

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**MEETING OF JUNE 18-19, 2014
BISHOP**

- ITEM:** 6
- SUBJECT:** **CONSIDERATION OF RESCINDING WASTE DISCHARGE REQUIREMENTS FOR MULTIPLE PROPERTIES, PROJECTS, AND FACILITIES WITHIN THE LAKE TAHOE HYDROLOGIC UNIT, EL DORADO AND PLACER COUNTIES**
- CHRONOLOGY:**
- | | |
|------------------|--|
| 1983 - 2001 | Numerous Waste Discharge Requirements (WDRs) adopted |
| October 10, 2012 | Adopted Board Order No. R6T-2011-101A1, Lake Tahoe NPDES Permit for Municipal Storm Water Discharges |
- ISSUE:** Is it appropriate to rescind waste discharge requirements (WDRs) for properties, projects, and facilities (properties) where either (1) the Discharger has complied with its WDRs; (2) stormwater and other pollutant discharges from the properties are now subject to regulation by local Lake Tahoe municipalities (City of South Lake Tahoe, El Dorado County, and Placer County) under the Lake Tahoe NPDES Permit for Municipal Storm Water Discharges; or (3) the facility or project identified in the WDRs no longer exists or has never been constructed?
- DISCUSSION:** The Water Board previously adopted individual WDRs for numerous non-residential properties located within the Lake Tahoe Hydrologic Unit. The majority of these WDRs regulate stormwater runoff from properties and required dischargers to construct and maintain stormwater treatment/disposal and erosion control best management practices. A smaller set of the WDRs regulated potential pollutant discharges associated with specific construction projects. The Proposed Rescission Order identifies 44 such WDRs.

Since adopting the WDRs, some property owners have complied with their WDRs, and other facilities/projects no longer exist or were never constructed. In these cases, the WDRs are no longer necessary to protect water quality, since the pollutant discharges are either being adequately address by BMPs, no longer exist, or never existed.

Additionally, the Water Board adopted the Lake Tahoe NPDES Permit for Municipal Storm Water Discharges to regulate stormwater and urban runoff discharges from all properties located within the Lake Tahoe Hydrologic Unit. The Lake Tahoe NPDES Permit names the City of South Lake Tahoe, El Dorado County, and Placer County as the Dischargers. These municipalities are responsible for ensuring discharges from their stormwater conveyance systems comply with the permit's pollutant reduction requirements, which were developed as part of the Total Maximum Daily Load for Lake Tahoe. The municipalities are responsible for the stormwater runoff and other pollutant discharges entering their stormwater conveyance systems from all properties within their jurisdictions. Stormwater and other pollutant discharges from many of the properties identified in the Proposed Rescission Order enter one of the municipalities' stormwater conveyance systems, and are therefore, subject to regulations very similar to those established by the individual WDRs. The individual WDRs have become redundant and are no longer necessary.

As of May 30, 2014, Water Board staff has not received any comments regarding the Proposed Rescission Order.

RECOMMENDATIONS: Adopt the Rescission Order as Proposed.

ENCLOSURE	ITEM	BATES NUMBER
1	Proposed Rescission Order	6 - 5

ENCLOSURE 1

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

BOARD ORDER NO. R6T-2014-(PROPOSED)

RESCISSION OF WASTE DISCHARGE REQUIREMENTS

FOR

**MULTIPLE PROPERTIES, PROJECTS, AND FACILITIES WITHIN THE
LAKE TAHOE HYDROLOGIC UNIT**

_____ El Dorado and Placer Counties _____

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. The Water Board previously adopted individual Waste Discharge Requirements (WDRs) to regulate storm water runoff and/or other pollutant discharges from the individual non-residential properties, projects, and facilities (hereinafter referred to as “properties”) identified in Attachment A, which is made a part of this Order.
2. On October 10, 2012, the Water Board adopted Board Order No. R6T-2011-101A1, Updated Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water/Urban Runoff Discharges from El Dorado County, Placer County, and the City of South Lake Tahoe within the Lake Tahoe Hydrologic Unit, (Lake Tahoe NPDES Storm Water Permit).
3. The properties identified in Attachment A are all located within the geographic area subject to regulation by the Lake Tahoe NPDES Storm Water Permit. The Lake Tahoe NPDES Storm Water Permit holds the municipalities named in the permit responsible for storm water runoff and other pollutant discharges that enter their storm water conveyance systems. Therefore, storm water runoff and other pollutant discharges from the properties to municipal storm water systems are subject to regulation by the municipalities, and the individual WDRs for such properties have become duplicative regulation.
4. Some of the properties identified in Attachment A no longer exist, were never constructed, or have already complied with their individual WDRs.

5. This Order rescinds the WDRs identified in Attachment A, because one or more of the following conditions are satisfied:
 - a. The Discharger has complied with the terms of its individual WDRs.
 - b. The Discharger has terminated the waste discharge or never initiated the waste discharge identified in its individual WDRs.
 - c. The storm water runoff and other pollutant discharges from the Discharger's property are subject to the terms and conditions of the Lake Tahoe NPDES Storm Water Permit.
6. It is in the public interest to rescind the WDRs identified in Attachment A to recognize compliance with individual WDRs, to recognize cessation of the regulated waste discharge, to recognize that the regulated waste discharge was never initiated, and/or to avoid duplicative regulation with the Lake Tahoe NPDES Storm Water Permit.
7. Rescission of the WDRs identified in Attachment A is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with section 15321, title 14, California Code of Regulations.
8. The Water Board has notified, or attempted to notify, the Dischargers and interested persons of its intent to rescind the WDRs identified in Attachment A.
9. The Water Board, in a public meeting, heard and considered all comments pertaining to the rescission of the WDRs identified in Attachment A.

IT IS HEREBY ORDERED THAT pursuant to Water Code sections 13260 and 13263, the Waste Discharge Requirements identified in Attachment A are hereby rescinded.

I, Patty Z. Kouyoumdjian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on June 18, 2014.

PATTY Z. KOUYOUMDJIAN
EXECUTIVE OFFICER

Attachment A – Waste Discharge Requirements Rescission List

ATTACHMENT A

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Attachment A

Rescission List for Multiple Waste Discharge Requirements Regulating Properties, Projects, and Facilities within the Lake Tahoe Hydrologic Unit

Board Order No.	Agency	Facility Name	WDR Adoption Date	Permitted Owner	Current Owner	Covered by MS4 Permit	Compliant with WDRs	Ownership Change	Site Stabilized
6-83-063	Washoe Tribe of Nevada & Ca	Washoe Indian Cultural Center	5/13/1983	Washoe Tribe of Nevada & Ca	WASHOE TRIBE OF NEVADA & CA	N	Project never constructed	N	N/A
6-85-049	Omnibus Group Inc	Christiania Inn	6/13/1985	Omnibus Group Inc.	SADDLE ROAD PTNS NV LLC	Y	N	Y	N
6-85-052	First Interstate Bank	International House of Pancake	6/13/1985	First Interstate Bank	PB3730 LAKE TAHOE BLVD CA	Y	N	Y	Unknown
6-87-133	Tahoe Tree Company	Tahoe Tree Company	11/12/1987	Tahoe Tree Company	JOHN & LESLIE HYCHE	Y	Y	Y	Y
6-88-061	Charles Renfro	Push	5/12/1988	Charles Renfro	RENFRO CAROLE S TR RENFRO CE&CS LV SRV TR 5/12/0	Y	N	N	Y
6-88-172	Tahoe Valley Townhomes	Tahoe Valley Townhomes	11/9/1988	Tahoe Valley Townhomes	TAHOE VALLEY TOWNHOMES ASSOC.	Y	Y	N	Y
6-89-013	Vernon S. Dallman	South Y Shops and Storage	1/12/1989	Vernon S. Dallman	CITY OF SOUTH LAKE TAHOE (-351); HINES JEFF ALLEN CO TR WOODGER J M TRUST (-321, -371, -381)	Y	Unknown	Y	Unknown
6-89-014	Lake Tahoe Unified School District	South Tahoe High School	1/12/1989	Lake Tahoe Unified School District	LAKE TAHOE UNIFIED SCHOOL SCHOOL DISTRICT	Y	Y	N	Y
6-89-163	Koar-Tahoe Partners LP	Embassy Suites Hotel	8/10/1989	Koar-Tahoe Partners LP	ROPPONGI-TAHOE LP	Y	Y	Y	Y
6-89-164	South Lake Tahoe City DPW	Ski Run Water Quality Improvement	8/10/1989	City of South Lake Tahoe,	CITY OF SOUTH LAKE TAHOE	Y	Y	N	Y
6-89-168	Charles Bluth	Cal-Neva (Garni Lodge)	8/10/1989	Charles Bluth	TAHOE INN LLC	Y	N	Y	Y
6-90-004	Pepper Tree Inn Inc	Pepper Tree Inn	1/11/1990	Pepper Tree Inn, Inc.	PEPPER TREE INN, INC.	Y	Y	N	Y
6-90-026	Lake Tahoe Unified School District	School Bus Garage	4/11/1990	Lake Tahoe Unified School District	LAKE TAHOE UNIFIED SCHOOL SCHOOL DISTRICT	Y	Y	N	Y
6-90-055	Richard Gregg	Action Investments/Mini Warehouse	9/13/1990	Richard Gregg	GREGG UNDERGROUND EXCAVATION	Y	N	N	N
6-92-003	Boatworks Channel Lumber	The Boatworks	1/9/1992	Boatworks Channel Lumber	Channel Lumber Company	Y	N	Y	Unknown
6-93-003	Michael Luerken	Michael Luerken Ind. Property	1/28/1993	Michael Luerken	MICHAEL LUERKEN	Y	N	N	N

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Board Order No.	Agency	Facility Name	WDR Adoption Date	Permitted Owner	Current Owner	Covered by MS4 Permit	Compliant with WDRs	Ownership Change	Site Stabilized
6-93-050	David & Pat Sorokwasz, et al	Bijou Commercial Center	6/10/1993	David & Pat Sorokwasz, et al	BIJOU CENTER LLC	Y	Y	Y	Y
6-94-002	Patricia Olson/Bashaw Investment	Olson Commercial Property	1/13/1994	Patricia Olson/Bashaw Investment	OLSON BIJOU CENTER LP/ OLSON PATRICIA G TR OLSON REV TR OF 12/31/1999	Y	Y	Y	Y
6-94-003	Heidi's Restaurant	Heidi's Restaurant	1/13/1994	Heidi's Restaurant	RIES FARMS INC.	Y	Y	Y	Y
6-94-004	Lakeview Lodging	Tahoe Lakeshore Lodge & Spa	1/13/1994	Lakeview Lodging	LAKEVIEW LODGING LLC A CA	Y	Y	N	Y
6-94-005	KML Corp	South Tahoe Travelodge	1/13/1994	KML Corp	PEASHO MANAGEMENT CA LLC	Y	Y	Y	Y
6-94-037	Johnson Living Trust	Safeway	4/14/1994	Johnson Living Trust	JOHNSON WILLIAM V D TR JOHNSON LIV TRUST 6/27/91	Y	Y	N	Y
6-94-072	Quentin H. Rink	Rink Commercial Property	7/14/1994	Quentin H. Rink	STATE OF CALIFORNIA CALIFORNIA TAHOE CONSERVANCY	Y	Y	Y	Y
6-94-074	Charles & Ronald Yure Segal	Sierra Shirt Co	7/14/1994	Charles Segal & Ronald Yure	HINES DUANE M TR WOODGER JUNE M TR OF 3/6/95	Y	Unknown	Y	Unknown
6-94-093	Seth Broche	Emerald Pines Resort Cottages	9/8/1994	Seth Broche	BROWN LAURENCE K TR BROWN NANCY SUPP TRUST	Y	N	Y	N
6-94-099	North Tahoe PUD	National Avenue Lake Intake	10/13/1994	North Tahoe PUD	NORTH TAHOE PUD	N	Y	N	Y
6-94-109	Cuchna Capital LLC	Fremont Mall Complex	11/17/1994	Cuchna Capital LLC	CUCHNA CAPITAL LLC	Y	Unknown	N	Y
6-94-111	David E. Deutsch	Deutsch Commercial Complex	11/17/1994	David E. Deutsch	WILLIAM K. KOLSTAD, JR & SHELBY L. KOLSTAD	Y	N	Y	Y
6-94-112	Brian Kelly Rosser	South Side Auto Body	11/17/1994	Brian Kelly Rosser	BRIAN KELLY ROSSER	Y	N	Y	N
6-94-114	Fred Streeter & Paul Wondrie	South Shore Motors	11/17/1994	Fred Streeter & Paul Wondrie	BROOKMORE CA LP	Y	Y	Y	Y
6-95-016	Moresi, Inc.	North Shore Ace Hardware	2/9/1995	Moresi, Inc.	MORESI, INC.	Y	N	N	Unknown
6-95-018	Cha-Dor Realty	Meeks Building Center	2/9/1995	Cha-Dor Realty	CHA DOR REALTY	Y	Unknown	N	Y

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Board Order No.	Agency	Facility Name	WDR Adoption Date	Permitted Owner	Current Owner	Covered by MS4 Permit	Compliant with WDRs	Ownership Change	Site Stabilized
6-95-019	Robert & Tammy Hassett	Myers Marine Service	2/9/1995	Robert & Tammy Hassett	ROBERT & TAMMY HASSETT	Y	N	N	N
6-95-020	Grabowsky Enterprises	Bel Pac Enterprises Complex	2/9/1995	Grabowsky Enterprises	GRABOWSKY ENTERPRISES	Y	N	N	N
6-95-048	Phillip & Diane Fagan	Cantina	4/20/1995	Phillip & Diane Fagan	FAGAN PHILIP J JR TR FAGAN P J JR 2011 LIV TRUST	Y	N	N	Y
6-95-049	J. Yong/ H. T. Ming & M. K. YII	South Tahoe Block Co	4/20/1995	J. Yong/ H. T. Ming & M. K. YII	TIONG CHARLES HUNG ONG TR TIONG CHARLES H O LIV TRUST	Y	N	Y	N
6-95-050	M. Brinkman & D. Gay	BI-State Petroleum	4/20/1995	M. Brinkman & D Gay	FLYERS CA LLC	Y	N	Y	N
6-95-062	Sierra Pacific Power Company	SPPC Maintenance Yard	6/8/1995	Sierra Pacific Power Company	CA PACIFIC ELECTRIC CO LLC	Y	Y	Y	Y
6-96-057	Truckee North Tahoe Materials	TNT-Tahoe Vista Plant	10/3/1996	Truckee North Tahoe Materials	PLACER COUNTY, FACILITY SERVICES-PROPERTY MANAGEMENT DIVISION	Y	Y	Y	Y
6-98-031	Assn Timber Products	Lighthouse Shopping Center	6/4/1998	Assn Timber Products	SAFEWAY INC	Y	N	Y	N
6-00-025	North Tahoe PUD	Boat Ramp Rehab	4/13/2000	North Tahoe PUD	NORTH TAHOE PUD	N	Y	N	Y
6-00-080	David & Shellie Fischer	Silver Shadows Lodge	10/12/2000	David & Shellie Fischer	LINDA CHRISTINE SPRANZ	Y	N	Y	Unknown
6-00-081	John & Shannon Shearer	Winter Wonderland	10/12/2000	John & Shannon Shearer	JOHN L. & SHANNON M. SHEARER	Y	Y	N	Y
6-01-010	Tahoe City PUD	TCPUD WCB Boat Ramp Parking Lot	3/14/2001	Tahoe City PUD	TAHOE CITY PUBLIC UTILITY DISTRICT	Y	Y	N	Y