



**Central Sierra Environmental Resource Center**  
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Gaylon Lee - Forest Activities Program Manager  
State Water Resources Control Board  
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Please accept these comments on the draft BMP's for the USFS waiver:

Our biologist and other staff have many concerns about the problematic nature of allowing general language and "process" language in BMP's to suffice for management direction that is supposed to protect water quality and watersheds. As was noted briefly at our last stakeholders' committee meeting, looking at the proposed priorities for improvement of USFS administrative processes affecting BMP implementation reveals that most "improvements" depend upon nebulous process steps, rather than measurable actions.

For instance, for priority actions, the agency will "improve coordination," or "clarify" or "assign targets" or "better define" or "post" or "provide" or "expedite." These kinds of strategies are not only administrative and bureaucratic, but they also are not measurable or able to be easily monitored for how these process steps result or fail to result in water quality protection.

**• Accordingly, CSERC strongly presses the U.S. Forest Service and the State Water Board to assure that to the highest degree possible, all BMP's approved for on-going activities allowed by a waiver or discharge permit be BMP's that can physically be measured and monitored to determine effectiveness.**

Following on that same point, CSERC notes that despite widespread assurances made that the Forest Service has monitored extensively for water quality impacts as part of BMP's, our Center respectfully disputes the accuracy of such assurances. On the Stanislaus National Forest, literally no water quality testing has been done in a timely, protocol-consistent fashion for fecal coliform, e coli, or total coliform in areas where intensive livestock grazing is concentrated along streams, around ponds and lakes, or in proximity to seeps, fens, and springs. No water quality testing results have been made publicly available for where roads discharge sediment into receiving waters. No water quality testing has apparently been done in waters down-slope from high use recreational area parking areas. No water testing has been done during periods of intense storm events at streams receiving sediment run-off from fresh logging, road building, or heavily disturbed sites with shredding, brushing, or other fuel reduction clearing.

BMP's as proposed by the agency appear to focus primarily upon whether or not BMP's were implemented as judged by a Forest Service employee who often is directly tied to the implementation of a project, rather than any independent or neutral monitor.

**• Accordingly, CSERC presses for the Region and the State Water Board to assure that any BMP's accepted by the SWB for the purposes of protecting water as required by a waiver or discharge permit include specific requirements for water quality monitoring at sites most likely to be polluted**

by the Forest Service project or approved activity. We ask that BMP's for range management, for instance, require for each national forest to identify a specific number of streams, ponds, or other water features that have high potential to be degraded by livestock wastes or riparian area and streambank damage. We ask that each forest be required to do water monitoring and testing for a minimum of five such high-risk water features and to have those samples tested at an independent laboratory. The results should be made available to the public and the Water Board. Where water quality standards are not met for two years in a row, the BMP should require removal of livestock until such time that standards can be fully met.

While livestock grazing and stream reach degradation across the national forest system in California likely has the greatest direct contamination of streams, the national forest road system also clearly results in high levels of sediment discharge above any desired limits. In many agency documents, **national forests in Region 5 have openly admitted that they presently have no more than 15% to 20% of the necessary funding to do essential road maintenance on roads within a national forest. The result of insufficient road maintenance funding is a high level of ruts, erosion, sediment discharge, and other water quality degradation.**

• Accordingly, CSERC urges that the Region and the State Water Board ensure that any BMP's approved or accepted for the current WQMP include active monitoring and reporting of water quality impacts on each national forest's road system. Similar to livestock grazing impacts, CSERC urges that the Region and the Water Board require that each national forest within California shall annually identify a minimum number of specific areas in that forest where unmaintained roads or blown out roads or failed culverts are causing sediment discharge into streams. The BMP's should require specific monitoring and measuring of the extent of such discharge during periods of heavy rains, snowmelt, or other periods of high erosion potential. If an individual national forest is found to be unable to correct problems and halt failed road segments from discharging excessive sediment into receiving waters, the BMP language should spell out specific consequences (such as requiring the Forest to reduce the number of road miles open to motorized use until the Forest can bring its road system maintenance needs into balance with its budget).

While our Center can provide extensive detailed comments concerning problems with current BMP's or envisioned "improvements" in BMP's, the bottom line is simple:

The State Water Board should not depend upon a positive, friendly relationship with agency officials and resource staff to ensure that well-intended agency actions generally reduce water quality impacts to a level that does not flagrantly exceed desired objectives. Instead, the Board should require that there be defined water monitoring and testing, with publicly available reporting of results, so as to reveal whether or not USFS BMP's are or are not having the desired effects.

Respectfully,

John Buckley, executive director

Lindsey Myers, staff biologist