



Terry Tamminen
Secretary for
Environmental
Protection

California Regional Water Quality Control Board Lahontan Region



Arnold Schwarzenegger
Governor

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
<http://www.swrcb.ca.gov/rwqcb6>

MINUTES
October 8-9, 2003

Regular Meeting

Lahontan Regional Water Quality Control Board
Inn By The Lake, Lakeview Room
3300 Lake Tahoe Boulevard
South Lake Tahoe, CA

Chair Eugene Nebeker called the meeting to order at 3:35 p.m.

BOARD MEMBERS PRESENT

William Betterley, Hesperia
Jack Clarke, Apple Valley
Amy Horne, Ph.D., Truckee
Eugene Nebeker, Ph.D., Lancaster
Claudette Roberts, Palmdale
Eric Sandel, Truckee

BOARD MEMBERS ABSENT

John Brissenden

LEGAL COUNSEL

Steven H. Blum, State Water Resources Control Board

STAFF PRESENT

Harold J. Singer, Executive Officer
Robert S. Dodds, Assistant Executive Officer
Chuck Curtis, Supervising WRCE, Planning and Toxics Division
Lauri Kemper, Supervising WRCE, Northern Lahontan Watersheds Division
Mike Plaziak, Senior Engineering Geologist, Mojave Unit
Richard Booth, Acting Lead, UST Unit
Alan Miller, Senior WRCE, Northern Lahontan Rural Watersheds
Doug Smith, Senior Engineering Geologist, Lake Tahoe Watershed
Judith Unsicker, Staff Environmental Scientist, Basin Planning/TMDLs
Dave Roberts, Environmental Scientist, TMDL Unit
Mary Fiore-Wagner, Environmental Scientist, Lake Tahoe Watershed
Pamela Walker, Administrative Officer
Marietta Christoffersen, Office Technician

ADDRESSING THE BOARD

Raymond Tremblay, Los Angeles County Sanitation District (LACSD)
Bill Thomas, Centennial Livestock



1. Executive Officer's Report

Mr. Singer highlighted the following items from the October 2003 written report:

Item No. 1 – Myers Beacon Gas Station, El Dorado County

In-situ remediation is low doses of hydrogen peroxide. Mr. Singer answered Board member questions.

Item No. 2 – Polycyclic Aromatic Hydrocarbons (PAHs) in Lake Tahoe and Donner Lake

The Regional Board has a long-standing prohibition for new piers in significant spawning areas of Lake Tahoe. However, a study concluded that boats and piers in spawning areas do not create physical spawning problems. A recent study conducted by the University of Nevada found that petroleum releases from boat exhaust contribute to PAHs at levels toxic to organisms in certain areas of Lake Tahoe. Because of other potential environmental effects of piers (visual) as well as the effect of additional PAHs, the CEQA document to support lifting the pier prohibition would be very complex.

In the meantime, the Tahoe Regional Planning Agency is preparing an Environmental Impact Study (EIS) that would evaluate potential environmental effects of activities that could occur on the shorezone as a result of changing its ordinances. One proposed ordinance change would allow piers in spawning areas. Once the EIS is completed, the Regional Board could use that document as a functional equivalent and bring a Basin Plan amendment to the Board.

Mary Fiore-Wagner and Lauri Kemper answered questions from Board members.

Item No. 3 – Caltrans Highway 50 Water Quality Project and Pilot Studies, El Dorado County

Caltrans has installed pilot BMPs not currently used in the Basin. If the results are positive, the technology can be transferred to other users. Due to budgetary setbacks, other proposed pilot study projects have been delayed.

Item No. 4 – Storm Water Quality Improvement Committee Update

This committee is an example of the cooperative relationship that can exist between regulators, funding entities and implementing entities in an effort to streamline project implementation. In addition, the U.S. Army Corps of Engineers has offered to provide technical assistance and funding.

Item No. 6 – Squaw Valley Ski Corporation

Squaw Valley has submitted its Critical Water Quality Improvement Plan and will complete implementation of the projects by the October 15, 2003 compliance date. A Parking Lot Runoff Plan was submitted but implementation of the project has been delayed over concerns raised by two water districts that must be addressed in the CEQA document being prepared by Placer County.

Item No. 7 – Molycorp Compliance Status Update

Molycorp Right-of-Way Permits should be issued within the next seven days.

Item No. 10 – A & H Dairy

A nitrogen release at the dairy has resulted in groundwater contamination. Whether this comes before the Board as a Time Schedule Order or Board staff continues to work with the dairy administratively has not been determined. Mr. Singer answered questions from Board members.

Other items discussed:

Mandatory Minimum Penalties

There is a new law requiring mandatory minimum penalties for dischargers who fail to submit NPDES permit monitoring programs within 30 days of the due date. This may be discussed at the WQCC meeting and in press clips.



Budget

It appears that the State and Regional Boards have met staff reductions as outlined in approved layoff plans. This occurred as a result of a combination of staff attrition, some resignations of staff targeted for layoff, and reductions in contracts. Region 6 lost three staff. Loss of funding has resulted in a reorganization of staff from tasks that had fund cuts to those with ongoing funding.

Proposed 2004 Board Meeting Schedule

The schedule for 2004 was discussed.

Los Angeles County Sanitation District (LACSD)

Dr. Nebeker excused himself from this discussion. Staff is working on a "draft" enforcement order but it may not be ready for the November meeting. There will be a workshop and tour of the LACSD No. 20, Palmdale disposal area. Board members requested monthly updates on LACSD. Last week, US EPA issued a Finding of Violation and Order for Compliance to LACSD for sanitary sewer overflows due to inadequate maintenance, which contribute to beach closures. A southern California alliance of publicly owned treatment facilities (SCAF) has contacted Region 6, 8, 9 and 4 in an effort to establish a compliance program to reduce sanitary sewer overflows.

13. CLOSED SESSION

Board members met in closed session on October 8, 2003 from 4:25 p.m. to 5:10 p.m. to discuss items f, h, i, j, k, l, m, n, and q. Authority: Government Code Section 11126(a)(e).

The Board reconvened in open session at 5:11 p.m. and the afternoon session adjourned.

Regular Meeting, Continued **7:00 p.m., October 8, 2003**

Chair Eugene Nebeker called the meeting to order at 7:00 p.m. Board members present: William Betterley, Jack Clarke, Amy Horne, Claudette Roberts and Eric Sandel.

2. PUBLIC FORUM

No one addressed the Board during the Public Forum.

4. ADOPTION OF UNCONTESTED CALENDAR

- **Motion:** Moved by William Betterley, seconded by Claudette Roberts and **unanimously carried** to adopt the Uncontested Calendar as proposed.

PLANS AND POLICIES

6. Rescission of Nine Obsolete Resolutions Related to Basin Plan Implementation

There was no staff presentation.

- **Motion:** Moved by Jack Clarke, seconded by Eric Sandel and **unanimously carried** to adopt the Resolution as proposed.

California Environmental Protection Agency

Recycled Paper



STATUS REPORTS

10. Meyers Shell MTBE Plume and Affected Municipal Wells

Richard Booth, Engineering Geologist, discussed recently discovered information concerning MTBE groundwater contamination (that originated from the Meyers Beacon station) in the Meyers area. He pointed out which municipal wells were affected and discussed the groundwater plume investigation. He concluded his presentation by outlining future actions that would be required of Shell Oil Company and any other identified responsible party.

Board members expressed their appreciation for the excellent presentation.

Richard Booth and Chuck Curtis, Supervising WRCE answered questions from Board members.

5. *Public Hearing* – Triennial Review of the Water Quality Control Plan for the Lahontan Region (Basin Plan)

Dr. Nebeker excused himself from this item.

Mr. Sandel opened the public hearing and administered the oath.

Judith Unsicker, Staff Environmental Scientist, gave the staff presentation and discussed the following:

- Triennial Review Process
- Written Public Comments
- Response to Written Public Comments

Raymond Tremblay, LACSD, stated his support of the Regional Board's staff recommendation on the Triennial Review priorities.

Bill Thomas, Centennial Livestock, discussed the abnormally low fecal coliform levels in the Lahontan Basin Plan when compared with the rest of the state. He pointed out that although these standards are currently being met on the ranch his company owns, Lake Tahoe Standards should not be imposed in areas where agriculture is the dominant beneficial use.

Mr. Singer noted that the standards in the Basin Plan are based on non-degradation and the data available establishes that these levels can be achieved in most, if not all water bodies in the region, subject to natural causes. He related that a site-specific amendment acknowledging that meeting these standards may not be appropriate is an option when all required BMPs have been used and the standards cannot be achieved. Mr. Singer informed the Board that Basin Plan amendments would become part of the "Standing Items Report" on a twice-yearly basis.

Mr. Sandel closed the public hearing.



Board member discussion followed.

- **Motion:** Moved by Jack Clarke, seconded by Amy Horne and **unanimously carried** to adopt the Resolution as proposed.

11. Lake Tahoe Sediment and Nutrient TMDL (Total Maximum Daily Load) Project

Dave Roberts, Environmental Scientist, gave the staff presentation that included the following:

- Clarity Model and other planning tools for development of reduction strategies
- Use of planning tools in implementation and allocation planning phase of TMDL development
- TMDL Development Phases
- Parts of a TMDL
- Established Water Quality Objectives
- Major Source Categories
- Linkage Models
- Assimilative Capacity
- Technical TMDL
- Conceptual Load Reduction Model
- Conceptual Clarity Improvement Curves
- Example Load Reduction Matrix
- Example Load Reduction Alternatives
- Selected Alternative
- Implementation Plan
- Indicators, Milestones and Objectives
- Monitoring Plan
- Lake Tahoe TMDL Timeline

Mr. Roberts answered questions from Board members.

Dr. Nebeker thanked Mr. Roberts for a very good presentation.

OTHER BUSINESS

12. Reports by Chair and Board Members

Dr. Nebeker informed Board members that a Swedish war ship sunk in 1628 and recently raised, has an acid mine formation like what is found at Leviathan Mine.

With no further business to come before the Lahontan Regional Board, the meeting adjourned at 9:05 p.m.

Prepared by: _____ Adopted: February 10, 2004
Pam Walker, Administrative Officer

California Environmental Protection Agency

Recycled Paper



California Environmental Protection Agency

Recycled Paper

