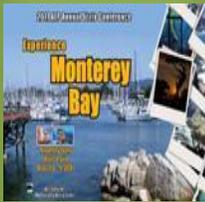


Happy New  
Year!



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CYPRESS ENVIRONMENTAL AND LAND USE PLANNING  
P.O. BOX 1844 APTOS CALIFORNIA  
(831) 685-1007 [kimt@cypressenv.com](mailto:kimt@cypressenv.com)

## Winter Newsletter

January 10, 2011

Register Now for AEP's 2011 Conference – Monterey – March 6-9

As you may remember from my autumn Newsletter, the Association of Environmental Professionals is holding their Annual Statewide Conference in Monterey. *Navigating the Waters: Planning in a Sea of Change* will be held at the Plaza Hotel on historic Cannery Row on March 6–9, 2011. This is good news for those of us living or working in the Monterey Bay area! My colleagues on the conference planning committee anticipate this to be one of the most successful AEP conferences to date. The Conference topics will reflect the multi-disciplinary nature of AEP. That's why I am advising you of this event. As a member of the Conference planning committee, I encourage you to peruse the enclosed "Conference at a Glance" insert; and I cordially invite you to register and attend this thought-provoking Conference. The event will include a 40 panel presentations and various mobile workshops where experts in several fields will discuss state-of-the-art issues facing planners, engineers, developers, restoration ecologists and related professionals. You can register for the entire Conference or just a portion of it; and you don't need to be a member of AEP to attend.

Panel presentations will be offered in four "tracks": 1) Practical Skills 2) Sustainability 3) Water & Resource Management and 4) Transportation. Registrants can attend sessions in any of the tracks. By viewing the attached "Conference at a Glance" you will see there are several panels that have relevance for professionals and lay-persons beyond the planning profession. There will also be four mobile workshops to provide hands-on observations of real applications new planning techniques. Receptions, scheduled for Sunday, Monday and Tuesday evenings, and breakfast and lunch served on Monday and Tuesday will provide great opportunities for networking. The Monday evening reception at the Monterey Beach House at wharf #2 will be a very festive affair.

Registration costs vary depending upon being an AEP member or non-member and number of days attended. In recognition of the state of our economy, AEP has decided not to increase any registration costs beyond those charged last year. The average cost is \$450 to register for the entire event. More details on costs and the various Conference activities are provided in the attachment. For more details or to register go to [www.califaep.org](http://www.califaep.org). If you have questions, just contact me by phone or email.

Kim Tschantz, MSP, CEP

*Environmental Planning and Analysis, Land Use Consulting and Permitting*

## Permits Now Required for Stormwater Discharges from Logging Roads

According to a recent decision from the Ninth Circuit Court of Appeals, public and private forest owners and logging companies may be required to obtain federal or State agency permits for stormwater runoff that occurs on the countless logging roads in much of the west. The case, *Northwest Environmental Defense Center v. Brown*, involved two Oregon logging roads where stormwater runoff is collected in systems of ditches, channels, and culverts, and then discharged into adjacent rivers. The court held that the stormwater collection systems constitute “point sources” (sources of pollution) under the federal Clean Water Act (CWA), and that the discharges therefore require permits to prevent stream pollution under the CWA’s National Pollutant Discharge Elimination System (NPDES) program. The Court also determined that logging roads are an “industrial activity,” which underscores the need for NPDES Permits.

This decision changed the decades-old regulation that exempted logging activities from the NPDES program, and charged EPA with developing one single nationwide “general permit” to legally authorize the discharges. Governmental agencies had earlier applied a provision in the CWA that exempted agricultural discharges from needing permits to logging. However, the CWA never defined the term “agricultural discharges” and it appears the Ninth Circuit Court does not think the “agricultural exemption” fits logging operations. Although the decision may be appealed, private citizens and other entities that own and operate logging roads are, for the time being, faced with the threat of citizen suits or agency enforcement actions for unpermitted discharges. Despite the court’s assurance that federal agencies can “expeditiously” develop a general permitting program for stormwater discharges on logging roads, the sheer number of roads that would be subject to the general permit and the varied climatic conditions and geography of the areas where they exist will require significant study and review. For more information, visit: [www.martenlaw.com/lawyers/mmaccurdy](http://www.martenlaw.com/lawyers/mmaccurdy).

## Cypress Environmental Joins the Santa Cruz Construction Guild

Do you own property in Santa Cruz County and want to know who is the best contractor to hire for that new home or house addition? Are you looking for the best local landscaper to design and install a drought tolerant garden? Need help with permits for some of these improvements or solutions to erosion problems? *The Santa Cruz Construction Guild is the place for you to start getting answers to these questions and many more related issues.* The Guild is a local contractor and home improvement network of trusted contractors and related businesses in Santa Cruz County. I was accepted to join the Guild this past October. Joining the Guild is by referral only, usually from existing Guild members. The Guild’s listings provide detailed information for a range of locally-owned high quality businesses that provide home and property improvement services including design, engineering, landscaping, solar installations and much more. There is also an interactive rating system for



each Guild member and links to more information about each Guild member. If you have not yet seen the Guild’s website, visit it at [www.santacruzconstructionguild.com](http://www.santacruzconstructionguild.com). By the way, permitting and solving erosion problems are two items I can help you with regardless of you being a homeowner ready to do a home project or a professional engaged in architecture, engineering or contracting. More information about my services can be found at [www.cypressenv.com](http://www.cypressenv.com).

Sincerely,

*Kim Tschartz*

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