



California Regional Water Quality Control Board

Lahontan Region



Linda S. Adams
Secretary of
Environmental Protection

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Arnold Schwarzenegger
Governor

MINUTES

May 14-15, 2008

Tour

Wednesday, May 14, 2008 – 1:45 p.m.
USFS – Tahoe National Forest, Alder Creek Project

Lahontan Water Board members, Water Board and Tahoe National Forest Service staff, and members of the public toured the Alder Creek fuels reduction project site.

Regular Meeting

Tahoe City Public Utility District
Board Room
221 Fairway Drive
Tahoe City, CA 96145

Mr. Clarke, Chair, called the meeting to order at 7:00 p.m. on May 14, 2008.

Board Members Present

Jack Clarke, Apple Valley
Mike Dispenza, Palmdale
Keith Dyas, Rosamond (present May 14)
Donald Jardine, Markleeville
Eric Sandel, Truckee
Susan Van Dam, Barstow

Board Members Absent

Amy Horne, Ph.D., Truckee
Keith Dyas (absent May 15)

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

Tom Gavigan, Eng. Geologist
Anne Holden, Eng. Geologist
Bob Larsen, Environmental Scientist
Eric Shay, Staff Services Analyst
Doug Smith, Senior Eng. Geologist

California Environmental Protection Agency

Recycled Paper



Addressing the Board

David Arrasmith, U. S. Forest Service
Pat Davison, Contractors Association of Truckee Tahoe
John R. Falk, Tahoe Sierra Board of Realtors
Barry Hill, U. S. Forest Service
Carol Kennedy, U. S. Forest Service
Jacques Landy, U. S. Environmental Protection Agency
Everd McCain, Belfast Ranch
Geoffrey Schladow, Tahoe Environmental Research Center, University of California, Davis

1. PUBLIC FORUM

No one addressed the Board during the Public Forum.

2. MINUTES

Minutes of the Regular Meeting of April 9-10, 2008 in Barstow

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

RESCISSION WASTE DISCHARGE REQUIREMENTS

3. Rescission of Waste Discharge Requirements for the Gold Coast Pond Expansion, Squaw Valley Ski Area, Placer County

Mr. Singer noted the item was uncontested. A staff presentation was not given for this item.

- **Motion:** Moved by Mr. Dyas, seconded by Mr. Dispenza and **unanimously carried** to adopt the Board Order as proposed.

STATUS REPORT

4. Update on the Tahoe National Forest Motorized Travel Management Program

Lauri Kemper introduced David Arrasmith and Carol Kennedy, U.S. Forest Service, Tahoe National Forest; and Barry Hill, U.S. Forest Service, Pacific Southwest Region.

Dave Arrasmith, gave an overview of the Tahoe National Forest motorized travel management program and answered questions from the Board.

This was an informational item. No action was taken by the Board.



OTHER BUSINESS**5. *Public Hearing – Consideration of an Amendment to the Water Quality Control Plan for the Lahontan Region to Adopt a Total Maximum Daily Load for Sediment in the Middle Truckee River Watershed, Placer, Nevada and Sierra Counties, and a Related Environmental Document***

Mr. Clarke opened the public hearing.

Don Jardine disclosed that he previously worked for Caltrans and is currently employed by Caltrans as a retired annuitant. Mr. Jardine noted that he discussed the matter with legal counsel and based on that discussion, Mr. Jardine stated that he did not have a conflict.

Bud Amorfini gave the staff presentation. He drew the Board's attention to late revisions to the staff report and Basin Plan amendment and recommended the Board adopt the Resolution certifying the environmental document and approve the Basin Plan amendment as proposed with the late revisions. Mr. Amorfini answered questions from the Board.

Addressing the Board: Jacques Landy, U.S. Environmental Protection Agency (handout); Barry Hill, U.S. Forest Service, Vallejo; Pat Davison, Contractors Association of Truckee Tahoe; and John R. Falk, Tahoe Sierra Board of Realtors.

Mr. Singer discussed the status of the Management Agency Agreement with the U.S. Forest Service. He also explained that the collaborative approach previously used by staff when developing the TMDL ended due to lack of funding.

There being no further testimony, Mr. Clarke closed the public hearing.

Board members commended staff for their work on the TMDL and encouraged staff to meet collaboratively with stakeholders once a year to continue the dialogue and to receive input from the stakeholders.

- **Motion:** Moved by Mr. Sandel, seconded by Mr. Dyas and **unanimously carried** to adopt the Resolution certifying the environmental document and approving the Basin Plan amendment as proposed with the late revisions.



6. Status Report on Settlement Discussions Regarding a Potential Administrative Civil Liability Order for Everd A. McCain, B.J. Deis, and McCain and Associates for Violations of (1) Waste Discharge Prohibitions Specified by the Water Quality Control Plan for the Lahontan Region, (2) California Water Code Section 13267, (3) Clean Water Act 301, (4) California Water Code 13304, and (5) Clean Water Act Section 401 Water Quality Certification – Belfast Ranch – Skeet Dam and Buz Dam, Lassen County

Mr. Dodds gave a status report on settlement discussions. He noted members of the prosecution and advisory teams met with the McCain's on April 7 in Truckee to discuss possible settlement. On May 1, Mr. Dodds, members of the advisory team, Department of Fish and Game staff and the McCain's met for a site visit.

Mr. Dodds noted that although a settlement agreement has not been reached, the possibility for a settlement exists. Mr. Dodds noted it would be difficult for staff to reach a settlement by the July meeting as directed by the Board at the March meeting, and asked for additional time to reach a settlement agreement.

Mr. Clarke noted the Board has not scheduled a meeting in August and the September meeting will be held in the south. He recommended that negotiations continue, that staff give a status report to the Board at the July meeting in the north, and tentatively schedule an item for Board action at the October meeting in the north. Board members concurred with Mr. Clarke's recommendation.

Mr. McCain noted that as a result of the May 1 site visit, additional work was identified that needs to be completed sooner than the timeline outlined by Mr. Clarke. He commented that he assumed the Board's decision would not preclude the parties reaching an agreement on an interim stabilization plan prior to October. Mr. Clarke agreed.

7. Executive Officer's Report

Mr. Singer discussed items from the May 2008 Executive Officer's written report.

Mr. Singer handed out a list of Priority One Bills and Hot Bills provided by the State Water Board's Office of Legislative Affairs.

Mr. Singer noted the Little Hoover Commission is looking into the structure of the State Water Board. He has been invited to meet with members of the Commission and their staff on May 21.

Mr. Singer attended a meeting with California Tahoe Conservancy (CTC) staff and other agency staff on May 12 to discuss the lack of CTC bond funding after fiscal year 08/09. He noted that unless there is a new bond, funding will not be available through the CTC for local agency projects after next fiscal year.



Mr. Singer discussed a newspaper article that appeared on May 12 in the Tahoe Daily Tribune regarding Tahoe clarity.

Mr. Singer and Kirby Brill, General Manager, Mojave Water Agency, will be giving a joint presentation to the Hesperia City Council on June 3 regarding water quality issues and the possible impact to the groundwater basin by the importation of State Water Project water.

Mr. Singer discussed issues related to the allocation of septic systems and future plans to build a sewer system in California City.

Mr. Singer advised the Board that the June Board meeting has been cancelled. The July Board meeting date might need to be changed to later in the month. Staff will poll the Board about possible alternative dates for the July meeting.

Mr. Singer answered a question about SB 1391 (Padilla) Recycled water.

8. Reports by Chair and Board Members

Mr. Sandel handed out an article by Steve LeBlanc of The Associated Press. The article was published on May 14, 2008 in The Telegraph and was entitled: Officials want more research on pharmaceuticals in water.

Mr. Clarke noted he participated in conference calls with the Chairs of other Regional Boards and the State Board to discuss restructuring of the Water Boards and minimum mandatory penalties.

9. CLOSED SESSION

The Board did not meet in closed session during this meeting.

The meeting recessed at 10:00 p.m.



Regular Meeting, continued
8:50 a.m., May 15, 2008

Mr. Clarke, Chair, called the meeting to order at 8:50 a.m.

Board members present: Jack Clarke, Mike Dispenza, Donald Jardine, Eric Sandel and Susan J. Van Dam. Board members absent: Amy Horne and Keith Dyas.

STATUS REPORT

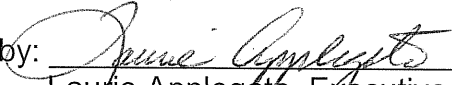
10. Presentation on the Possible Effects of Global Climate Change on the Clarity of Lake Tahoe

Geoffrey Schladow, Director, Tahoe Environmental Research Center, University of California, Davis, gave a presentation about the possible effects of global climate change on the clarity of Lake Tahoe and answered questions from the Board.

This was an informational item. No action was taken by the Board.

11. ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 9:45 a.m. on May 15, 2008.

Prepared by:  Adopted: July 23, 2008
Laurie Applegate, Executive Assistant

