



Linda S. Adams
Secretary for
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State Water Resources Control Board

Division of Water Quality

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Arnold Schwarzenegger
Governor

NOTICE OF PUBLIC WORKSHOP

UPDATE OF THE WATER QUALITY MANAGEMENT PLAN FOR NATIONAL FOREST SYSTEM LANDS IN CALIFORNIA

Monday, November 30, 2009
1:00 PM – 5:00 PM
Cal/EPA Building, Coastal Hearing Room
1001 I Street
Sacramento, CA 95814

NOTICE IS HEREBY GIVEN that State Water Resources Control Board (State Water Board) and North Coast/Central Valley/Lahontan Regional Water Quality Control Boards (Regional Water Boards) staff will hold a public workshop to receive input regarding updating of the Water Quality Management Plan (WQMP) for National Forest System (NFS) lands in California pursuant to State Water Board Resolution 2009-0064. (http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2009/rs2009_0064.pdf)

A quorum of State Water Board or Regional Water Board (collectively the Water Boards) members may be present, but no action will be taken by the Water Boards at the workshop.

PURPOSE AND DESCRIPTION OF WORKSHOP

Consistent with the goals and objectives regarding interagency collaboration set forth in the State Water Board's 2008–2012 Strategic Plan (http://www.waterboards.ca.gov/water_issues/hot_topics/strategic_plan/docs/final_draft_strategic_plan_update_090208.pdf) and the purposes set forth in State Water Board Resolution 2009–0064, the State Water Board and the U.S. Department of Agriculture, Forest Service (USFS) will collaboratively develop an updated WQMP.

Pursuant to the preliminary workshop agenda (Attachment 1), State Water Board and USFS staff will present the background of the WQMP project, why it is needed, and its purposes. They will also describe what topics they plan to address in the WQMP, and the process they plan to use.

Nominations for participation in a stakeholders' committee will be solicited (Attachment 2), and stakeholder group representatives and alternates will be selected. The first stakeholder group meeting will be on January 12, 2010.

California Environmental Protection Agency

Workshop participants will be asked for oral and/or written comments regarding the proposed WQMP content, the process to be used to update the WQMP, and the formation, composition, and function of the stakeholder's committee.

More information on these items can be obtained using the contact information below or from the link on the State Water Board website at http://www.swrcb.ca.gov/water_issues/programs/nps/.

For those who are not able to attend in person, the workshop will be webcast at: <http://epanet.ca.gov/Broadcast/>. Those portions of the workshop held in the Coastal Hearing Room will be webcast, but breakout sessions (if any) held in other rooms will not be webcast.

BACKGROUND

The USFS administers more than 20.8 million acres of NFS lands across California. About 15.6 million acres of this is productive timberland. NFS lands are administered in accordance with mandates and authorities set forth in federal statutes, including the Organic Act, the Multiple Use-Sustained Yield Act, the Wilderness Act, and the National Forest Management Act. These acts mandate multiple uses of NFS lands and sustained production to meet both long- and short-term local, state, regional, and national needs consistent with environmental protection and/or enhancement. USFS has identified high quality water as the most valuable commodity to be produced from NFS lands, and it is among the highest of USFS environmental priorities.

Consistent with the federal Clean Water Act (CWA), USFS implements "best management practices" (BMPs) approved by the State Water Board as its primary approach to protecting water quality from the various nonpoint source (NPS) activities which it conducts or administers. Those NPS activities include, but are not limited to, the following: a) timber management, b) road and road system construction and maintenance, mining, recreation (including marinas and pack-stock), fire suppression and fuels management, and watershed management. The expertise, resources, and authorities of USFS can be an invaluable asset to the Water Boards in maintaining water quality where it is in good condition, protecting it where it may be threatened and contributing to its restoration where it is impaired.

The Water Boards are responsible for implementing the CWA, the federal Coastal Zone Act Reauthorization Amendments (CZARA), and the State Porter-Cologne Water Quality Control Act (PCA) to ensure that land management activities are conducted in such a manner as to maintain, protect, and restore the quality and beneficial uses of water. In 1981, pursuant to CWA Section 208, the State Water Board: a) certified the USFS document titled "Water Quality Management for National Forest System Lands in California" (WQM Plan) including its BMPs, b) designated USFS as the water quality management agency for implementing the WQM Plan, and c) executed a management

agency agreement (MAA) with USFS. As a result of the MAA, no requirements for a report of waste discharge and no waste discharge requirements were issued. The BMPs were updated in 2000.

The State Water Board and USFS agree that, since 1981, there have been some important changes that necessitate a significant updating of the current WQMP. These changes include the following:

1. Important new types of pollution-producing activities (e.g., off-road vehicles, fuel treatments) on USFS lands;
2. Several changes in USFS policies and directives, including Ecological Restoration, and the Travel Management Rule;
3. Changes in the Water Boards' authorities, mandates, and policies, including those imposed by SB 390 (Alpert, 1999), SB 810 (Burton, 2003), and SB 923 (Sher, 2003);
4. State Water Board approval, pursuant to CZARA, of the Plan for California's Nonpoint Source Pollution Control Program and the Nonpoint Pollution Source Implementation and Enforcement Policy;
5. The increasing importance and utilization of CWA section 303(d) listings and Total Maximum Daily Load requirements;
6. The increasing number of listings of amphibians and anadromous salmonids pursuant to the State and federal Endangered Species Acts;
7. Climate change affecting water quality and habitat protection requirements and the role forests play in carbon sequestration; and
8. Fuel load increases that exacerbate the risk and magnitude of wildfire and its associated detrimental effects.

The State Water Board and USFS mutually desire to:

1. Achieve the goals of the CWA, the PCA, and CZARA;
2. Minimize duplication of effort and unnecessary regulatory burdens;
3. Accomplish water pollution control and environmental restoration in the most efficient and effective manner; and
4. Enhance transparency and accountability through coordinated and consolidated water quality monitoring and reporting program requirements.

The USFS is an agency that operates statewide and across Regional Water Board boundaries. Therefore, a more uniform, streamlined and consistent statewide Water Board approach would allow USFS to address problems in a manner more consistent with its own policies and programs and with greater self-determination. It would encourage collaborative statewide prioritization of objectives for cleanup of legacy problems, and for improving the condition of impaired beneficial uses of water. It would standardize monitoring programs and unify reporting requirements.

A more streamlined and consistent statewide approach would benefit the Water Boards by centralizing statewide program administration and reporting. It would greatly reduce the number of different waste discharge requirements and/or waivers to be administered and periodically renewed. It would maximize the efficient use of USFS expertise, resources, and authorities for water quality protection. It would free the Regional Water Boards to use their resources in the field with the USFS directly managing water quality, rather than doing administrative office work.

A more streamlined and consistent statewide approach would benefit the quality and beneficial uses of water by allowing USFS' and Water Boards' resources to be collaboratively focused where the need and potential benefits are greatest and allowing more effort and funding to be devoted to on-the-ground improvements.

QUESTIONS TO BE DISCUSSED

The following sample questions will serve as a starting point for discussion at the public workshop. Additional questions will be presented as part of the formal staff presentation. In addition, meeting participants will be provided an opportunity to present additional questions, suggestions, and discussion points.

- Among the several types of land and resource management activities and recreational activities that take place on NFS lands in California and that can generate NPS pollution:
 - Which ones are best handled by a statewide approach and should be addressed in a statewide WQMP and which ones should not?
 - Which ones most need immediate attention, and which can be deferred for a few years?
- In addition to sediment and thermal pollution, what other pollutants generated by NPS on NFS lands are common or likely enough that they should be addressed in a statewide WQMP?
- In addition to certain forest road segments, what other types of “legacy” problem sites (i.e., those that were produced by past activities, but are still discharging pollution into the State’s waters) on NFS lands should be addressed by the WQMP?
- What criteria should be used to prioritize remediation of legacy problem sites on a statewide basis?
- For watersheds on NFS lands that do or could contribute pollutants to a water body segment that has been listed as impaired pursuant to CWA Section 303(d):

- In addition to implementing more rigorous pollution prevention practices and/or remediation of legacy problem sites, what else should be done to contribute to restoring the quality and beneficial uses of water?
- What criteria should be used to prioritize 303(d)-related restoration activities on NFS lands on a statewide basis?
- Of the USFS administrative procedures for ensuring that appropriate pollution control practices 1) identified in NEPA documents, 2) specified in project plans and contract documents, and 3) implemented during project activity:
 - Which are most effective?
 - Which need improvement (and how)?
- USFS currently conducts statewide randomized programmatic monitoring of whether pollution control practices have been implemented as specified and have been effective in preventing or minimizing the generation of NPS discharges. What other types of monitoring should be performed (e.g., paired watershed validation monitoring, project-specific instream monitoring)?
- What changes would improve the effectiveness and/or efficiency of the process (i.e., collaborative interagency staff group with policy-level group oversight and stakeholder committee advise) proposed for updating the WQMP?
- Regarding the proposed 12-member stakeholder committee (see attachment)
 - What entities/interests should be represented?
 - How should it function?

SUBMISSION OF COMMENTS

Both written and oral comments are accepted at the workshop. Written comments can also be submitted via regular mail, fax or email. They must be received no later than 5:00 p.m. on **December 14, 2009**. Written comments are to be addressed and submitted to:

Gaylon Lee, P.G.
Forest Activities Program Manager
Division of Water Quality
State Water Resources Control Board
1001 I Street
P.O. Box 2231
Sacramento, CA 95812
FAX: (916) 341-5463
E-mail: ForestPlan_Comments@waterboards.ca.gov

Email comments are encouraged but must be less than 15 MB total size. No response will be provided directly to these comments, but all written comments will be posted online on the link found at:

http://www.swrcb.ca.gov/water_issues/programs/nps/.

PARKING AND ACCESIBILITY

The meeting room is accessible to people with disabilities. Individuals who require special accommodations are requested to contact Emilie Reyes, Division of Water Quality, in advance, at (916) 341-5530

A map and directions to the meeting facilities can be found at:

<http://www.calepa.ca.gov/EPABldg/location.htm>.

REQUEST FOR RSVP

Reservations are not needed for this meeting. However, to ensure that we can accommodate all participants, we would appreciate your RSVP (including your organization, and number planning to attend) to the following email address:

ForestPlan_RSVP@waterboards.ca.gov.

MEETING AGENDA

The final meeting agenda will be provided at the meeting. It will also be available online at the above-mentioned website

ADDITIONAL INFORMATION

Please direct questions about this matter to Gaylon Lee at (916) 341-5478 or email him at: ForestPlan_Questions@waterboards.ca.gov. As needed, responses will be given to questions sent to this email address.

For future notices about the USFS/Water Boards WQMP Project, other updates and documents, and answers to frequently asked questions, interested parties may check the link on the State Water Board website at:

http://www.swrcb.ca.gov/water_issues/programs/nps/.

They may also subscribe to the “Forested Lands Water Quality Plan“ email list serve located at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml.



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Attachment 1

STATE WATER RESOURCES CONTROL BOARD PUBLIC WORKSHOP AGENDA

UPDATING THE WATER QUALITY MANAGEMENT PLAN (WQMP) FOR NATIONAL FOREST SYSTEM LANDS IN CALIFORNIA

Monday, November 30, 2009

1:00 to 5:00 p.m.

Cal/EPA Building, Coastal Hearing Room

1001 I Street, Sacramento, CA 95814

1. **Welcome and Introductions** (1:00 – 1:15 p.m.) – Gita Kapahi, Director of Public Relations, State Water Resources Control Board.
2. **WQMP Update and Workshop, (Background, Purpose, Proposed WQMP Contents, and Proposed Update Process)** (1:15 – 1:45 p.m.) – Water Board and U.S. Forest Service (USFS) staff
3. **Nominate Stakeholder Group Representatives** (1:45 – 3:15 p.m.) – Facilitator(s)
4. **Public Comment Solicitation** (3:15 – 4:45 p.m.) – Facilitator(s)
5. **Report-Out / Wrap-Up** (4:45 – 5:00 p.m.) – Facilitator
6. **Adjourn** (5:00 p.m.)



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Attachment 2

STAKEHOLDER COMMITTEE

WATER BOARDS/FOREST SERVICE WATER QUALITY MANAGEMENT PLAN UPDATE

Background

State Water Board Resolution No. 2009-0064 directs State Water Board staff, in collaboration with the U.S Department of Agriculture, Forest Service (USFS) and affected Regional Water Quality Control Boards to develop an updated statewide Water Quality Management Plan (WQMP) for National Forest System Lands in California by January 2011. To accomplish this, the Water Boards and USFS will form a collaborative staff level working group, which will do much of the work, but under the policy direction of a collaborative policy-level group. The staff-level working group will seek input and advice from a broadly representative stakeholder's committee. The stakeholder's committee will be asked to review and make recommendations regarding initial draft documents provided to it by the core staff group before those documents are sent to the policy-level committee for approval.

The proposed WQMP will cover a wide spectrum of activities on NFS lands that can generate nonpoint source pollution, particularly sediment and thermal pollution. These activities are quite varied. Thus, it is important that each group participant have expertise that is geographically extensive and technically broad.

The Water Board and USFS staffs want interested organizations to nominate representatives (and alternates) who can effectively and collaboratively represent their interests and institutional knowledge.

Stakeholder Committee Membership

Each of the representative groups will be asked to nominate candidates for committee membership. Staff proposes that the committee include one member from each of the following interest groups:

Timber Management Interests
Fuel Treatment/Fire Safe Specialist
Water Agency Interests
Watershed Restoration Specialist
Environmental Advocacy Interests
Environmental Conservation Interests

Invasive Species Control Specialist
Rangeland/Livestock Interests
Off-highway Vehicle Interests
Non-motorized Recreation Interests
Fire Suppression/Post-fire Rehab Specialist
Forest Roads Specialist/Interests

Role of Committee Members

It is expected that committee members will meet about every two months beginning on January 12, 2010. To the degree practicable, participation by conference call will be allowed. The role of committee members is as follows:

- Participate in committee meetings about bi-monthly for about one year.
- Represent a larger stakeholder group, provide input from that group to the committee, and report information from the committee back to their represented group.
- Be willing to commit to the committee meetings with no compensation for participation.
- Be an active participant contributing suggestions and recommendations to the Water Boards and USFS staff within the time frame required by the Resolution.
- The committee will be a self-directed effort that determines when, where, how, and how often the group shall meet.
- Committee meetings will be facilitated by Water Boards program staff in terms of assistance with rooms, materials, and other appropriate logistical support.
- Water Boards staff will attend Committee meetings and will provide technical guidance as appropriate and desired, but will not be members of the Committee.
- Provide timely recommendations on the draft documents provided by the Water Board/USFS core staff group.

Selection Criteria

1. Nominee has substantive knowledge to inform the work of the committee and fulfill the mission of the resolution.
2. Nominee adds some additional perspective not represented by the categories.
3. Nominee assists in creating diversity in the group.
4. Nominee is recognized as providing leadership in his/her area of influence.
5. Nominee is able to create relationships, provide advocacy and understand multiple perspectives.
6. Nominee fills one or more of the listed criteria
7. Nominee is able to gather support for committee work products in his/her own community and the communities of others.
8. Nominee can make the appropriate commitment of time to the process.

Tie Breakers

1. Nominee has exhibited previous interest in the project.
2. Nominee has particularly relevant references.
3. Nominee represents more than one category of interest.
4. Nominee has ability to participate as part of regular work duties.

First Meeting Location and Time

The first stakeholder group meeting will be January 12, 2010 in the Cal/EPA Building, from 10:00 A.M. to 4:00 P.M. All stakeholder representatives should plan to be present in person at that meeting. We will discuss options for future meetings, including possible teleconferencing or conference calls.

Further Information

Relevant information for upcoming stakeholder group meetings will be posted on the link found on the State Water Board website at:

http://www.swrcb.ca.gov/water_issues/programs/nps/.