



Lahontan Regional Water Quality
Control Board



EXECUTIVE OFFICER'S REPORT

April 2014

STATE AND REGIONAL

1. **Statewide Watershed Management Forum – Building Adaptive Capacity and Assessing Watershed Resilience to Change** - *Cindy Wise*

How to improve the resiliency of California's watersheds to climate change factors was the focus of the second Statewide Watershed Management Forum on February 25 and 26 in Riverside. As response to climate change is a Regional Board priority, staff participated in this collaborative forum to provide input to the

utility, format design and other content of the Watershed Information Center now under development at the Redlands Institute, University of Redlands. The Center will use Redlands' expertise in geospatial technology coupled with watershed scientific expertise to develop metrics, models and other tools to estimate watershed vulnerability or resiliency to climate change factors. Once developed, these tools can be used by the Water Board to incorporate climate change adaptations into regulatory decisions and watershed management.

NORTH BASIN

2. **Tahoe Donner Nordic Ski Center Project** - *Dale Payne*

The Tahoe Donner Association is proposing the Tahoe Donner Nordic Ski Center Project within an environmentally sensitive wetland area at the headwaters of Alder Creek, a tributary to the Truckee River. The Project proposes to replace an existing building with an expanded building, reconfigured and realigned on previously disturbed areas within the Project site. Additional features proposed with the Project include expanded parking, infiltration basins, relocation of outdoor horse paddocks, and a pole barn for horse tack and hay storage.

The site currently houses the Association's Cross Country Ski and Equestrian Center, which has been in operation for many years. Previous issues at the site have included unauthorized expansion of parking areas and equestrian activities within wetlands and 100-year floodplain of the Alder Creek headwaters. The Water Board issued a Cleanup and Abatement Order in 2007 to halt further activity in these areas and to mitigate wetland impacts. Restoration of the affected wetlands is nearly complete, with vegetative cover and species mix meeting the interim milestones and close to meeting the final success criteria specified in the Order.

A draft Mitigated Negative Declaration (environmental document) was prepared for the Project by the Town of Truckee, the lead agency overseeing the project, as required by the California Environmental Quality Act. Water Board staff determined that the environmental document failed to provide adequate evaluation of potential impacts to water quality and beneficial uses, and omitted certain impact assessments entirely. Proposed mitigation measures for potential impacts were inadequate or lacked sufficient information to validate the outcome. Water Board staff submitted detailed comments on the environmental document. Similar and additional concerns were reflected in comments from members of the Tahoe Donner community, Sierra Club members and attorney, and the California Department of Fish and Wildlife. Concern was also expressed regarding the perceived lack of follow through on the part of the Project proponent with previous issues at this site addressed by the Cleanup and Abatement Order.

The Project was considered at a Town of Truckee Town Council meeting on the evening of March 4, 2014. The Town Council did not act on the proposed environmental document and continued the item due to the quantity and extent of comments received. Town of Truckee planning staff will evaluate the comments and determine whether the environmental document requires amendment to address the concerns identified. The Town Council will consider the item at a subsequent Town Council Meeting. If a revised environmental document is prepared, Water Board staff will review the document to ensure that potentially significant impacts to water quality or beneficial uses are appropriately identified and mitigated.

SOUTH BASIN

3. 2014 Pre-Season meeting with Bridgeport Rancher's Organization, Mono County - Bruce Warden

On March 10, 2014 Water Board staff met with members of the Bridgeport Rancher's Organization (BRO) to discuss plans relating to compliance with the grazing waiver monitoring and reporting requirements for water quality and grazing management practice implementation in the Bridgeport Valley for the 2013 season and the future.

Staff also discussed potential future Basin Plan amendments for fecal indicator bacteria. Water Board staff updated the BRO about ongoing Water Board bacteria related projects, including contracts with the Sierra Nevada Aquatic Research Laboratory (SNARL) monitoring for indicator bacteria (fecal coliform and *E. coli*), and microbial source tracking (MST). Some of the SNARL contracted work is being conducted in the Bridgeport Valley.

BRO supplied staff with their 2013 season results for fecal coliform water quality monitoring, which is required under the grazing waiver. Fecal indicator bacteria monitoring results were similar to previous seasons. Water Board staff re-iterated that it is understood that water quality improvements will follow implementation of improved grazing management practices, and emphasized the importance of continued implementation. The individual ranch Grazing Management Practice Implementation Annual Reports that describe 2013 season ranch improvements are due in spring 2014. Staff will report BRO progress in grazing management practice implementation at the June 2014 Water Board meeting in Bishop.

4. Confined Animal and Dairy Strategy - Ghasem Pour-ghasemi

There are seven dairies and three heifer ranches within our Region. Only three dairies are under individual Waste Discharge Requirements. Nine other dairies and heifer ranches have closed since 1990; including three dairies in 2013 due to economic reasons.

Hinkley Area - There are three active dairies, three active heifer ranches, and four closed dairies in the Hinkley area. PG&E has conducted extensive groundwater study and sampling in the area over many years. Water Board staff obtained some data from PG&E and assessed the groundwater nitrate concentrations in Hinkley. Two groundwater hot spots in the Hinkley area were identified that are located near historical dairies with nitrate as nitrogen concentrations as high as 156 mg/L. During FY 13-14 staff intends to evaluate whether any residential wells contain nitrate over the drinking water standard, inform residents having nitrate polluted water, evaluate replacement water options (if needed) and establish land ownership near the hot spots.

Cleanup and Abatement Orders - Source control will improve groundwater quality over the long term by reducing and managing nutrients and salt loading. Therefore, Water Board staff intends to hold workshops with four dairies this summer to discuss actions to eliminate wash water disposal to unlined ponds and application to crop lands at an agronomical rate. Following the Workshops, staff plans to draft Cleanup and Abatement Orders to require actions by specific due dates.

Residential Well Sampling Near Barstow - On October 24, 2013, Water Board staff conducted water sampling from two residential wells up gradient of B & E Dairy

near Barstow and four downgradient residential wells. The results indicate nitrate as nitrogen concentrations in all downgradient residential wells exceed the drinking water standard. Water Board staff provided a copy of the analyses to residents and notified them that their water is not safe for drinking. Staff will conduct additional sampling and data evaluation to verify source of pollution.

Status of Replacement Water -

Approximately 40 residents are receiving replacement drinking water from four dairies that have polluted down gradient residential supply wells. These dairies were issued Cleanup and Abatement Orders requiring them to sample residential wells around the dairies once every nine months and analyze for nitrate and total dissolved solids. The sample data indicates there is no change to the number of residents who should be receiving replacement water.

Status of Source Control Plans – In May 2011, The Assistant Executive Officer issued 13267 Investigative Orders to 12 dairies requiring them to submit source control plans including (1) storm water runoff plans to protect surface water and (2) nutrient management plans to protect groundwater. The timing for receipt of these plans was based on water quality risks from existing on-site practices. Staff has received plans for nine of the dairies. Two dairies were closed and plan implementation is unnecessary. Green Valley Farms (formerly Alamo Mocho Ranch) is late in submitting its plans which are due at the end of March 2014.

N & M Dairy - N & M Dairy ceased operation as of July 2013. At this time the dairy is closed and its herd has been removed or sold. The Waste Discharge Requirements will be brought to the Board for rescission at a later date.

5. Barstow Marine Corps Logistics Base – Operable Unit 7 Proposed Plan and Record of Decision Status Update – Bill Muir

The Department of the Navy is finalizing its Operable Unit 7 Proposed Plan (OU7 PP) for the Marine Corps Logistic Base (MCLB), Barstow. The Navy held a public meeting on January 15 to solicit comments from the public. The OU7 PP describes the Navy's proposed remedy for 17 sites which includes three sites with groundwater impacts.

Three of the OU7 sites are located at the Yermo Annex and the other 14 sites are located on Nebo Main Base. All the groundwater sites are located on the Nebo Main Base. The Navy is proposing active soil cleanup actions at two sites, a combined active soil cleanup action with monitored natural attenuation for groundwater at one groundwater site, and monitored natural attenuation at two other groundwater sites. Monitored natural attenuation is proposed for the three groundwater sites because of low contaminant concentrations, the contaminant plumes are stable and are of limited extent.

The public comments received during the public meeting focused on supporting the Navy in their efforts to clean up sites to protect human health and the environment. The final decision on the cleanup approach is not made until all comments are received and evaluated as part of the Record of Decision (ROD).

The Draft ROD is currently being prepared and will propose the specific approach to be taken at each site. The draft ROD was submitted for review by the regulatory

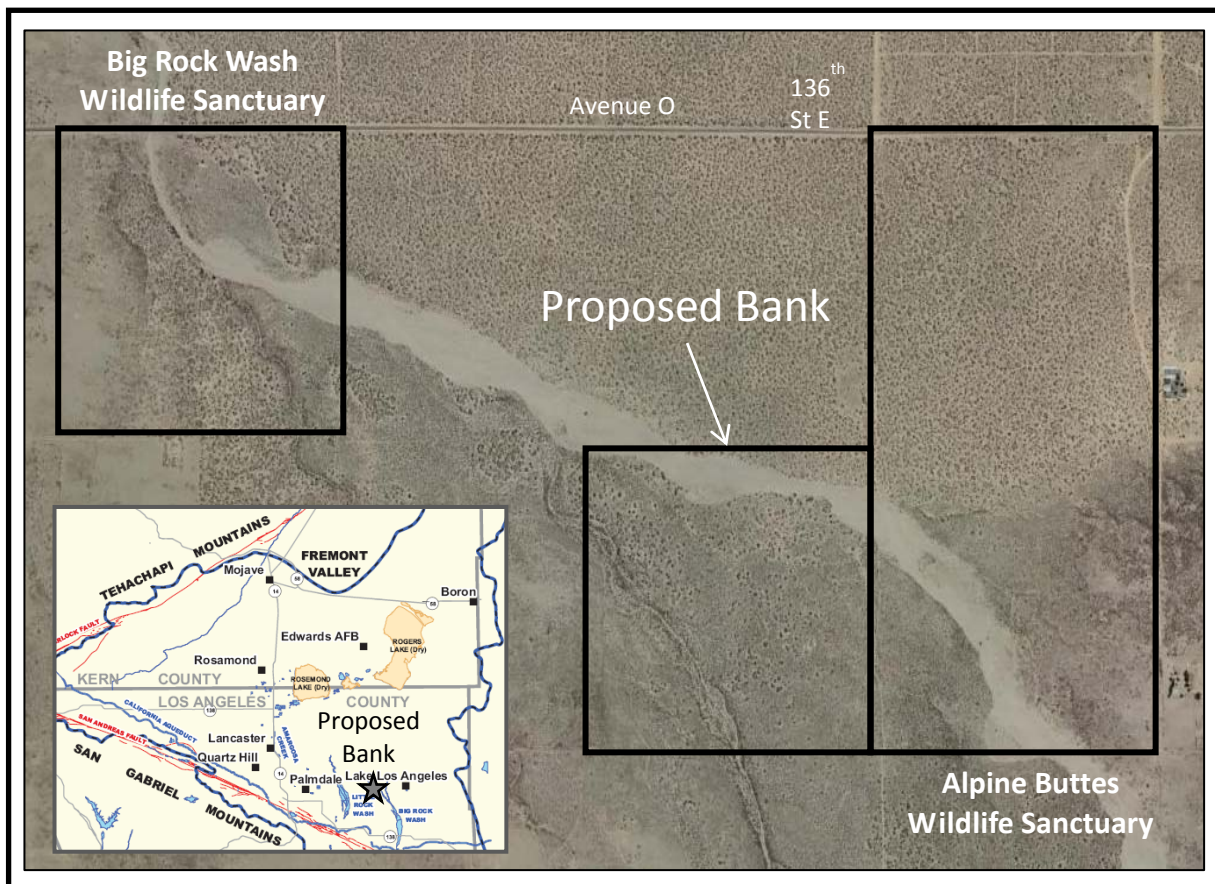
agencies on March 18, 2014. Agencies that oversee cleanup at MCLB Barstow are the Water Board, California Department of Toxic Substances Control, and U.S. Environmental Protection Agency.

6. **Proposed Big Rock Wash Mitigation Bank in Antelope Valley, Los Angeles County** – Jan M. Zimmerman

Entrepreneur, Richard Lyons (“Sponsor”), has purchased a 160-acre parcel in the Pearblossom/Lake Los Angeles area of Los Angeles County with the intent of establishing a mitigation bank (“Bank”) and providing mitigation options for offsetting impacts to waters of the State and associated habitats within the Antelope Valley. The Bank property is traversed by Big Rock Wash and several tributaries and covers a significant portion of the property. The Bank property also possesses habitat for a number of rare and sensitive species including Desert Tortoise, Mojave Ground Squirrel, Swainson’s Hawk, Burrowing Owl, and San Bernardino Kangaroo Rat.

Water Board staff visited the Bank property with the Sponsor, his consultants, and staff from the California Department of Fish and Wildlife (CDFW) and the Los Angeles County Department of Regional Planning on February 19, 2014. The uniqueness of the Bank property is that it is located in a relatively undeveloped portion of the valley and is in close proximity to three wildlife sanctuaries, two of which are shown on the figure above. The Bank will, in effect, increase the adjacent Alpine Butte Wildlife Sanctuary by 50 percent.

The Sponsor is proposing banking opportunities that will focus on restoration, enhancement, and preservation of ephemeral wash and riparian habitats, as well as rare and sensitive wildlife and plant habitats. The Bank would primarily serve as mitigation for projects regulated under the Porter Cologne Act and the California Fish and Game Code Section 1602. It is not anticipated that the Bank would serve as mitigation for projects regulated under section 401/404 of the Clean Water Act as



there are no waters of the U.S. (only waters of the state) on the property. However, there are several large projects proposed in the Antelope Valley that could benefit from this type of mitigation option.

Within the next couple of months, the Bank Sponsor intends to initiate negotiations of banking terms with the Water Board and CDFW with the intent of establishing mitigation credits for waters of the State and for plant and wildlife habitats. Water Board staff will provide updates as negotiations progress.