CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

ORDER NO. R3-2005-0066

GENERAL CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS – TIMBER HARVEST ACTIVITIES IN THE CENTRAL COAST REGION

(Revised on July 8, 2005)

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereinafter Regional Board or Central Coast Water Board), finds that:

1. California Water Code (CWC) Section 13260(a) requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the State, other than into a community sewer system, shall file with the appropriate Regional Board a report of waste discharge (ROWD) containing such information and data as may be required by the Regional Board.

2. The Central Coast Water Board prescribes waste discharge requirements except where the Central Coast Water Board finds that a waiver of waste discharge requirements for a specific type of discharge is in the public interest pursuant to CWC (Sections 13267 and 13269).

3. CWC Section 13267 states:

   (a) A regional board, in establishing or reviewing any water quality control plan or waste discharge requirements, or in connection with any action relating to any plan or requirement authorized by this division, may investigate the quality of any waters of the state within its region.

   (b)(1) In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

4. CWC Section 13269(a) states:

   (1) On and after January 1, 2000, the provisions of subdivisions (a) and (c) of Section 13260, subdivision (a) of Section 13263, or subdivision (a) of Section 13264 may be waived by the state board or a regional board as to a specific discharge or type of discharge if the state board or a regional board determines, after any necessary state board or regional board meeting, that the waiver is consistent with any applicable state or regional water quality control plan and is in the public interest. The state board or a regional board shall give notice of any necessary meeting by publication pursuant to Section 11125 of the Government Code.

   (2) A waiver may not exceed five years in duration, but may be renewed by the state board or a regional board. The waiver shall be conditional and may be terminated at any time by the state board or a regional board. The conditions of the waiver shall include, but need not be limited to, the performance of individual, group, or watershed-based, monitoring, except as provided in paragraph (3) below. Monitoring requirements shall be designed to support the development and implementation of the waiver program, including, but not limited to, verifying the adequacy and effectiveness of the waiver's conditions. In

establishing monitoring requirements, the regional board may consider the volume, duration, frequency, and constituents of the discharge; the extent and type of existing monitoring activities, including, but not limited to, existing watershed-based, compliance, and effectiveness monitoring efforts; the size of the project area; and other relevant factors. Monitoring results shall be made available to the public.

(3) The state board or a regional board may waive the monitoring requirements described in this subdivision for discharges that it determines do not pose a significant threat to water quality.

5. The Central Coast Water Board, in compliance with CWC Section 13269, reviewed the previously issued categorical waiver for timber harvest activities (Central Coast Water Board Resolution No. 89-04, Water Quality Control Plan (Basin Plan) Appendix A-23) and determined that it should not be renewed.

6. In accordance with CWC Section 13269, the Central Coast Water Board shall regulate discharge of waste associated with timber harvest activities through the requirements of this general conditional waiver, or, for timber operations that are not eligible for this waiver, through individual waste discharge requirements or individual conditional waivers.

7. The Central Coast Water Board has adopted the Basin Plan for the Central Coast Region, that establishes beneficial uses, water quality objectives, waste discharge prohibitions, and implementation policies that apply to waters of the State and discharges to waters of the State within the Central Coast Region.

8. Pursuant to the Basin Plan and State Board Plans and Policies, including State Water Board Resolution No. 88-63, the existing and potential beneficial uses of waters potentially affected by the proposed activity include:

   a. Agricultural Supply (AGR)
   b. Aquaculture (AQUA)
   c. Preservation of Biological Habitats of Special Significance (BIOL)
   d. Cold Freshwater Habitat (COLD)
   e. Commercial and Sportfishing (COMM)
   f. Estuarine Habitat (EST)
   g. Freshwater Replenishment (FRSH)
   h. Ground Water Recharge (GWR)
   i. Industrial Service Supply (IND)
   j. Migration of Aquatic Organisms (MIGR)
   k. Municipal and Domestic Supply (MUN)
   l. Navigation (NAV)
   m. Hydropower Generation (POW)
   n. Industrial Process Supply (PRO)
   o. Rare, Threatened, or Endangered Species (RARE)
   p. Water Contact Recreation (REC-1)
   q. Non-contact Water Recreation (REC-2)
   r. Shellfish Harvesting (SHELL)
   s. Spawning, Reproduction, and Development (SPWN)
   t. Warm Freshwater Habitat (WARM)
   u. Wildlife Habitat (WILD)
   v. Inland Saline Water Habitat (SAL)

9. The Basin Plan contains water quality objectives developed to protect the above-listed beneficial uses of water. The factors in CWC Section 13241, including economic considerations, were considered as required by law during the development of these objectives. Prohibitions, provisions, and specifications contained in this Order implement these previously developed water quality objectives. Compliance with water quality objectives will protect the beneficial uses listed in the above paragraph.

10. The California Department of Forestry and Fire Protection (CDF) and the California Board of Forestry (BOF) regulate timber harvest activities on nonfederal lands in accordance with the Z'berg-Nejedly Forest Practice Act (Public Resources Code, Section 4511 et seq.) and the California Forest Practice Rules (Title 14, California Code of Regulations, Section 895 et seq.). CDF is the state agency with primary jurisdiction over timber activities. The Central Coast Water Board cannot issue permits to allow timber harvesting, but only regulates water quality impacts of harvesting operations that have received a permit from CDF. CDF issues such permits by approving timber harvest plans or non-industrial timber management plans. The Central Coast Water Board does not have legal authority to require an alternative project.

11. In 1988, the State Water Board:

    (a) Conditionally certified the "Water Quality Management Plan for Timber Operations on Nonfederal Lands" which included those California Forest Practice Rules selected as best management practices and the process by which those rules are administered
    (b) Designated CDF and the BOF as joint Water Quality Management Agencies (WQMA)
    (c) Executed a Management Agency Agreement with CDF and BOF for the purpose of implementing the certified plan and WQMA designations

12. The Management Agency Agreement between the State Water Board and CDF/BOF required a formal review of the California Forest Practice Rules and administering processes no later than six years from the date of certification. To date, the State Water Board and CDF/BOF have not completed that review.

13. The USEPA has not approved the State Water Board's certification of the California Forest Practice Rules and administering processes for regulation of timber harvest activities on nonfederal lands in California.

14. The Central Coast Water Board, in accordance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) (CEQA), has conducted an Initial Study in accordance with Title 14, California Code of Regulations, Section 15063.

15. The Secretary of the Resources Agency has certified that the CDF's timber harvest plan regulatory program can function as a substitute for an Environmental Impact Report or a negative declaration (CEQA Guidelines § 15251.) Registered Professional Foresters submit either a timber harvest plan (THP) or Non-Industrial Timber Management Plan (NTMP) and only CDF has the authority to grant discretionary approval for projects. CDF considers all the significant environmental effects of the project and makes a finding under CEQA Guidelines section 15091 for each significant effect. If CDF finds that the timber operations will not have a significant effect on the environment, a THP or NTMP serves as a substitute negative declaration. If CDF finds that the timber operations may have a significant effect on the environment, the THP or NTMP serves as a substitute environmental impact report, and includes mitigation of potential impacts. CDF consults with the Central Coast Water Board when a THP or NTMP is developed. This waiver requires each enrolled Discharger to comply with all requirements of the respective THP or NTMP.

16. Relevant factors in determining whether a project covered by a general conditional waiver is in the public interest include the following:

    - Whether the discharge is already regulated by another governmental entity;
    - Whether the discharger will observe reasonable practices to minimize the deleterious effects of the discharge;
    - Whether a feasible treatment method exists to control the pollutants in the discharge;
    - Whether a resource agency (California Department of Fish and Game, County of San Mateo, Santa Cruz, Santa Clara, Monterey, San Benito, San Luis Obispo, Santa Barbara, or Ventura) has filed a water quality related non-concurrence with CDF regarding the proposed harvest and that non-

concurrence has not been resolved; and

- Whether conditionally waiving ROWDs and/or waste discharge requirements will adequately protect beneficial uses while allowing the Central Coast Water Board to utilize more of its scarce resources to conduct field oversight, public outreach and, where necessary, enforcement.

17. The timber harvest plan regulatory program is regulated by the California Department of Forestry, and requires the Discharger to implement practices to control water quality impacts, including erosion and sedimentation. Local ordinances also require various controls. The conditions of this Order protect beneficial uses by:

    (i) Prohibiting pollution, contamination or nuisance;
    (ii) Requiring monitoring and compliance with applicable water quality control plans;
    (iii) Requiring the Discharger to grant access to Central Coast Water Board staff to perform inspections; and
    (iv) Requiring approval of the THP or NTMP by the California Department of Forestry and Fire Protection.

18. The Central Coast Water Board finds that the adoption of the "General Conditional Waiver of Waste Discharge Requirements - Timber Harvest Activities" will not have a significant impact on the environment and will be in the public interest provided that dischargers:

    (a) Comply with the conditions of this Order; and

    (b) File with the Central Coast Water Board the applicable eligibility documents as described herein, to demonstrate that compliance with the waiver conditions will be achieved; and

    (c) Comply with applicable State Water Board and Central Coast Water Board plans and policies and as those plans and policies may be amended from time to time through the amendment process;

19. Pursuant to CWC Section 13269, this action waiving the issuance of waste discharge requirements for certain specific types of discharges: (a) is conditional, (b) may be terminated at any time, (c) does not permit an illegal activity, (d) does not preclude the need for permits which may be required by other local or governmental agencies, and (e) does not preclude the Central Coast Water Board from administering enforcement remedies (including civil liability) pursuant to the CWC.

20. A waiver of waste discharge requirements for a type of discharge may be superseded by the adoption by the State Water Board or Central Coast Water Board of specific waste discharge requirements or general waste discharge requirements for that type of discharge.

21. Management practices are the most feasible treatment method to control the discharges. If a proposed timber harvest is conducted in the manner prescribed in the THP or NTMP and the conditions of this Order, a waiver of waste discharge requirements is in the public interest and is consistent with applicable water quality control plans, including the Water Quality Control Plan, Central Coast Region.

22. The winter period for the Central Coast Region shall be October 15 through April 15.

23. The rain year for the Central Coast Region shall be July 1 through June 30.

24. The results from the Eligibility Criteria for a specific THP or NTMP will function as a minimum level for establishing monitoring requirements for that THP or NTMP.

25. Tier III monitoring is required if ground based equipment is used off of an all weather road during the period October 15 to May 1. Tier III monitoring is required for the next 24 months (until July 31, 2007) for all THPs or NTMPs that fall into Tier II or III.

26. The Central Coast Water Board has adopted a Negative Declaration in accordance with CEQA and the CEQA Guidelines (Title 14, California Code of Regulations, Section 15000 et seq.). The Negative Declaration concludes that the waiver of waste discharge requirements for specific types of timber harvest operations pursuant to this Order will not have a significant impact on the environment.

27. Copies of the proposed Order and monitoring and reporting plan were transmitted to all agencies and persons known to be interested in this matter according to the applicable provisions of CEQA.

28. The Central Coast Water Board conducted a public hearing on July 8, 2005 in San Luis Obispo, California, and considered all testimony and evidence concerning this matter;

THEREFORE IT IS HEREBY ORDERED:

1. In accordance with CWC Section 13269, the waste discharges related to timber harvest activities in the Central Coast Region, that are not subject to individual conditional waivers or waste discharge requirements, shall be regulated by general conditional timber harvest waiver requirements, and waste discharge requirements and the requirement to submit a report of waste discharge are hereby waived subject to the following conditions:

   a. "Discharger" means the landowner and anyone working on behalf of the landowner in the conduct of timber harvest activities.

   b. The Discharger shall submit a Notice of Intent (NOI) on the attached form (Attachment A) or on such other form that the Executive Officer requires. This waiver shall not take effect as to a particular timber operation until the Executive Officer approves the NOI in writing.

   c. The Discharger shall comply with all requirements of applicable water quality control plans (examples shown in Attachment B) as these may be modified from time to time pursuant to amendments to water quality control plans adopted by the Central Coast Water Board and approved by the State Water Resources Control Board (State Water Board) and water quality control plans and policies adopted by the State Water Board.

   d. The Discharger shall obtain CDF approval of a THP and/or NTMP for the timber harvest activities before enrollment in this waiver takes effect. The Discharger shall conduct timber harvest activities in accordance with the approved THP or NTMP and with all applicable sections for the Forest Practice Rules.

   e. Discharger shall notify the Central Coast Water Board concurrently when submitting a request to CDF for a minor or major amendment.

   f. The Discharger shall obtain and comply with all local, state and federal permits required by law. The Discharger shall comply with all applicable county ordinances related to timber operations, including zoning ordinances.

   g. The Discharger shall not create a condition of pollution, contamination, or nuisance, as defined by CWC Section 13050.

   h. The Discharger shall not discharge any waste not specifically regulated by this Order, except in compliance with CWC Section 13264. Waste specifically regulated by this Order includes: earthen

materials including soil, silt, sand, clay, rock; organic materials such as slash, sawdust, or bark. Examples of waste not specifically regulated by this Order include petroleum products, hazardous materials, or human wastes.

i. The Discharger shall not cause alteration in stream temperature that exceeds Basin Plan requirements.

j. The Discharger shall allow Central Coast Water Board staff reasonable access, in accordance with Public Resources Code section 4604(b) and California Water Code section 13267, onto the affected property for the purpose of performing inspections to determine compliance with the conditional waiver requirements.

k. Pursuant to California Water Code Section 13267, the discharger shall comply with Monitoring and Reporting Program No. R3-2005-0066. The Central Coast Water Board needs this information to verify that a general conditional waiver of waste discharge requirements is the appropriate regulatory tool for Timber Harvest activities in San Mateo, Santa Cruz, Santa Clara, Monterey, San Benito, San Luis Obispo, Santa Barbara, and Ventura counties. Evidence that supports the need for this information was presented at the July 8, 2005 meeting of the Central Coast Water Board, the staff report for Item 26 at that meeting, and Monitoring and Reporting Plan No. R3-2005-0066.

l. This Order does not regulate point-source discharges that require an NPDES permit under the Clean Water Act, including but not limited to silvicultural point-source discharges as defined in 40 CFR Chapter 1 Part 122.27.

m. The Discharger shall take immediate action to repair failed crossings, culverts, roads and other sources of sediment.

n. All erosion and sediment control devices, management measures and mitigations prescribed in a THP or NTMP shall be maintained in good working order for the term of the general waiver requirements.

o. The Discharger shall comply with all requirements of the Executive Officer pursuant to MRP R3-2005-0066.

2. The Central Coast Water Board, based on the above-noted facts and findings, determines that it is not necessary at this time to adopt individual or general waste discharge requirements for waste discharges related to timber harvest activities that meet the conditions specified in this waiver and which are conducted in accordance with the requirements specified in this waiver.

3. This Waiver shall not create a vested right and all such discharges shall be considered a privilege, as provided for in CWC Section 13263.

4. The Executive Officer shall not approve the NOI or shall terminate the applicability of a waiver to specific timber harvest activities (as applicable) if the Executive Officer makes any of the following determinations:

   a. The timber harvest activity is not in compliance with any applicable condition of this waiver.
   b. The timber harvest activity has varied in whole or in any part from the approved THP or NTMP, unless these changes result in better protection of water quality.
   c. The timber harvest activity is likely to adversely affect the quality or beneficial uses of waters of the State. In making this determination, the Executive Officer shall consider, at a minimum, the THP or NTMP, information from the pre-harvest inspection or other site inspections, the Notice of Intent, the Eligibility Criteria (Exhibit 1 to MRP R3-2005-0066), and all available monitoring reports.

5. Upon receipt of notice of termination of applicability of the waiver, the discharger shall immediately cease all timber harvest activities that may result in discharges to waters of the State, other than activities necessary to control erosion. Upon notice of termination, the discharger must file a report of waste discharge and applicable filing fee. Timber harvest activities that may result in discharges that could affect the quality of waters of the State may commence only upon enrollment by the Executive Officer under general waste discharge requirements, the adoption by the Central Coast Water Board of an individual waiver of waste discharge requirements or individual waste discharge requirements, or in accordance with CWC Section 13264(a).

6. This general conditional waiver shall become effective on July 8, 2005, and shall expire on July 8, 2010, unless terminated or renewed by the Central Coast Water Board. The Central Coast Water Board may terminate this waiver at any time, either as to a particular timber harvest or in its entirety.

7. As provided by CWC Section 13350(a), any person who, in violation of any waiver condition, discharges waste, or causes or permits waste to be deposited where it is discharged, into the waters of the state, is subject to administrative or civil liability for the violation.

8. Any person affected by this action of the Central Coast Water Board may petition the State Water Board to review the action in accordance with section 13320 of the California Water Code and Title 23, California Code of Regulations, Section 2050. The petition must be received by the State Water Board within 30 days of the date of this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 8, 2005.

Roger W. Briggs, Executive Officer

7-29-05
Date

ATTACHMENT A

NOTICE OF INTENT
TIMBER HARVEST INFORMATION FORM

Dr. Alan Lloyd
Secretary for Environmental Protection

California Regional Water Quality Control Board

Central Coast Region

Internet Address: http://www.waterboards.ca.gov/centralcoast
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401
Phone (805) 549-3147 • FAX (805) 543-0397

Arnold Schwarzenegger
Governor

Roger Briggs, Executive Director
California Regional Water Quality Control Board
Central Coast Region
865 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Date:_____

RE: Request for Conditional Timber Harvest Waiver Requirements for a THP or NTMP.

Dear Mr. Briggs,

As the landowner(s) of the following THP/NTMP, I would like to request coverage under the conditional timber harvest waiver requirements.

THP/NTMP #:	

This THP was approved by the California Department of Forestry on: _____.
(note: If a water quality based non-concurrence has not been resolved, then the applicant must apply for an individual waiver)

As requested, I have attatched the following documents:

- A complete, accurate, and signed Timber Harvest Information Form (NOI).
- A site map with monitoring points, monitoring route, and mitigation points clearly labeled and identified.
- A site map with slides and EHR areas identified with roads and skid trails.
- Proof of CDF approval of the THP/NTMP (copy of the "green sheet").

I certify that the information contained in the fact sheet and on the site map accurately represents site conditions on the property. I also aknowledge that I am ultimately responsible for all activities that occur on my property.

Landowner(s) Signature:_____

Date:_____

California Regional Water Quality Control Board
Central Coast Region

Dr. Alan Lloyd
Secretary for Environmental Protection

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Arnold Schwarzenegger
Governor

Notice of Intent
Timber Harvest Information Form (6/15/05 revision)

1. Plan or Notice Name: **Plan Number:**

2. Landowner's Contact Information:

Name:		
Address:		
City	State	Zip Code
Phone: ( )	E-mail address (optional):	

3. Name and Phone Number of Contact Person(s):

Name:	Phone: ( )
Name:	Phone: ( )

4. Registered Professional Forester :

RPF Name/Signature:	RPF Number:	
Address:		
City:	State:	Zip Code:
Phone: ( )	E-mail address (optional):	

5. Certification:

I, the Landowner named above, hereby certify under penalty of perjury that the CDF-approved plan or CDF-accepted notice and the accompanying fact sheet accurately represent site conditions and I understand that, as the Landowner, I am ultimately responsible for all activities that occur on my property. I also understand that I am ultimately responsible for compliance with all conditions of any Waste Discharge Requirements or Waiver of Waste Discharge Requirements issued for the above-referenced activity.

Signature:	Date:

Attachments:
- Fact Sheet
- Site map with all monitoring points, monitoring route, and mitigation points clearly identified and labeled.
- Site map with slides and EHR areas identified with roads and skid trails.

TIMBER HARVEST PLAN FACT SHEET (6/15/05 revision)

The following supplemental information will be used in the approval process of the above-referenced Timber Harvest activity.

1. Timber Harvest Plan

Name:	Number:
Location:	Watershed Name:

2. Responsible Parties

Land Owner		
Address:		
City	State	Zip Code
Phone: ( )	E-mail address (optional):	
Timber Owner (if different from Land Owner):		
Address:		
City	State	Zip Code
Phone: ( )	E-mail address (optional):	
Forester:		
Address:		
City	State	Zip Code
Phone: ( )	E-mail address (optional):	

3. Timber Harvest Plan Summary

a) THP size and watershed size

Acreage of THP (parcel size):
Acreage to be harvested:
Planning Watershed Name and #:
Total acres in planning watershed:
Acres harvested in planning watershed in last 15 years:
Acres currently proposed for harvest in the watershed in addition to this proposed harvest:

b) Logging Technique (Yarding) (check all applicable)

Ground based (skidding, long line):	Cable Yarding:	Helicopter:

c) Erosion Hazard (check all applicable)

Medium:	High:	Extreme:

d) Stream Classes

# of each type of stream:	Linear feet of stream:
I: II: III:	I: II: III:

e) Percent Canopy Retained in the Watershed & Lake Protection Zone (WLPZ)

Class I:
Class II:
Class III:
No-Cut Zone(s)? (YES/NO) If yes, describe:

f) Roads

Existing Roads (number/length):	Watercourse Crossings:			
New Roads (number/length):		Total	Perm	Temp
Reconstructed Roads (number/length):	Class I:			
Roads in unstable areas? (YES/NO) If yes, explain:	Class II:			
	Class III:			
Roads in WLPZ? (YES/NO) If yes, # of feet and explain:				
# of feet of roads in High EHR:	Extreme EHR:			
# of feet of roads decommissioned:				
Any decommissioned in high/extreme EHR? (YES/NO) If yes # of feet in:	High EHR: Extreme EHR:			

g) Landings

# of landings decommissioned:
Existing landings (number):
New Landings (number):
Reconstructed Landings (number):
Landings in unstable areas? (YES/NO) If yes, explain:
Landings in WLPZ? (YES/NO) If yes, explain:

h) Skid Trails (If the plan contains areas with unmapped skidtrails, please indicate the acreage of these areas.)

Existing skid trails (number/length):	Watercourse Crossings:	
New trails (number/length):		Total
Reconstructed Roads (number/length):	Class I:	
Skid Trails in WLPZ (YES/NO)? If yes, explain:	Class II:	
	Class III:	
Trails in unstable areas (YES/NO)? If yes, explain:		
# of feet of skids in High EHR:	Extreme EHR:	
# of feet of skids decommissioned:		
Any tractor operations in areas with high/extreme EHR with no flagged or marked skid? (YES/NO) If yes, # of acres in:	High EHR: Extreme EHR:	

i) Mitigation points (summarize or import from timber harvest plan) – Reference site map

Water Crossings:
Roads:
Skid Trails:
Landings:

j) In Lieu Practices (YES/NO)?

If yes please explain reason(s) in lieu practices are utilized:

k) Water Drafting (YES/NO)?

Drafting location(s):
Drafting flow rate (gallons/minute):
Other drafting in watershed (number/total flow rate estimate):

l) Winter operations (YES/NO)?

If yes, summarize (include information from item 23 of the THP, dates of operation (when is drop dead date?), and a map showing potential areas of operation). Winter operations except on all-season roads automatically place a plan in Tier III monitoring:

m) Cumulative Impact Analysis

Percent of Watershed to be harvested:
Threatened and Impaired for Steelhead/Coho? (YES/NO)
303(d) Listed Watershed (YES/NO)? If yes, what is the impairment (sediment, temperature, etc.)?:
Sources of Cumulative Impacts (briefly describe):

n) Monitoring Points and Data

Describe all monitoring points shown on site map: **Please provide any water temperature data acquired from the THP/NTMP or surrounding areas with your application.**

o) Names and addresses of any property owner within 300 feet of the timber harvest area or harvest area entrance road (from public right of way).

ATTACHMENT B

EXAMPLES - REQUIREMENTS OF APPLICABLE WATER QUALITY CONTROL PLANS (BASIN PLAN)

EXAMPLES OF APPLICABLE WATER QUALITY CONTROL PLANS FOR DISCHARGES RELATED TO TIMBER HARVEST ACTIVITIES

From the Water Quality Control Plan (Basin Plan) for the California Water quality Control Board, Central Coast Region (1994):

II.A.2.a. GENERAL OBJECTIVES

The following objectives apply to all inland surface waters, enclosed bays, and estuaries of the basin:

Color

Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses. Coloration attributable to materials of waste origin shall not be greater than 15 units or 10 percent above natural background color, whichever is greater.

Tastes and Odors

Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that cause nuisance, or that adversely affect beneficial uses.

Floating Material

Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

Suspended Material

Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.

Settleable Material

Waters shall not contain settleable material in concentrations that result in deposition of material that causes nuisance or adversely affects beneficial uses.

Oil and Grease

Waters shall not contain oils, greases, waxes, or other similar materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.

Biostimulatory Substances

Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.

Sediment

The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

Turbidity

Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses.

Increase in turbidity attributable to controllable water quality factors shall not exceed the following limits:

1. Where natural turbidity is between 0 and 50 Jackson Turbidity Units (JTU), increases shall not exceed 20 percent.

2. Where natural turbidity is between 50 and 100 JTU, increases shall not exceed 10 JTU.

3. Where natural turbidity is greater than 100 JTU, increases shall not exceed 10 percent.

Allowable zones of dilution within which higher concentrations will be tolerated will be defined for each discharge in discharge permits.

pH

For waters not mentioned by a specific beneficial use, the pH value shall not be depressed below 7.0 or raised above 8.5.

Dissolved Oxygen

For waters not mentioned by a specific beneficial use, dissolved oxygen concentration shall not be reduced below 5.0 mg/l at any time. Median values should not fall below 85 percent saturation as a result of controllable water quality conditions.

Temperature

Temperature objectives for Enclosed Bays and Estuaries are as specified in the "Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and

Enclosed Bays and Estuaries of California" including any revisions thereto. A copy of this plan is included in the Appendix.

Natural receiving water temperature of intrastate waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses.

Toxicity

All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Compliance with this objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, toxicity bioassays of appropriate duration, or other appropriate methods as specified by the Regional Board.

Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality conditions, shall not be less than that for the same water body in areas unaffected by the waste discharge or, when necessary, for other control water that is consistent with the requirements for "experimental water" as described in Standard Methods for the Examination of Water and Wastewater, latest edition. As a minimum, compliance with this objective shall be evaluated with a 96-hour bioassay.

In addition, effluent limits based upon acute bioassays of effluents will be prescribed where appropriate, additional numerical receiving water objectives for specific toxicants will be established as sufficient data become available, and source control of toxic substances is encouraged.

The discharge of wastes shall not cause concentrations of unionized ammonia (NH_3) to exceed 0.025 mg/l (as N) in receiving waters.

Pesticides

No individual pesticide or combination of pesticides shall reach concentrations that adversely affect beneficial uses. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life.

For waters where existing concentrations are presently nondetectable or where beneficial uses would be impaired by concentrations in excess of nondetectable levels, total identifiable chlorinated hydrocarbon pesticides shall not be present at concentrations detectable within the accuracy of analytical methods prescribed in Standard Methods for the Examination of Water and Wastewater, latest edition, or other equivalent methods approved by the Executive Officer.

Chemical Constituents

Where wastewater effluents are returned to land for irrigation uses, regulatory controls shall be consistent with Title 22 of the California Code of Regulations and other relevant local controls.

Other Organics

Waters shall not contain organic substances in concentrations greater than the following:

Methylene Blue Activated Substances	0.2 mg/l
Phenols	0.1 mg/l
PCB's	0.3 μg/l
Phthalate Esters	0.002 μg/l

Radioactivity

Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life.

Examples for specific beneficial uses:

MUNICIPAL AND DOMESTIC SUPPLY (MUN)

pH

The pH value shall neither be depressed below 6.5 nor raised above 8.3.

Organic Chemicals

All inland surface waters, enclosed bays, and estuaries shall not contain concentrations of organic chemicals in excess of the limiting concentrations set forth in California Code of Regulations, Title 22, Chapter 15, Article 5.5, Section 64444.5, Table 5 and listed in Table 3-1.

Chemical Constituents

Waters shall not contain concentrations of chemical constituents in excess of the limits specified in California Code of Regulations, Title 22, Article 4, Chapter 15, Section 64435, Tables 2 and 3 as listed in Table 3-2.

Phenol

Waters shall not contain phenol concentrations in excess of 1.0 μg/l.

Radioactivity

Waters shall not contain concentrations of radionuclides in excess of the limits specified in California Code of Regulations, Title 22, Chapter 15, Article 5, Sections 64441 and 64443, Table 4.

AGRICULTURAL SUPPLY (AGR)

pH

The pH value shall neither be depressed below 6.5 nor raised above 8.3.

Dissolved Oxygen

Dissolved oxygen concentration shall not be reduced below 2.0 mg/l at any time.

Chemical Constituents

Waters shall not contain concentrations of chemical constituents in amounts which adversely affect the agricultural beneficial use. Interpretation of adverse effect shall be as derived from the University of California Agricultural Extension Service guidelines provided in Table 3-3.

In addition, waters used for irrigation and livestock watering shall not exceed concentrations for those chemicals listed in Table 3-4. Salt concentrations for irrigation waters shall be controlled through implementation of the anti-degradation policy to the effect that mineral constituents of currently or potentially usable waters shall not be increased. It is emphasized that no controllable water quality factor shall degrade the quality of any ground water resource or adversely affect long-term soil productivity.

Where wastewater effluents are returned to land for irrigation uses, regulatory controls shall be consistent with Title 22 of the California Code of Regulations and with relevant controls for local irrigation sources.

COLD FRESHWATER HABITAT (COLD)

pH

The pH value shall not be depressed below 7.0 or raised above 8.5. Changes in normal ambient pH levels shall not exceed 0.5 in fresh waters.

Dissolved Oxygen

The dissolved oxygen concentration shall not be reduced below 7.0 mg/l at any time.

Temperature

At no time or place shall the temperature be increased by more than 5°F above natural receiving water temperature.

Chemical Constituents

Waters shall not contain concentrations of chemical constituents known to be deleterious to fish or wildlife in excess of the limits listed in Table 3-5.

FISH SPAWNING (SPWN)

Cadmium

Cadmium shall not exceed .003 mg/l in hard water or .0004 mg/l in soft water at any time. (Hard water is defined as water exceeding 100 mg/l $CaCO_3$.)

Dissolved Oxygen

The dissolved oxygen concentration shall not be reduced below 7.0 mg/l at any time.

Examples of other relevant plans and policies:

State Board Resources Resolution 68-16: *Statement of Policy with Respect to Maintaining High Quality of Waters in California*

Plan for California's Nonpoint Source Pollution Control Program