

State Water Resources Control Board

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STATE WATER BOARD ISSUES STAY IN PALCO LUMBER CO. LOGGING ISSUE

SACRAMENTO— The State Water Resources Control Board today issued a stay in the matter of Palco Lumber Co. that stops logging under four 4 recently enrolled Timber Harvest Plans Freshwater Creek and Elk River drainages. The stay is effective immediately. A meeting to determine the merits of the long-standing dispute will be heard within two to four months. The five-hour hearing was held before Richard Katz, a member of the State Board, sitting as hearing officer. The stay is a final decision of the State Water Board.

PALCO has been harvesting timber along the north coast of California for decades. Complaints have been received by the North Coast Regional Water Board about flooding damage to property and significant impacts on water quality and fisheries resulting from runoff of dirt and debris from PALCO sites.

The North Coast Regional Water Board allowed existing permits for 2004 to remain in effect until January 1, 2005, at which time they hoped to have the watershed-based requirements in place. Because of delays, caused largely by PALCO's limited cooperation, the adoption of those requirements has been delayed until the summer of 2005.

PALCO had no legal authority to conduct timber operations in the Freshwater Creek or Elk River drainages after January 1, 2005. To bridge this gap, PALCO asked the Regional Board to allow it to proceed on a number of Timber Harvest Plans, under the General Order, until the watershed-based requirements could be adopted.

In his decision, Katz said the evidence clearly indicates that harm will result from continued timber operations under the General Order above and beyond the eight already approved. The order further states, that the harm will occur without question if no stay is issued. Financial harm to PALCO and its contractors was found to be largely PALCO's fault. Financial harm is not clearly significant, and was not substantial in any event.

The full text is available on the Web at www.waterboards.ca.gov.

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