

Response to Comments – September 30, 2011

Basin Plan Amendment - Pesticide Prohibition & Exemption Criteria

(Comment deadline 5 p.m., May 13, 2011)

Nevada County Board of Supervisors

http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/comments051311/nvcobos.pdf

Comments

Response

COUNTY OF NEVADA

STATE OF CALIFORNIA

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April 26, 2011

Lahontan Regional Water Quality Control Board
ATTN: Dan Sussman
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150

SUBJECT: Support for Proposed Amendment Regarding Consideration of Aquatic Pesticides

Dear Mr. Sussman and Members of the Board:

After evaluating recommendations from the Nevada County Agricultural Commissioner and the County Fish and Wildlife Commission, we support the development of the plan amendment. The current policy of prohibiting aquatic pesticide use for the control and eradication of aquatic invasive species is obsolete in light of the increasing threats the Lahontan Region is experiencing from these organisms. From our perspective, these threats seem to have accelerated in the last decade. The plan amendment is unquestionably warranted.

We strongly recommend that you include the establishment of a rapid assessment and response team in order to expeditiously evaluate and treat newly-identified infestations before they develop to major crises. Such a team would ideally include appropriate experts from local government, the university system and industry as it is unreasonable with today's budgetary constraints to expect Lahontan to shoulder the full burden.

An additional safeguard would be to include a requirement to notify those who use water for agricultural purposes when aquatic pesticides are being applied.

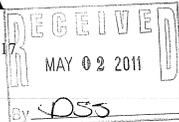
Serious local, regional, and national economic impacts have occurred and will increase unless policy is modified in light of these changed conditions. A few examples would be Davis Lake and Pike eradication, increase in wild land fire frequency cycles, loss of agriculture productivity due to invasive weeds, threats from diseases such as West Nile Virus, Avian flu and others, and declining population trends for many native wildlife species.

The LRWQB region has witnessed unprecedented modification to aquatic and terrestrial habitats from invasive species in the last two decades. Pest management programs can be established to control existing infestations such as Eurasian Watermilfoil. The exemption to the prohibition can enable public agencies to quickly eradicate Quagga or Zebra mussel if they were introduced into the region's water bodies.

Sincerely,

Handwritten signature of Edward C. Scofield

Edward C. Scofield
Chairman, Board of Supervisors



NV Co. R1: The establishment of rapid assessment and response team is outside the scope of the Basin Plan amendment. However, this need is identified in both the California Aquatic Invasive Species Management Plan (CAAISMP) and the Lake Tahoe Aquatic Invasive Species Management Plan (LTAISMP). Water Board staff sit on both the Lake Tahoe AIS Coordinating Committee (LTAISCC) and the California AIS Team (CAAIST) and will use these positions to advocate for the establishment of rapid assessment and response teams. Additionally, other agencies, including US Bureau of Land Management and California Department of Food and Agriculture engage in complementary planning activities.

NV Co. R2: New language has been added to the Basin Plan, Chapter 4 under the section titled "Exemption Criteria for Aquatic Pesticide Use" that requires project proponents to prepare and implement a notification and communication plan. The plan requires project proponents to document measures to notify potentially affected parties who may use the water (ground or surface) downstream for any beneficial use. Users of the water for agricultural purposes would be captured within this broad notification language.

NV Co. R3: The proposed tiered approach allows quicker turnaround for emergencies and time-sensitive projects.

Comments

Response



RESOLUTION No. 11-178

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**RESOLUTION IN SUPPORT OF THE DRAFT AMENDMENT
TO THE WATER QUALITY CONTROL PLAN FOR THE
LAHONTAN REGION (BASIC PLAN) TO ALLOW SOME
LAWFUL DISCHARGE OF AQUATIC PESTICIDES**

WHEREAS, the Lahontan Regional Water Quality Control Board's existing pesticide water quality objective in its Water Quality Control Plan for the Lahontan Region prohibits application of pesticides to surface waters; and

WHEREAS, the proposed amendment to the Water Quality Control Plan allows the Water Board to protect water quality from the unauthorized use and unintended effects of aquatic pesticides while still allowing some lawful discharge where that use is in the public interest; and

WHEREAS, the use of aquatic pesticides is necessary for the protection of public health and safety, the maintenance or restoration of certain beneficial uses and may be justified for certain situations where alternatives may be infeasible or inadequate to achieve effective control of pests; and

WHEREAS, the Nevada County Fish and Wildlife Commission, during its meeting on April 5, 2011, approved a recommendation that the Board of Supervisors support the proposed amendments with the addition that they include a requirement to notify those who use water for agricultural purposes when aquatic pesticides are being applied.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada hereby supports the draft amendment to the Water Quality Control Plan for the Lahontan Region (Basin Plan) to allow some lawful discharge of aquatic pesticides. In addition to the draft amendment, the Water Board should require notification of those who use water for agricultural purposes when aquatic pesticides are applied.

Comments

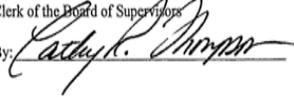
Response

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 26th day of April, 2011.

by the following vote of said Board: Ayes: Supervisors Nate Beason, Ed Scofield, Terry Lamphier, Hank Weston & Ted S. Owens.
Noes: None.

ATTEST: Absent: None.

CATHY R. THOMPSON Abstain: None.
Clerk of the Board of Supervisors

By: 


Edward C. Scofield, Chair

DATE	COPIES SENT TO
4/27/11	LRWQCB
	Agric. Comm.