

Response to Comments – September 30, 2011

Basin Plan Amendment - Pesticide Prohibition & Exemption Criteria

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

Tahoe Keys Property Owners Association – Letter 1

http://www.waterboards.ca.gov/laontan/water_issues/programs/basin_plan/comments051311/tk1.pdf

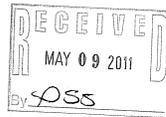
Comments

Response



PROPERTY OWNERS ASSOCIATION

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May 4, 2011

Mary Wagner
Dan Sussman
Lahontan Water Control Board
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South Lake Tahoe, CA 96150

Regarding: The Proposed Amendments to the Water Quality Control Plan for the Lahontan Region, Pesticides Prohibition with exemption criteria.

Dear Lahontan Staff and members of the Lahontan Water Board:

The Tahoe Keys Property Owners Association (TKPOA) is a complex homeowners association of 1,500 homes, 5,000 citizens, and 11 miles of waterways in South Lake Tahoe. We commend the Lahontan Water Control Board and Lahontan Staff for their vision and perseverance in the ongoing challenge of controlling and irradiating invasive aquatic weed species in Lake Tahoe. We support the Lahontan Staff for their well-researched recommendation to the Lahontan Water Control Board allowing exemptions to the prohibition of aquatic herbicides in Lake Tahoe.

As board members, we treasure Lake Tahoe, and see ourselves as the current stewards of this national resource. While we may not agree on many local, regional, and national issues within our own ranks, we are united in our conviction that the use of limited and selective herbicides to control invasive aquatic weeds is not only prudent, but vital and essential at this important point in history. **If the spread of these species is to be controlled and reversed, it must be done now, while it is still possible.**

Current methods of controlling invasive aquatic weed species are successful only in maintaining open channels for navigation, but do not destroy the invasive weed infestations. As harvesters of aquatic weeds at a commitment level unmatched anywhere in Lake Tahoe, Tahoe Keys can attest to the limitations of this and other non-chemical methods. **The problem is getting worse. It can still be controlled. It can still be eradicated. But we must be granted the tools to do so now.**

TKPOA 1 R1: The proposed amendment will give the Tahoe Keys Property Owners Association (TKPOA) the opportunity to attest to the limitations of non-chemical methods in achieving their goals, describe why and how chemical methods will achieve project goals, and provide an opportunity to apply for exemption to a pesticide prohibition.

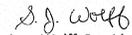
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<p>the Keys) will demonstrate that the controlled application of herbicides in the Keys will not adversely impact surface water intakes in other areas of Lake Tahoe. The remoteness of the Keys to the intakes areas and the rapid dispersal of low herbicide concentrations used will assure compliance to the highest standards.</p> <p>Our own Water Quality Committee here at Tahoe Keys, as well as our Board of Directors and upper staff, are actively involved with the Lake Tahoe Aquatic Invasive Species Work Group (LTAISWG) as they seek to explore all viable methods of controlling invasive aquatic weeds and other species in Lake Tahoe and in the Keys. For the next two seasons we will be partnering with this multi-agency body, of which Lahontan Water Control Board is a part, on a planned project in the keys this summer and next to test the effectiveness and feasibility of non-chemical management techniques. This comprehensive research will also include application of a surrogate, non-toxic dye to evaluate the dispersal and efficacy of focused herbicide application. It will also provide a basis for development of a long-term, integrated, aquatic weed management program for the Keys and will provide pertinent information for potential application to use herbicides, once the basin plan amendment is approved.</p> <p>We urge the Water Board to allow us the tools to contain and, we are confident, eventually eradicate invasive aquatic weeds in Lake Tahoe.</p> <p>We have heard from concerned and caring citizens that the eradication of invasive weeds is not possible, and that, because it is not possible, the careful use of chemical methods should not be allowed. We strongly disagree with this contention of surrender and abandonment. Eradication is possible! But, more importantly, even if absolute eradication was not possible, this should not prohibit the use of this vital and proven tool against the problem. Whether herbicides would or would not completely eradicate the problem, they have been proven time and time again to be the best method for the control of invasive aquatic weeds.</p> <p>The TKPOA has invested vast resources towards controlling weeds in the Keys by the use of weed harvesters. A full summer crew is employed to operate 4 large mechanical weed harvesters which run 8 hours a day and 6 days a week. We can only remove weeds to a depth of 5-feet. After harvesting, the majority of weeds remain to adversely impact beneficial uses, degrade water quality by increasing water temperature and recycling nutrients, providing habitat for non-native warm water fish, and impacting the safety of water contact recreation. Because of these known adverse impacts, it is in the best interest of Lahontan to preserve and improve water quality by allowing the careful, controlled use of all proven methods to control aquatic weeds.</p> <p>We must be allowed to manage invasive aquatic weeds using all available tools, and we must begin doing so as soon as possible.</p> <p>Please allow us to employ every reasonable and proven tool available to control the spread of invasive species in Lake Tahoe, and do so while the eradication of these species is still a viable goal.</p>	<p>TKPOA 1 R2: It is speculative to state the conclusion of ongoing studies' as forgone. The studies conclusions may show that herbicide treatments can effectively meet both project goals and compliance with control measures. Or, they may prove otherwise.</p> <p>The referenced studies should provide the type of information to inform a project level environmental analysis required when requesting an exemption request under the proposed amendment language. As a note, not all herbicides will, by design, disperse rapidly. Some require extended contact with the plants for effectiveness.</p> <p>TKPOA 1 R3: The proposed amendment provides exemption criteria allowing the Water Board discretion to authorize use of aquatic pesticides in certain circumstances.</p> <p>TKPOA 1 R4: The TKPOA must meet the proposed Basin Plan Amendment exemption criteria specified in Chapter 4 for continued pesticide applications in a weed abatement program.</p> <p>TKPOA 1 R5: The maintenance and protection of all beneficial uses is a goal and mandate of the Water Board. The structure and language of the proposed amendment is designed to protect and maintain all beneficial uses so long as not unreasonable to do so. The information on the inefficiencies and ineffectiveness of current abatement methods referenced in this comment is the type of information the TKPOA would include in a request for exemption when making the case that existing methods are not feasible to meet project goals.</p>

Comments

Response

We thank the Lahontan Board and the Lahontan Staff for their effort and courage in drafting this proposal. We particularly thank Dan Sussman and Mary Wagner for their unprecedented accessibility to our Water Quality Committee, Board, and manager in these past months.

Sincerely,


Joey Wolff, President TKPOA
Board of Directors


Greg Feet, General Manager
Tahoe Keys Property Owners Association