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TWSA Members:

Cave Rock Water System
Edgewood Water Company
Glenbrook Water Company
Incline Village GID
Kingsbury GID
Lakeside Park Association
North Tahoe PUD
Round Hill GID
Skyland Water Company
South Tahoe PUD
Tahoe City PUD
Zephyr Water Utility

5/23/2014

TWSA Comment Regarding Lahontan Region Water Quality Control Board Basin Plan Amendment – for the California State Water Board comment period ending 5/30/14.

The Tahoe Water Suppliers Association represents the majority of the area’s municipal water purveyors whose source of drinking water is Lake Tahoe. Most of the members pull water directly from Lake Tahoe to service their customers. There are 160,000 public water systems in the United States. Only sixty systems in the entire nation hold filtration exemption status with the US EPA. This status defines special water treatment and watershed protection requirements. Six of those sixty filtration exempt systems are Tahoe Water Supplier Association members. It is unusual for the US EPA to grant filtration exemption status to a drinking water provider located in a watershed open to multiple uses, such as Tahoe. These six filtration exemption permits attest to the extremely high quality of Lake Tahoe’s water. In the past 8 years, the TWSA has established an aggressive source water protection education program which includes the popular “I Drink Tahoe Tap” campaign. This campaign focuses on educating the public about source water protection and appreciation of the excellent tap water provided to our communities.

The regulatory revisions being implemented by the Lahontan Regional Water Quality Control Board (potentially allowing for the direct introduction of herbicides into an open water application at Lake Tahoe) are of paramount concern to the public water suppliers. We do not concur that the Substitute Environmental Document for the Lahontan Basin Plan adequately addresses the concerns for utility services and drinking water quality. Tahoe’s municipal water systems are not designed to, nor are they effective at, removing chemical contaminants. They are designed to treat biological contaminants only. Our concerns focus on the long-term implications of establishing chemical controls for aquatic invasive weeds maintenance, setting an unseen precedent at Lake Tahoe. We also question the efficacy of chemical methods, seeing the risk as too large to imperil one of the purest water bodies in the world.

For example: “No herbicides are used in the Okanogan Basin Water Board’s water milfoil control program. In the late 1970s test plots of Eurasian water milfoil were treated with 2,4-D in granular form. Although 2,4-D is a systemic herbicide, taken up by the plant and capable of killing the root, repeat applications are needed, usually on an annual basis. This chemical is the same active ingredient that is found in many lawn weed killers. Another

herbicide, Diquat, was tested once in the mid 1970s. It is the chemical equivalent of mowing the top growth of the plant and does not affect root viability. All the Okanagan lakes are used as drinking water reservoirs. Aside from citizen concern about chemicals in our water supplies, neither of these herbicides provides long term control.”

(Source: <http://www.obwb.ca/milfoil/methods-of-control/>)

And

“ Milfoil species are dicots, and therefore selective herbicides can be used to control them with minimal collateral damage to the primarily monocot native plant communities. 2,4-D, a selective herbicide, and fluridone, a non-selective herbicide, have both been used to control Eurasian watermilfoil to good effect in western Washington lakes. However, 2,4-D cannot be used in waterbodies that support salmonids (salmon and trout species). Triclopyr, another selective herbicide, has been approved for control of submerged plants as of 2008 and shows promise as an alternative herbicide for milfoil control. Endothall and Diquat, which are both contact herbicides, will control existing vegetation, but will not kill the roots, so the control is temporary.”

(Source:

http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=9&ved=0CGwQFjAI&url=http%3A%2F%2Fyour.kingcounty.gov%2Fdnrp%2Flibrary%2Fwater-and-land%2Fweeds%2FBMPs%2FMilfoil_Myriophyllum_control.pdf&ei=ZD5-U4_VCeac8QHY7YG4Ag&usq=AFQjCNHutiZQ_BEByL0KR54Q5VrXW3YiDA&bvm=bv.67229260.d.b2U)

The TWSA has been a supporting member of the efforts of the Lake Tahoe Aquatic Invasive Species Working Group. In the past, we have provided staff resources to support water quality monitoring needs during the Asian Clam Projects in Marla Bay. We regularly attend meeting and work sessions. While acknowledging the challenge that lies ahead in successful management of Aquatic Invasive Species at Lake Tahoe, the water providers cannot support the direct introduction of any chemical agent into Lake Tahoe as a management tool for weeds.

Lake Tahoe is a Tier 3, Outstanding National Resource Water (ONRW). This is the highest designation of a non-degraded water body in the nation. Lake Tahoe is not simply a California water body; but also a Nevada water body and are federally owned waters. Tahoe is a national treasure.

“Tahoe is on a world stage environmentally for how we protect both the urban and natural worlds for future generations. Few alpine lakes which claim such awe-inspiring beauty and pristine conditions also share the complexities of being a year-round vacation destination surrounded by diverse communities. Lake Tahoe is one of just three lakes on the West Coast designated an Outstanding National Resource Water and the only one outside the National Parks system with a mix of public and private property ringed by highways and a population in the tens of thousands.

These are among the reasons Tahoe’s environmental initiatives are so often used as models and drivers of environmental innovation. Our efforts to establish equilibrium between the human and natural environments provide both inspiration and instruction for communities grappling with

similar issues. When we work to protect our shores, sometimes we are serving more than our beloved lake. We are setting an example of environmental stewardship for others far and wide.”

(Source: Joanne Marchetta, the Executive Director of the Tahoe Regional Planning Agency from her guest column published in the North Lake Tahoe Bonanza on March 27, 2014.)

It is acknowledged that the Tahoe Keys Homeowners Association is developing an Aquatic Weeds Management Plan which will include an herbicide application project. How is Tahoe, as a Tier 3 ONRW, going to be differentiated from other water bodies and afforded the highest level of protection of any water body in the nation - if herbicides can be used to eradicate weeds in an open water situation?

Invasive aquatic weeds can be successfully managed using non-chemical methods which are now being rejected as too costly. The approval of the potential use of herbicides ‘as a tool in the toolbox’ for weed control in Lake Tahoe does not highlight innovation or stewardship. This ‘tool’ may be cheaper for the project proponent, but has the potential to induce a costly burden on all of the tax payers around the lake when the water purveyors must build filtration plants if herbicides and pesticides are introduced into Lake Tahoe.

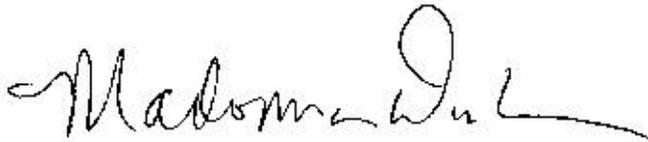
In the EPA Federal Water Quality Standards Handbook, the foundation of the water quality pollution control program mandated by the Clean Water Act – the following is written: Regulation 40 CFR.131.12(a)(3): The regulation requires water quality to be maintained and protected in ONRWs. EPA interprets this provision to mean no new or increased discharges to ONRWs and no new or increased discharge to tributaries to ONRWs that would result in lower water quality in the ONRWs. The only exception to this prohibition, as discussed in the preamble to the Water Quality Standards Regulation (48 F.R. 51402) permits States to allow some limited activities that result in temporary and short-term changes in the water quality of ONRW. Such activities must not permanently degrade water quality or result in water quality lower than that necessary to protect the existing uses in the ONRW. It is difficult to give an exact definition of "temporary" and "short-term" because of the variety of activities that might be considered. However, in rather broad terms, EPA's view of temporary is weeks and months, not years. The intent of EPA's provision clearly is to limit water quality degradation to the shortest possible time. If a construction activity is involved, for example, temporary is defined as the length of time necessary to construct the facility and make it operational. During any period of time when, after opportunity for public participation in the decision, the State allows temporary degradation, all practical means of minimizing such degradation shall be implemented.

Chemicals may dilute and degrade, but they do not disappear. The customer confidence we have built in “Tahoe Tap” cannot be replaced once chemicals are introduced into Lake Tahoe.

Lake Tahoe’s Tier 3, Outstanding National Resource Water designation demands that the innovation and stewardship be paramount in the handling of invasive weeds in the Aquatic Invasive Species Management programs at Lake Tahoe.

California Water Code section 106, considers, by law, that drinking water is the highest beneficial use of waters of the state, followed by irrigation.

Chemical methods are neither temporary, nor short-termed, nor an innovative way to handle the weed problem at Lake Tahoe, nor protective of the highest beneficial use of the waters of Lake Tahoe.

A handwritten signature in black ink that reads "Madonna Dunbar". The signature is written in a cursive style with a large initial 'M' and a long horizontal stroke at the end.

Madonna Dunbar
Executive Director, Tahoe Water Suppliers Association
Resource Conservationist, Incline Village General Improvement District
Submitted on behalf of the Tahoe Water Suppliers Association
5/23/2014