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SHASTA, SIERRA, SISKIYOU, TEHAMA, TRINITY, TUOLUMNE, YUBA

REGIONAL COUNCIL OF Rural Counties

CHAIR – EDWARD T. BAMERT, AMADOR COUNTY
FIRST VICE CHAIR – ROBERT MEACHER, PLUMAS COUNTY
VICE CHAIR – LINDA ARCULARIUS, INYO COUNTY
SECRETARY – BRIAN DAHLE, LASSEN COUNTY
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RCRC STAFF - MARCIA L. BASQUE, PRESIDENT

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Comments on the Clean Water Action Plan; Restoring and Protecting America's Waters

April 12, 2000

USDA Forest Service
Content Analysis Enterprise Team
Attn: UFP Building 2, Suite 295, 5500 Amelia Earhart Drive
Salt Lake City, Utah 84166

Subject: Clean Water Action Plan; Restoring and Protecting America's Waters

Thank you for the opportunity to comment on this unified federal proposal regarding utilization of a watershed approach to federal land and resource management. The Regional Council of Rural Counties (RCRC) represents twenty-eight of California's fifty-eight Counties, predominantly in central and northern California. The organization is active in natural resources related issues and has participated in numerous discussions and initiatives regarding watershed policy.

The Honorable Robert Meacher, RCRC's First Vice Chair serves, as the co-chair of the CALFED Bay-Delta Program's Watershed Workgroup, as well as on the California Biodiversity Council (CBC). RCRC has worked diligently on drafting portions of state legislation related to non point source pollution and watershed programs (Senate Bill 900, 1996 and Assembly Bill 1584 in 2000) which became (respectively) Proposition 204 and Proposition 13. Those two bond issues created a state funding source of approximately $485,000,000 for watershed projects and programs throughout the State of California. RCRC has effectively and consistently supported well-crafted watershed programs, policy initiatives and efforts.

RCRC's membership area encompasses significant portions of the Sacramento, Trinity and San Joaquin Watersheds and incorporates numerous federal land holdings by various agencies within its boundaries. Each of the member Counties has statutory authority under California law for land use planning and California Environmental Quality Act (CEQA) compliance. RCRC member Counties regularly interface with most of the federal agencies, which would be implementing the subject proposal.

RCRC wishes to state that it is supportive of the general policy of watershed-based planning, as well as watershed management projects. Thus, we find the proposal generally consistent with the organizations efforts to advance watershed management actions throughout its membership area. Indeed the proposal's aim (see Policy Goals Item #4) to "Work closely with States, Tribes, local governments and stakeholders to implement this policy." We believe it is long overdue. We wish to emphasize that there are hundreds of millions of dollars being spent right now for watershed programs and projects throughout California on private lands and the proposed federal effort should be implemented in such a way as to compliment that effort. Improved meaningful communication between the federal agencies and the local government and stakeholders (who actually carry out many of the projects) is a logical and necessary first step.

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1020 12TH STREET, SUITE 400 SACRAMENTO, CA 95814 PHONE: 916-447-4806 FAX: 916-448-3154 WEB: WWW.RCRCNET.ORG

We would urge that the federal agencies recognize the long-standing role of local governments of developing comprehensive general plans and zoning ordinances to properly order land use development. This same process can be merged with the watershed effort proposed so that unnecessary conflicts are avoided.

We are interested to know, therefore, how the new proposal and planning effort will be integrated in a timely manner into the already existing planning functions of the various federal agencies. We would hope that this program is not in any way duplicative to already existing federal planning efforts. Additionally, we urge that this effort be the catalyst for greater coordination of efforts and communication between the various federal agencies and local government.

We note that Policy Goal #6 states, "Take steps to ensure that Federal land and resource management actions are consistent with Federal, State, Tribal and, where appropriate, local government water quality management programs." We wish to point out that the term "where appropriate" is somewhat vague and provides little assurance that the Federal efforts will in fact be integrated with an ongoing state/local watershed effort in California. We would urge the policy should read, "...and whenever possible, local government land use and water quality management plans and programs." The latter language would recognize that there are other issues related to watershed planning efforts and projects than just water quality. Indeed, water quality is an output of any healthy watershed, but it is not the only output.

Item #2 Agency Objectives, subsections 1/2/1. We would ask for clarification on this item. We would urge that the procedures, monitoring protocols and reporting mechanisms for watershed programs should also be closely coordinated with local governments, so that data may be exchanged and utilized in a manner most cost effectively. This is a critical issue and should be solved as one of the first tasks of business.

Item #2 Agency Objectives, subsections 1/2/3. As we previously stated, the State of California has raised approximately $485,000,000 over the past four years for watershed programs. We urge that the funding source to support the federal effort be identified early in the process rather than later. Our experience is that programs without funding are not effective and actually create a sense of false hope of accomplishment to those most affected by the management actions on the landscape - the local population.

Item #2 Agency Objectives, subsections 2/1/2. We would urge that you add an additional item to your criteria and that would be the presence of a state or local watershed effort being implemented within the subject watershed. Please note that many of the watersheds in California have federal ownership at their headwaters. Furthermore; watershed restoration programs are much more effective when the restoration efforts start at the "top" of the watershed and work there way downstream. Therefore, federal efforts should recognize and support state and local efforts already underway downstream. We suggest that the language in section 2/2/4 support this concept.

Item #2 Agency Objectives, subsections 2/2. Please define the term "special protection". Furthermore, clarify this term in relationship to already existing federal protections such as wilderness and wild and scenic rivers classifications.

Item #2 Agency Objectives, subsections 2/2/7. Please explain the meaning of this section with respect to the role of the US EPA and existing TMDL authorities.

Item #2 Agency Objectives subsections 2/3/1 & 2. What is the relationship of this language to the operation of existing and proposed federal water storage, transfer and conveyance facilities? Please clarify in detail. Please note that the single largest holder of water rights in the state of California is the Federal

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Item #2 Agency Objectives, subsections 2/4/4. Please note that private lands in California fall under the land use planning and environmental authority of local cities and counties. Thus, the proposal as outlined "jumps" over these local agencies directly to the landowner. Inclusion of individual landowners in collaborative efforts is indeed welcome however, without the active participation of the local permitting authority efforts may come to naught.

Item #2 Agency Objectives, subsections 2/4/5. Please identify the funding source for ongoing (and especially long-term) monitoring efforts. Existing Clean Water Act funding does not provide for monitoring of restoration efforts. Clearly monitoring should occur for at least ten years.

Thank you for the opportunity to comment. If you have any questions please do not hesitate to contact Mr. Wes Lujan, Vice President of Governmental Affairs at 916.447.4806 or wesl@rcrcnet.org.

Cordially,

John S. Mills
Consultant

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EL DORADO, GLENN, INYO, LAKE, LASSEN, MADERA, MARIPOSA

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Attn: UFP Building 2, Suite 295, 5500 Amelia Earhart Drive
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John S. Mills
Consultant

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