

**PROPOSED ROADMAP FOR REVISION AND IMPLEMENTATION
OF A
U.S. FOREST SERVICE WATER QUALITY MANAGEMENT PROGRAM**

Why: Revision of the Water Quality Management Plan for National Forest System Lands in California (WQMP) and its Management Agency Agreement (MAA)

1. The overarching reason for this effort is to develop and implement an approach to controlling discharges from National Forest System lands that is both more effective and more efficient than the approach(es) currently being used.
2. More specifically, as shown in SWRCB Resolution 2009-0064, the WQMP needs to be revised and updated to:
 - a. Be consistent with i) changes in the CZARA, CWA, and Water Code since the WQMP was first approved, ii) the Nonpoint Source Program Plan and iii) the Nonpoint Source Implementation and Enforcement Policy.
 - b. Be consistent with current USFS policy and directives, including the developing national best management practices.
 - c. Update management practices based on more recent knowledge.
 - d. Address legacy problem sites that generate pollutant discharges.
 - e. Address new activities on National Forest System lands that threaten water quality (e.g., Off-Highway Vehicles).
 - f. Address 303(d)/TMDL issues.
 - g. Incorporate the USFS agreement to implement the WQMP as the responsible management agency (i.e., there will be no separate MAA).

How: A Modular Approach

1. The WQMP/MAA will be developed using a modular approach.
 - a. The overall WQMP framework, and those chapters that are more policy-related (i.e., the shaded zones in the attached outline), will be drafted by a core interagency staff with direction from a policy-level group.
 - b. The more technical sections (i.e., the unshaded zones in the attached outline), including USFS management practices and implementation procedures to be used to address a given type of NPS pollution-generating activity (e.g., timber harvesting), legacy remediation, or monitoring activity will be drafted as individual modules by USFS subject-matter experts (as was done in developing the current WQMP), then reviewed by the core interagency staff group before being submitted to the interagency policy-level group.
2. This approach has the following advantages:
 - a. It allows initial drafting of the various individual subject-matter modules to be done concurrently, rather than sequentially, thus allowing more production during the 18-month period.
 - b. It allows the individual subject-matter modules to be prepared by those USFS experts with immediate working knowledge of current USFS management direction (e.g., the developing national USFS BMPs) and official agency technical guidance.
 - c. It helps ensure that each module's requirements are already familiar to and accepted by USFS personnel, thereby increasing the probability of effective implementation.
3. For water board regulatory purposes, the approach has the following advantages:

- a. It allows creation of a single SWRCB-approved WQMP that serves as the basis for a statewide (or regional) regulatory mechanism. This reduces the need for many regulatory mechanisms (e.g., conditional waivers) that each address only one type of NPS pollution-generating activity.
- b. If the regulatory mechanism is a waiver, the primary, and perhaps only, condition in such a waiver could be effective implementation of the provisions of the WQMP.
- c. If not all the desired modules can be completed within the current 18-month time frame, it allows them to be plugged into the WQMP as they are subsequently completed.
- d. This could allow the types of NPS activities covered by the waiver to be incrementally expanded as each new module is completed and plugged into the WQMP document, thus, again, reducing the need for multiple waivers.

Who: Interagency Policy-Level and Staff-Level Groups

1. SWRCB and USFS are the principal parties in this process.
2. There will be two primary interagency groups: a policy-level group and a staff-level working group. Each will include representatives from the Water Boards and USFS. Neither group will be open to public participation.
3. The policy-level group
 - a. The policy-level group will consist of the SWRCB Chair, the USFS Regional Forester (or designee), and the Chairs of the affected RWQCBs or their respective designees (who must be at least Assistant Executive Office level). RWQCB Executive Officers may participate with their respective Chairs.
 - b. The policy-level group will meet quarterly (or thirdly) to review progress and may meet more frequently as needed to address problems or issues referred to it by the staff-level group.
 - c. The policy-level group will oversee the process and the workings of the staff-level group. It will, as needed, provide direction regarding schedules, progress, and resolution of issues.
 - d. The policy-level group will, by consensus, finalize the content of any products developed by the staff-level group.
 - e. Where the policy-level group does not reach consensus, the SWRCB Chair and the USFS representative will attempt to reach agreement between themselves.
(Policy-level group decisions do not replace formal Water Board decision-making.)
4. The core staff-level group
 - a. This group will develop the WQM plan framework (i.e., the shaded areas of the attached outline), building on the progress made to date.
 - b. It will provide initial guidance to the USFS subject-matter experts before they begin work on the more technical modules of the WQMP (i.e., the unshaded portions of the attached outline).
 - c. It will review modules drafted by the USFS-expert proposals and revise them as needed for submittal to the policy-level group for review and approval.
 - d. The SWRCB and USFS rep will lead the core interagency group unless they jointly decide otherwise. They will coordinate with leaders of any other staff-level group to avoid inconsistency between groups. They will collaboratively prepare outlines or strawman proposals in advance of interagency group meetings to focus group discussions. They will also develop a summary of meeting action items and an agenda for the subsequent meeting after each staff-level meeting and distribute these to staff and policy-level groups.
 - e. The Executive Officers of each affected RWQCB will be invited to appoint one staff representative and one alternate to a staff-level group.
 - f. It will be most efficient if each staff-level representative: 1) brings forward any disagreements, questions or concerns in a timely manner, and 2) is authorized to speak for their agency. If a staff-level representative is unsure regarding their agency's position on an issue, they may

defer making a statement until the subsequent meeting. To minimize the need for this, staff-level representatives should prepare for each upcoming meeting by discussing with their management any issues that are likely to arise based on the agenda for that meeting.

- g. The core staff-level group will seek to reach consensus. Where the staff-level group cannot reach consensus regarding an issue: 1) the group leaders will refer the issue to the policy-level group for resolution while it moves on to other matters and/or 2) the products it submits to the policy-level group will contain alternative approaches for addressing the issue(s) involved.
- h. This group will submit its proposed products for review by the policy-level group.

Who: Public and SWRCB

1. Once the policy-level group has given initial direction to the core staff-level group, the SWRCB and USFS will conduct a public workshop to advise the public of what we propose to do, what issues we propose to address, and how we propose to do it (including convening a stakeholder advisory group). Our plans may be revised based on public input. (This is not a CEQA process.)
2. A stakeholder advisory group will be convened, and bylaws to expedite and focus its functioning will be developed. The staff group will proactively seek stakeholder technical advice regarding BMP effectiveness and feasibility prior to drafting BMP modules, and will submit drafted BMP modules to the stakeholder advisory group for review and comment. The staff group may revise such products based on stakeholder review and comment before submitting them to the policy committee.
3. Upon policy-level group acceptance of the proposed WQMP and regulatory mechanism, SWRCB staff will lead the core interagency staff-level group in drafting the language for: 1) a proposed statewide regulatory mechanism, and 2) necessary CEQA documentation.
4. SWRCB will:
 - a. Initiate CEQA public review and comment on its proposed actions.
 - b. Revise the proposed documents as deemed appropriate and prepare responses to public comments.
 - c. Consider approval of the WQMP and of the regulatory mechanism at public hearings.