

EXECUTIVE OFFICER'S REPORT

August 2002

NORTH BASIN

1. ***California Department of Parks and Recreation Angora Creek Stream Restoration Project - Robert Larsen***

Early this month, the California Department of Parks and Recreation (State Parks) began work on the Angora Creek Stream Restoration Project (Project). The project involves two impacted reaches of Angora Creek near the eastern boundary of Washoe Meadows State Park. In the first reach, approximately 1500 feet of Angora Creek currently flows in a straight line on top of a South Tahoe Public Utility District sewer line. The integrity of the sewer line is threatened by stream flows and any leaks or spills of untreated sewage is a threat to water quality. Immediately downstream of this area, Angora Creek is deeply incised due to the increased stream power from the straightened reach coupled with poor land management practices on private property.

The State Parks proposes to enhance water quality and riparian habitat by establishing stream and wetland functions found in similar undisturbed reaches upstream of the project. The project will restore the captured and incised reach of the stream and re-establish floodplain connectivity by constructing a more natural, sinuous channel away from the sewer line.

Specific objectives include: altering the stream geometry and hydrology to promote channel and bank stability, increasing flooding and sediment retention on the meadow floodplain, increasing nutrient uptake in the meadow by raising local ground water levels, improving meadow and streamside vegetation, and enhancing fish and wildlife habitat.

State Parks expects to complete project construction this year (before October 15). Project phases include the construction of equipment access roads, channel excavation, and back filling the old channel. A comprehensive pre and post project monitoring program will help quantify the environmental benefits of the Project.

The project is partially funded by the Tahoe Keys Mitigation Fund (TKMF). The Regional Board established the TKMF in 1982 to help mitigate the environmental impacts of the Tahoe Keys development. Other projects funded by the TKMF include the Trout Creek Stream Restoration Project, the Upper Truckee River Wetland Restoration Project – Cove East, and the Pioneer Trail Erosion Control Project.

2. ***Willow Creek Construction Project CAO to be Rescinded Alpine County – Alan Miller***

Staff received an anonymous complaint in October 2000 concerning potential illegal development on a 40-acre private parcel near Hope Valley. An inspection was conducted and staff discovered road grading, side-casting of soil materials, a new bridge, vegetation removal, building pad development, and unstable waste earthen materials adjacent to East Fork Willow Creek. I issued Cleanup and Abatement Order No. 6-00-89 (CAO) to the owners (Burns, *et al.*) on October 26, 2000, requiring the Discharger to remove waste earthen materials placed in and adjacent to the channel and floodplain areas, stabilize all disturbed soils from erosion. I also required that further land disturbance activities, other than for erosion control, cease pending submittal of a complete Report of Waste Discharge (RWD).

Violations of both State and local laws in this matter were also prosecuted by the Alpine County Circuit Prosecutor, Will Richmond. A total of \$25,000 in fines was assessed in a settlement with the Discharger. Mr. Richmond recently reported to staff that the Discharger has made a payment of the first of several installments on the settlement. \$5,000 of the settlement has been paid to the State Water Resources Control Board's Cleanup and Abatement Account to cover the staff costs for inspections, preparing the CAO, and related enforcement costs.

Based on the results of a June 2002 site inspection, staff reports the Discharger has implemented a drainage and erosion control plan. The CAO has served its purpose and I intend to rescind the CAO in the near future. No additional construction activity has been authorized

to date as the owners have not yet provided a complete RWD, and this remains as a standing request.

3. ***Results of the Water Quality Sampling Conducted on July 4, 2002 - Mary Fiore-Wagner***

Last year Regional Board staff initiated a sampling program to evaluate if the chemicals associated with Fourth of July fireworks display were impacting water quality. Samples were analyzed for various constituents found in fireworks including oxidizers (ammonium perchlorate and potassium perchlorate), metals (antimony, barium, copper, strontium) and salts (magnesium, sodium, etc.). The only constituent that appeared elevated over background levels was perchlorate, a nonvolatile and highly soluble chemical.

As a follow-up to last year's fireworks sampling, the Regional Board coordinated with the Lake Tahoe Gaming Alliance and Pyrodigital Consultants to conduct another Fourth of July sampling event this summer. The firework technicians collected water samples before and after the fireworks display and samples were analyzed by the Regional Board's contract laboratory. Results were consistent with last year's findings in that perchlorate was the only constituent that appeared elevated after the fireworks display. Similar to last year, background levels taken before the fireworks display contained non-detectable levels of perchlorate and samples collected immediately following the pyrotechnic show contained elevated perchlorate levels, though samples collected the following day returned to non-detect. Perchlorates levels last year were 63 ppb; and in 2002 were 24 ppb.

The Lakeside Park Mutual Water Company, which has a water intake nearby where the fireworks are deployed, also collected and analyzed water samples during the Fourth of July. Water analysis with a level of detection of 2 µg/L for perchlorate indicated no detectable concentrations present in the water purveyor's intake water. Though no drinking water standard or maximum contaminant level exists yet for perchlorate, the State of California Department of Health Services has developed an action level for perchlorate of 4 µg/L, based primarily on health effects.

4. *Spalding Community Service District, Eagle Lake - T. Jerrold Peacock*

Design of the Spalding Tract Sewer System is 90% complete. Staff reviewed plans and specifications and provided comments. An environmental impact report (EIS/EIR) for construction of the system is being prepared and is scheduled to be circulated in spring 2003 and scheduled for approval August 2003. The EIS/EIR will include studies for archeology and for endangered and protected species, which have been completed.

All necessary studies and approvals for the acquisition of property from the USFS have been done. The District will be able to obtain the property after completion of the EIS.

The District is awaiting availability of Small Community Grant funding, and is first on the priority list statewide. Grant funds may become available prior to approval of a new bond issue by the

California Voters. The District cannot initiate applications for additional funding from other sources until they know the availability and amount of grant funding from their primary source, the Small Community Grant program. Once the available grant and loan funding is determined and the amount of the required local share is known, the District will arrange a bond election of property owners.

SOUTH BASIN

5. *Kern County Waste Management Department – Ridgecrest Class III Sanitary Landfill, Volatile Organic Compound Release to Ground Water - Greg Cash*

Kern County Waste Management Department (KCWMD) has recently initiated an Evaluation Monitoring Program (EMP) at the Ridgecrest Class III Sanitary Landfill. Low concentrations of volatile organic compounds (VOCs) (Freon 12, Freon 11 and PCE) were detected in the first quarter 2002 ground water monitoring detection program. Re-testing confirmed the initial analytical results. Board staff attended a meeting at the Indian Wells Valley Water District on July 18, 2002, where KCWMD informed the Water District and concerned public citizens of the detected release and presented its contingency plan for ground water Corrective Action at the facility. Ground water at the Ridgecrest Landfill is approximately 360 feet below the ground surface.

KCWMD is currently installing a ground water monitoring well at the southern boundary of the Landfill to determine the nature and extent of the VOC release. The

information obtained from this new monitoring well will be used for the Engineering Feasibility Study, which will propose Corrective Action for the detected release.

As an interim Corrective Action, KCWMD is currently operating an active landfill gas extraction and treatment system at the Landfill. The system was designed and constructed to minimize potential from landfill gases impacts to underlying ground water and has been in operation since October 2001.

6. *Molycorp Cleanup and Abatement Order Compliance Status Update - Curt Shifrer*

Revised Waste Discharge Requirements (WDRs) require Molycorp to stop the Mill discharge to the North Tailings Pond (P-16) by November 6, 2002 and begin closure. To dispose of the Mill discharge after this date, the Discharger is proposing a New Waste Management Unit (New WMU) at a location other than the P-16 site. I described the status for closure of P-16 and permitting for the New WMU in my April 2002 Executive Officer's Report. The status has not changed since then.

Molycorp currently operates systems that capture P-16 leakage. Almost all of the leakage is occurring through drainage of free liquid from tailings solids discharged to P-16 between 1967 and April 1, 2000. In March 2001, I issued an Amended Cleanup and Abatement Order (Amended CAO) establishing a performance goal for capturing leakage. As discussed in the June 2002 EO Report, the systems are currently meeting the performance goal specified in the Amended CAO.

Molycorp operates ground-water-extraction wells for the P-1 Ground Water Plume. One additional extraction well was added in 2001. The extraction wells are containing most of the plume including the source area at P-1. The western portion of the Plume is not contained and continues to migrate offsite to the west. The Discharger cannot begin design for a final containment system until it can resolve the offsite-property-access issue.

Molycorp still does not have approval of the Bureau of Land Management (BLM) for offsite-property-access to drill ground water monitoring wells. These wells are needed to complete the investigation of Mine Site ground water plumes. On December 13, 2001, BLM sent the Biological Evaluation to the U.S. Fish and Wildlife Service (USF&W) for review and consideration of approval. USF&W reviews are reportedly taking longer than several months to complete.

Molycorp has submitted a Pipeline Reclamation Plan (PRP) to address soil characterization, reclamation, and pipeline removal along the wastewater-outfall-pipeline corridor. The pipeline was permanently de-activated in March 1998. It is located on federal lands managed by the Bureau of Land Management and National Park Service. Pipeline-related impacts will be identified using visual inspection and radiological field measurements. In addition, existing remote sensing data, radiological survey results, and historical records of pipe repair will be used to locate potentially impacted areas. Molycorp is working with the landowners to complete an environmental analysis for the project.

7. **IMC Chemicals Inc., (IMCC) Trona – Kai Dunn**

Compliance Status

Daily reporting data from IMCC show that interim effluent limitations set forth in the WDRs were not exceeded during the month of July 2002. Thirty-four bird deaths were reported during the same period. The total birds picked up in the year 2002 through July were 181, with 116 of the birds being dead and 65 were alive. All birds found dead or alive were turned over to International Bird Rescue Research Center (IBRRC) staff. Live birds were immediately treated then sent to the IBRRC facility in Los Angeles for rehabilitation and release. Dead birds were held in the bird hospital freezer until a California Department of Fish and Game (DFG) warden took custody of them.

As part of the Cleanup and Abatement Order, IMCC performed a test excavation of hydrocarbon contaminated soil around a well on Burma Road on July 31, 2002. Results of the tests will be used to design a cleanup plan for this and similar sites.

DFG Settlement

The DFG and IMCC reached a settlement regarding wildlife impacts at Searles Lake in July. An agreement was signed by both parties that calls for IMCC to fund an alternative wildlife habitat, implement protective measures, and aids distressed birds found on company ponds. The agreement also describes that a mitigation plan will be established between IMCC and DFG describing an allowable waterfowl "take". Actions required by IMCC if waterfowl deaths exceed the allowable take are included.

8. **Owens River Brush Fires - Doug Feay**

Brush fires, which occurred early this year, burned several hundred acres along the Lower Owens River north of Bishop, California. The Los Angeles Department of Water and Power (LADWP) is the owner of the burned land. In response to the fires, LADWP implemented management plans to encourage re-growth of natural vegetation and minimize disturbance in burned areas. LADWP has restricted vehicle access and overnight camping in the burned areas. LADWP has reported that the riparian areas have responded well and vegetation is coming back to the area.