

## **Stakeholders Group**

### **March 23, 2010 Meeting Notes**

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

#### **Review of January 12 Meeting notes**

##### Stakeholder Comments:

1. Nonpoint source mercury toxicity due to mining should be recognized and addressed. Response: It be addressed at some point, but the issue was not one of the 5 priority topics identified at the November 30 public workshop. The main focus of staff during this calendar year is to revise the BMPs in those 5 topic areas.
2. USFS needs to have funding available to comply with the Clean Water Act (CWA) taking into account the limited resources, otherwise they will need to scale back projects in order to have funding available for BMP implementation.
3. There was confusion regarding a “third party program”. Response: The criteria for a third party program and the process for developing and approving one are set forth in the Water Board “Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program”, especially the “five key elements”. The Water Board intends that the WQMP will comply with these requirements.

#### **Review of WQMP Outline and objectives: Review**

There was considerable confusion over the distinction between the USFS WQMP and the Water Board regulatory mechanism to be used to implement it. The WQMP is a statewide management plan for USFS. It will become the basis for a statewide Water Board regulatory mechanism, just as it is now the basis for Regional Water Board waivers. We are currently working on updates to the WQMP. Beginning in about July, we will begin working on the Water Board regulatory mechanism, which will be when CEQA requirements will engage. There was no discussion of the WQMP outline and objectives.

Laurel Ames and other stakeholders offered proposed objectives that mixed what is appropriate for the WQMP and what is appropriate for the Water Board regulatory mechanism. There was much discussion of Water Board authorities and regulatory mechanisms. A “Porter-Cologne 101” may be offered to stakeholders to help clarify matters. They may re-organize that proposal and offer it in advance of the next stakeholder meeting.

See Action Items below.

## **Review of BMP Priorities and Revision Timelines**

This was not a stakeholder priority, so the discussion was short. Stakeholders will be able to make comments on products produced by the workgroup staff. Key stakeholder input will be needed in administrative process to increase transparency and accountability.

## **Review of initial USFS draft BMP revisions**

Stakeholders did not want to discuss the initial draft BMPs provided by USFS.

See Action Items below

## **USFS administrative improvements: Review of priorities & timelines**

Staff provided a list of possible improvements in the USFS administrative process by which the BMPs are implemented. Stakeholders were given a “mind-map” exercise in which they could identify which of these were their highest priorities (or add their own).

The highest stakeholder priorities were:

- Better define the various steps in the USFS administrative process, the personnel performing those steps, the mechanisms used to link between steps (e.g. planning to implementation to evaluation), and the timelines for performing steps and moving the information through the organization.
- Provide regular periodic cross training and calibration between hydrologists, engineering, and timber sale administrator to improve connection between engineering and technical units.
- Improve map quality and detail in environmental documents (or online); provide larger-scale (i.e., 1:24,000) maps that show what will be done, how, and where.
- Improve and make consistent the specificity of BMP provisions in environmental documents, particularly where risk of water quality impact is higher, value is high, and/or condition is deteriorating.
- Better document on-the-ground issues (e.g. active controllable sediment discharge sources) in the environmental documents and/or make documentation more readily available for Water Board review.
- Expedite processes for remediating problems found during post-project inspections.
- Improve connection between engineering and technical staff (e.g., earth scientists, hydrologists).
- Establish definite inspection schedule to ensure that project BMPs (for example, pre-winter period erosion control BMPs) have been properly implemented.

Additional stakeholder suggestions:

- Focus on improving BMPs that aren't fully effective.
- Monitoring should take place with all projects that could impact water quality.

- Guarantee meaningful public participation/oversight in development and implementation of WQMP/BMPs and adaptive management.
- Improve communication and BMP sources and equipment cleaning and placement in regard to invasive species.
- Need to know the bang for the buck in order to implement these.

See Action Items below.

## **Review of Proposed North Coast RWQCB USFS waiver**

Bob Klamt discussed the elements of the Region 1 USFS waiver approach and how it could serve as a template for a statewide template.

Stakeholder comment:

Public Transparency – There needs to be an effort to make sure the public understands what they are commenting on. Public needs to be brought in the process in a meaningful way so they understand. A session or workshop will be setup with the stakeholder on the content and function of Porter Cologne and how the Waterboard handle violates.

## **Adaptive management: Subgroup status report**

Mike Chapel discussed this item. There will be an Adaptive Management chapter in the WQMP.

Stakeholder Comment:

There should be clean goals and responsibilities in the management plan for manager to implement this program. There also needs to be openness, communication and trust among individual in the process. This could be a third party membership to examine how the process is working and ways to improve. However, there should not be a component to identify problems or enforcement. Adaptive Management needs to have an oversight action level.

## **Action Items**

### Stakeholders

1. Review WQMP Objectives, Page 12, and WQMP Outline and provide comments by April 6<sup>th</sup> to [Forestplan-comments@waterboards.ca.gov](mailto:Forestplan-comments@waterboards.ca.gov) . General comments are more helpful than word-smithing.
2. Send comments on the Draft BMPs (3-Rangeland BMPs and 1- Road BMP) to Gaylon Lee ([gklee@waterboards.ca.gov](mailto:gklee@waterboards.ca.gov)) and cc: Barry Hill ([bhill@fs.fed.us.gov](mailto:bhill@fs.fed.us.gov)) by April 15th. General comments are more helpful than word-smithing.

3. Provide suggestion to North Coast RWQCB on how to increase transparency on the proposed waiver. Submit comments to Robert Klamt ([rklamt@waterboards.ca.gov](mailto:rklamt@waterboards.ca.gov)).
4. Send comments regarding the USFS Administration Improvements to Barry Hill ([bhill@fs.fed.us.gov](mailto:bhill@fs.fed.us.gov))

#### Staff Workgroup

1. Barry Hill will send information on the statistical significance of the BMP effectiveness monitoring program to the Stakeholders.
2. Water Board will provide Porter-Cologne Act 101 presentation for stakeholders, including Water Board enforcement authorities.
3. Gaylon Lee will provide information on the MOU/MAA to the Stakeholders.
4. Send-out Adaptive Management meeting location and time to the Stakeholder group.
5. Provide an update on the Adaptive Management workgroup progress.

#### **Next Meeting**

Date: May 18

Location:

#### Proposed Agenda Items:

- Adaptive Management report-out.
- GIS Availability for the monitoring phase
- Statewide waiver vs. regional waiver
- Regulatory mechanism part of the process (How will Stakeholders be involved?)