

2112 Monitoring/Adaptive Management Rule Requirement— Hypothetical Examples

December 21, 2006

Case I. Large landowner THP that includes twenty-five 20 acre tractor logged clearcut units on slopes up to 55%, 1.4 miles of new road construction, 3 new watercourse crossings, and one mile of road abandonment in a drainage with listed salmonids.

Existing company monitoring programs in place:

- Long-term (10 year) landowner and agency cooperative instream monitoring project to determine instream effectiveness of THP mitigation measures.
- CVRWQCB Conditional Waiver requirement for landowner monitoring of higher risk plans, including implementation monitoring, effectiveness monitoring, and forensic monitoring.

Existing agency monitoring programs in place:

- CDF implementation monitoring of THPs (inspections during active timber operations, completion inspection, post-harvest erosion control maintenance inspections, inspections to determine whether the work described in Work Completion Reports has been properly implemented, and inspections to determine whether the stocking prescribed in the THP or non-industrial timber harvest notice has been accomplished).
- Possible selection for CDF Modified Completion Report monitoring of THPs (Phase II to begin in spring 2007) from a random sample of completed THPs to determine the implementation and effectiveness of Forest Practice Rules related to water quality.
- Possible selection as a “high risk site” for the Interagency Mitigation Monitoring Program (IMMP) evaluations.
- DFG watercourse crossing monitoring.

Application of new 2112 Rules Monitoring Requirements:

- Review Team determines that compliance and implementation monitoring will be covered by CDF Forest Practice Inspections and by Conditional Waiver requirements for landowner monitoring.
- Review Team determines that effectiveness monitoring will be covered by the Conditional Waiver landowner monitoring requirements and the on-going Cooperative Instream Monitoring Project.
- Review Team determines that validation monitoring will be covered by the on-going Cooperative Instream Monitoring Project.

Application of new 2112 Rules Adaptive Management Requirements:

- Monitoring data collected by the Review Team agencies for all THPs within this geographic region will be electronically compiled and summarized by a newly established Technical Advisory Committee and resulting information will be shared among agencies and with the public.¹ Monitoring data collected by landowners will also be shared with the Technical Advisory Committee and Review Team agencies.
- If the Technical Advisory Committee determines that monitoring efforts undertaken by landowners, or by the agencies in this geographic region show that the effectiveness of properly implemented practices have not been adequate to protect and restore stream conditions and fish habitat, then FPR modifications will be suggested and forwarded to the BOF in a formal report.
- To ensure that the 2112 process maintains or achieves, over time, the aquatic habitat goal of properly functioning aquatic conditions, changes in FPR requirements will be proposed when monitoring results demonstrate that properly functioning aquatic conditions are not being maintained.
- Landowners may, at any time, propose and agree to implement changes in practice as an alternative to FPR changes to address monitoring results.

Case II. Small landowner NTMP in Shasta County proposing 15 acres of single tree selection tractor harvesting on slopes to 60 percent at an elevation of 6500 feet, with 0.3 miles new road construction, and one crossing upgrade. The plan area includes one USGS mapped Class II watercourse with a gradient of 25% and large boulder substrate, where the plan proposes an alternative WLPZ width of 100 feet (not 125 ft) and a total post-harvest canopy of 65% (rather than 85% for the first 50 ft and 65% from 50 to 125 ft).

Existing landowner monitoring programs:

- CVRWQCB Conditional Waiver requirement for landowner monitoring of higher risk plans, including implementation monitoring, effectiveness monitoring, and forensic monitoring.

Existing agency monitoring programs:

- CDF implementation monitoring of THPs (inspections during active timber operations, completion inspection, post-harvest erosion control maintenance inspections, inspections to determine whether the work described in Work Completion Reports has been properly implemented, and inspections to

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determine whether the stocking prescribed in the THP or non-industrial timber harvest notice has been accomplished).

- Electronic water temperature data collected as part of a watershed study at a similar elevation in Class I and II watercourses.
- Possible selection for CDF Modified Completion Report monitoring of THPs (Phase II to begin in spring 2007) from a random sample of completed THPs to determine the implementation and effectiveness of Forest Practice Rules related to water quality.
- Possible selection as a “high risk site” for the Interagency Mitigation Monitoring Program (IMMP) evaluations.

Application of new 2112 Rules Monitoring Requirements:

- Review Team determines that compliance and implementation monitoring will be covered by CDF Forest Practice Inspections and by Conditional Waiver requirements for landowner monitoring.
- Review Team determines that effectiveness monitoring will be covered by the Conditional Waiver landowner monitoring requirements.
- Review Team determines that validation monitoring will be covered by the regional instream monitoring programs already in place.
- Review Team approves the proposed alternative based on reviews of scientific literature prepared by the BOF’s Riparian TAC, monitoring work that will occur under the Conditional Waiver, and data that can be extrapolated from nearby watersheds at similar elevations.

Application of new 2112 Rules Adaptive Management Requirements:

- Monitoring data collected by the Review Team agencies for all THPs within this geographic region will be electronically compiled, summarized by a newly established Technical Advisory Committee, and resulting information will be shared among agencies and with the public.²
- If the Technical Advisory Committee determines that monitoring efforts undertaken by landowners, the agencies, or other plans in this geographic region show that the effectiveness of properly implemented practices have not been adequate to protect and restore stream conditions and fish habitat, then FPR modifications will be suggested and forwarded to the BOF in a formal report. The committee may also suggest that FPR requirements be decreased, if monitoring results provide substantial evidence that this action is appropriate.
- To ensure that the 2112 process maintains or achieves, over time, the aquatic habitat goal of properly functioning aquatic conditions, changes in FPR

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requirements will be proposed when monitoring results demonstrate that properly functioning aquatic conditions are not being maintained.

Case III. THP by landowner in Santa Cruz County that proposes 125 acres of single tree selection harvesting by tractors on slopes up to 50% and cable yarding on slopes greater than 50%, 0.6 miles of new road construction in an area with Class I, II, and III watercourses and steelhead habitat. This plan also includes a proposed alternative practice that would allow road construction between October 15th to May 15th to provide soil moisture levels needed to achieve high levels of compaction. Compaction work is to be completed when the fill material is near optimum moisture content for compaction, which is to take place by completing the work in the spring when residual moisture from winter storms remains sufficiently high.

Existing landowner monitoring programs in place:

- CCRWQCB General Conditional Waiver for Waste Discharge Requirements (WDRs) requirements (Note that the CCRWQCB General Conditional Waiver includes several levels of monitoring based on the potential threat to water quality, where the monitoring required on individual THPs is based on a complex rating system. Types of monitoring include implementation, effectiveness, forensic, and water quality compliance monitoring. Enrollment in the waiver occurs after the landowner has an approved THP or NTMP, at which time the Water Board determines what types of monitoring will be required).
- Road Inventory and Maintenance Program that is used by the landowner to conduct road condition monitoring, document improvements needed, and track mitigation applied to sites.

Existing agency monitoring programs in place:

- CDF implementation monitoring of THPs (inspections during active timber operations, completion inspection, post-harvest erosion control maintenance inspections, inspections to determine whether the work described in Work Completion Reports has been properly implemented, and inspections to determine whether the stocking prescribed in the THP or non-industrial timber harvest notice has been accomplished).
- Possible selection for CDF Modified Completion Report monitoring of THPs (Phase II to begin in spring 2007) from a random sample of completed THPs to determine the implementation and effectiveness of Forest Practice Rules related to water quality.
- Possible selection as a “high risk site” for the Interagency Mitigation Monitoring Program (IMMP) evaluations.

Application of new 2112 Rules Monitoring Requirements:

- Review Team determines that compliance and implementation monitoring will be covered by CDF Forest Practice Inspections and by the landowner as part of Conditional Timber Waiver requirements for the plan.
- Review Team determines that effectiveness monitoring will be covered by the landowner as part of Conditional Timber Waiver requirements for the plan.
- Review Team determines that validation monitoring will be covered by regional cooperative instream monitoring programs already in place, such as the Little Creek watershed study underway in Santa Cruz County, located on Swanton Pacific Ranch.
- Review Team determines that the proposed alternative is appropriate based on BOF Road Rules Committee work, monitoring work that will occur under the General Conditional Timber Waiver, and road monitoring data to be collected as part of the Road Maintenance Program.

Application of new 2112 Rules Adaptive Management Requirements:

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- If the Technical Advisory Committee determines that monitoring efforts undertaken by landowners, or by the agencies in this geographic region show that the effectiveness of properly implemented practices have not been adequate to protect and restore stream conditions and fish habitat, then FPR modifications will be suggested and forwarded to the BOF in a formal report.
- To ensure that the 2112 process maintains or achieves, over time, the aquatic habitat goal of properly functioning aquatic conditions, changes in FPR requirements will be proposed when monitoring results demonstrate that properly functioning aquatic conditions are not being maintained.

³ Technical Advisory Committee can be appointed or formed as a structured BOF Monitoring Study Group subcommittee (similar the one that has been effective in developing the Interagency Mitigation Monitoring Program, which has been collecting pilot program data since July 2006).