



## EXECUTIVE OFFICER'S REPORT

November 2003

### NORTH BASIN

1. ***Municipal NPDES Permit Update -  
Robert Larsen***

On October 12, 2000 the Regional Board adopted Board Order No. 6-00-82 to regulate storm water discharges from the city and counties within the Lake Tahoe Basin. The Order also serves as a National Pollutant Discharge Elimination System Phase I Storm Water Permit (NPDES Permit) as required by Clean Water Act section 402(p). The City of South Lake Tahoe, El Dorado County, and Placer County are co-permittees under the NPDES Permit.

In addition to holding the three municipalities responsible for the quality of storm water and urban runoff discharged within their respective jurisdictions, the NPDES Permit specifies performance limits for storm water treatment and erosion control projects as well as best management practices retrofit guidelines to meet local implementation deadlines. Numeric effluent limits for storm water runoff contained in the Basin Plan are also referenced in the NPDES Permit. The current NPDES Permit expires on October 12, 2005. Regional Board staff (Staff) is working with the permittees to bring an updated permit to Regional Board for proposed adoption prior to the 2005 expiration.

Tetra Tech, Inc., under contract with the US Environmental Protection Agency, conducted an evaluation in September 2002 of the NPDES Permit and of the permittees' storm water programs. The Tetra Tech evaluation report noted deficiencies in both the permit and the permittees programs and included several recommendations for the 2005 NPDES Permit updates. Suggestions included; 1) requiring the permittees to obtain appropriate legal authority to implement NPDES requirements; 2) development of a comprehensive Storm Water Management Plan; and 3) identification of

funding mechanisms to cover costs of capital improvements, operation, and maintenance.

Since the Tetra Tech evaluation report was distributed in October 2002, staff and the permittees have been meeting quarterly to discuss identified program shortcomings, and the 2005 NPDES Permit updates. These meetings have given Staff the opportunity to work with permittees on meeting future permit requirements and address the program deficiencies identified by Tetra Tech.

2. ***Fall inspections and October 15 grading  
deadline variances - Douglas F. Smith***

As the winter season approaches and the construction season comes to a close in the Lake Tahoe Basin and Truckee watershed, Regional Board staff are inspecting construction projects in these areas ensure site stability before the onset of wet weather. The Board's Basin Plan prohibits grading, filling, clearing of vegetation, or any other soil disturbance activity between October 15 and May 1 in the Lake Tahoe basin, and permits issued for projects in the Truckee River basin have the same prohibitions. Staff have visited various construction projects to assess progress, discuss winterization requirements, and determine whether the project needs and should receive a variance to the October 15 deadline.

Variances are only granted by the Executive Officer following a written request from the discharger detailing the work that needs to be done and a time schedule for completion. Granting the variances allow dischargers to either complete projects, increase site stability and implement permanent water quality protection measures, or to complete soil-disturbing activities necessary to continue with structural construction activities through the

October 15-May 1 period (e.g. complete excavation and backfill activities necessary to construct a building foundation). During the variance period, when the National Weather Service predicts adverse weather conditions and prior to the onset of adverse conditions, dischargers are required to cease all soil disturbance activities and the project site must be winterized.

Of the 32 variances issued, I issued 20 grading deadline variances within the Truckee River watershed. The majority of variances allow soil-disturbing activities to proceed through either November 1 or November 15.

The remaining 12 variances cover a variety of activities in the Lake Tahoe basin: erosion control projects, permanent storm water BMP installations, road decommissioning, recreation trail stabilization, perennial stream culvert upgrades, contamination investigation at the closed Meyers Landfill, and necessary earthwork for constructing the South Tahoe Public Utility District's new Sludge Handling Facility. These 12 variances are roughly half of the total that I issued for the Lake Tahoe Basin at this time last year. This change reflects the new Memorandum of Understanding (MOU), adopted March 2003, between the Tahoe Regional Planning Agency (TRPA) and the Regional Board. The MOU reduces the regulatory duplication by allowing the Regional Board to focus efforts on larger projects while TRPA handles all the smaller activities.

### **3. *Status Report on USFS CERCLA Removal Action at Colorado Hill Mining Area, Alpine County - John Steude***

Since last reporting on this project in March 2003, significant progress has been made towards the remediation of historical mining impacts in the Colorado Hill area of Alpine County. The United States Forest Service (USFS) has revised and finalized the Engineering Evaluation/Cost Analysis (EE/CA) for the Zaca mine complex based on comments from the public, Regional Board staff, and other members of the Colorado Hill Technical Advisory Group. A public meeting to discuss the project was held in conjunction with the

Alpine County Board of Supervisors meeting on June 2, 2003.

In July 2003, the USFS submitted two additional draft EE/CAs to the Regional Board for the remaining mines to be remediated in the Colorado Hill area. The second EE/CA includes the Curtz, Deadman, Lincoln, and Loope Canyon mines. The third EE/CA includes the Alpine mines, Zaca tailings, Lovestedt tailings, Morning Star mine, and Orion mine.

The USFS has completed a Statement of Work for the engineering design work required for all three EE/CAs and will be requesting contract proposals for the design work in the near future. The fieldwork to implement the first EE/CA for the Zaca mine complex is scheduled for the summer of 2004. Implementation of the two remaining EE/CAs is scheduled for the following two years, respectively.

There are two significant additions to the monitoring program for the project: 1) monitoring groundwater between Zaca mine and Monitor Creek and 2) bioassessment of macroinvertebrates in Monitor Creek. The additional monitoring is needed to assess the remediation effects on water quality. Baseline bioassessment data was collected in June 2003 and will be collected again next year prior to implementation of the remedial action in late summer. The two years of baseline bioassessment data will be compared with data obtained after the remediation has been completed and will be used to help determine whether water quality has improved. Groundwater monitoring wells will be installed up-gradient and down-gradient of the Zaca mine (five total) before the end of 2003 to obtain baseline groundwater quality data.

### **4. *Staff Presentation on Aquatic Pesticides Regulation, Presented at California Exotic Plant Pest Council (CalEPPC) Symposium, October 2, Kings Beach - Jason Churchill***

The CalEPPC is an organization that seeks to identify and facilitate solutions to problems caused by non-native, invasive plant pests in California wildlands. CalEPPC membership includes public and private land managers, ecological consultants and researchers,

planners, volunteer stewards, and concerned citizens.

Representing Regional Board staff, Jason Churchill gave a presentation titled "Herbicide Use, Water Quality, and Regulatory Considerations" during the CalEPPC annual symposium on October 2 at King's Beach. Dr. Churchill explained water quality regulations affecting the use of herbicides for terrestrial or aquatic weed control in the Lahontan Region, including water quality objectives for pesticides contained in the Basin Plan, and the Aquatic Pesticides General NPDES permit.

Several examples were discussed illustrating how the Regional Board has engaged with other agencies and organizations proposing to conduct herbicide applications for weed control. A proposed pilot-scale study involving use of aquatic herbicides for Eurasian watermilfoil control in the Tahoe Keys (which was recently considered but not accepted by the Regional Board) was discussed in detail.

The presentation recognized the environmental problems created by invasive weeds, including potential water quality impacts (e.g., increased erosion), and beneficial use impairment (e.g., spoiled aquatic life habitat and recreation), and the challenges faced by water quality regulators in balancing the sometimes-conflicting goals of controlling invasive weeds, and protecting waters from degradation due to herbicides.

##### **5. *Caltrans Progress in Meeting 2008 Tahoe Basin Retrofit Requirements - Robert Erlich***

On January 12, 2000, the Regional Board adopted Time Schedule Order No. 6-00-04 requiring Caltrans District 3 to submit a Master Plan proposing methods to comply fully with Provision L.4 in the Statewide Caltrans Permit (Order No. 99-06-DWQ). Provision L.4, in part, requires Caltrans to continue participating in a Capital Improvement Program (CIP) to identify projects, develop an implementation program, develop a funding mechanism for storm water runoff and erosion control projects, and to complete storm water runoff retrofit projects to dispose of or treat storm water runoff from all their facilities in the Lake Tahoe Hydrologic Unit by 2008.

To meet the requirements of Time Schedule Order No. 6-00-04, Caltrans produced a Lake Tahoe Basin Environmental Improvement Program (EIP) Master Plan. The June 2000 2<sup>nd</sup> Edition of this Master Plan (completed in October 2000 with input from Regional Board staff) provided a detailed time schedule of actions to be taken by Caltrans to meet the 2008 requirement. The Regional Board found that Caltrans had complied with the conditions of Time Schedule Order and adopted Board Order No. 6-00-84 on October 12, 2000 rescinding the Time Schedule Order. The 2000 Master Plan showed a Caltrans project schedule with estimated start construction dates of 2007, or earlier, on all Caltrans roadways within the Tahoe Basin.

Caltrans provided annual updates of progress on designing and implementing these retrofit projects in the January 2002 Lake Tahoe Basin Environmental Improvement Program Master Plan, the January 2003 Progress Report-Caltrans 2002 Environmental Improvements at Lake Tahoe, and in the October 2003 Caltrans District 3 Deicer Report. Based on the estimated schedule in the October 2000 Master Plan, Caltrans would have started construction on retrofit projects for approximately 20 of the 72 miles of Caltrans highways in the Tahoe Basin by 2003, with construction starting on approximately 45 additional miles of highways by 2006.

Between 1999 and 2003, retrofit construction was completed on approximately 2 miles of Caltrans highways in the Tahoe Basin. The October 2003 Deicer Report estimated construction would begin on approximately another 3 miles of Caltrans highways by 2006, on approximately 32 miles of Caltrans highways in 2007 or 2008, and on approximately 26 miles of highways in 2009.

This year, Caltrans has constructed the ED 50 Airport project, which includes full-scale pilot studies of activated alumina media on two retention basins, and has devoted a large amount of staff resources to work on addressing obstacles to and improving the delivery of EIP projects. Caltrans is planning to install full-scale pilot studies of a new vault design on the SR 267 Brockway Retrofit Phase 1 project next

year. However, the delays in design and construction of other retrofit projects has reduced the opportunities for Caltrans to test promising new treatment technologies as full-scale pilot studies. On the schedule provided in the October 2003 Deicer Report, Caltrans will complete retrofit projects on less than 10% of their Tahoe Basin highways by 2006, and if there are no further delays, approximately ½ of their Tahoe Basin highways by the 2008 compliance date in the Statewide Caltrans Permit.

**6. *2003 Markleeville Creek Day, Alpine County - John Steude***

The Alpine Watershed Group held the 3<sup>rd</sup> Annual Markleeville Creek Day on September 27. This outreach event is sponsored by a number of local agencies, and dozens of local citizens, and people from as far as Reno attended this year's event. Members of the Washoe Tribe started the activities with a traditional prayer, song, and dance with everyone participating. The attendees then sampled Markleeville Creek for water quality parameters, planted willow cuttings and seeds on the banks for revegetation, and identified macroinvertebrates in the channel sediments. Regional Board staff demonstrated the watershed model and led the younger participants in a discussion of land use practices and associated effects on water quality. Smokey the Bear made a brief appearance and everyone enjoyed releasing Lahontan Cutthroat Trout into the creek at the end of the day. Five hundred trout, one to two inches in size, were released.

**7. *Status of Wetland Restoration Efforts in Mono County - Cindy Wise***

The Board has requested that staff provide an annual status report on wetland restoration efforts in Mono County. In 1999, staff reported that the estimated amount of wetland impacts from construction of single family homes appears to be offset by wetland restoration, but that a formal tracking method was needed for verification. The 2000 report included a summary of the commitment of the Mono County Collaborative Planning Team Wetlands TAC to compete for grant funding to develop a

watershed plan to aid in tracking restoration, and to further efforts to create a land trust or conservancy for the County. The status report of 2001 summarized the County's award of \$400,000 in Proposition 13 grant funding to develop watershed plans for major watersheds and to help support the new Eastern Sierra Conservancy's wetland restoration activities. In 2002, staff reported that it was working with the County to draft contracts for using the grant funding, and that it had been awarded an additional grant for \$150,000 in federal funds to support wetland management work in Mono County and elsewhere in the Lahontan Region. Recent activities in 2003 include continued efforts of the Mono County Collaborative Planning Team Wetlands TAC to finalize, and then implement, the contracts to be funded by the Proposition 13 grant funds. Staff has just been informed by the State Board's contract staff that these Proposition 13 contracts are near execution. Likewise, the contract to utilize the additional \$150,000 is also nearly executed. Tasks in these contracts include development of watershed management plans for the West Walker River, Mono Basin and Upper Owens River watersheds, restoration tracking, technical assistance in wetlands identification and assessment, and development of outreach and educational materials specific to wetlands.

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## SOUTH BASIN

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### 8. *Air Force's Natural Attenuation Remedy for Site OT-69 Needs Refinement at Former George Air Force Base - Jehiel Cass*

Site OT-69 at former George Air Force Base was to have been remediated by natural attenuation as specified in the Operable Unit (OU-3) Record of Decision (ROD). Recent groundwater monitoring data indicate that natural attenuation is not working as predicted in one portion of the site. Solvent concentrations are increasing, rather than decreasing. The remedy included a predictive assessment using groundwater modeling to estimate the time required before solvent concentrations in selected wells are below the drinking water standard. Under the OU-3 ROD; the Air Force must now either: 1) propose additional monitoring and assess whether natural attenuation is working; or 2) submit a plan for active remediation. Because recent groundwater data indicate the site is not fully defined, the Air Force proposes installing more wells to determine if an unknown source area exists. Staff concurs with this proposal. The Air Force investigation workplan will be submitted early next year (2004). Board staff has asked that the Air Force respond by mid-December 2003 on its specific plans to comply with the OU-3 ROD.

### 9. *Mojave River/El Mirage Dairy Issues - Joe Koutsky*

There are thirteen dairies in the southern part of the region and they are generally located in three areas: 1) the Mojave River floodplain; 2) the El Mirage Basin, a closed basin; and 3) the Antelope Valley. Five dairies are regulated by waste discharge requirements (WDRs); (two in El Mirage and three within the Mojave River floodplain).

Historically, the Regional Board adopted WDRs only for those dairies located within one-half mile of the Mojave River where groundwater was shallow and was most likely to be impacted by dairy operations. WDRs required each dairy to mitigate the impact to groundwater from their operations by directing them to: 1) limit manure disposal to 3 tons/acre/year; 2) implement Best Management Practices for washwater disposal;

and 3) monitor groundwater beneath the facility. The dairy regulatory strategy has now expanded to other areas outside the Mojave River. Recently, WDRs were adopted for two dairies in El Mirage. The depth to groundwater in this area is over 80 feet.

The following table presents a summary of the five dairies in the region regulated under WDRs, their disposal practices, and the groundwater monitoring frequency specified in their WDRs.

For each of these sites regulated under WDRs, the Regional Board has required groundwater monitoring wells. The groundwater monitoring program for each dairy has evolved in a phased approach that staff has implemented with the dischargers.

Nitrate-as-Nitrogen concentrations in groundwater beneath dairy operations in El Mirage have ranged from 6.3 to 78.8 mg/L; while along the Mojave River concentrations have ranged from 12 to 26 mg/L. (The highest Nitrate-as-N concentration of 78.8 mg/L was observed at the A&H Dairy in November 2002). The current California Department of Health Services primary maximum contaminant level (MCL) for Nitrate-as-N in drinking water is 10 mg/L. Total dissolved solids (TDS) concentrations in El Mirage have ranged from 540 to 3,000 mg/L while along the Mojave River, concentrations have ranged from 450 to 9,300 mg/L. (The highest TDS concentration of 9,300 mg/L was observed at the N&M Dairy in August 2003). The current U.S. EPA secondary MCL for TDS is 500 mg/L.

Dairying coexists with irrigated crop cultivation. The operating practices of both industries are related, and in most cases conducted on adjoining or neighboring lands. The similarity of operations and the proximity of the activities make it difficult to distinguish the source of pollutants between the two.

The San Bernardino County Planning Division of the Land Use Services Department has informed us of a proposed "dairy-oriented" energy development project in the Harper Dry Lake area north of Hinkley. A Conditional Use Permit application to the County is expected by year's end for a project consisting of two or

three methane- and natural gas-driven power plants, along with a 1,020-acre complex that may contain as many as 30 dairies and 90,000 cows. The magnitude of the project has the potential to impact groundwater quality from salt loading and overdraft.

DAIRY	LOCATION	MANURE DISPOSAL	WASHWATER DISPOSAL	GROUNDWATER MONITORING
Meadowbrook Dairy	El Mirage	Exported to Central Valley (100%)	Crop Irrigation	Semiannual
A&H Dairies	El Mirage	Exported to Central Valley (100%)	Crop Irrigation	Semiannual
N&M Dairy	Helendale	Exported to Central Valley (100%)	Crop Irrigation	Semiannual
Osterkamp Dairy	Helendale	Exported to Central Valley, Dagget, & Arizona (100%)	Crop Irrigation	Semiannual
B&E Dairy	Barstow	Disposed on Land within the Facility (10%) Exported to Barstow, Newberry Springs, & Hinkley (90%)	Crop Irrigation	Semiannual

**10. Los Angeles County Sanitation District No. 14, Lancaster - Ted Saari**

On September 30, 2003, the Los Angeles County Sanitation Districts (Districts) planning department circulated a Draft Environmental Impact Report (DEIR) for the District No. 14 Lancaster Water Reclamation Plant (WRP) 2020 Facilities Plan (Plan). The District's Plan has been prepared for the WRP, in part, to achieve compliance with waste discharge requirements by eliminating a nuisance condition associated with final effluent

overflows from Paiute Ponds to Rosamond Dry Lake. The District is investigating several effluent management alternatives including the increased use of recycled water for agricultural and municipal irrigation and WRP treatment improvements. Board staff is preparing comments on the DEIR. The DEIR is deficient because it did not properly evaluate impacts associated with elimination of overflows to Rosamond Dry Lake. The DEIR also lacks appropriate mitigation measures for environmental impacts associated with various waste disposal alternatives.

**11. IMC Chemicals Inc., (IMCC) - Kai Dunn**

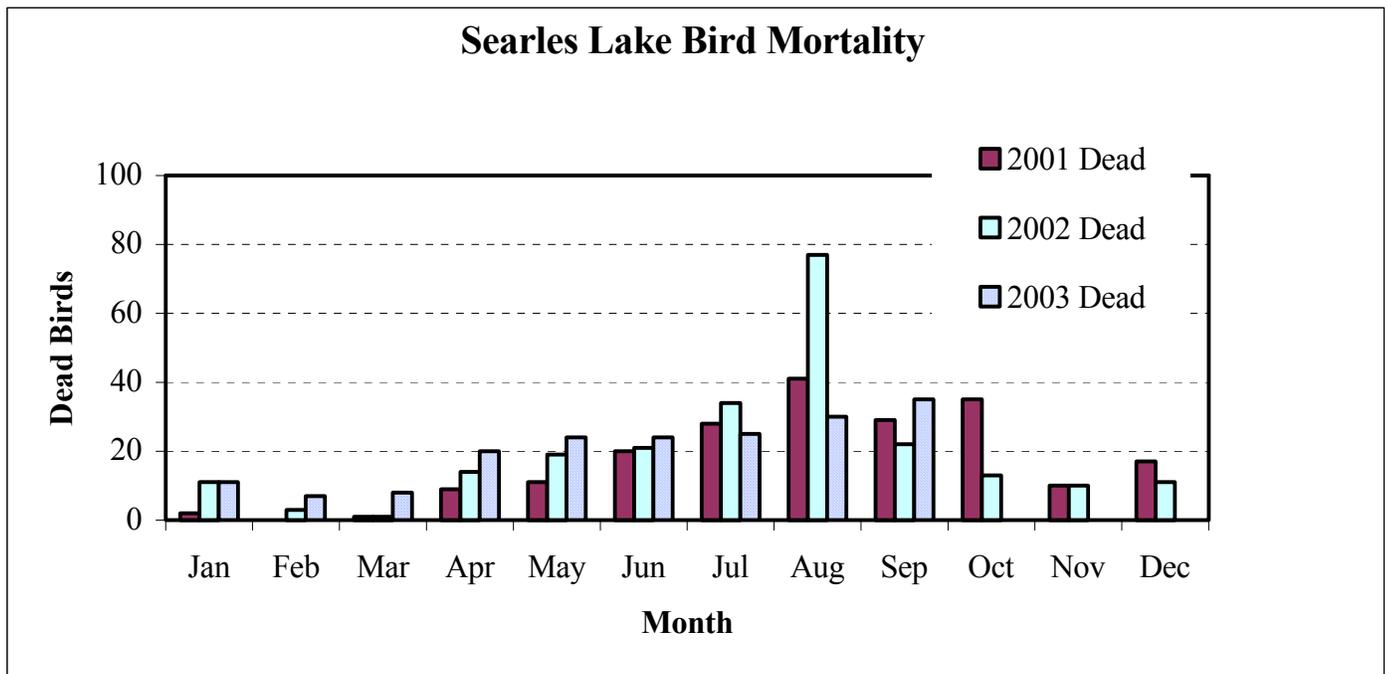
*Compliance Status*

The Argus plant injection brine exceeded the interim effluent limit for total recoverable petroleum hydrocarbons (TRPH) twice during the month of September 2003. This is the first violation to occur since the new Argus Skimmer was put into operation. IMCC is investigating the cause of these two violations. In both instances, the possible cause might be occasional buildup of solids at the new Argus skimmers. The number of IMCC effluent violations for the third quarter (July, August and September) in the year 2002 and 2003 are six and three, respectively. Sixty-four birds were picked up during the month of September 2003, thirty-five birds were found dead. The total number of birds found up to this year through the month of September is 276 with 184 dead and 92 alive. The dead birds reported in the year 2001, 2002, and 2003 are shown in the figure below.

Staff met with IMCC and its consultant to discuss the proposed cleanup and closure options for the serpentine channel. IMCC proposes a schedule to initiate cleanup of the channel prior to the end of this year.

*New Argus Skimmer Status*

IMCC is reevaluating boom size of and placement locations on the skimmers as well as frequency of vacuuming surface hydrocarbons to increase hydrocarbon recovery efficiency. Staff requested IMCC to evaluate the skimmer performance and characteristics and provide information by November 2003.



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

**REPORT ON STATUS OF STANDING ITEMS  
November 2003**

The Regional Board has requested that it be kept informed of the status of a number of issues. The following table lists the items, the reporting frequency and where the report can be found.

<b>ISSUE</b>	<b>REPORT FREQUENCY</b>	<b>STATUS/COMMENT</b>
Mojave River/El Mirage Dairy Issues	Special	Item No. 9 of November 2003 EO's Report
IMC Chemicals - Compliance Status	Monthly	Item No. 12 of November 2003 EO's Report
Los Angeles County Sanitation Districts #14 & #20	Monthly	Item No. 10 of November 2003 EO's Report
Caltrans-Tahoe Basin	Annually	Item No. 5 of November 2003 EO's Report
Tahoe Municipal Permit	Annually	Item No. 1 of November 2003 EO's Report
Wetland Restoration Progress in Mono County	Annually	Item No. 7 of November 2003 EO's Report
Meyers Beacon UST Site	Quarterly	Due January 2004 Board Meeting
Progress of Cleanup at Molycorp	Quarterly	Due January 2004 Board Meeting
Status of Basin Plan Amendments	Semi-Annual	Due March 2004 Board Meeting
Eagle Lake Spalding	Semi-Annual	Due March 2004 Board Meeting
Town of Mammoth Lakes - Erosion Control	Semi-Annual	Due March 2004 Board Meeting
Caltrans-General Permit	Annually	Due September 2004 Board Meeting

**Frequency**      **Board Meeting Month**

*Quarterly*      July, October, January & April.  
*Semi-Annual*      September & March  
*Annually*      Varied

**EO'S MONTHLY REPORT FOR  
OCTOBER 2003  
UNAUTHORIZED WASTE DISCHARGES**

DISCHARGER	FACILITY	LOCATION	BASIN	REG. FACILITY	SUBSTANCE DISCHARGED	HAZARDOUS	DATE REPORTED	DISCHARGE VOLUME	DESCRIPTION OF FAILURE	DISCHARGE TO	PROP 65	STATUS
<b>**COUNTY - San Bernardino</b>												
Lake Arrowhead CSD	Sewer	835 Burnt Mill Road	<input type="checkbox"/> S	<input type="checkbox"/> Y	Raw sewage	<input type="checkbox"/> N	9/30/2003	1400 gals	During eradication of bark-beetle infested trees, dozer knocked lid off manhole (mh) & debris into mh. An overflow occurred. Spill cleanup is complete.	Ground	<input type="checkbox"/> N	Spill report received on 10/21/03. Currently under review.
Lake Arrowhead CSD	Sewer	500 Grass Valley Road	<input type="checkbox"/> S	<input type="checkbox"/> Y	Raw sewage	<input type="checkbox"/> N	10/4/2003	300 gals	Root intrusion caused overflow. Spill cleanup is complete.	Ground	<input type="checkbox"/> N	Spill report received on 10/21/03. Currently under review.

**CASE CLOSURE REPORT**  
 State of California  
 Lahontan Regional Water Quality Control Board

<b>Date Closure Issued</b>	<b>Site Name</b>	<b>Site Address</b>	<b>Case Number</b>	<b>Case Type</b>	<b>Remaining Groundwater Concentrations above Water Quality Objectives (in micrograms per liter)</b>	<b>Remaining Soil Concentrations (in milligrams per kilogram)</b>	<b>Distance from Site to Nearest Receptor</b>	<b>Remedial Methods Used</b>
September 23, 2003	Payless Texaco Service Station	2750 Main Street, Susanville	T6S033	SLIC (gasoline)	MTBE: 159 ug/L	none	Municipal well 1,200 feet away	Soil excavation and on-site aeration (700 yds3)
October 10, 2003	Clark Chiropractic Building	10870 Old Brockway Road, Truckee	6T0365A	UST (heating oil)	none	none	Municipal well 1,500 feet away	Soil excavation and disposal (30 yds3)
October 8, 2003	Pangborn Borrow Pit	Township 15S, Range 36E, Section 20, Lone Pine	T6S028	SLIC (oil)	none	TPHo: 0.060 mg/kg	Pangborn Community Well 1/2 mile downgradient	Soil excavation and disposal (36 yds3)

**Notes:**  
 UST = Underground storage tank program  
 SLIC = Spills, Leaks, Investigation and Cleanup Program  
 MTBE = Methyl Tert-Butyl Ether  
 TPHo = total petroleum hydrocarbons as oil and grease  
 mg/kg = milligrams per kilogram  
 ug/L = micrograms per liter  
 yds3 = cubic yards