

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**MEETING OF SEPTEMBER 14-15, 2005
VICTORVILLE, CALIFORNIA**

ITEM: 1

SUBJECT: EXECUTIVE OFFICER'S REPORT

DISCUSSION: The Executive Officer's report includes the following:

- Enclosure 1: Report on Status of Standing Items (August/September 2005)
- Enclosure 2: Executive Officer's Written Report (August/September 2005)
- Enclosure 3: Notification of Spills (Pursuant to Section 13271, California Water Code and Section 25180.7, California Health and Safety Code)
- Enclosure 4: Notification of Closure of Underground Storage Tank Cases (Pursuant to Article 11, Division 3, Chapter 16, Title 23, California Code of Regulations)

ENCLOSURE 1

Report on Status of Standing Items
(August/September 2005)

**CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD
LAHONTAN REGION**

REPORT ON STATUS OF STANDING ITEMS

August and September 2005

The Regional Board has requested that it be kept informed of the status of a number of issues. The following table lists the items, the reporting frequency and where the report can be found.

ISSUE	REPORT FREQUENCY	STATUS/COMMENT
Los Angeles County Sanitation District No. 14	Monthly	Item No. 8 of September Agenda
Los Angeles County Sanitation District No. 20	Monthly	Item No. 9 of September Agenda
Searles Valley Minerals Operations - Compliance Status	Monthly	Item No. 14 of Aug/Sept 2005 EO Report
Caltrans-General Permit	Annually	Item No. 12 of September 2005 EO Report
Eagle Lake Spalding	Semi-Annual	Item No. 11 of September 2005 EO Report
Status of Basin Plan Amendments	Semi-Annual	Item No. 9 of September 2005 EO Report
Town of Mammoth Lakes - Erosion Control	Semi-Annual	Due October 2005 Board Meeting
Mojave River/El Mirage Dairy Issues	Quarterly	Due October 2005 Board Meeting
Meyers Beacon UST Site	Quarterly	Due October 2005 Board Meeting
Molycorp Status Update	Quarterly	Due October 2005 Board Meeting
Caltrans-Tahoe Basin	Annually	Due November 2005 Board Meeting
Tahoe Municipal Permit	Annually	Due November 2005 Board Meeting
Wetland Restoration Progress in Mono County	Annually	Due November 2005 Board Meeting

Frequency Board Meeting Month

Quarterly January, April, July, & October.
Semi-Annual March & September
Annually Varied

ENCLOSURE 2

Executive Officer's Written Report
(August/September 2005)



Lahontan Regional Water Quality
Control Board



EXECUTIVE OFFICER'S REPORT

August and September 2005

NORTH BASIN

**1. U.S. Environmental Protection Agency
Beneficial Use Workshop – Judith Unsicker**

On July 19-21, Lahontan Water Board staff attended a workshop sponsored by the U.S. Environmental Protection Agency (USEPA) on designating and changing beneficial uses of surface waters. The workshop was one of four being held throughout the United States to encourage communication among planners from different states, tribes and USEPA regions. It addressed problems common to western states, including the uses of ephemeral, highly modified, and effluent-dominated waters, and waters with naturally high pollutant concentrations. USEPA Headquarters staff provided overviews of federal regulations and guidance on beneficial uses. Case studies presented included removal of recreational uses from concrete-lined stream channels in Southern California, changes in aquatic life uses in streams affected by mine drainage, and tiered use classifications in Pacific Northwest states. Participants agreed that the workshop was successful in facilitating communication among planners from different jurisdictions. It is not clear whether any changes in USEPA regulations or guidance will be proposed as a result of the nationwide workshop process.

2. Leviathan Mine, Alpine County – Chris Stetler

The Regional Board's contractor will commence treatment of acidic drainage during the first or second week of August

2005. The drainage to be treated has accumulated in lined evaporation ponds at the mine site since Fall 2004. This marks the Regional Board's seventh year of treatment to prevent pond overflows to Leviathan Creek. Discharge from the Regional Board's treatment system must comply with strict effluent limits prescribed by USEPA. Leviathan Mine is a federal Superfund site. As a result of this past winter's heavy precipitation, approximately 11 million gallons of contaminated pond water will require treatment; under the current contract, the Regional Board's contractor can treat about half that. Regional Board staff are pursuing mechanisms through which all of the pond water can be treated.

Under contract with the Regional Board, the USDA Forest Service, Humboldt-Toiyabe National Forest completed roadway improvements along the California portions of Leviathan Mine Road during the month of July 2005. The improvements included paving at the intersection of Leviathan Mine Road and Highway 89 (Monitor Pass), and the addition of rock base and paving at select locations. The improvements are intended to: 1) improve site access, especially for large truck traffic involved in site remedial activities, 2) reduce environmental impacts caused by soil disturbance, and 3) improve health and safety conditions for those using the road.

The Regional Board's Delta Slope Stabilization Project is nearing completion.

It is anticipated that the project revegetation component, the final phase of the project, will be completed in early September 2005. Currently, the project is on budget and ahead of schedule. Completion of this project was necessary to stabilize a failing slope just north of the evaporation pond system.

3. *Permit Streamlining in the Forestry Program for Fuels Hazard Reduction Projects* – Erika Lovejoy

Staff worked with the Board of Forestry (BOF) to amend its fuels hazard reduction regulations to further reduce the paperwork required of landowners in the Lake Tahoe Basin who want to cut trees to address fire hazards. Landowners may now thin trees in stream environment zones (SEZs) by filing a brief “exemption form” instead of an extensive Timber Harvesting Plan (THP). Landowners are still required to have Regional Board staff sign a “certification” form for removal of live vegetation within an SEZ.

Regional Board staff also prepared a streamlined Timber Waiver Application Form for timber activities within the Lake Tahoe Basin, to simplify the permitting process for residential fuels hazard reduction work. A press release was issued on July 1, 2005 discussing the BOF regulation changes and the availability of the new “Tahoe Form” for Lake Tahoe Basin residents and fire management agencies. Regional Board staff is coordinating with other regulatory agencies in Tahoe to look for additional ways to streamline permitting for small-scale fuels reduction projects that are anticipated to have insignificant environmental impacts.

4. *Superior Court Upholds Regional Boards' Timber Harvest Waivers* – Tom Suk

On June 30, the Superior Court for the County of Sacramento issued its final ruling on the lawsuit filed against the Lahontan and Central Valley Regional Boards regarding

the adoption of waivers for timber harvest activities. (The timber waivers adopted in 2003 by the Lahontan and Central Valley Regional Boards are nearly identical, and the lawsuit was consolidated into a single action.) The Environmental Protection Information Center and other plaintiffs had challenged the Regional Boards' timber waivers on several grounds, arguing that the waivers are not sufficiently protective of water quality. In its 25-page ruling, the court found in favor of the Regional Boards on all of the substantive issues, and upheld both waiver policies. Specifically, the court found that: (1) the Regional Boards' Initial Studies and Negative Declarations were sufficient to comply with CEQA; (2) the waivers contain conditions for timber harvest projects that “impose an improved level of control on timber harvest activities” when compared to the California Forest Practice Rules, and therefore will serve to improve environmental protection, not lessen it; and (3) petitioners provided no evidence that the waivers' conditions would not be effective at protecting water quality, or that significant environmental effects would result. Given the favorable court ruling, staff will continue to implement the waiver policy.

5. *Update on the Lake Tahoe Shorezone Amendments* – Mary Fiore-Wagner

After reviewing comments received on the Draft Environmental Impact Statement for the Lake Tahoe Shorezone Ordinances (Draft Shorezone EIS), the Tahoe Regional Planning Agency (TRPA) identified an additional project alternative. The new alternative proposed, Alternative 6, would meet most of the project objectives and address outstanding concerns about shorezone structure allocation and distribution, scenic mitigation, water quality, and drinking water intakes.

Alternative 6, which relies largely on density as a restrictor for shorezone development, was released as a Supplement

to the Draft Shorezone EIS on July 5, 2005 for a 60-day review period. With circulation of the supplemental document, TRPA staff does not expect its Governing Board to certify the Final Shorezone EIS until December 2005 or January of 2006.

Under Alternative 6, 220 new private piers and 10 new public piers would be allowed under 20 year build-out period ending in 2027. A maximum of 10 private piers would be allowed per year. New piers that are proposed would only be permitted provided the piers met specific design criteria and included built-in mitigation measures to reduce or avoid impacts to resources such as fisheries, scenic quality, and recreational access. Similar to alternatives analyzed in the Draft Shorezone EIS, Alternative 6 includes implementation of a local boat registration program that will apply to all motorized watercraft operating on Lake Tahoe. Newly proposed with Alternative 6 is a strategy to improve water quality by limiting motorized watercraft activity within Emerald Bay for one weekend day for every weekend during the months of July and August; this proposal would not apply to public tour boats.

In anticipation of TRPA's Final Shorezone EIS being certified, Regional Board staff has started the CEQA process required to amend your Basin Plan. During the spring or summer of 2006, the Regional Board will be considering a Basin Plan Amendment to remove a prohibition that restricts new pier construction in Lake Tahoe. In compliance with CEQA, Regional Board staff is holding a CEQA scoping meeting for the proposed Basin Plan amendments on August 4, 2005. The purpose of a scoping meeting is to provide a forum for lead agencies, jurisdictional agencies, and interested parties to comment on the scope and content of the environmental information to be analyzed during the CEQA process.

Regional Board staff anticipate the amendment to go before the Regional Board

for adoption in May or June 2006. After adoption by the Regional Board, the Basin Plan amendments must be approved by the California State Water Resources Control Board, and the California Office of Administrative Law before taking effect. These required approvals may take up to eight months after the Regional Board adopts the amendment.

6. *Consent Agreement settling a civil case brought by the Regional Water Quality Control Board – Lahontan Region, and the California Attorney General's Office against Squaw Valley Ski Corporation, et al. – Scott Ferguson*

The civil case was filed against Squaw Valley Ski Corporation, et al for alleged violations of the Porter-Cologne Water Quality Control Act and the California Unfair Competition Law. The Consent Agreement includes a financial settlement (\$1,000,000), injunctive relief, and prospective penalties.

The Regional Board is required to provide the public with a 30-day comment period for the Consent Agreement and to consider all comments received. A public notice was posted on the Regional Board's Web page and has been published in the Tahoe Daily Tribune, Sierra Sun, and Tahoe World newspapers. A copy of the public notice was also mailed to approximately 20 interested parties that have been involved with or monitoring the civil case. The public comment period ends August 25, 2005.

7. *Municipal Stormwater NPDES Permit Lake Tahoe Basin Update – Robert Larsen*

On October 12, 2000 the Regional Board adopted Board Order No. 6-00-82 to regulate storm water discharges from the municipal districts within the Lake Tahoe Basin. The Order also serves as a National Pollutant Discharge Elimination System Phase I Storm Water Permit (NPDES Permit) as required by Clean Water Act

section 402(p). The City of South Lake Tahoe, El Dorado County, and Placer County are co-permittees under the NPDES Permit.

The NPDES Permit includes requirements for storm water treatment and erosion control projects as well as best management practices retrofit guidelines to meet local implementation deadlines. Numeric effluent limits for storm water runoff contained in the Basin Plan are also referenced in the NPDES Permit. The current NPDES Permit expires on October 12, 2005.

Tetra Tech, Inc., under contract with the Environmental Protection Agency, conducted an evaluation in 2002 of the NPDES Permit and of the permittee's storm water programs. The Tetra Tech evaluation report noted deficiencies in both the permit and the permittees' programs and included several recommendations for the 2005 NPDES Permit update.

Board staff is updating the NPDES Permit and plans to bring it before the Board at your October 2005 board meeting. The updated permit will include some of the recommendations contained in the Tetra Tech evaluation, including requiring co-permittees to develop thorough SWMPs, update their legal authority, and identify funding sources to allow the co-permittees to effectively manage runoff from industrial, commercial, construction and other sources within the municipal jurisdictions.

Staff expect to mail a tentative order to the co-permittees and other interested parties by July 20. Meetings between Staff and the co-permittees have been scheduled in late July to discuss the tentative permit and work out an achievable compliance schedule for the new requirements.

I will continue to provide monthly progress reports to the Board prior to the October 2005 meeting.

8. *Grants Update - Cindy Wise*

Clean Water Act Section 319(h)

This federal grant program for nonpoint source pollution control is currently funding ten projects in the **Lahontan** Region. Public outreach and education, riparian and wetlands restoration, TMDL implementation and erosion control are project elements. Projects are located within the Lake Tahoe, Truckee River, Carson River, and Upper Owens River watersheds.

Proposition 13 (State Water Bond)

This state grant program is currently funding ten nonpoint source pollution control and watershed management projects in the Region. The focus of these projects includes monitoring pesticide residues in Sierra Nevada amphibians, developing watershed management plans, invasive weed management, stormwater awareness, riparian restoration, and reservoir restoration. Projects are located within the Lake Tahoe, Truckee River, Walker River, Mono Lake, Owens River, Antelope Valley and Mojave River watersheds.

Proposition 50 (State Water Bond) Integrated Regional Water Management (IRWM) Grant Program – Planning and Implementation Project Solicitation

Planning Projects: The SWRCB and the Department of Water Resources (DWR) received 54 proposals for IRWM Planning grants (two from within the Lahontan Region.) Proposals were reviewed and evaluated by staff from State and Regional Water Boards, DWR, State Coastal Conservancy, Department of Fish and Game, and California Coastal Commission. A Selection Panel of SWRCB and DWR staff will make funding recommendations in September 2005.

Implementation Projects: Fifty Step 1 proposals were received including three from the Lahontan Region. Technical reviews for these proposals are due on

September 22, 2005. The multi-agency consensus reviews will be completed by October 7, 2005 and the subsequent joint SWRCB and DWR review process and call-back list will be completed by December 2, 2005.

The draft Proposal Solicitation Package for Step 2 Implementation grants was released for public comment in mid-June 2005. It contains the detailed scoring criteria and procedures for submitting Step 2 applications for grant funding. Submittal of a Step 2 proposal will be by invitation only following the technical reviews of the Step 1 Implementation Grant proposals.

**Consolidated Grants FY 05-06
(Proposition 40, Proposition 50, 319h)**

The Consolidated Grants Program will make approximately \$142 million dollars available statewide for projects starting in late 2006. The draft Guidelines for the program should be available for public review and comment in September 2005. Most of the grant funds must be encumbered by December 2006 and the projects must be completed by the grantees no later than September 2008. The Proposition 40 and Proposition 50 programs that will be included in this Consolidated Grants Program include:

- (1) Coastal Non-Point Source Pollution Control Program (\$44.1 Million)*;
- (2) Non-Point Source Pollution Control Program (\$19 Million);
- (3) 319(h) Program (\$4.5 Million);
- (4) Agricultural Water Quality Grant Program (\$14 Million).
- (5) Integrated Watershed Management Program (\$47.5 Million);
- (6) Urban Storm Water Program (\$14.25 Million);
- (7) CALFED Watershed Program (\$6 Million)*; and
- (8) CALFED Drinking Water Program (\$3.4 Million)*.

* Projects within the Lahontan Region are likely not eligible for funding from these programs.

Grant awards are expected to range from \$250,000 to \$5,000,000. This will be the last significant grant program from the Proposition 40 and 50 state water bond funds.

Implementation of regional and state priorities will be emphasized in the Consolidated Grants. Staff from each Regional Board identified 25 watershed specific and 5 region wide priorities for funding under the Consolidated Grants program. Partner agency priorities were also received from the Resources Agency. State and Regional Board staff conducted three stakeholder workshops to solicit input on the program.

State Revolving Fund

The State Revolving Fund (SRF) loan program is funded by federal grants and State bond funds to provide low-interest loan funding for construction of publicly-owned wastewater treatment facilities, local sewers, sewer interceptors, water reclamation facilities, as well as, expanded use projects such as implementation of nonpoint source (NPS) projects or programs, and storm water treatment.

As all available funding had been committed, during the past 20 months, the SRF loan program has not been taking new applications or processing existing loan projects that did not have a preliminary funding commitment from the State Water Board. In anticipation of funds being available in the near future, the State Water Board will immediately begin accepting new applications and resume processing those applications that were previously under review.

Dairy Grants Proposition 50 State Water Bond

The State Water Resources Control Board (State Water Board), Division of Financial Assistance (Division) is accepting applications for the Dairy Water Quality Grant Program (DWQGP). The DWQGP provides grants for projects that reduce threats to, or impairment of, surface or ground waters from dairy operations. The DWQGP has \$5 million available from Proposition 50.

Funding Fair

The SWRCB will host a one-day Funding Fair on November 4, 2005 in Sacramento. The purpose of the Funding Fair is to provide an overview of current and upcoming funding opportunities and to offer tips for stakeholders on negotiating a grant agreement and managing grants. The SWRCB has invited partner agencies to share information about a broad range of funding opportunities available to interested stakeholders.

Other Grant Information

<http://www.swrcb.ca.gov/funding/index.htm> is the link from the SWRCB web page for information on current and upcoming grants, including a monthly grants newsletter and overview of statewide grants accomplishments.

http://www.waterboards.ca.gov/lyrisforms/swrcb_subscribe.html is the link to subscribe electronically to the grants mailing list to receive notification of new grant information by selected program.

9. *Semiannual Report on Status of Basin Plan Amendments – Judith Unsicker*

As part of the recent reorganization of the South Lake Tahoe office, a new Total Maximum Daily Load (TMDL)/ Basin Planning unit was created. Staff Environmental Scientist Judith Unsicker will continue as Basin Planning program manager and will coordinate with the new

unit. There have been some changes in planning/TMDL assignments and priorities since the last semiannual status report in March. The following are summaries of the status of currently active Basin Planning projects and pending new statewide standards.

Removal of MUN Beneficial Use from Owens Lake (Inyo County). The Basin Plan amendment adopted by the Lahontan Water Board in July 2005 is expected to come before the State Water Board in October. The amendment will require further approvals from the California Office of Administrative Law and the U.S. Environmental Protection Agency.

Squaw Creek Sediment TMDL (Placer County). In August, staff's internal draft Basin Plan amendments and supporting documents were undergoing management and legal review. The next potential date for Board action on the plan amendments is January 2006.

Lake Tahoe Shorezone Amendments (El Dorado and Placer Counties). (A more detailed status report on this topic was included in the August 2005 Executive Officer's Report.) The schedule for the proposed amendments depends on the Tahoe Regional Planning Agency's (TRPA's) completion of a final Environmental Impact Statement for its Lake Tahoe Shorezone Ordinances, currently projected for December 2005 or January 2006. In June 2005, Lahontan Water Board staff requested that State Water Board staff initiate the selection of scientific peer reviewers. A California Environmental Quality Act (CEQA) scoping meeting for the Basin Plan amendments was held on August 4. Depending on the outcome of the scientific peer review process, Basin Plan amendments could come before the Board in May or June 2006.

Carson/Walker River Sodium Amendments (Alpine, Mono and Inyo Counties).

These amendments would replace current water quality objectives for “Percent Sodium” for most surface waters of the Carson and Walker River watersheds with objectives for “Sodium Adsorption Ratio.” Both types of objectives protect the Agricultural Supply (AGR) beneficial use by preventing adverse impacts on crops and soils from excess sodium in irrigation water. If approved, the amendments would avoid the need to develop sodium TMDLs for two segments of the West Fork Carson River. Peer review drafts of the amendments and supporting documents are expected to be completed this fall, and public drafts may be circulated this winter for Lahontan Water Board action in March or May 2006.

Surface Water Standards, Antelope Hydrologic Unit (Los Angeles, Kern, and San Bernardino Counties).

This topic involves revised beneficial uses and site-specific water quality objectives (SSOs) for ammonia toxicity for surface waters affected by the Los Angeles County Sanitation District (LACSD) No. 14 discharge to the Paiute Ponds system. Work on these amendments has been delayed until review of LACSD's responses to issues raised in scientific peer review comments in 2004 can be assessed, including evaluation of revised ammonia SSOs proposed by LACSD in response to those peer review and Technical Advisory Committee comments.

Statewide Standards Development.

For the near future, the State Water Board has suspended work on development of nutrient objectives for surface waters of California, and instead plans to focus on the development of nutrient targets for TMDLs. Lahontan Water Board staff will continue to participate in the U.S. Environmental Protection Agency, Region IX workgroup on nutrient criteria.

The State Water Board is developing water quality objectives and implementation

policy language for several other water quality constituents. A CEQA scoping meeting was held on July 7 for the “Proposed Total Residual Chlorine and Chlorine-Produced Oxidants Policy” of California.” The draft policy and copies of public comments are available online at: <http://www.waterboards.ca.gov/iswp/chlorine.html>. The State Board also plans to consider adoption of the USEPA's criteria for methylmercury in fish tissue, with an implementation policy.

10. Abandoned Mine Lands Pollution Control Project at Monitor/Mogul Mining District, Colorado Hill, Alpine County - Rob Tucker

Over the past several years, Water Board staff has provided regulatory and technical advice during project planning by the USDA-Forest Service to abate pollution conditions from abandoned mines at this historic mining district that is within the same (Carson River) watershed as the Leviathan Mine. In spring 2005, the Humboldt-Toiyabe National Forest awarded a contract for roughly \$700,000 to implement a removal action under the Comprehensive Environmental Response and Liability Act (CERCLA). Earthmoving work began during the week of August 15, 2005, and is to be completed within two months. The principal projects targeted for completion in 2005 involve the Zaca and Lovestadt tailings, Lower Advance Adit, Lower Colorado Adit, Loope Canyon Adit, Deadman Adit and Curtz Mine, as described further below.

Additional planned work that is scheduled for later years includes creating a containment pond for a potential (catastrophic) release of acid mine water from the Upper Advance Adit, which is currently retained within the mine by a debris dam formed by a partial collapse of the mine tunnel. The Forest Service is involved with a private mining claim-holder to resolve issues with this element of the CERCLA removal action.

The Zaca and Lovestedt tailings are located alongside Monitor Creek and are non-hazardous, but contain substantial sulfur compounds and other minerals. Plans are to reduce tailings erosion into Monitor Creek by regrading the slopes to promote slope stability, and by capping the piles with native topsoil seeded for vegetation growth. The Zaca tailings directly contact Monitor Creek. The toe of the tailings will be armored with large rocks, and the slopes will be capped with topsoil and erosion control matting to stabilize the topsoil fill until vegetation is established.

The Lower Advance Adit and Lower Colorado Adit will have infiltration systems installed which will divert acid mine drainage (AMD) into subsurface infiltration galleries, and thereby prevent the AMD from reaching Monitor Creek. Ground water in the area is highly mineralized, most likely attributable to both natural and human factors. Directing the AMD into the subsurface will protect human health by reducing potential exposure to AMD and will improve the water quality and aquatic life conditions in Monitor Creek by eliminating direct discharges of AMD to the Creek. Monitoring wells and water quality monitoring programs are in place to ascertain the effects of infiltrating the surfacing mine water into the ground water, and to document the anticipated recovery of aquatic invertebrates in Monitor Creek.

Similar removal actions will be performed at the Loope Canyon Adit, Deadman Adit, and Curtz Mine. The drainage from both adits will be directed into infiltration galleries and waste rock removed during the construction will be stockpiled at the Curtz Mine. Small quantities of hazardous wastes will be removed from the Curtz Mine site, and the remaining waste rock and non-hazardous mine tailings at the Curtz mine will be regraded, covered with topsoil, and seeded to establish vegetation and prevent erosion.

CERCLA removal actions provide expedited alternatives to typical Water Board regulatory processes. For instance, the Water Board will not issue any orders or permits for the earthwork, as the substantive State regulatory requirements are embodied in the federal Record of Decision for the CERCLA action. I have directed staff to periodically monitor the construction as it proceeds and work with the Forest Service under your Memorandum of Agreement with the Forest Service for reporting on the removal activities, monitoring the infiltration systems, planning additional work at the Upper Advance Adit, and monitoring water quality improvements in Monitor Creek.

11. Update on Spalding Community Services District Wastewater Treatment System, Eagle Lake, Lassen County – Rob Tucker

On July 20, 2004, Spalding Tract property owners overwhelmingly approved the formation of an assessment district to generate the private share of the necessary capital costs for a proposed community wastewater collection and disposal system. The funds are for constructing an evaporation-pond wastewater treatment system. Property owners will connect their existing septic tanks to the new system to comply with Cease and Desist Orders issued by the Regional Board.

The Spalding Community Services District has applied for funding under the SWRCB Small Community Wastewater Grant Program, and received a grant for reimbursement of construction costs up to \$1.5 million. The state grant is a critical component of overall funding for the project, which includes other funding from non-state sources. In April 2005, the District also received both a grant of approximately \$1.0 million and loan from United States Department of Agriculture approximately \$8 million dollars. In June 2005, the District solicited sealed bids to find a contractor to construct the treatment system, but received

only one bid that exceeded the available funding.

The District is now planning to revise contract requirements, re-advertise for bids in Fall 2005, and explore additional funding options. I have directed staff to continue working with the District and begin preparing tentative waste discharge requirements.

12. *Statewide Caltrans Storm Water NPDES Permit – Lauri Kemper*

The State Board has taken no recent action to complete a renewed permit for Caltrans. Staff has provided comments on all drafted sections of the permit. State Board staff has met with Caltrans on specific sections to resolve to State Board's satisfaction some of the issues raised by the Regional Boards. However, there is no defined process to address outstanding Regional Board concerns. The State Water Board staff is evaluating changes needed in the permit to address a recent court ruling regarding storm water management or best management practice plans. No schedule for completion is currently available.

Lack of a Caltrans Storm Water NPDES Permit hinders Caltrans' ability to obtain funding to monitor or implement its storm water management plan. Unless required by the existing permit, it is difficult to get approval for funding.

13. *Meyers Beacon Gas Station, El Dorado County – Lisa Dernbach*

In August, I distributed a fact sheet to interested parties and requested public comment about issuing a case closure letter for the soil and groundwater contamination at the former Beacon Station in Meyers. If no relevant comments are received, I will proceed with closing the case.

Also in August, the Regional Board's consultant, Secor International, completed actions to decommission monitoring wells

and the remediation system at the site. Thirty-two monitoring and extraction wells were destroyed under El Dorado County's supervision. In addition, underground piping for the remediation system and infiltration gallery were removed. Disturbed areas were graded or repaired with asphalt. All waste materials have been hauled from the site to an appropriate disposal facility.

Secor will be submitting a report in late August describing the decommissioning activities. At that time, Board staff will request that the State Water Board add to the lien on the property for the full corrective action amount of \$1,584,000. Board staff's final task will be to issue a press release describing the State's first successful investigation and clean up of a site using the Emergency, Abandoned, and Recalcitrant account.

SOUTH BASIN

14. Searles Valley Minerals, (SVM) Compliance Status (June 1 – July 15, 2005) – Greg Cash

Compliance Status

Daily reporting data from SVM shows that the interim effluent limits set forth in the Waste Discharge Requirements (WDRs) were exceeded once during the time period June 1 – July 15, 2005. On June 10, 2005, the Argus injection brine sample tested 6.3 mg/L, and 5.5 mg/L for total recoverable petroleum hydrocarbons (TRPH) concentration (interim limit is 4.5 mg/L TRPH). SVM investigated the occurrences, and they concluded that the exceedance was a result of dumping a secondary carbonator to repair a failed gearbox. The samples in the Argus surface effluent were below the interim limit for TRPH, collected on June 10th at a concentration of 2.3 mg/L and 2.8 mg/L TRPH.

SVM submitted a Revised Report of Waste Discharge for the Argus Plant, proposing final (rather than interim) effluent limits for petroleum hydrocarbons. Board staff has prepared tentative WDRs. These WDRs are scheduled for Regional Board consideration at its September 2005 meeting.

Bird Report

During the month of June 2005, one live bird and ten dead birds were collected on the percolation pond, bird pool, and on the roads adjacent to the percolation pond. For the period of July 1 – July 15, 2005, there were two live birds and ten dead birds collected from the percolation ponds. All birds found at Searles Dry Lake are sent to the International Bird Research Rescue Center (IBRRC) Trona site staff. The staff treats live birds immediately and then transfers well birds to a rehabilitation facility in San Pedro, near the Los Angeles Port for release. A chart showing bird mortality is included at the end of this report.

Brine Cleanup is on Schedule

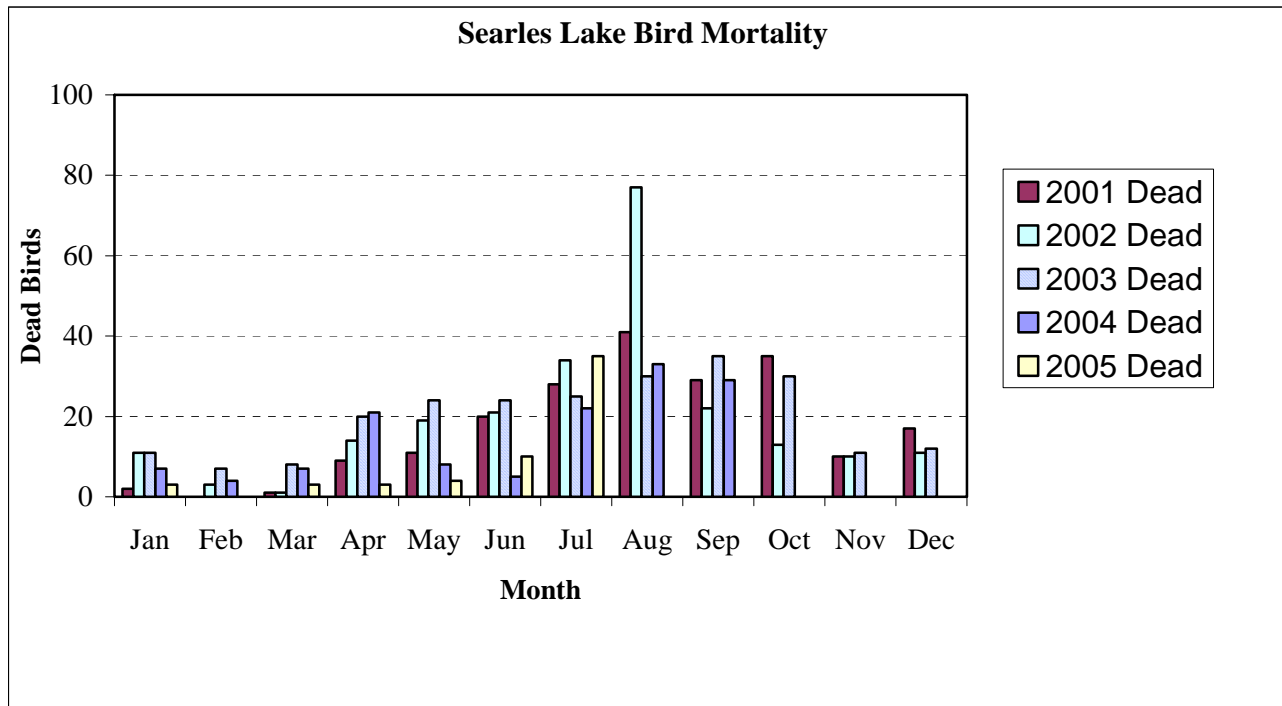
A vacuum truck is used daily at the Trona and Argus Lake Skimmers and the Dredge Pond. A second vacuum truck removes hydrocarbon material from the Trona and Argus in-plant skimmers every weekday. Hydrocarbons removed at the Argus in-plant skimmer and settling basin are stored in an above ground tank until pickup by Demenno/Kerdoon Environmental. During June 1 – July 15, 2005, no oil was transported off site from the above ground tank.

Unauthorized Discharges

SVM had ten unauthorized discharges during the period June 1 – July 15, 2005, at the Argus Plant, as summarized below:

Date of Discharge	Amount (gallons)	Type of Discharge	Cause of Discharge	Surface Ponding/Water involved
06-01-05	180,000	Mixed Layer injection brine	Flange adapter failure	Yes
06-10-05	1	Oil	Broken seal on machine	Yes
06-13-05	30,000	Mixed layer injection brine	Split in HDPE pipe	No
06-21-05	36,000	Mixed layer injection brine	Elbow in 6" HDPE line failed	No
06-22-05	5,100	Carb liquor brine	Failed clamp	No
06-30-05	2,400	Carb liquor brine	Failed clamp	No
07-06-05	1,800	Mixed layer injection brine	Failed clamp	No
07-07-05	5,700	Carb liquor brine	Hole caused by a rock	No
07-13-05	1,320	Mixed layer injection brine	Split in pipe	No
07-15-05	5,700	Mixed layer injection brine	Failed fuse joint	No

SVM instituted the Spill Response Plan, which included spill response measures as well as bird monitoring at each spill location.



**15. Dairy Water Quality Grant Program
Solicitation Notice - Joe Koutsky**

The State Water Resources Control Board (SWRCB) has developed a new Dairy Water Quality Grant Program to fund projects that will reduce the threats to, and impairments of, surface and groundwater quality from dairy operations. The SWRCB has released the Solicitation Notice for the new Grant Program, effective August 2, 2005. The final date to file grant applications is October 3, 2005.

The SWRCB, Division of Financial Assistance is now accepting applications for the Program. Applications must be filed electronically on or before October 3, 2005. The Dairy Grant Program will provide \$5 million from Proposition 50 to fund regional and on-farm dairy projects to address water quality impacts from dairies. The SWRCB adopted the final Program Guidelines on June 16, 2005. Dairy Grant Program-funded projects must be completed by March 31, 2009.

Dairy Grant Program grants will be provided on a competitive basis to public agencies, nonprofit organizations, and dairy operators. To be eligible, a dairy operator must have completed the environmental stewardship short course of the California Dairy Quality Assurance Program.

The California Dairy Quality Assurance Program is a program developed by the California Dairy Quality Assurance Partnership to help dairy producers understand environmental regulations and learn ways to prevent surface water and groundwater pollution. The Program involves an environmental stewardship certification program. To receive certification, dairy producers must attend environmental stewardship workshops, develop stewardship farm management plans, and participate in on-site evaluation of their dairies.

The types of projects eligible for the Program include water quality planning and regional and on-farm projects to reduce threats to, or impairment of, water quality from dairy operations. Only proposals that clearly demonstrate that a project is ready to proceed within the time frames set forth in the Grant Program will be eligible to compete for funding.

Regional Board staff has contacted the Milk Producers Council and the Western United Dairymen about the solicitation notice for dairy water quality grants and recommended that dairies in the region participate in the Program.

ENCLOSURE 3

Notification of Spills (Unauthorized Waste Discharges)

Attachment 1: August 2005 report

Attachment 2: September 2005 report

EO'S Monthly Report
06/16/05 - 07/15/05
Unauthorized Waste Discharges

COUNTY: EL DORADO

Discharger	Location	Basin	Regulated Facility	Substance Discharged	Hazardous?	Date Reported	Discharge Volume	Description of Failure	Discharge To	Prop 65	Status
Dawson Oil	Tahoe Keys Marina, Venice Dr	<input type="checkbox"/> N	<input type="checkbox"/> Y	Diesel gas	<input type="checkbox"/> N	7/6/2005	2-3 gal	Burp in tank during refilling caused 2-3 gallons of diesel to spill out of tank onto concrete pad and adjacent pavement. No discharge to surface water.	Pavement/ concrete tank pad	<input type="checkbox"/> N	Absorbant pads used to soak up spilled diesel, then left to volatilize.
Caltrans	Portal Ave at Upper Truckee River	<input type="checkbox"/> N	<input type="checkbox"/> Y	Residue from black top sealant	<input type="checkbox"/> N	7/7/2005		Subcontractor to Caltrans used fire hydrant water to fill water tank. Leaking water from hydrant flowed towards Upper Truckee River. Truck also dripped emulsion on pavement near overflow from hydrant. No discharge to surface water.	Land (nearly all emulsion stayed on pavement)	<input type="checkbox"/> N	Contractor crews removed wet soils that may have also have included small amounts of emulsion.

COUNTY: MODOC

Discharger	Location	Basin	Regulated Facility	Substance Discharged	Hazardous?	Date Reported	Discharge Volume	Description of Failure	Discharge To	Prop 65	Status
Unknown	County Rd #1, near Bare Ranch, Cedarville	<input type="checkbox"/> N	<input type="checkbox"/> N	Approx 10 gals oil, <200 gals diesel	<input type="checkbox"/> N	6/17/2005	<200 gals	Release is from an abandoned big rig that flipped.	Ground	<input type="checkbox"/> N	Unknown

COUNTY: NEVADA

Discharger	Location	Basin	Regulated Facility	Substance Discharged	Hazardous?	Date Reported	Discharge Volume	Description of Failure	Discharge To	Prop 65	Status
Unknown	Palisades Dr off Brockway Rd	<input type="checkbox"/> N	<input type="checkbox"/> N	Cold mix asphalt	<input type="checkbox"/> N	6/16/2005	~2 tons	8 unit condo complex with poor BMPs. Cold mix sitting in ditch next to Meadow for two weeks. Complainant states that oil is going into meadow.	Land	<input type="checkbox"/> N	Mimi Ash removed this stockpile on 6/22/05. No further action needed.
Larry VanHook, R.A. Nelson	Eastbound Donner Pass @ Hwy 89 S	<input type="checkbox"/> N	<input type="checkbox"/> N	Oil-based deck stain	<input type="checkbox"/> Y	6/21/2005	15 gallons	Deck stain spilled out of the back of a pickup truck onto roadway. No watercourses were affected.	Road surface	<input type="checkbox"/> Y	No further action required.
Divine Enterprises	Hwy 80 near Vista Pt	<input type="checkbox"/> N	<input type="checkbox"/> N	Fuel (diesel)	<input type="checkbox"/> Y	6/29/2005	40 gals	Diesel spill from truck accident. Nevada County issued cleanup notice to responsible party.	Ground	<input type="checkbox"/> Y	Cleanup contractor was on site performing cleanup. No waterways were affected.

COUNTY: SAN BERNARDINO

Discharger	Location	Basin	Regulated Facility	Substance Discharged	Hazardous?	Date Reported	Discharge Volume	Description of Failure	Discharge To	Prop 65	Status
Lake Arrowhead CSD	335 Garden Drive	<input type="checkbox"/> S	<input type="checkbox"/> Y	Potable water & sewage	<input type="checkbox"/> N	6/16/2005	35,000 gals	Contractor broke 10 inch potable water line. Water flowed into manhole being re-constructed. Flow exceeded sewer capacity causing it to overflow.	Lk Arrowhead	<input type="checkbox"/> N	Area posted & patrolled. Samples collected. Cleanup complete. Bd staff evaluating incident to determine appropriate action.

EO'S Monthly Report
07/16/05 - 08/15/05
Unauthorized Waste Discharges

COUNTY: KERN

Discharger	Location	Basin	Regulated Facility	Substance Discharged	Hazardous?	Date Reported	Discharge Volume	Description of Failure	Discharge To	Prop 65	Status
US Borax	Boric acid plant area	<input type="checkbox"/> S	<input type="checkbox"/> Y	Wastewater containing arsenic	<input type="checkbox"/> N	7/17/2005	200,000 gals	HDPE pipeline broke releasing wastewater to ground. Poned ww returned to lined authorized disposal site. Soil excavated and disposed to legal site.	Ground	<input type="checkbox"/> N	Written report received. Cleanup is complete. No further action recommended at this time.

COUNTY: LASSEN

Discharger	Location	Basin	Regulated Facility	Substance Discharged	Hazardous?	Date Reported	Discharge Volume	Description of Failure	Discharge To	Prop 65	Status
Everd McCain	Willow Creek tributary to Susan River	<input type="checkbox"/> N	<input type="checkbox"/> N	Earthen material	<input type="checkbox"/> N	7/29/2005	~75,000 cubic yards	Disharger has been building a non-permitted dam--currently 22-25 feet tall, 200 feet long, 180 feet wide. He is broadcasting earthen material from top of canyon wall down to canyon and is also building a pump station.	Willow Creek	<input type="checkbox"/> N	DFG will be issuing a stop-work order.

COUNTY: PLACER

Discharger	Location	Basin	Regulated Facility	Substance Discharged	Hazardous?	Date Reported	Discharge Volume	Description of Failure	Discharge To	Prop 65	Status
Private homeowner	1195 Sequoia Ave, Tahoe City	<input type="checkbox"/> N	<input type="checkbox"/> N	Sewage	<input type="checkbox"/> N	7/28/2005	<100 gallons	Construction debris or old construction plug in sewer line.	Land	<input type="checkbox"/> N	Replaced the section of pipe. Completed repairs August 3, 2005.
Eastern Regional Landfill	Eastern Landfill	<input type="checkbox"/> N	<input type="checkbox"/> Y	Possible leachate leak	<input type="checkbox"/> Y	8/4/2005	Unknown	Found moisture from what appeared to be a leachate leak. The area was backfilled to await repairs on 8/8.	Ground/soil	<input type="checkbox"/> N	The leachate pumps were turned off and the leachate is flowing into a 10,000 gallon tank. Will follow up on 8/8.

COUNTY: PLACER

Discharger	Location	Basin	Regulated Facility	Substance Discharged	Hazardous?	Date Reported	Discharge Volume	Description of Failure	Discharge To	Prop 65	Status
North Tahoe PUD	Granite Rd & Ophir Rd, Tahoe Vista	<input type="checkbox"/> N	<input type="checkbox"/> N	Sewage	<input type="checkbox"/> Y	8/14/2005	200-2000 gallons	Construction activity damaged a sewer manhole and resulted in a blockage.	Land	<input type="checkbox"/> Y	Removed sewage and sprayed affected area with disinfectant. Manhole temporarily repaired. No further action recommended at this time.

COUNTY: SAN BERNARDINO

Discharger	Location	Basin	Regulated Facility	Substance Discharged	Hazardous?	Date Reported	Discharge Volume	Description of Failure	Discharge To	Prop 65	Status
Barstow, City of	Entrance to treatment plant	<input type="checkbox"/> S	<input type="checkbox"/> Y	Untreated sewage	<input type="checkbox"/> N	8/5/2005	10,000 gals	Power outage and failure in electronic controls for variable speed pumps resulted in backup and overflow.	Dry riverbed	<input type="checkbox"/> N	Cleanup is complete. Written report received. Bd staff evaluating incident to determine appropriate action.

ENCLOSURE 4

Notification of Closure of Underground Storage Tank Cases

Attachment 1: August report

Attachment 2: September report

CASE CLOSURE REPORT
August 2005
 State of California
 Lahontan Regional Water Quality Control Board

Date Closure Issued	Site Name	Site Address	Case Number	Case Type	Remaining Groundwater Concentrations above Water Quality Objectives (in ug/L)	Remaining Soil Concentrations (in mg/Kg)	Distance from Site to Nearest Receptor	Remedial Methods Used
July 7, 2005	Caltrans Sonora Junction Maintenance Station	Highway 395 Mono County	6T0 197 A	UST (diesel) (gasoline)	TPHd: 100	TPHd: 39 TPHg: 63 toluene: 0.02 ethylbenzene: 0.07 xylenes: 0.04	municipal well approximately 300 feet upgradient	Soil excavation

Notes:

TPHd = Total petroleum hydrocarbons quantified as diesel

TPHg = Total petroleum hydrocarbons quantified as gasoline

ug/L = micrograms per liter

mg/Kg = milligrams per kilogram

CASE CLOSURE REPORT
September 2005
 State of California
 Lahontan Regional Water Quality Control Board

Date Closure Issued	Site Name	Site Address	Case Number	Case Type	Remaining Groundwater Concentrations above Water Quality Objectives (in ug/L)	Remaining Soil Concentrations (in mg/Kg)	Distance from Site to Nearest Receptor	Remedial Methods Used
August 22, 2005	California Correctional Center Boiler Building	711-045 Center Road Susanville, Lassen County	6T0357A	UST (fuel oil)	TPHd: ND	TPHmo: 741 xylenes: 0.012	municipal well ~460 feet downgradient	Soil excavation
August 22, 2005	California Correctional Center Sewer Plant	711-045 Center Road Susanville, Lassen County	6T0356A	UST (diesel)	TPHd: ND	TPHd: ND	municipal well ~1,600 feet upgradient	None

Notes:

TPHd = Total petroleum hydrocarbons quantified as diesel

TPHg = Total petroleum hydrocarbons quantified as gasoline