

Response to Comments – April 19, 2011

Lake Tahoe TMDL for Sediment and Nutrients

(Comment deadline 12 noon March 18, 2011)

4. U.S. Forest Service, Lake Tahoe Basin Management Unit

Note: These Responses commonly reference previous Response to Comments from the Lahontan Water Board, which can be found at http://www.waterboards.ca.gov/lahontan/water_issues/programs/tmdl/lake_tahoe/respnse_comments091310.shtm

(If printing Response to Comments, please print double-sided for best viewing)



United States
Department of
Agriculture

Forest
Service

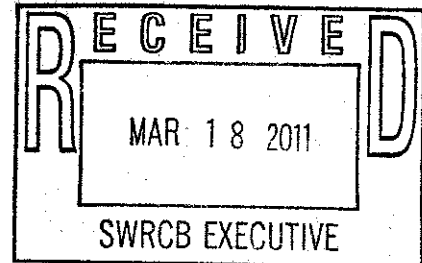
Lake Tahoe Basin
Management Unit

35 College Drive
South Lake Tahoe, CA 96150
(530) 543-2600
(530) 543-0956 TTY

File Code: 2500

Date: March 18, 2011

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000



Dear Ms. Townsend:

The purpose of this letter is to acknowledge that the U.S. Forest Service, Lake Tahoe Basin Management Unit (LTBMU) has reviewed the proposed "Water Quality Control Plan Amendments related to the Total Maximum Daily Load (TMDL) for Sediment and Nutrients in Lake Tahoe" (Amendments). We have participated in the agency review of the technical products that were developed throughout this process, and believe the proposed Amendments reflect a strategy based on the science presented in the technical products.

We also believe that much of the work that the Forest Service has implemented over the past decade, particularly related to forest road retrofits and obliteration, has already contributed substantially to achieving the desired load reduction milestones from Forest Uplands. LTBMU projects in progress, and planned for the next decade, will also contribute to achieving TMDL milestones related to Stream Channel Erosion and Forest Uplands. The TMDL strategy will also be integrated into our Forest Plan revision, currently scheduled for completion in 2012. The following comments relate more to what is not said in the proposed strategy rather than what is said.

1) The Amendments states that :

"The Regional Board will require forest management agencies to track and report load increases and load reduction activities to assess whether required basin-wide forest load reductions are occurring." (pg. 13)

It goes on to state:

"Responsible parties will be required to document and report previous year activities that may have increased or reduced pollutant loads and describe how the reported loading assessment was determined." (pg. 18)

The Amendments do not offer any requirements or suggestions on how this to conduct the assessment, therefore we expect to continue to utilize existing methods developed within our agency, which are based on established scientifically based monitoring, analytical, and modeling techniques, for the purposes of tracking and reporting. The LTBMU has a well established monitoring and evaluation program that has produced a variety of reports documenting changes



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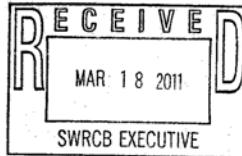
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Public Comment
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USFS(StBd)-1: The language in the Basin Plan Amendment provides flexibility for the forest management agencies to conduct assessments to track and report changes in pollutant loading from activities. In the absence of any other methods that have been developed or agreed upon for monitoring, tracking or reporting, we expect you to continue to use your existing methods developed within your agency. Monitoring requirements for projects can vary substantially and must be evaluated on a case by case basis. The monitoring requirements will be developed collaboratively with the Forest Upland Source Category agencies in the future.



Response

in sediment loading from various forest management activities, and continues to adapt this program to new science. Our past reports are posted on our publically available website.

2) The Amendments state:

“The Regional Board expects funding, implementing, and regulatory agencies to assist in developing a comprehensive TMDL monitoring plan within the first two years following TMDL adoption by USEPA.” (pg. 17)

The Amendments also describe the development of a Lake Tahoe Regional Stormwater Monitoring Program (RSWMP), in three phases. The development of this program is currently funded entirely through the LTBMU Erosion Control Grants Program, with the approval of the interagency group guiding the expenditure, the Stormwater Quality Improvement Committee (SQIC). Progress during the second phase, utilizing the LTBMU funding, has fallen fall short of the expected goals. The development of this program requires a level of coordination between the regulatory agencies, the science community, and local governments responsible for the management of municipal storm water that is simply not occurring at this point.

The Amendments also describes the continuation of the existing Lake Tahoe Interagency Monitoring Program (LTIMP) as an anticipated component of the TMDL monitoring program. This program has historically never required an adaptive management assessment on the monitoring design itself, to include an assessment of when and how the monitoring design should be modified to meet current and future needs and priorities.

This type of assessment is needed prior to continuing implementation of the current LTIMP program for the next 15 years, which is the first time a TMDL status and trend assessment is required as described in the Adaptive Management Section. An assessment of the current monitoring design is needed to ensure that the most essential components of the network are maintained, during times of limited funding, and are capturing data most relevant to an assessment of changes in TMDL loading from different source areas.

The Adaptive Management section of the Amendments should be revised (*as presented in italics*) to state:

“The Management System Framework will also support regular assessments of relevant research and monitoring findings, *to include assessment of the efficacy of the TMDL monitoring design.*” (pg. 17)

In summation, it is not clear what strategy or organization structure is going to be developed, and by who, to facilitate further coordination and development of the TMDL monitoring plan, including the outcomes described for RSWMP Phase I and II, or how this development will be funded. We believe the Basin regulatory agencies will need to provide strong leadership in

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USFS(StBd)-1: this comment is a continuation from the previous page

USFS(StBd)-2: See Response USFS(StBd)-5, below.

USFS(StBd)-3: The Lake Tahoe Interagency Monitoring Program (LTIMP) has been in existence prior to the Lake Tahoe TMDL, and has other purposes beyond TMDL monitoring. An assessment is needed to determine the level and type of monitoring required for each of the source categories, and the TMDL identifies LTIMP tributary monitoring as an important component for the Forest Uplands and Stream Channel sources. Because the Final TMDL Report (November 2010) states on page 13-7, “The LTIMP is scheduled to undergo a revision over the next few years and any revision should include the TMDL need for non-urban uplands monitoring and particle size distribution analysis”, then any subsequent changes in LTIMP should be done collaboratively to best meet all needs and maximize efficiencies.

USFS(StBd)-4: Assessing the efficacy of TMDL monitoring design should be an integral part of each specific source category monitoring program but is not part of the Management System Framework. The monitoring results are input directly to the Synthesis of Findings element in the Management System. Also, the suggested text cannot be added at this point because the State Board’s options are to either approve the Basin Plan Amendment in its entirety or remand it back to the Regional Board for revisions.

USFS(StBd)-5: continued to next page

working with the funding and implementing agencies to develop this TMDL monitoring plan within the desired time frame stated above. The LTBMU looks forward to continuing to work with the Regional Board in the ongoing development and implementation of this important program.

Thank you for the opportunity to comment. If you have any questions please contact Sue Norman, Physical Sciences Group Leader, at (530) 543-2662.

Sincerely,



Jeff Marsola

for JEFF MARSOLAIS
Acting Forest Supervisor

cc: Sue Norman, Barry Hill

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Sincerely,



JEFF MARSOLAIS
Acting Forest Supervisor

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Response

USFS(StBd)-5: The development of a Regional Stormwater Monitoring Program (RSWMP) is strongly encouraged as the basis for the urban TMDL monitoring plan because such an approach could enable the urban jurisdictions to more efficiently and cost-effectively meet future Municipal NPDES Stormwater permit monitoring and reporting requirements. To date the development of RSWMP has been a collaborative effort between the implementing agencies, scientists, regulatory agencies, and funding agencies. Lahontan Water Board staff will continue to assist the implementing and funding partners during development of the TMDL monitoring plan (or RSWMP). It is agreed that there is a stronger level of coordination needed to continue the development of RSWMP, which is expected to occur in the near future. Lahontan Water Board staff are working with each urban jurisdiction to develop future NPDES permit monitoring requirements which will be coordinated closely with RSWMP development.