



California Regional Water Quality Control Board Lahontan Region



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MINUTES June 15-16, 2005

Regular Meeting

Lahontan Regional Board Office
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150

1. CLOSED SESSION

Chair Jack Clarke called the meeting to order on June 15, 2005 at 10:30 a.m. Board members present: Jim Chapman, Jack Clarke, Keith Dyas, Bishop Henry Hearn, and Amy Horne. Board members absent: John Brissenden, Eric Sandel, and Susan Van Dam. At 10:31 a.m., Board members, legal counsel and staff met in closed session to tour Leviathan Mine in Alpine County. The Board concluded the tour of Leviathan Mine and returned to the Lahontan Regional Board office at 3:00 p.m. The meeting reconvened in open session at 3:00 p.m. and adjourned at 3:01 p.m. **Authority:** Government Code Section 11126(e)(2)(B)(I).

Regular Meeting, Continued

City Council Chambers
1900 Lake Tahoe Boulevard
South Lake Tahoe, California 96150

Chair Jack Clarke called the meeting to order at 7:00 p.m. and introduced the Board members. Robert Dodds, Assistant Executive Officer, introduced the staff and noted that Harold Singer, Executive Officer, would not be in attendance during the evening session.

BOARD MEMBERS PRESENT

Jim Chapman, Susanville
Jack Clarke, Apple Valley
Keith Dyas, Rosamond
Bishop Henry W. Hearn, Lancaster
Amy Horne, Ph.D., Truckee
Eric Sandel, Truckee

BOARD MEMBER ABSENT

John Brissenden, Hope Valley
Susan J. Van Dam, Barstow

LEGAL COUNSEL

Erik Spiess, State Water Resources Control Board



STAFF PRESENT

Harold Singer, Executive Officer (Thursday only)	Laurie Applegate, Executive Assistant
Robert S. Dodds, Assistant Executive Officer	Danelle Davidson, Office Technician
Chuck Curtis, Supervising WRCE	Mary Fiore-Wagner, Environmental Scientist
Lauri Kemper, Supervising WRCE	Martin Goldberg, Environmental Scientist
Richard Booth, Senior Engineering Geologist	Robert Larsen, Environmental Scientist
Scott Ferguson, Senior WRCE	Kathleen Minsky, Acting Administrative Officer
Alan Miller, Senior WRCE	Carolyn Robbins, Office Assistant
Doug Smith, Senior Engineering Geologist	Eric Shay, Office Technician
Chris Stetler, Senior WRCE	Robert Tucker, WRCE

ADDRESSING THE BOARD

Paquita Bath, Sierra Business Council
 John Friedrich, League to Save Lake Tahoe and Sierra Watch
 Carl Gustafson
 Michael Hogan, Integrated Environmental Restoration Services
 John Loomis, Northstar-at-Tahoe
 Karl Morthole, Allied Washoe
 Ron Parr, Lanny Winberry and Lori A. Carpenter, representing DMB Highlands Group
 Pam Rocca
 Gary Thomas
 Lisa Wallace, Truckee River Watershed Council

2. PUBLIC FORUM

- Pam Rocca, Squaw Valley resident, expressed concern regarding over pumping and over development in Squaw Valley. She noted wells located in creek beds or next to creeks are going dry.
- Carl Gustafson, Squaw Valley resident, presented to the Board and read into the record a handout entitled “Squaw Creek Excessive Depletion of Instream Flow Especially During the Drought Years.” Mr. Gustafson voiced concern regarding the quality and quantity of water and the fishery in Squaw Creek and asked the Regional Board to file a complaint with the State Water Board’s Division of Water Rights.

Robert Dodds, Assistant Executive Officer, noted the Regional Board’s limited authority with regard to water rights issues. Following discussion, Board members asked staff to contact the Department of Fish and Game and the State Water Board’s Division of Water Rights to investigate the options available and advise Mr. Gustafson of those options.

- Lisa Wallace, Truckee River Watershed Council (Council), noted that the Council is sponsoring a Stewardship Day at Squaw Creek on Saturday, June 25. Ms. Wallace invited Board members to participate if available. She handed out a flyer produced by the Council and the Sagehen Creek Field Station staff with a



schedule of presentations to be held in June, July and August covering subjects related to water quality and watershed health.

OTHER BUSINESS

3. Minutes of the Regular Meeting of April 13 and 14, 2005 in Lancaster, California

- **Motion:** Moved by Mr. Dyas, seconded by Bishop Hearn and **unanimously carried** to adopt the April 13 and 14, 2005 minutes as proposed. Note: Mr. Chapman abstained.

4. ADOPTION OF UNCONTESTED CALENDAR

Items 5 and 6 were considered on the uncontested calendar.

- **Motion:** Moved by Dr. Horne, seconded by Bishop Hearn and **unanimously carried** to adopt Items 5 and 6 on the uncontested calendar. Note: Mr. Sandel abstained from voting on Item 6.

UPDATED NPDES PERMIT AND WASTE DISCHARGE REQUIREMENTS

5. Industrial Stormwater National Pollutant Discharge Elimination System Permit (NPDES) and General Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Marinas and Maintenance Dredging at Marinas in the Lake Tahoe Hydrologic Unit (NPDES No. CAG616003)(Board Order No. 6-00-36), El Dorado and Placer Counties

(See Item 4 for Board action.)

ENFORCEMENT ACTION

6. Administrative Civil Liability Complaint Settlement – North Tahoe Public Utility District

(See Item 4 for Board action.)

OTHER BUSINESS

7. Request by Gary Thomas that the Regional Board Require Allied Washoe to Pay for a City Water Connection to the Thomas Property

Richard Booth presented the staff report and answered questions from the Board. Mr. Booth asked the Board to adopt the Resolution denying Mr. Thomas' request.

Addressing the Board: Gary Thomas; Karl Morthole, representing Allied Washoe.

- **Motion:** Moved by Mr. Chapman and seconded by Bishop Hearn to adopt the Resolution denying Mr. Thomas' request. Following discussion by the Board, the motion **unanimously carried.**



8. Presentation on California Alpine Resort Environmental Cooperative Sediment Source Control Handbook

Martin Goldberg gave the staff presentation and answered questions from the Board.

Addressing the Board: Paquita Bath, Vice President, Sierra Business Council; John Loomis, Director of Operations, Northstar-at-Tahoe; Michael Hogan, Integrated Environmental Restoration Services.

STATUS REPORT

10. Update on Pathway 2007 – An Interagency and Collaborative Public Process to Complete the Lake Tahoe TMDL, Update the Tahoe Regional Planning Agency’s Regional Plan, and Update the Lake Tahoe Basin Management Unit’s Land Management Plan

Lauri Kemper gave an update regarding Pathway 2007 and answered questions from the Board.

OTHER BUSINESS

9. Executive Officer’s Report

Harold Singer was not present during the discussion of the Executive Officer’s Report. Robert Dodds, Assistant Executive Officer, answered questions regarding Items 3, 4, 11 and 12 of the written report.

The evening session adjourned at 9:15 p.m.

Regular Meeting, Continued
8:30 a.m., June 16, 2005

Chair Jack Clarke called the meeting to order at 8:30 a.m. Board members present: Jim Chapman, Keith Dyas, Bishop Henry Hearn, Amy Horne, Ph.D., and Eric Sandel. Board members absent: John Brissenden and Susan Van Dam.

OTHER BUSINESS

11. DMB Highlands Group, LLC; Siller Ranch Development, Exemption to a Waste Discharge Prohibition Contained in the Water Quality Control Plan for the Lahontan Region, Placer County.

Scott Ferguson gave the staff presentation, discussed late revisions to the Resolution and answered questions from the Board. Mr. Ferguson recommended the Board adopt the Resolution with the late revisions.

Erick Spiess, legal counsel to the Board, discussed the Board’s responsibilities under the California Environmental Quality Act and answered questions from the Board.



Addressing the Board: Ron Parr, Lanny Winberry and Lori A. Carpenter, representing DMB Highlands Group; John Friedrich, League to Save Lake Tahoe and Sierra Watch.

- **Motion:** Moved by Bishop Hearn to adopt the Resolution with late revisions. Motion died for lack of a second.

Board members discussed concerns with the project and noted that additional time and information were needed to make a decision. Mr. Singer outlined the issues he felt the Board would like to see clarified at a future meeting.

- **Motion:** Following discussion, it was moved by Mr. Sandel, seconded by Mr. Dyas and **unanimously carried** to continue consideration of the item to the earliest meeting in the northern portion of the region at which time discussion will be focused on the following subjects: monitoring and information regarding how the Siller project meets the exemption criteria, including alternative analyses and private/public issues.

12. Reports by Chair and Board Members

Amy Horne discussed a workshop she attended regarding the 2005 Update of the California Water Plan and provided handouts to the Board.

Board members thanked staff for the tour of Leviathan Mine.

1. **CLOSED SESSION**

Board members met in closed session on June 16, 2005 from 11:25 a.m. to 11:42 a.m. to discuss items f, h, i, j, m, n, and o. **Authority:** Government Code Section 11126(e).

The Board reconvened in open session at 11:43 a.m. With no further business to come before the Board, the meeting adjourned at 11:43 a.m.

Prepared by: _____ s/s
Laurie Applegate, Executive Assistant

Adopted: July 13, 2005

