

Data Submitted (UTC 11): 7/16/2019 7:00:00 AM

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Comments: On July 9, 2019, the North Coast Regional Water Quality Control Board (Regional Water Board) received a letter from Klamath National Forest (KNF) requesting comment on the draft Environmental Assessment (draft EA) for the Crawford Vegetation Management Project (Project). The Project was developed to improve forest health, increase biological diversity, and to provide timber products. The Project is located in the Mid-Klamath River Hydrologic Area on National Forest System lands within the Happy Camp/Oak Knoll Ranger District. Regional Water Board staff provided scoping comments on the Project on March 27, 2014.

The purpose of this letter is to comment on the draft EA. Additionally, we are providing you with information regarding compliance with Regional Water Board Order No. R1-2015-0021, Waiver of Waste Discharge Requirements for Nonpoint Source Discharges Related to Certain Federal Land Management Activities on National Forest System Lands in the North Coast Region (Waiver). Please see the Waiver of Waste Discharge Requirements section below for more information about the Waiver and project specific comments.

Project Summary

KNF proposes 2,406 acres of activities across the 11,010-acre Project planning area. Modified Alternative 2 is the proposed alternative in the draft EA.

Modified Alternative 2 includes the following proposed activities:

1. 415 acres of commercial thinning;
2. 38 acres of noncommercial thinning;
3. 1,634 acres of underburning;
4. 177 acres of fuel treatments adjacent to private property;
5. 57 acres of meadow and wetland restoration;
6. use of 0.3 miles of existing temporary roads; and
7. construction of 0.7 miles of new temporary road.

Waiver of Waste Discharge Requirements

As background, California state law assigns responsibility for protection of water quality within north coast watersheds to the Regional Water Board. The Regional Water Board implements and enforces the Porter-Cologne Water Quality Control Act ("Porter-Cologne Act": Wat. Code, [sect]13000 et seq.) and the Water Quality Control Plan for the North Coast Region (Basin Plan). All KNF projects within California must comply with all substantive and procedural requirements of the Porter-Cologne Act (Water Code) and the Basin Plan.

The Basin Plan contains water quality objectives, implementation plans for meeting those objectives, and other policies, including State Water Resources Control Board (State Water Board) and federal policies, which are

applicable to operations on NFS lands within California. Water Code 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, must file with the appropriate Regional Water Board, a report of waste discharge containing such information and data as may be required. Pursuant to Water Code section 13260, Regional Water Boards prescribe waste discharge requirements (WDRs) except when it finds, pursuant to Water Code section 13269, that a waiver of WDRs for a specific type of discharge is in the public interest.

The State Water Board Policy for the Implementation and Enforcement of the Nonpoint Source Pollution Control Program requires that nonpoint source discharges of waste be regulated by WDRs, waiver of WDRs, or prohibitions to ensure compliance with the Basin Plan. Additionally, the Project must be in compliance with any total maximum daily load (TMDL) for the watersheds in which a project will occur.

The Regional Water Board developed and adopted the Waiver as a means for USFS and nonpoint source projects to comply with the Nonpoint Source Policy, the Water Code, and TMDLs. In order to receive coverage under the Waiver, a project must meet specific eligibility criteria and conditions. The Waiver is available for review and can be downloaded at the following web address:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/timber_operations/timber_waiver/

Please accept the following comment based on our review of the draft EA and draft specialist reports:

1. Page 4 of the draft EA contains a discussion of the fuel reduction treatments adjacent to private property. This prescription is allowed within 50 feet of riparian reserves. Page 81 of the draft EA contains a map showing all proposed Project activities contained in the preferred alternative. The fuel reduction treatments around private property are identified on the map as units PP1 and PP2. Both units appear to overlap riparian reserves. Please evaluate these units for potential loss of stream shade, as described below.

On April 8, 2015, the Regional Water Board adopted Resolution No. R1-2014-0016, Amending the Water Quality Control Plan for the North Coast Region to include the Policy for the Implementation of the Water Quality Objectives for Temperature, and

Action Plans to Address Temperature Impairments in the Mattole, Navarro, and Eel River Watersheds (Temperature Policy). The Temperature Policy directs Regional Water Board staff to address protection of water temperature in permits. Retention of shade in riparian zones, including through implementation of riparian reserves, is how we address this requirement in the Waiver. General Condition 4 (page 19 of the Waiver) describes how the Waiver implements the Temperature Policy. In part, General Condition 4 states:

USFS shall manage and maintain designated riparian zones [hellip] to ensure retention of adequate vegetative cover that results in natural shade conditions [hellip] Site-specific potential effective shade is defined as the shade on a watercourse equivalent to that provided by topography and potential vegetation conditions at a site. Exceptions to this condition will be considered. In order for Regional Water Board staff to determine the adequacy of the justification for an exception, the justification must identify the proposed canopy reduction and expected recovery time, provide an estimate of the pre- and post- project shade or solar impacts, and explain how such an exception will result in a net long-term benefit to water quality and stream temperatures.

The Waiver application for the Project shall include a request and justification for an exception to General Condition 4 if proposed vegetation management treatments may reduce site potential effective shade in riparian reserves.

Thank you for the opportunity to comment on the KNF Crawford Vegetation Management Project. We wish to

remain on the mailing list for future KNF projects.