



# California Regional Water Quality Control Board Lahontan Region



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Arnold Schwarzenegger  
Governor

## MINUTES

### October 10-11, 2007

#### Regular Meeting

South Lake Tahoe Airport  
City Council Chambers  
1901 Airport Road  
South Lake Tahoe, CA 96150

Dr. Horne, Chair, called the meeting to order at 2:45 p.m. on October 10, 2007.

#### Board Members Present

John Brissenden, Hope Valley  
Jack Clarke, Apple Valley  
Keith Dyas, Rosamond  
Amy Horne, Ph.D., Truckee  
Eric Sandel, Truckee

#### Board Member Absent

Susan Van Dam, Barstow

#### State Board Liaison

Art Baggett, Jr., State Water Resources Control Board

#### Legal Counsel

David Coupe, State Water Resources Control Board

#### Staff Present

Harold Singer, Executive Officer  
Bob Dodds, Assistant Executive Officer  
Chuck Curtis, Supervising WRCE  
Lauri Kemper, Supervising WRCE  
Bud Amorfini, Environmental Scientist  
Laurie Applegate, Executive Assistant  
Richard Booth, Senior Eng. Geologist  
Doug Cushman, Senior WRCE  
Robert Erlich, Environmental Scientist  
Katie Everett, MST

Tom Gavigan, Eng. Geologist  
Kim Gorman, Environmental Scientist  
Anne Holden, Eng. Geologist  
Bob Larsen, Environmental Scientist  
Alan Miller, Senior WRCE  
Lisa Petrusa, Student Intern  
Hannah Schembri, WRCE  
Eric Shay, Staff Services Analyst  
Doug Smith, Senior Eng. Geologist  
Andrea Stanley, Eng. Geologist

*California Environmental Protection Agency*

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### **Addressing the Board**

Art Baggett, Member, State Water Resources Control Board  
Ed Heneveld, Friends of Squaw Creek  
Terri Marceron, USFS, Lake Tahoe Basin Management Unit  
Susan Norman, USFS, Lake Tahoe Basin Management Unit  
Craig Oenrli, USFS, Lake Tahoe Basin Management Unit  
John Singlaub, Tahoe Regional Planning Agency  
Andrew Strain, Heavenly Mountain Resort

### **OTHER BUSINESS**

#### **1. Workshop – Discussion of Water Board Policies Contained in the Water Quality Control Plan for the Lahontan Region Concerning Fuel Reduction Projects in Stream Environment Zones (SEZs) in the Lake Tahoe Basin**

Lauri Kemper gave an overview of Basin Plan policies and described a process the Board could consider to authorize work within SEZs to reduce fuel loads and wildfire risks. Ms. Kemper discussed the findings necessary for Basin Plan prohibition exemptions for public service and environmental restoration projects and asked the Board if it would be comfortable considering fuel reduction projects under those exemption categories.

Board members discussed the findings needed for the environmental restoration exemption category. It was the consensus of the Board that the term environmental protection could be more flexible and could be interpreted to include resource benefits in addition to water quality such as enhancing riparian vegetation and improving wildlife habitat. It was noted that projects would need to come before the Board or the Executive Officer for review on a case-by-case basis. It was also suggested that the Board could develop new Basin Plan exemptions for fuel reduction projects.

Board members also discussed the findings for the public service facilities exemption category and agreed that to meet this category a project would need to demonstrate that it would reduce fire risk and not just reduce fuels. Ms. Kemper noted that the Board previously adopted a Resolution delegating authority to the Executive Officer to grant exemptions for public service facility projects with disturbance of less than 2,000 square feet. Projects with more than 2,000 square feet of disturbance would come before the Board for consideration.

Addressing the Board: Terri Marceron, Forest Supervisor, U.S. Forest Service, Lake Tahoe Basin Management Unit (handout); and Sue Norman, Forest Hydrologist, U.S. Forest Service, Lake Tahoe Basin Management Unit (handout) and John Singlaub, Executive Director, Tahoe Regional Planning Agency.

Dr. Horne acknowledged and thanked El Dorado County Supervisor Norma Santiago for attending the workshop.



**3. PUBLIC FORUM**

Ed Heneveld, Chairman, Friends of Squaw Creek (FOSC), noted that the FOSC in collaboration with the Truckee River Watershed Council (TRWC), applied for a \$49,900 grant from the Sierra Nevada Conservancy (SNC) to advance planning on Squaw Creek restoration. Mr. Heneveld noted that Placer County has committed \$12,500, the Resort at Squaw Creek intends to contribute \$20,000, and the FOSC \$10,000. Mr. Heneveld asked the Regional Board to contribute \$20,000 from the Red Dog Diesel Spill Mitigation Fund. Mr. Heneveld handed out a copy of the SNC Proposition 84 Grant Application and summarized the work to be completed with the requested funds.

Mr. Singer noted that the Board could not make a decision on the funding request during the public forum. He felt the project was a positive move and noted he would be prepared to bring a request for funding from the Red Dog Diesel Spill Mitigation Fund to the Board for consideration at a future meeting.

The Board recessed for dinner at 5:00 p.m.

**Regular Meeting, continued**  
**7:00 p.m., October 10, 2007**

Dr. Horne, Chair, called the meeting to order at 7:00 p.m.

Board members present: John Brissenden, Jack Clarke, Keith Dyas, Amy Horne, and Eric Sandel. Board member absent: Susan J. Van Dam.

Art Baggett, Member, State Water Board and liaison to the Lahontan Water Board, gave an update of issues before the State Water Board.

**3. PUBLIC FORUM**

No one addressed the Board during the Public Forum.

**4. MINUTES**

**Minutes of the Regular Meeting of August 29-30, 2007 in Lancaster, California.**

- **Motion:** Moved by Mr. Brissenden, seconded by Mr. Clarke and **unanimously carried** to adopt the minutes as written.



## AMENDED WASTE DISCHARGE REQUIREMENTS

### 5. **Heavenly Ski Resort, El Dorado and Alpine Counties, Board Order No. R6T-2003-32A2**

Alan Miller gave the staff presentation and handed out and discussed an updated Operation and Maintenance Plan (O&M Plan), a copy of an email from Michelle Gamble of Resource Concepts, Inc., discussing changes to the O&M Plan and photos of Heavenly Mountain Resort California Main Lodge showing the vault installation. Mr. Miller discussed comments received from the City of South Lake Tahoe and Water Board staff's response to comments. Mr. Miller recommended the Board adopt the amendments with the compliance schedules as proposed. Mr. Miller answered questions from the Board.

Addressing the Board: Andrew Strain, Heavenly Mountain Resort.

- **Motion:** Moved by Mr. Clarke, seconded by Mr. Sandel and **unanimously carried** to adopt the amended waste discharge requirements with the updated O&M Plan as proposed by Heavenly Mountain Resort.

## PLANS AND POLICIES

### 6. **Status Report – Update on the Lake Tahoe Total Maximum Daily Load Program**

Note: Dr. Horne recused herself from this item to avoid any potential conflict of interest because of her employment with UC Davis and the Tahoe Environmental Research Center and because UC Davis and the Tahoe Environmental Research Center are helping the Board develop the Lake Tahoe TMDL for the Board's consideration. Dr. Horne handed the gavel to Mr. Clarke who served as Chair for this item.

Mr. Clarke noted that the item would be held as a workshop because of the lack of a quorum.

Robert Larsen gave the staff presentation and answered questions from the Board.

Mr. Singer commended the TMDL team and consultants. He commented that increased funding and continued stakeholder commitment and consensus will be needed to meet the goals of the TMDL.

Lauri Kemper discussed the relationship between the TMDL effort and the TRPA updated regional plan. She noted that the TRPA target date for adoption of the updated regional plan is October 2008. Water Board staff's goal is to complete the draft TMDL in mid-2008 with external peer review completed prior to adoption of the TRPA updated regional plan. Ms. Kemper answered questions from the Board.



Mr. Clarke complimented Mr. Larsen on his presentation.

### **OTHER BUSINESS**

#### **7. Total Maximum Daily Load for Bedded Sediment, Blackwood Creek, Placer County**

Dr. Horne resumed her duties as Chair and opened the public hearing.

Tom Gavigan gave the staff presentation and discussed the streamlined process for adoption of the TMDL. He recommended the Board adopt the TMDL for bedded sediment in Blackwood Creek and certify the U.S. Forest Service's restoration program for Blackwood Creek as an appropriate implementation plan to meet water quality objectives and restore beneficial uses.

Tom Gavigan, Chuck Curtis and Robert Larsen answered questions from the Board.

Addressing the Board: Craig Oenrli, U. S. Forest Service, Lake Tahoe Basin Management Unit.

Board members complimented Mr. Gavigan on his presentation.

- **Motion:** Moved by Mr. Dyas, seconded by Mr. Sandel and **unanimously carried** to approve the Resolution as proposed adopting the TMDL implementation plan for bedded sediment in Blackwood Creek and certifying the U.S. Forest Service restoration program for TMDL implementation.

#### **8. Request for Cleanup and Abatement Account Funds for Treating and Monitoring Watershed and Lake Effects from the Angora Fire in South Lake Tahoe**

- **Motion:** Moved by Mr. Sandel, seconded by Mr. Brissenden and **unanimously carried** to adopt the Resolution as proposed.

#### **2. Executive Officer's Report**

Mr. Singer discussed items from the October Executive Officer's written report.

- Dr. Horne asked when the question regarding the statistical validity of the monitoring specified in the Squaw Creek TMDL will be brought back to the Water Board. Mr. Singer indicated he would discuss this with staff and report back to the Board at the next meeting.
- There are currently ten staff vacancies in the Lahontan Region. Mr. Singer discussed the reasons for the vacancies and the effect on



workload commitments and the budget. Staff is looking at ways to streamline efforts and are reviewing work plans to identify lower priority work that will not be completed due to the vacancies.

- Mr. Singer handed out and discussed a draft letter to the USDA Forest Service and noted his intention to sign the letter unless Board members have concerns. He explained that when signed, the letter would grant an exemption to a discharge prohibition specified in the Basin Plan and would also grant 401 water quality certification for the Prosser Creek Spawning Habitat Restoration Project. Mr. Singer noted the exemption would allow the USDA Forest Service and Truckee River Watershed Council to implement restoration of spawning habitat within Prosser Creek below Prosser Creek Dam. A public notice regarding granting the prohibition exemption was published in newspapers as required by the Basin Plan. Mr. Singer noted he would like to issue the exemption by Friday, October 12 and asked the Board to let him know if they had concerns about the project by noon on Friday.
- Mr. Singer discussed concerns previously raised by Mr. Brissenden about the Rubicon-McKinney Road. Staff found that the issues are related to OHV use on the west side of the Sierra Nevada in the Central Valley Region (Region 5). Lahontan staff will discuss the concerns with staff from Region 5.
- The Board reviewed the draft 2008 Board meeting schedule. There were no Board member conflicts with the first three months of the schedule.

## 9. **Reports by Chair and Board Members**

Mr. Brissenden noted it was his last meeting in the north portion of the region and thanked the Board, Mr. Singer and staff for their support and dedication to the protection of water quality.

Dr. Horne related an incident that occurred when she attended the Tahoe Summit in August. While Dr. Horne consoled a woman who had lost her home in the Angora Fire, the woman complimented Board staff and went on to explain that at a difficult time, she received a phone call of encouragement from one of the Board's staff. Dr. Horne thanked Water Board staff for their hard work.

## 10. **CLOSED SESSION**

The Board met in closed session from 9:35 p.m. to 10:00 p.m. to discuss Item 10.e. The Board reconvened in open session at 10:01 p.m.

## 11. **ADJOURNMENT**

With no further business to come before the Board, the meeting adjourned at 10:01 p.m. on October 10, 2007.



**TOUR**  
**October 11, 2007 – 8:45 a.m.**

Board members, staff and interested parties met at the USFS, Lake Tahoe Basin Management Unit parking lot at 35 College Drive at 8:45 a.m. on October 11, 2007 to begin a tour of the Heavenly Valley Creek Stream Environment Zone Fuels Reduction Demonstration Project.

Prepared by: *Laurie Applegate* Adopted: November 28, 2007  
Laurie Applegate, Executive Assistant

