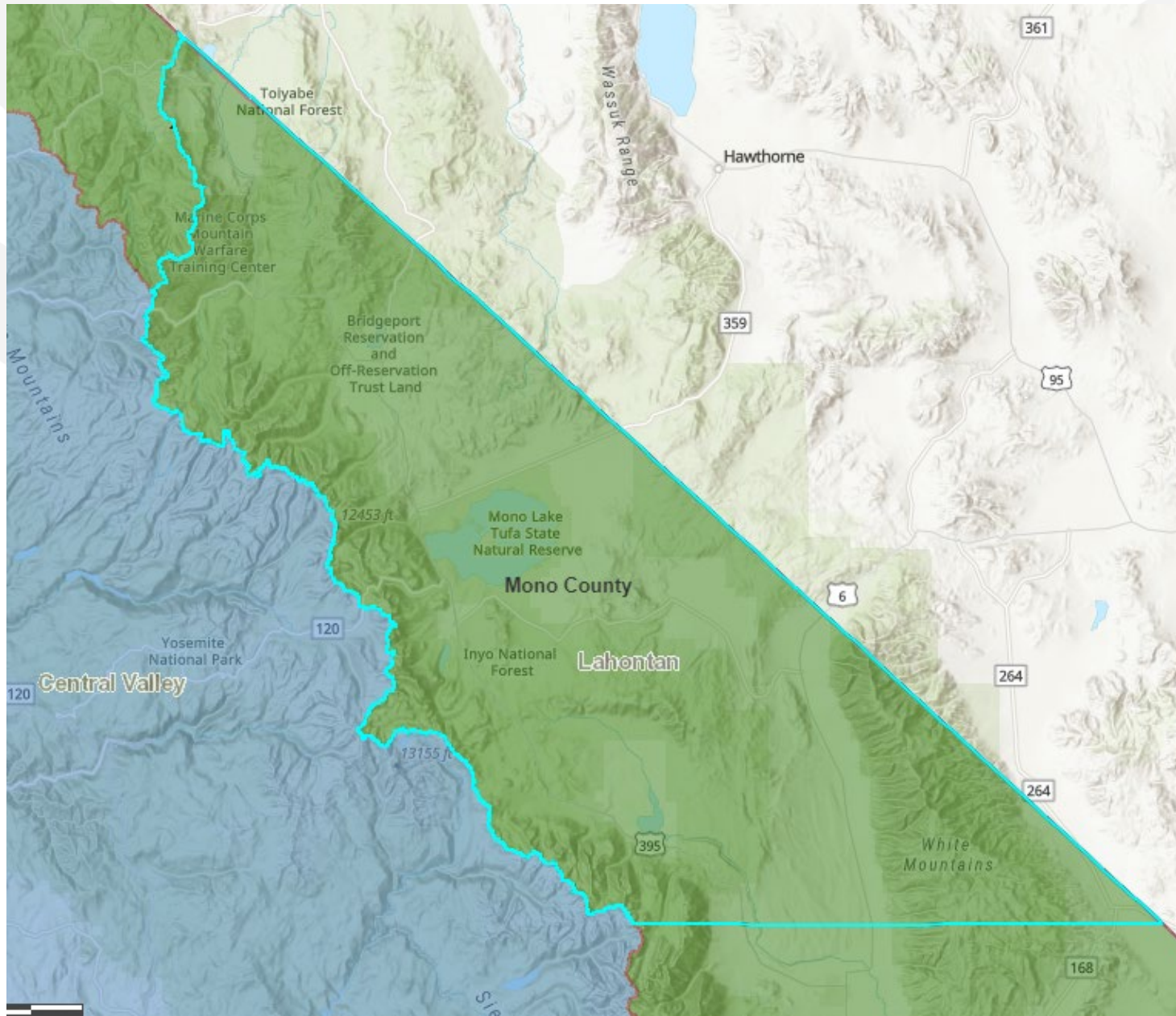


Forestry / Dredge and Fill Unit

Background and Need for Revision

- **R6T-2014-0030** – Conditional Waiver of Waste Discharge Requirements for Waste Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region – “2014 Timber Waiver”
 - Applicable for entire Lahontan Region –required for both commercial and non-commercial activities on all landownership types
 - 4th iteration of the Timber Waiver
- **R6-2019-0240** – Renewal of Board Order R6T-2014-0030
 - Renewed 2014 Timber Waiver without modification
 - Expires in March 2024
- Revisions are proposed to result in a **2024 Timber Waiver**
 - Proposed adoption: April 17, 2024

Lahontan Region



“Timber Harvest and Vegetation Management Activities”

“Means activities conducted for the purposes of commercial harvest of forest products and management of trees and vegetation, including, but not limited to:

- construction, reconstruction and maintenance of roads, fuel breaks, firebreaks, watercourse crossings, landings, skid trails, or beds for the falling of trees;
- fire hazard abatement and fuel reduction activities;
- pesticide application;
- prescribed burning;
- hazard tree abatement;
- site preparation that involves disturbance of soil or burning of vegetation following timberland management activities.

Activities do not include aquatic vegetation management, prescribed herbivory, preparatory tree marking, surveying, or road flagging”

Categorical Structure of Timber Waiver

- ❖ Increasing threat to water quality = increase in project-specific information requirements and monitoring/reporting requirements
- Categories 1 and 2: non notifying, non reporting
- Category 3: notification only (proposed change)
- Category 4, 5, 6: notifying, reporting Categories

Brief Overview of Categories from 2014 Timber Waiver

- **Category 1:** Activities associated with defensible space, defense zone, forest fire prevention, and construction activities
 - **Category 2:** Activities conducted by hand crews, including limited prescribed fire inside Waterbody Buffer Zones
 - **Category 3:** Planned post fire rehabilitation
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- **Category 4:** Activities that rely on existing roads, meet 11 criteria, limited prescribed fire inside Waterbody Buffer Zones, and may include winter period operations
 - **Category 5:** CAL FIRE–approved Plans
 - **Category 6:** Activities that do not qualify for categories 1-5, and may include activities within 100- year floodplains or Stream Environment Zones

Standard Monitoring Requirements

- Implementation Monitoring: Category 4, 5, 6
- Daily Winter Period Monitoring (*if applicable*): Category 4, 5, 6
- Winter Implementation Monitoring (*if applicable*): Category 4, 5, 6
- Forensic Monitoring: Category 5, 6
- Effectiveness Monitoring: Category 5, 6
- Photo point monitoring (*if applicable*): Category 5, 6

Benefits of Revision

- Leverage enrollee familiarity with Timber Waiver process and categorical structure
- Build on iterative nature of Timber Waiver
- Continuation of no fees for enrollment across all categories

Goals of Revision

- Streamline implementation of vegetation management activities that mitigate the risk of catastrophic wildfire
- Facilitate compliance with Timber Waiver conditions and reporting requirements
- Adhere to Legislative mandates and align with California's Wildfire and Forest Resilience Action Plan
- Facilitate Water Board staff focus on projects that pose the greatest threat to water quality

Sources of Revisions

- Comments provided through previous outreach efforts in 2019
- Staff experience and observations since 2014
- Feedback from Timber Waiver Enrollees and stakeholders
- Comments received during:
 - Informal solicitation efforts of proposed revision themes:
March 2023
 - Administrative Draft Release: September 2023

Tentative 2024 Timber Waiver: Revision Themes

- Support increases to the pace and scale of forest health projects by expanding the range of eligibility for non-notifying Timber Waiver coverage in Categories 1 and 2 and by expanding operational eligibility in Category 4
- Establish new General- and Category-Specific Conditions to clarify regulatory requirements and prevent adverse effects to water quality
- Provide expedited enrollment opportunities for emergency post-fire timber salvage harvests within Categories 4 and 6.
- Revise monitoring report submittal requirements to reduce reporting frequency from semiannual to annual submittals with no reduction in reporting requirements

Tentative 2024 Timber Waiver: Revision Themes

- Standardize and clarify monitoring and reporting requirements to facilitate and simplify regulatory compliance
- Revise findings in Attachment N required for the Water Board Executive Officer to grant exemptions to Waste Discharge Prohibitions in the Lake Tahoe, Truckee, and Little Truckee River Hydrologic Units based on revisions adopted to the Regional Water Quality Control Plan for the Lahontan Region (Basin Plan)
- Clerical modifications to ensure regulatory and administrative consistency
- Development of new definitions and revision of existing definitions to ensure regulatory and administrative consistency

Tentative 2024 Timber Waiver: Select Examples of Revisions

- **Findings moved to Attachment 1, General Provisions related to bottom of Order**
- **General conditions consolidate repetitive category-specific conditions**
- **Category 1 eligibility expansion:**
 - All CAL FIRE accepted Exemptions
 - Greater distances for managing vegetation on designated evacuation routes
- **Category 2 eligibility expansion:**
 - Includes operation of low impact equipment that operates separate from hand crews

Tentative 2024 Timber Waiver: Select Examples of Revisions

- **Category 3 eligibility criteria expanded to cover timber harvest and vegetation management associated with all emergencies, not just wildfires**
- **Expedited enrollment options under Category 4 and Category 6 for post-wildfire emergency timber salvage**
- **Modified requirements for timing of Forensic Monitoring**
- **Modifications to WBBZ pile burning requirements**
 - Decoupled SEZ (Tahoe-specific) requirements from WBBZ requirements

Tentative 2024 Timber Waiver

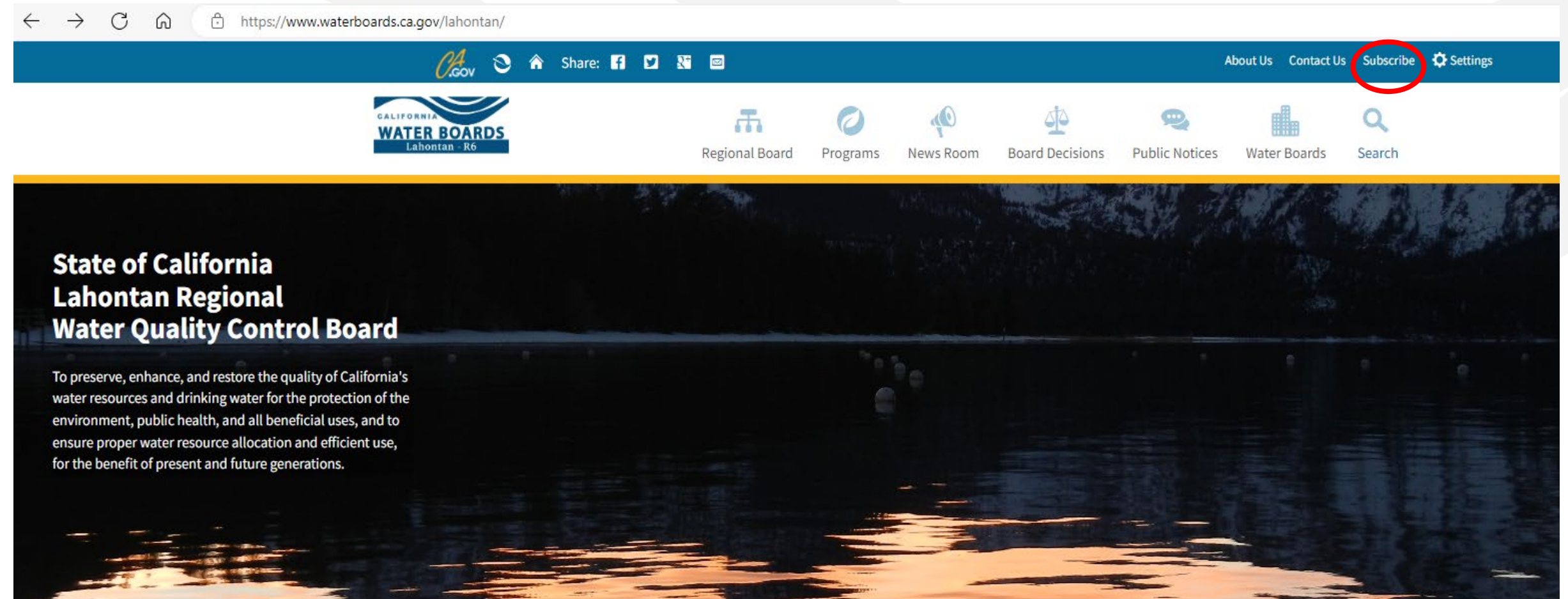
- Released for public review: January 4, 2024
- Comments Due: February 5, 2024

- Public Water Board meeting for proposed adoption: April 17, 2024 in Barstow, California

Resources

- [Regulation of Timber Harvest and Vegetation Management Projects in the Lahontan Region | Lahontan Regional Water Quality Control Board \(ca.gov\)](#) - Lahontan Forest Activities Program website
 - Section Titled “2024 Timber Waiver” for tentative 2024 Timber Waiver
- Water Board staff contact:
 - Adam.Henriques@waterboards.ca.gov (530) 542-5439
 - Jeremy.Feinberg@waterboards.ca.gov

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The screenshot shows the website for the Lahontan Regional Water Quality Control Board. The browser address bar displays <https://www.waterboards.ca.gov/lahontan/>. The navigation menu includes links for "About Us", "Contact Us", "Subscribe" (highlighted with a red circle), and "Settings". The main content area features the board's logo and a navigation bar with icons for "Regional Board", "Programs", "News Room", "Board Decisions", "Public Notices", "Water Boards", and "Search". Below the navigation bar, the page title reads "State of California Lahontan Regional Water Quality Control Board". A descriptive paragraph states: "To preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations."

- All future project-related information will be sent through the “**Timber Waiver Related Regulations**” email subscription

Questions?

