

Response to Comments – September 30, 2011

Basin Plan Amendment - Pesticide Prohibition & Exemption Criteria

(Comment deadline 5 p.m., May 13, 2011)

League to Save Lake Tahoe

http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/comments051311/lslt.pdf

Comments

Response



April 13, 2011

Via E-mail

Mary Wagner & Daniel Sussman
Lahontan Water Board
2501 Lake Tahoe Blvd., South Lake Tahoe, CA 96150
mfwagner@waterboards.ca.gov & dsussman@waterboards.ca.gov

Re: Proposed Amendments to the Water Quality Control Plan for the Lahontan Region:
Pesticide Prohibition with exemption Criteria

Dear Ms. Wagner, Mr. Sussman, and Members of the Lahontan Water Board,

These comments are submitted on behalf of the League to Save Lake Tahoe ("League").
As referenced in our comment letter dated August 31, 2009, the League continues to remain
concerned with the detrimental, cumulative, and long-term impacts associated with pesticide use
in water. "The current pesticide water quality objective essentially prohibits pesticide
application to water by requiring the pesticide concentration to not exceed the lowest detectable
levels." Lake Tahoe has special designation as an Outstanding National Resource Waters
(ONRW), which affords the Lake a strict non-degradation standard.

The League has been a strong advocate for protecting the Lake from the introduction of
aquatic invasive species (AIS), which have the potential for irreversible impacts to the Lake's
ecosystem and physical environment. For the control of AIS that have already established
themselves in the Lake, such as Asian clam, Eurasian milfoil, and curly leaf pondweed, bottom
barriers and similar mechanical methods need to be employed. For invasive warm water fish
species like large-mouth bass and blue gill, electro-shock is a method that can be used without
pesticide application. Realistically, these well-established invasive species cannot be eradicated,
but only controlled at this point.

With respect to the significant impacts associated with pesticide use, conflicts with the
current water quality objective, Lake Tahoe's designation as an ONRW, and alternatives that
exist that do not require pesticide application, the Lake Tahoe Basin needs to be excluded from
this amendment, with the following exemptions:

- 1. In the emergency instance of the first introduction of the destructive quagga or zebra
mussels within a water body in the Lake Tahoe Basin, pesticides may be considered, if
eradication is probable. This needs to be limited by declaration of the California
Governor.

LTSLT R1: The Basin Plan amendment makes it possible for a
project proponent to propose chemical methods to control AIS
that are already established (e.g., EWM in the Tahoe Keys,
Asian clam infestations). However, at the time the request for
exemption is submitted, the project proponent must provide
evidence that non-chemical methods failed to address the
target AIS or justification, accepted by the Regional Board, of
why non-chemical measures were not employed or are not
capable of achieving the treatment goals.

LTSLT R2: At both the April and May Board meetings the
Board directed staff to retain the existing language which
describes circumstances that may qualify for an exemption to
the prohibition on aquatic pesticides. For Lake Tahoe, the
Board did not want the scope of circumstances to be narrowed
to just vector control and AIS emergencies. Instead the Board
prefers to keep the language flexible for all waterbodies in our
region regardless of ONRW designation. The Board also
indicated wanting the tool of pesticides available to combat AIS
specifically because ONRW designation may warrant the need
to protect unique waters. On a project-by-project basis the
Water Board will use its discretion to consider, grant, or reject
an exemption request.

The existing amendment language will only consider a project
proposed to control AIS as an emergency if the project is
proposed in response to an emergency as set forth in Public
Resource Code section 21060.3 (which include those declared
by the Governor); or projects that meet the CEQA definition of
Emergency Projects set forth in CEQA Guidelines
15269(a)(b)(c) and require immediate action to control the pest
of concern.

Comments	Response
<p data-bbox="201 321 1136 459">Mary Wagner & Daniel Sussman, Lahontan Water Board League to Save Lake Tahoe Comment Letter –Proposed Amendments for the Lahontan Region: Pesticide Prohibition with Exemption Criteria Page 2 of 2 April 13, 2011</p> <p data-bbox="237 488 1129 542">2. In order to directly safeguard human health and safety, the vector control of mosquitoes should be maintained, with pesticides allowed, if necessary.</p> <p data-bbox="201 571 1150 651">Thank you for this opportunity to provide further comments on the proposed amendments to the water quality control plan for the Lahontan region: pesticide prohibition with exemption criteria.</p> <p data-bbox="201 683 300 708">Sincerely,</p> <p data-bbox="201 797 495 932">Carl Young Program Director League to Save Lake Tahoe 2608 Lake Tahoe Blvd South Lake Tahoe, CA 96150</p>	<p data-bbox="1220 488 1879 553">LTSLT R2: Refer to LTSLT R2 on previous page.</p>