



## Wildfires and Water Quality

While impacts to the environment from wildfires can be significant, impacts can be positive or negative, and this is especially relative to the health of streams, rivers, and wetlands. Following a wildfire, the landscape can be extremely vulnerable to additional impacts from land use activities, including timber salvage operations and road and watercourse crossing management.

On private lands, landowners may choose to harvest merchantable timber following a wildfire in order to salvage the value of burned trees before they degrade. While conducting timber salvage operations, landowners, their consulting registered professional foresters (RPFs) and contracted licensed timber operators (LTOs) must all be aware of the regulations that apply to their activities and ensure that operations are conducted in a manner that is protective of the environment, including water quality.



## **Timber Salvage Operations** **Do I need a Water Board permit?**

The purpose of this flyer is to make you aware of the water quality regulations and permitting that apply now that you have decided to conduct post-fire timber salvage activities on your property.

Now that your project has been authorized by the California Department of Forestry and Fire Protection (CAL FIRE), additional agency permits may be required or may automatically apply to you, including from one of California's nine Regional Water Quality Control Boards (RWQCBs).



The map above shows the nine different RWQCB jurisdictions throughout the state. Links to each RWQCB can be found here:

[www.waterboards.ca.gov/waterboards\\_map.html](http://www.waterboards.ca.gov/waterboards_map.html)

Regions 1, 5 and 6 have permits that your project may be eligible for or are automatically subject to.

## Water Quality Regulations

The RWQCBs are the primary water-pollution control and prevention agencies for the state. In that role, the RWQCBs issue permits, conduct inspections, and in some circumstances take enforcement actions to address activities that cause or may cause pollutants to discharge into streams, lakes, or wetlands, or impact riparian vegetation.

***To protect yourself, your property and the environment, you should work closely with your consulting RPF and LTO to ensure that post-fire salvage activities conform with all applicable regulations and permitting!***

We encourage landowners, RPFs, and LTOs to contact their RWQCB's Forest Activities Program for guidance on applicable water quality regulations and permits. A list of the RWQCBs can be found at the following web address:

[https://www.waterboards.ca.gov/publications\\_forms/publications/factsheets/docs/boardoverview.pdf](https://www.waterboards.ca.gov/publications_forms/publications/factsheets/docs/boardoverview.pdf)



# DOES YOUR SALVAGE LOGGING OR VEGETATION MANAGEMENT PROJECT INCLUDE WORKING IN OR NEAR A WATERBODY?

The California Department of Fish and Wildlife (CDFW) helps landowners avoid impacts to fish, wildlife, and native plants, and the habitats upon which these species depend.

The CDFW **Lake and Streambed Alteration (LSA)** Program reviews projects that may alter a river, stream, or lake (waterbody). These projects require landowner notification to CDFW for the project activities. CDFW also provides guidance to avoid unauthorized “take” of species protected under the **California Endangered Species Act (CESA)**.

## BEFORE YOU BEGIN YOUR PROJECT, USE THE CHECKLIST BELOW TO HELP DETERMINE IF A CONSULTATION WITH CDFW MAY BE NEEDED

### A PERMIT IS LIKELY REQUIRED IF YOUR PROJECT INCLUDES:

- The construction of a road, bridge, or crossing in or near a waterbody
- The installation or replacement of a culvert in or near a waterbody
- Substantial diversion of a waterbody’s natural flow (e.g., removing water or water drafting)
- The obstruction of flowing water in a waterbody (e.g., dam or wood piles)
- Substantial change to the bed, bank, or channel of any waterbody
- Potential impact to any sensitive or CESA-protected species or their habitat
- Removal of a tree with a bird nest in it

If any of the boxes apply to your project, please consult with CDFW **BEFORE** you start the project. If you checked any of the first five boxes, you may need to submit a LSA notification. Failure to notify CDFW of any potential Lake and Streambed Alterations or to apply proper take avoidance measures for sensitive and protected species may result in a violation of the Fish and Game Code (see sidebar).

It is very important for landowners, Registered Professional Foresters, Licensed Timber Operators, utility companies, or **anyone** working on salvage logging, fuel reduction, or vegetation management projects to know what CDFW permits or authorizations might be needed. **Even if you are working under a CAL FIRE Emergency or Exemption, the Fish and Game Code must still be followed.** Contact CDFW if you have any questions or to start a consultation.

To locate the Fish and Wildlife Office near you:  
<https://wildlife.ca.gov/Regions>

For more information on permits:  
<https://wildlife.ca.gov/Conservation/Timber>

## APPLICABLE FISH AND GAME CODES

**§ 45:** “Fish” means a wild fish, mollusk, crustacean, invertebrate, amphibian, or part, spawn, or ovum of any of those animals.

**§ 86:** “Take” means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

**§ 1600 et seq.** (LSA Program): Requires an entity to notify CDFW, and if required, obtain an Agreement, before substantially diverting or obstructing the natural flow of a river, stream, or lake; substantially changing or using any material from the bed, channel, or bank of a river, stream, or lake; or depositing or disposing debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

**§ 2050 et seq.** (CESA): Prohibits unauthorized take of species listed or a candidate for listing under CESA.

**§§ 3503 and 3503.5:** Prohibits take, possession, or destruction of bird nests and eggs.

**§§ 5650 and 5652:** Prohibits depositing in, permitting to pass into, or placing where it can pass into a water of the state any substance or material deleterious to fish, plant life, mammals, or bird life (§ 5650), or garbage, rubbish, litter, refuse, waste, and debris, among other materials (§ 5652).

**§ 5901:** Prohibits construction or maintenance of any device that prevents, impedes, or tends to impede upstream or downstream fish passage.

**§ 5937:** Requires the owner of a dam or other artificial obstruction to allow sufficient water at all times to pass over, around, or through the dam, to keep fish below the dam in good condition.