



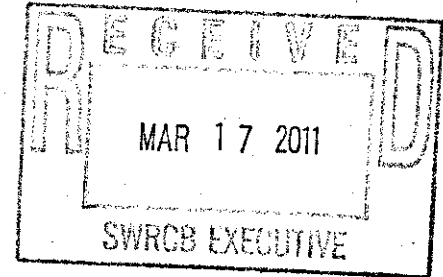
DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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March 17, 2011

California State Water Resources Control Board
Attn: Jeanie Townsend, Clerk to the Board
P.O. Box 100
Sacramento, California 95812-2000



RE: COMMENT LETTER - LAKE TAHOE TMDL

Dear Ms. Townsend:

Thank you for the opportunity to provide comments on the proposed Amendments to the Water Quality Control Plan (Plan Amendments) of the Lahontan Region: Lake Tahoe Total Maximum Daily Load (TMDL). We support updating the Plan with some minor changes addressed below.

The Plan Amendments (page 13) now cite "The Emergency California-Nevada Tahoe Basin Fire Commission Report (May 2008)" (and by extension its recommendations) in the Forest Uplands portion of the Lake Tahoe TMDL implementation plan. However the cited document is not yet included in the "References" cited section. Please add a citation of this document to the "References" section.

Page 13 also now states: "The California Department of Forestry and Fire Protection is responsible for regulating forest practices on private forest lands and works directly with Regional Board staff to minimize the water quality impacts associated with vegetation management." CAL FIRE appreciates this correction to the Plan Amendments.

That said, however, CAL FIRE remains concerned with the monitoring language in the last paragraph of the Forest Uplands portion of the Lake Tahoe TMDL implementation plan (page 13-14) which states:

"The forest upland load reductions are expected to be accomplished through continued implementation of existing watershed management programs described above. 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. Some activities, including fuels reduction and associated administrative road construction, have the potential to increase pollutant loading at a project scale. Forest management agencies responsible for these actions must demonstrate that other project activities, including restoration efforts and temporary and/or

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permanent best management practices, will be implemented to compensate for any anticipated project-scale loading increase. These agencies must ensure that no increased loading occurs on a sub-watershed or catchment scale and that the basin-wide fine sediment particle, total nitrogen, and total phosphorus load from the forest uplands is reduced as required by Tables 5.18-2, 5.18-3, and 5.18-4.a".

CAL FIRE is concerned that this paragraph may be misconstrued and that extensive monitoring will be required. If taken literally, this requirement will likely require excessive monitoring along with the potential for costly offsetting mitigation that may be a disincentive to implementation of fuel treatment projects. The resulting misunderstanding and application of this standard may prolong the increased, excessive threats to life and property identified in the "The Emergency California-Nevada Tahoe Basin Fire Commission Report (May 2008)." While this level of monitoring may be appropriate for projects where the topography is altered and considerable bare soil is created, universal application of this level of monitoring is unnecessary and would be an unnecessary cost burden for fuel reduction projects. This is particularly true of fuel reduction treatments that retain residual live and dead groundcover, create no large patches of bare soil, and result in no changes in topography.

It is also noted that other Regional Water Quality Control Boards (RWQCBs) are now emphasizing less costly forms of monitoring for fuel reduction projects. These include visual inspections (particularly after storm events) and photo documentation. For example, the Central Coast RWQCB has a preference for photos taken repeatedly from the same photo points. Furthermore, Timber Harvest Plans and other projects within the Central Valley and North Coast RWQCB jurisdictions tend to be larger in area, and these Boards (particularly the Central Valley RWQCB) have focused on finding erosion and sediment delivery problems after storms and documenting them with photos and narrative descriptions. All three Water Boards have moved away from requiring in-stream monitoring of parameters such as water temperature, turbidity and sediment for most forest management related projects, and we encourage the Lahontan Board to do the same.

CAL FIRE believes that rigorous project-level Best Management Practice (BMP) monitoring, backed by adaptive management research on BMP effectiveness, has proven to be the most efficient and reliable approach to resource protection, including water quality protection. Risks associated with using this monitoring approach appear to be minimal given that extensive post-Angora Fire water quality monitoring findings did not reveal a significant water quality impact resulting from the relatively large Angora Fire. Therefore, it is not likely that low impact small fuels reduction projects will produce significant water quality impacts, either.

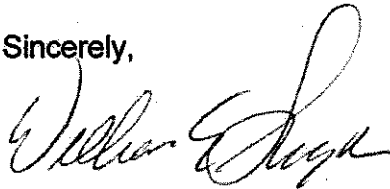
To avoid future misunderstanding, we request that a sentence be added to the last paragraph of the Forest Uplands portion of the Lake Tahoe TMDL implementation plan (page 13-14), as follows: "These agencies will ensure no increased loading of the TMDL target constituents primarily through rigorous planning; monitoring, inspection and enforcement of best management practices on individual projects."

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Finally, CAL FIRE urges the State Water Board to continue to have the Lahontan RWQCB implement the recommendations of the post-Angora Fire Emergency California-Nevada Tahoe Basin Fire Commission Report authorized by both state's Governors. Specifically, Recommendation 16 (Water Board/TRPA Policy Revision) on page 79 and Recommendation 17 (Simplifying Regulations) on page 80-82.

If you have questions, please contact Clay Brandow, CAL FIRE Hydrologist, at (916) 653-0719 or email clay.brandow@fire.ca.gov.

Sincerely,



WILLIAM E. SNYDER
Deputy Director
Resource Management

cc: Crawford Tuttle
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