

June 26, 2006

Jeffrey Young, Chair
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

RE: Order R3-2005-0066 General Conditional Waiver of Waste Discharge Requirements for Timber Harvest Activities in the Central Coast Region

Dear Chairman Young,

Recognizing that the General Waiver for Timber is on the agenda for the July 7, 2006 Board meeting, we wanted to take this opportunity to provide comments for your consideration. Forestland owners and foresters in the Central Coast Region were cautiously optimistic when your Board adopted the General Waiver of Waste Discharge Requirements for Timber Harvest Activities (Waiver). We were apprehensive that the voluminous data gathered for each selective timber harvest would not be fully utilized and, therefore, the costly collection of this data would not prove worthwhile. However, we believed that a more streamlined process would be put in place so that we would not have to come before your Board to seek Waivers for individual Timber Harvesting Plans (THPs) or Non-Industrial Timber Management Plans (NTMPs). Since the General Waiver was adopted in July 2005, we have appreciated the efforts made by your staff to implement the new Waiver process; however, the process is far more cumbersome and time consuming than anticipated and is therefore causing hardship.

Since local timber harvests have operated under the General Waiver, forestland owners have had to wait an inordinate amount of time for an approved Waiver after a complete application is submitted. There is no legitimate reason why complete Waiver applications should take an average of over 100 days to be processed following approval of a THP or NTMP. A complete application includes a comprehensive Timber Fact Sheet and proposed monitoring points that form the basis of the approved Waiver. If staff has conducted a site visit to verify the validity of the proposed monitoring, the waiver application is virtually complete at that point. Obtaining approval for a complete waiver application should be a brief process taking days, not months. Rather than relying on the professionalism of the Registered Professional Forester submitting the waiver, it has come to our attention that staff is engaging in a time-consuming process to re-analyze all of the information submitted in the application. This could be handled in a more streamlined manner, sampling a sub-set of the information in the fact sheet as opposed to all of the information.

Staff has been instructed by your Board to attend Pre-Harvest Inspections. Involvement in the CDF review process is the most effective way for the Water Board to become involved in THP and NTMP review, and also affords staff the opportunity to complete the necessary site inspection. With staff's involvement in the review process, there is no plausible reason why staff cannot begin processing a waiver application prior to THP approval. No substantive changes can be made to the THP after the close of public comment, and Water Board staff should begin processing waiver applications at that time.



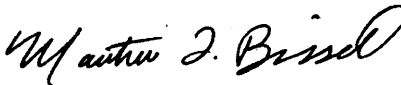
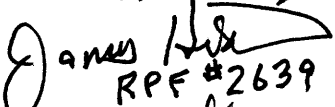

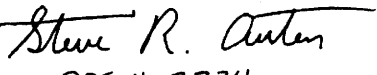

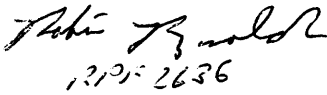

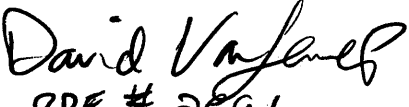
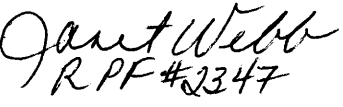
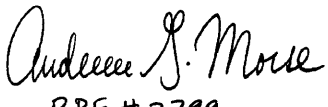
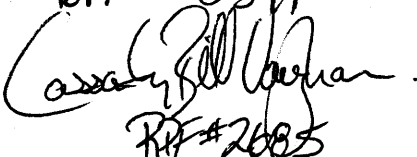
The implementation of the Eligibility Criteria Matrix was designed to expedite Waiver processing as well as create consistent transparency in monitoring protocol. If staff follows the Board's direction to participate fully in the CDF review process, Waivers and monitoring requirements should be made available within days of CDF approval. In fact, involvement in the Review process gives Staff an opportunity to make changes to the THP that they feel are necessary.

It was the desire and directive of your Board to move away from individual Waivers of Waste Discharge. One of the primary stated reasons for establishing a General Waiver was to make the process more efficient and less time consuming for staff, the Board and the regulated public. This has not occurred. In fact, receiving coverage under the General Waiver is proving to be an equally protracted permit as experienced under the previous individual waiver process.

Modern forest management in Region 3 has had no documented water quality issues. This fact provides justification for a more streamlined process. In our assessment, an inordinate amount of time and resources are being spent on timber harvest review and monitoring.

The delays caused by drawn out Waiver processing have caused economic hardship and missed opportunities for local forestland owners and foresters. By far the most urgent issue is the length of time it takes to get an approved waiver. It has come to our attention through participation in the Timber Roundtable with water quality staff that Timber Waivers in the other regions are generally approved in 2 weeks or less. Local foresters are asking your Board to find a way to reduce redundancy and shorten the timeline for Waiver approval in the Central Coast Region. If the Waiver procedure is too complicated to implement in a timely manner, then changes in your process may be appropriate. We look forward to working with your Board to establish the most effective process both in terms of results and minimizing delays and unnecessary costs.

Sincerely,
Central Coast Region Foresters

 RPF #2788	 RPF #2784	 RPF #2615
 RPF #2639	 RPF #2773	 RPF #2734
 RPF #1911	 RPF #2636	 RPF #1829
 RPF #2591	 RPF #2347	 RPF #2799
 RPF #2685		