

Forest Service hit with violations at Tahoe projects

mweiser@sacbee.com

PUBLISHED TUESDAY, NOV. 03, 2009

The U.S. Forest Service has been cited for water quality violations at five Lake Tahoe projects, including a controversial logging operation in the 2007 Angora fire burn area.

Several violations caused significant erosion into Lake Tahoe streams, according to the Lahontan Regional Water Quality Control Board, which issued the notices. Erosion is a key cause of declining clarity in the storied alpine lake.

The Forest Service disputes some of the findings by the water board.

Any projects at Tahoe that disturb the soil are required to maintain erosion-control devices and to stop work at project sites by Oct. 15. They're also required to ensure erosion-control measures are in place when a storm is forecast.

Those things allegedly didn't happen in the five projects that received violation notices, issued between Oct. 19 and 26 after inspections by water board staff.

The most serious violation claimed by the water board involves a project to remove "hazard trees" burned in the Angora fire in South Lake Tahoe.

Inspectors visited the project site Oct. 13 and 14 during a storm, and said they found heavy erosion from logging areas into Angora Creek, a tributary of Lake Tahoe. They said they found little effort to prevent erosion.

"It was mostly the lack of any kind of control measures that stood out," said Lauri Kemper, supervising engineer at the water board.

On another visit Oct. 15, Lahontan inspectors quizzed two Forest Service employees – a watershed specialist and project inspector – about rules for installing erosion controls.

"Neither ... employee could articulate the process," the violation notice states.

Cheva Heck, spokeswoman for the Forest Service Lake Tahoe Basin Management Unit, acknowledged her agency didn't do enough to prevent erosion in the Angora logging area.

"We do agree we failed to prepare that area adequately for the storm," she said. "It's certainly been a long and difficult project, but we aren't offering any excuses."

She said, however, that her agency did nothing wrong in the four other projects that got violation notices.

Of these, the most serious of the disputed violations involves a bridge being built across Tallac Creek. Water quality officials visited the project during the same storm, and said they found some erosion controls had failed.

Heck said problems at the site were caused, in part, by an underground drainage failure triggered by the storm that could not have been avoided.

"In four of the five cases, we are not going to be concurring with Lahontan's conclusions," she said.

At an Oct. 19 inspection, the bridge contractor told inspectors the Forest Service had not informed him of the Oct. 15 deadline to winterize the project site, the water board reported.

State water law does not allow Lahontan to fine federal agencies for first offenses, only for subsequent violations at the same projects. Lahontan does have the power to order cleanup and abatement work, and it did so in each of the five cases.