

## Questions and Answers: Water Board Regulation of Timber Harvest and Vegetation Management Activities

### What is the Water Board?

The Water Board, short for the California Regional Water Quality Control Board, Lahontan Region, is a state agency responsible for the protection of water quality (surface water and ground water) in the region of California that is east of the Sierra Nevada crest. The Oregon border is the northern boundary and the San Bernardino Mountains and Angeles Crest are at the southern boundary of this region. For more information visit: [http://www.waterboards.ca.gov/lahontan/about\\_us/overview.shtml](http://www.waterboards.ca.gov/lahontan/about_us/overview.shtml)

### Why does the Water Board regulate Timber Harvest and Vegetation Management Activities?

The following activities have the potential to discharge waste (e.g., eroded soils & organic material) to surface waters (i.e., lakes or streams):

- construction, reconstruction, and maintenance of roads, fuel breaks, firebreaks, stream crossings, log landings, or skid trails;
- burned area rehabilitation;
- fuels hazard reduction;
- vegetation management or removal;
- site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities; and
- herbicide application.

### What is the “Timber Waiver?”

California Water Code section 13260(a) requires that any person discharging waste (e.g., soils, rock, ash, slash, and herbicide residuals) that could affect the quality of waters of the state shall file a report of waste discharge (RWD). Filing RWDs can be a time intensive and costly process. The Timber Waiver is an alternative regulatory mechanism that avoids the necessity for filing a RWD, while still providing for water quality protection. The Timber Waiver is conditional and includes eligibility criteria; conditions; and notification, monitoring, and reporting requirements.

The Timber Waiver divides eligible activities into six categories. Each category has different requirements tailored to the eligible activities. The lower-order Categories (i.e., 1-3) include activities of a limited scale and intensity while the higher-order Categories (4-6) may occur on a larger scale with a greater potential for water quality impacts. The segregation of eligible activities into these categories allows the low-threat activities to proceed with minimal conditions.

### Do I need a Timber Waiver?

You need a Timber Waiver if your timber harvest or vegetation management activity has the potential to discharge waste, such as sediment, to waters of the state (i.e., lakes or streams). Most timber harvest and vegetation management activities have the potential to discharge waste to waters of the state. However, if you determine that your planned activity could not, under any circumstances, result in waste discharges or threatened waste discharges to waters of the state you are not required to apply for enrollment under the Timber Waiver.

### How do I comply with Water Board requirements?

- (1) Determine which Category(s) cover your planned activity. The following flow chart is designed to help you determine which category covers your activity. Most timber harvest and vegetation management projects will proceed under a single category of the Timber Waiver. However, if a project is phased, or divided geographically, such that some project portions qualify under Category 1, 2, or 3; and other portions qualify under Category 4, 5, or 6; the discharger has the option of enrolling such phases or portions under different categories.
- (2) Apply for Timber Waiver Coverage. If your planned activity is eligible under Category 4, 5, or 6, you must apply to enroll under the Timber Waiver. Persons planning activities eligible under Categories 1 and 2 may proceed at any time and are not required to apply or report to the Water Board. Persons must contact Water Board staff within seven days of initiating activities eligible under Category 3.
- (3) Ensure that all activities that proceed under the Timber Waiver remain in compliance with the eligibility criteria and conditions of the Timber Waiver, including monitoring and reporting.
- (4) Report violations by telephone (530)542-5400 within 24 hours after detection.

Please note that this flow chart supplies only initial guidance on what Category may cover your planned activity. After reviewing this chart and determining which Category your project will most likely fit under, please review the eligibility criteria and conditions of that Category in their entirety to ensure that your planned activity meets the eligibility criteria and can comply with the conditions of that Category. Please contact Water Board staff at (530)542-5400, if you have questions regarding your project's eligibility under the Timber Waiver.

