



# California Regional Water Quality Control Board Lahontan Region



Matthew Rodriguez  
Secretary for  
Environmental Protection

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Edmund G. Brown Jr.  
Governor

## MINUTES December 6-7, 2011

### Regular Meeting

Embassy Suites Hotel  
SS Tallac Room  
4130 Lake Tahoe Blvd.  
South Lake Tahoe, CA 96150

Chairman Clarke called the meeting to order at 1:03 p.m. on December 6, 2011.

### Board Members Present

Jack Clarke, Apple Valley  
Amy Horne, Ph.D., Truckee  
Don Jardine, Markleeville  
Peter C. Pumphrey, Bishop  
Eric Sandel, Truckee

### Board Member Absent

Keith Dyas, Rosamond

### Legal Counsel

Kimberly Niemeyer, Office of Chief Counsel, State Water Resources Control Board

### Staff Present

Harold Singer, Executive Officer  
Lauri Kemper, Assistant Executive Officer  
Charles Curtis, Supervising WRCE  
Alan Miller, Senior WRCE  
Dan Sussman, Environmental Scientist  
Doug Smith, Supervising Eng. Geologist  
Bob Larsen, Environmental Scientist  
Hannah Schembri, WRCE

Angie Strum, Student Assistant  
Richard Booth, Senior Eng. Geologist  
Doug Carey, Eng. Geologist  
Mary Fiore-Wagner, Environmental Scientist  
Sue Genera, Executive Assistant  
Taylor Zentner, Environmental Scientist  
Amber Wike, Office Technician



### Addressing the Board

Ray Nutting, John Knight, Jack Sweeney, Ron Briggs and Norma Santiago, **El Dorado County Board of Supervisors**  
Steve Kooyman, Brendan Ferry, **El Dorado County**  
Jack Landy, **U.S. Environmental Protection Agency**  
Ken Grehm, **County of Placer**  
Sarah Hussong Johnson, **City of South Lake Tahoe**

### INTRODUCTIONS

Mr. Clarke introduced the Board members.

Mr. Singer introduced Kim Niemeyer, Legal Counsel, Water Board staff, and welcomed Sue Genera as the new Board Secretary. Mr. Singer thanked Amber Wike for her assistance to the Board as interim Secretary.

In recognition of Superior Accomplishment, Mr. Singer presented Doug Carey, Engineering Geologist, with a Certificate of Appreciation for his work and dedication on the Leviathan Mine site.

### NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

1. **Public Hearing - Updated Waste Discharge Requirements and National Pollutant Discharge Elimination System 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, Placer and El Dorado Counties**

Mr. Singer gave introductory remarks and introduced Robert Larsen, Environmental Scientist with the TMDL Unit. Mr. Larsen gave the staff presentation. He reviewed the Lake Tahoe TMDL's development effort; discussed comments received on the draft Permit, staff's responses to comments, and discussed proposed changes made to the documents. Mr. Larsen recommended the Board adopt the Order approving the proposed Permit with the late revisions.

Several stakeholders expressed concerns over the Permit not being vetted prior to implementation. Consensus of the Board was that there was no benefit from postponing implementation and that the Permit contained flexibility that would allow future amendments.

- **Motion:** Moved by Dr. Horne, seconded by Mr. Sandel, and **unanimously carried** to adopt the Order approving the Permit with the late revisions.

The Board recessed for dinner at 5:26 p.m.



**Regular Meeting, continued**  
**December 6, 2011**

Chairman Clarke called the meeting to order at 7:08 p.m.

Board members present: Jack Clarke, Amy Horne, Don Jardine, Peter C. Pumphrey, and Eric Sandel. Board members absent: Keith Dyas.

**OTHER BUSINESS**

**2. Executive Officer's Report**

Mr. Singer discussed items from the December written Report and answered Water Board Member questions. Mr. Singer highlighted a letter from the Lake Tahoe Partnership regarding the nearshore environment and the response letter jointly issued from the U.S. EPA, NV Division of Environmental Protection, and the Lahonton Water Board. A question was raised by Dr. Horne regarding the Composting Waiver item as to what amount of hazardous waste is allowed per site. Mr. Singer responded none, that only green waste and sewage sludge are permissible on site. Mr. Singer also discussed the schedule of the Water Board meetings for 2012. Ms. Kemper highlighted items from the Quarterly Violation Report and discussed her recent participation in a workshop held in Hinkley, CA related to the PG&E Chromium Study. Mr. Pumphrey requested continued status updates related to this Study.

**3. PUBLIC FORUM**

No one addressed the Board during the Public Forum

**4. MINUTES**

**Minutes of the Regular Meeting of October 12, 2011 in Victorville, CA**

- **Motion:** Moved by Dr. Horne, seconded by Mr. Jardine, and **unanimously carried** to adopt the October 12, 2011 minutes as written.

**5. Reports by Water Board Chair and Board Members**

None.

**6. CLOSED SESSION**

The Board did not meet in Closed Session during this meeting.

Note: The meeting recessed at 8:04 p.m.



**Regular Meeting, continued**  
**December 7**

Chairman Clarke called the meeting to order at 8:35 a.m.

Board members present: Jack Clarke, Amy Horne, Don Jardine, Peter C. Pumphrey, and Eric Sandel. Board members absent: Keith Dyas,

**Addressing the Board**

Jim Brockett, **Tahoe Resource Conservation District, Lake Tahoe Basin Weed Coordinating Group**  
Ted Thayer, **Tahoe Regional Planning Agency**  
Joey Wolff, **Tahoe Keys Property Owners Association**  
Jennifer Carr, **Nevada Division of Environmental Protection**  
Bob Loding, **Lakeside Park Water System**  
Greg Reed, **Tahoe Water Suppliers Association**  
Greg Feet, **Tahoe Keys Property Owners Association**  
Tom Spencer  
Mike Marek

**INTRODUCTIONS**

Chairman Clarke introduced the Board Members.

Mr. Singer introduced Water Board staff and Kim Niemeyer, Legal Counsel.

**BASIN PLANNING**

**7. *Public Hearing - Consideration to Adopt Proposed Amendment to the Water Quality Control Plan for the Lahontan Region to Replace the Pesticide Water Quality Objective with a Regionwide Pesticide Waste Discharge Prohibition with Exemption Criteria for Aquatic Pesticide Use and Certify Related Draft Substitute Environmental Documentation***

Mr. Singer gave introductory remarks and introduced Mary Fiore-Wagner and Dan Sussman, Environmental Scientists with the TMDL Unit. Ms. Fiore-Wagner and Mr. Sussman gave the staff presentation. In their presentation they reviewed the need for the amendment, alternatives, Exemption Process, public participation, responses to comments, potential impacts, and future timelines. Staff recommended the Board adopt the Resolution certifying the substitute environmental document and approving the proposed Basin Plan amendment with the late revisions.

Stakeholders expressed concerns regarding the half mile proximity to intakes as basis for notification to water purveyors. General consensus was to notify all water purveyors that utilize water from Lake Tahoe so that they have an opportunity to participate in the process.



Board members discussed requests made by stakeholders during the public hearing. Staff, aided by Kim Niemeyer, legal counsel to the Board, amended the wording in the Resolution to address these concerns.

- **Motion:** Moved by Mr. Pumphrey, seconded by Mr. Sandel, and **unanimously carried** to adopt the Resolution approving the Basin Plan and certifying the substitute environmental document with the late revisions.

**ADJOURNMENT**

With no further business to come before the Board, the meeting adjourned at 11:23 a.m. on December 7, 2011.

Prepared by:  Adopted: January 11, 2012  
Sue Genera, Executive Assistant

