

From: "Craig Thomas" [craig@sierraforestlegacy.org](mailto:craig@sierraforestlegacy.org)  
To: [ForestPlan\\_Comments@waterboards.ca.gov](mailto:ForestPlan_Comments@waterboards.ca.gov)  
Subject: Comments of WQMP

12/14/2009 4:58 PM

Hello Gaylon,  
Please accept this Comment letter and attachments on the WQMP  
Craig Thomas, Sierra Forest Legacy

---

December 14, 2009

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

Submitted via email to [Forestplan\\_comments@waterboards.ca.gov](mailto:Forestplan_comments@waterboards.ca.gov)

Re: Update of the Water Quality Management Plan for National Forest System  
Lands in California

To the State Water Board:

Sierra Forest Legacy offers the following comments to the Water Quality

Management Plan update process. This comment letter is in addition to the larger environmental group sign on letter you received today.

Sierra Forest Legacy is a regional environmental coalition of 89 organizations focused on Forest Service management of the 11 Sierra national forests and the 11.5 million acres they encompass. Founded in 1996, we are actively engaged in restoration, protection and enhancement of aquatic resources in this region.

We want to make specific reference to a situation on the Lake Tahoe Basin Management Unit (LTBMU) and the recent Notice of Violation (NOV) filed by the Lahontan RWQCB in mid October 2009 for violation of specific permit requirements at the Angora Fire restoration site and its impacts to Lake Tahoe.

The particular setting of this violation is uniquely important for demonstrating our concerns related to "streamlining" environmental regulations and the abuses that can occur absent local regulatory oversight. Streamlining is a term used to promote an idea of efficiency within bureaucracies but when looked at closely, often reveals efforts by political interests to water down protections for public trust resources. We stand firmly against such efforts.

The LTBMU Notice of Violation of October 19, 2009 occurred in a unique regulatory environment where the Forest Service failed to fully winterize the Angora Fire Hazard Tree Removal Site by the times specified in the waste discharge permit. A major storm system arrived October 13-14 2009 and the erosion and water pollution resulting from a near complete failure to implement BMPs in a timely fashion was substantial. (See attached letter and Notice of Violation).

The storm-related erosion occurred in a highly politically charged environment where the Lahontan Regional Water Board regulators are often at odds with the Forest Service and CalFire and their efforts to promote expanded logging and road-building in the Lake Tahoe Basin. These agencies have often characterized water quality protection measures as a hindrance to expanded logging. The Forest Service, CalFire and certain state and national political leaders have attempted to hamstring the Lahontan RWQCB for doing their job of protecting water quality for the people of California. Lahontan's role in the Basin is to protect Lake Tahoe, a unique and pristine water body as recognized by federal EPA---one of the world's rarest resources.

This attempt to "self-regulate" is often promoted under the guise of "streamlining" environmental protection measures. We assert that the complete failure of the LTBMU to meet its discharge permit requirements was, in part, due to the fact that the Forest Service believes it is no longer required to listen to regulators and are free to obey or ignore the waste discharge rules as they see fit. Please review this attached Notice of Violation and the Nov 3, 2009 Sacramento Bee follow up story by Matt Weiser. A Lahontan official was quoted regarding the violations as stating, "[I]t was mostly the lack of any kind of control measures that stood out."

We believe the regional board's regulatory role should not be weakened and that oversight of Forest Service activities should be strengthened throughout the state.

Sincerely,

Craig Thomas, Executive Director

Sierra Forest Legacy

1418-20th Street, Suite 100

Sacramento, CA 95811