

From: Barry Hill <bhill@fs.fed.us>
To: <rfitzgerald@waterboards.ca.gov>
Date: 12/13/2007 12:37:19 PM
Subject: USFS Region 5 comments on draft Work Plan to Control Excess Sediment

Hello Rebecca--

The comments of the USDA-Forest Service (USFS) Regional Office on the draft Work Plan to Control Excess Sediment are provided below. I appreciate the extension of the comment period to December 14.

The U.S. Forest Service Pacific Southwest Region (USFS) fully supports the efforts of the North Coast Regional Water Quality Control Board to reduce excess sediment in sediment-impaired watersheds in the North Coast Region and acknowledges the need to address excess sediment related to both current and past management activities on national forests. The USFS has been working for over a year with the State Water Resources Control Board (State Board) and the Regional Water Quality Control Boards (Regional Boards) to address needed changes to our current statewide Water Quality Management Plan and Management Agency Agreement (MAA). The USFS objectives in this effort are to implement a program that:

1. Meets State water-quality objectives;
2. Provides a consistent statewide approach;
3. Optimizes cost effectiveness for the State Board, Regional Boards, and USFS;
4. Provides for a collaborative relationship between the State Board, Regional Boards, and USFS;
5. Provides the USFS with delegated responsibilities based on performance.

The State Board's Nonpoint Source Program Strategy and Implementation Plan, 1998-2013, and Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program both encourage Regional Boards to use MAAs rather than direct regulation in order to limit unnecessary duplication of effort and leverage limited staffing and financial resources. North Coast Regional Board Resolution No. R1-2004-0087 directs the Executive Officer to "pursue Memoranda of Understanding and other non-regulatory actions with other agencies and organizations to encourage more efficacious sediment waste discharge control, watershed restoration, and protection activities." Our ongoing cooperative effort to revise the statewide Water Quality Management Plan and MAA is compatible with this guidance and with the recently enacted Memorandum of Agreement between the U.S. Environmental Protection Agency and the USFS to foster collaboration and efficiencies to address water quality impairments on national forest system lands.

The regulatory mechanism by which our revised statewide water-quality program will be implemented has not as yet been determined. Alternatives include, in addition to Regional Board actions, a State waiver of Waste Discharge Requirements (WDRs), a general WDR, a general waiver of WDRs. The draft Work Plan calls for Regional waivers for USFS activities that may cause sediment discharges. We plan to work with the Board staff to develop

waivers that meet both the needs of the Board to control sediment and the USFS objectives listed above. However, to retain flexibility in development of our statewide program, I request that the draft work plan for sediment-impaired watersheds be modified under Regional Tasks 16 and 17 to include State Board waivers, WDRs, and Management Agency Agreements as regulatory actions that would bring the USFS into compliance with the NPS policy for excess sediment.

Thank you for your consideration of these comments in your revision of the draft Work Plan. Please contact me if you have any questions.

Barry

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