

Response to Comments – November 23, 2011

Basin Plan Amendment - Pesticide Prohibition & Exemption Criteria

(Comment deadline 12 p.m., November 14, 2011)

General Public – B.J. Hodge

http://www.waterboards.ca.gov/lahtontan/water_issues/programs/basin_plan/comments111411/hodge_comments.pdf

Comments	Response
<p>November 14, 2011</p> <p>California Regional Water Quality Control Board Lahontan Region 2501 Lake Tahoe Blvd. South Lake Tahoe, CA 96150</p> <p><u>Re: Public Comment - Proposed Amendments to the Water Quality Control Plan for the Lahontan Region to Allow Pesticide Use in Lake Tahoe</u></p> <p>As a resident and homeowner in Tahoe Keys, and direct stakeholder who would be affected by proposed amendments referenced above, like many homeowners in the area I have concerns about the health effects of such pesticide and herbicide use in Lake Tahoe and its adjoining waters.</p> <p>My concerns include the close and immediately adjoining proximity to the Tahoe Keys water lagoons of the three Tahoe Keys water wells that provide potable water to the 1,500+ homes and businesses served by these wells and the possible effects that the introduction of herbicides or pesticides in these lagoons might have on these wells, located in a downward trajectory of the lagoons to be treated with these chemicals. Is there any chance of proposed herbicides so used affecting the water quality of these water wells?</p> <p>Another concern is the health of swimmers, boaters, paddleboarders, children, pets, and others using the Tahoe Keys lagoons for daily water recreation, including myself, family, guests, and pets. Are the pesticides proposed 100% safe for such contact and occasional ingestion?</p> <p>It is reasonable to ask that use of pesticides, herbicides, and other chemical treatments in Lake Tahoe and its adjoining waters be approved only upon study and certification by an unrelated, third-party, unbiased, disinterested, arms-length, certified lab that attests with no uncertainty that uses of such chemicals are 100% safe for human, animal, and wildlife contact and ingestion. Some households at Lake Tahoe receive their drinking water directly and untreated from the lake's shorelines. Lake Tahoe's status as an Outstanding National Resource justifies the need for extraordinary care, caution, and protection. It is reasonable to expect that a full Environmental Impact Study examining all aspects of this amendment change is in order, before such proposed amendments are enacted.</p> <p>Sincerely,</p> <p>B.J. Hodge 402 Wedeln Ct. South Lake Tahoe, CA 96150</p>	<div data-bbox="1157 334 1915 792" style="border: 1px solid black; padding: 5px;"> <p>BJH R1: There is a chance that the use of pesticides may affect the water quality of the Tahoe Keys wells. It is speculative to specify the chance, given the range of factors of influence associated with an individual project. A non-exhaustive list of these factors includes pesticide properties, ambient conditions, substrate, well depth, proximity, and pump rate. Project proponents are required to provide information on the pesticide proposed for use, including the chemical composition, fate and transport, and risks to water supplies. Proponents are also required to include water suppliers in their public notification plans, including any water use restrictions or precautions. Proponents will provide potable drinking water where necessary.</p> </div> <div data-bbox="1157 870 1915 1333" style="border: 1px solid black; padding: 5px;"> <p>BJH R2: It would be speculative to assert that the pesticides proposed are 100% safe for such contact, as the proposed amendment to the Basin Plan does not specify what pesticides may be used. Rather, it requires that project proponents disclose information to the Water Board, in accordance with the required criteria specified in Attachment 2 of the SED. The Water Board then retains discretion to approve or deny exemption requests. If approved, project proponents must provide notification to all potentially affected parties using the water for any beneficial use, including contact and non-contact recreation. Proponents must also follow a monitoring plan and mitigation plan to assure safe compliance with permit requirements, protect the public, and address potential impacts.</p> </div>

Comments	Response
<p>November 14, 2011</p> <p>California Regional Water Quality Control Board Lahontan Region 2501 Lake Tahoe Blvd. South Lake Tahoe, CA 96150</p> <p><u>Re: Public Comment - Proposed Amendments to the Water Quality Control Plan for the Lahontan Region to Allow Pesticide Use in Lake Tahoe</u></p> <p>As a resident and homeowner in Tahoe Keys, and direct stakeholder who would be affected by proposed amendments referenced above, like many homeowners in the area I have concerns about the health effects of such pesticide and herbicide use in Lake Tahoe and its adjoining waters.</p> <p>My concerns include the close and immediately adjoining proximity to the Tahoe Keys water lagoons of the three Tahoe Keys water wells that provide potable water to the 1,500+ homes and businesses served by these wells and the possible effects that the introduction of herbicides or pesticides in these lagoons might have on these wells, located in a downward trajectory of the lagoons to be treated with these chemicals. Is there any chance of proposed herbicides so used affecting the water quality of these water wells?</p> <p>Another concern is the health of swimmers, boaters, paddleboarders, children, pets, and others using the Tahoe Keys lagoons for daily water recreation, including myself, family, guests, and pets. Are the pesticides proposed 100% safe for such contact and occasional ingestion?</p> <p>It is reasonable to ask that use of pesticides, herbicides, and other chemical treatments in Lake Tahoe and its adjoining waters be approved only upon study and certification by an unrelated, third-party, unbiased, disinterested, arms-length, certified lab that attests with no uncertainty that uses of such chemicals are 100% safe for human, animal, and wildlife contact and ingestion. Some households at Lake Tahoe receive their drinking water directly and untreated from the lake's shorelines. Lake Tahoe's status as an Outstanding National Resource justifies the need for extraordinary care, caution, and protection. It is reasonable to expect that a full Environmental Impact Study examining all aspects of this amendment change is in order, before such proposed amendments are enacted.</p> <p>Sincerely,</p> <p>B.J. Hodge 402 Wedeln Ct. South Lake Tahoe, CA 96150</p>	<p>BJH R3: Proposed projects may only propose use of aquatic pesticides that are registered for use by the USEPA and the California Department of Pesticide Regulation (DPR). The decision to register a pesticide is based on whether a compound causes an unreasonable risk to the environment and human health. The US EPA has several programs to ensure continued safe use of registered products including tolerance reassessment, registration review, and special review. It is not within the Water Board's authority, nor is it the Water Board's responsibility, to determine whether the scientific data presented to the USEPA and DPR is sufficient to approve, deny, or revoke a pesticide's registration. The Water Board retains the right, within the proposed exemption process, to deny an exemption request based on evidence submitted in the exemption process, including public testimony, written and oral, against granting an exemption. It is also within the Water Board's purview to review the proposed pesticide use and regulate the proposed discharge provided the project proponent prepares and implements a best management plan to protect water quality, ensure worker safety and prevent potential health impacts.</p> <p>BJH R4: In response to oral comments from the Tahoe Area Sierra Club, and written comments from the League to Save Lake Tahoe, staff presented to the Water Board, at both the April and May 2011 Board meetings, the idea of limiting the scope of circumstances eligible for aquatic pesticide use in Lake Tahoe. The idea proposed by these public interest groups was to limit pesticide use in the Lake Tahoe basin to vector control and emergencies. The Water Board directed staff to retain the proposed language to keep a flexible approach for all waterbodies in the Lahontan region, regardless of Outstanding National Resource Water (ONRW) designation. The Board will use its discretion to consider, grant, or reject exemption requests on a project-by-project basis. See response LTSLT R2 September 30, 2011 at: http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/comments051311/responses/ltslt_wbresponse093011.pdf</p>

Comments	Response
<p>November 14, 2011</p> <p>California Regional Water Quality Control Board Lahontan Region 2501 Lake Tahoe Blvd. South Lake Tahoe, CA 96150</p> <p><u>Re: Public Comment - Proposed Amendments to the Water Quality Control Plan for the Lahontan Region to Allow Pesticide Use in Lake Tahoe</u></p> <p>As a resident and homeowner in Tahoe Keys, and direct stakeholder who would be affected by proposed amendments referenced above, like many homeowners in the area I have concerns about the health effects of such pesticide and herbicide use in Lake Tahoe and its adjoining waters.</p> <p>My concerns include the close and immediately adjoining proximity to the Tahoe Keys water lagoons of the three Tahoe Keys water wells that provide potable water to the 1,500+ homes and businesses served by these wells and the possible effects that the introduction of herbicides or pesticides in these lagoons might have on these wells, located in a downward trajectory of the lagoons to be treated with these chemicals. Is there any chance of proposed herbicides so used affecting the water quality of these water wells?</p> <p>Another concern is the health of swimmers, boaters, paddleboarders, children, pets, and others using the Tahoe Keys lagoons for daily water recreation, including myself, family, guests, and pets. Are the pesticides proposed 100% safe for such contact and occasional ingestion?</p> <p>It is reasonable to ask that use of pesticides, herbicides, and other chemical treatments in Lake Tahoe and its adjoining waters be approved only upon study and certification by an unrelated, third-party, unbiased, disinterested, arms-length, certified lab that attests with no uncertainty that uses of such chemicals are 100% safe for human, animal, and wildlife contact and ingestion. Some households at Lake Tahoe receive their drinking water directly and untreated from the lake's shorelines. Lake Tahoe's status as an Outstanding National Resource justifies the need for extraordinary care, caution, and protection. It is reasonable to expect that a full Environmental Impact Study examining all aspects of this amendment change is in order, before such proposed amendments are enacted.</p> <p>Sincerely,</p> <p>B.J. Hodge 402 Wedeln Ct. South Lake Tahoe, CA 96150</p>	<div data-bbox="1119 764 1906 1344" style="border: 1px solid black; padding: 10px;"> <p>BJH R5: The Substitute Environmental Document (SED), dated December 2011, is the environmental analysis document for the proposed Basin Plan amendment. The Water Quality Control (Basin) Planning Program of the Regional Water Quality Control Board is a certified regulatory program and, as such, the SED is a functionally equivalent document to a California Environmental Quality Act (CEQA) Environmental Impact Report (14 CFR 15250-15253).</p> <p>In addition to the environmental analysis completed for this amendment, each project proponent that comes forward with an exemption request for a proposed use of aquatic pesticides will be required to conduct a project-specific environmental analysis to disclose any significant environmental impacts. In compliance with CEQA, the environmental analysis process provides an opportunity for public participation, and allows interested individuals the opportunity to get involved in the planning process of the project.</p> </div>