Lahontan Regional Water Quality
Control Board

EXECUTIVE OFFICER'S REPORT

May 2002

NORTH BASIN

1. ***Update on Aquatic Pesticides General NPDES Permit and Eurasian watermilfoil control in Tahoe Keys, Lake Tahoe –*** *Jason Churchill*

In March 2001, the U.S. Ninth Circuit Court ruled that National Pollutant Discharge Elimination System (NPDES) permits are required for direct application of pesticides to water of the United States. The State Water Resources Control Board (SWRCB) subsequently issued a statewide Aquatic Pesticides General NPDES Permit on an emergency basis, to allow use of aquatic pesticides by public entities for protecting public health (e.g., vector control) or public waterways. Under the General Permit, "public entities" was broadly defined to include homeowners' associations.

A lawsuit filed by Waterkeepers Northern California against the SWRCB, and against certain water districts that had filed for General Permit coverage, was settled in January 2002. The Settlement Agreement includes requirements that the SWRCB develop an aquatic pesticides monitoring program/plan, and develop a program to evaluate alternatives to aquatic pesticide use. Also under the terms of the Settlement Agreement, the SWRCB is directing Regional Boards to take the following actions:

- require dischargers to install warning signs at application sites and notify downstream users, and

- "examine with heightened scrutiny each Notice of Intent [to obtain coverage] they receive from a homeowners' association . . . and . . . issue a Notice of Exclusion [denying General Permit coverage] to any homeowners' association if it proposes to discharge aquatic pesticides solely for an aesthetic purpose or not for the public purpose of protecting waterways and/or public health from harmful organisms."

The Tahoe Keys Property Owners' Association (TKPOA) has indicated that it will soon submit a proposal to use aquatic herbicides, on a limited experimental basis, for control of the invasive weed Eurasian watermilfoil in the Tahoe Keys, and will request that I withdraw a Notice of Exclusion (NOE) from General Permit coverage (which I issued against the TKPOA on February 5, 2002). The proposed treatment date reportedly would

be sometime in late June or early July, 2002. I intend to review the proposal and may consider withdrawing the Notice of Exclusion if it adequately addresses Regional Board concerns or propose a Regional Board Workshop in late June to hear the matter.

2. ***Update on Squaw Valley Public Service District, Water Supply Well No. 3 and the Opera House UST Diesel Contamination, Placer County*** – *Tammy Lundquist*

Squaw Valley Ski Corporation (Ski Corp) installed a mid-level groundwater monitoring well, MW-9, in March 2001 to check potential migration of diesel contamination into a deeper zone of the aquifer. Plume migration into the deeper zone concerns Board Staff because the Squaw Valley Public Services District (SVPSD) Supply Well No. 3 is screened in the deeper zone. This deeper zone may be within Well No. 3's intake capture zone.

Fortunately, total petroleum hydrocarbons as diesel (TPHd) contamination has never been detected in Well No. 3, but the well hasn't operated since October 1999. SVPSD shut the well off after the Ski Corp discovered the TPHd contamination in the groundwater. For the past year, the TPHd concentration in MW-9 has been measured slightly above the Taste and Odor Threshold of 100 micrograms per liter (µg/L) and in February 2002 was at 73 µg/L. The Municipal Supply Well No. 3 remains threatened because of the presence of TPHd contamination in the deeper zone.

To ensure protection of the aquifer's beneficial uses from the TPHd contamination, Board Staff requested Ski Corp implement a stringent water quality testing regimen in Well No. 3 so SVPSD can resume operation of the municipal well to help meet water supply demand this summer of 2002. Ski Corp will follow sampling and analytical procedures in cooperation with SVPSD during the testing of Well No. 3 that is scheduled to begin June 2002. SVPSD and Board Staff anticipate the sampling regimen will provide the necessary safeguards for Well No. 3 and will also show if TPHd, even at low concentrations, has entered the well.

4. ***Spalding Community Service District, Eagle Lake, Lassen County*** - *T. Jerrold Peacock*

The Spalding Community Service District held a well-attended public meeting May 10, to announce the progress of the sewer system design and its estimated price tag. Regional Board staff attended the meeting, providing support to the tenuous momentum that exists now that the final pieces start to fall into place. The engineer for the design estimates that the total construction costs will be approximately $1.7 million. The cost for a typical residence may be from $33 to $76 per month, depending on the mount of grant funding and financing available. In addition, the one-time connection charge will range from $2,190 to $4,640, depending on the condition of homeowners existing septic tank. The crowd felt the lower figures affordable, but expressed doubt there would be community support for the higher figures.

The USFS has not yet made a site for the wastewater disposal ponds available for purchase or trade. While the district continues to pursue acquisition of the disposal site, a new consultant will prepare the CEQA document for construction of sewers and treatment facility, and also assist in securing financing assistance. The District has learned that USDA grant funding will not be available, and have requested the SWRCB small communities grant and loan be increased to cover this shortfall. Once the financing package is secured, the District will schedule a bond issue election for property owners to approve construction of the proposed sewer system. They currently predict the election to occur in fall 2002, and if approved by the voters, construction could start in 2003 or 2004 and be completed two years later.

5. ***Summary of Second Annual Snapshot Day -*** *Abigail O'Keefe*

On May 4, 2002, over 200 citizens gathered to take part in the Second Annual Snapshot Day, a volunteer watershed monitoring event coordinated to gather sample data at numerous locations within the Lake Tahoe and Truckee River watersheds. Data was gathered from a total of 91 locations in Nevada and California. In the Truckee River watershed, 23 locations were sampled by a total of 53 volunteers, in North Lake Tahoe, a total of 39 locations were sampled by 70 volunteers, and in South Lake Tahoe, 29 locations were sampled by 122 volunteers.

Samples were analyzed for nutrients, total dissolved solids, turbidity and bacteria. Lahontan Regional Board staff joined other volunteers to conduct habitat assessments and photo document current stream conditions. Lahontan Regional Board staff processed 47 fecal coliform samples using the membrane filter method. All of the fecal coliform samples taken were in compliance with LRWQCB standards. All samples analyzed for nutrients within Lahontan jurisdiction were in compliance with water quality standards.

The event was sponsored by the Lake Tahoe Environmental Education Coalition (LTEEC) Clean Water Team, in coordination with various state and federal agencies, non-profit organizations, and universities and utility districts including the California Tahoe Conservancy, Lake Tahoe Basin Americorps, Lake Tahoe Community College, League to Save Lake Tahoe, Nevada Division of Environmental Protection, Sierra Nevada College, Tahoe Regional Planning Agency, Truckee River Watershed Council, United States Geological Survey, USDA Forest Service, and Waste Not-Incline Village General Improvement District.

6. ***Rescission of Time Schedule Order, Markleeville Public Utility District stream bank stabilization project, Alpine County –*** *Jason Churchill*

The Markleeville Public Utility District (the District) recently completed a project begun in fall 2000, to stabilize a portion of the Markleeville Creek bank and supporting slope against erosion. The work was necessary in order to protect the District's sewage force main and access road from failure (the force main and road are located in a slope above

the creek bank that was severely eroded during the 1997 record floods). Markleeville Creek is tributary to the East Fork Carson River.

On August 15, 2000 I issued Time Schedule Order (TSO) No. 6-00-70 requiring the District to take corrective actions to prevent further water quality impacts. The action also assisted the District in qualifying for a Small Communities Grant administered by the State Water Resources Control Board. The TSO required the District to submit a Time Schedule and Plan of specific corrective actions by September 15, 2000, and implement the Plan to stabilize the slope by November 15, 2001. I issued a Clean Water Act Section 401 Water Quality Certification for the project on November 9, 2000. Although unforseeable delays in grant processing prevented the District from meeting the implementation deadline under the TSO, bank stabilization work was completed in December 2001 and revegetation was completed in February 2002. I find that the District has been diligent in its efforts, and consider the project to have been completed in satisfaction of TSO and Section 401 Water Quality Certification requirements. I plan to issue an order in May rescinding the TSO.

7. ***Lake Tahoe Environmental Education Coalition Higher Education Research Symposium*** *– Robert Larsen*

In an ongoing effort to ensure Lake Tahoe research projects are well collaborated, the Lake Tahoe Environmental Education Coalition (LTEEC) and the University of California, Davis hosted the annual Lake Tahoe Research Symposium. The two-day event was held March 13 and 14 at the Kings Beach Conference Center in Kings Beach on the north shore of Lake Tahoe. Echoing the movement toward adaptive management, this year's symposium was entitled Using Science as a Tool in Restoration and Water Quality Management in the Tahoe Basin.

The symposium offered scientists, agency representatives, and interested public the opportunity to hear about current research efforts currently underway in the Tahoe Basin. Researchers from UC Davis, University of Nevada, Reno (UNR), the Desert Research Institute and local resource agencies presented on topics ranging from numerical modeling of lake clarity to upland biodiversity. There were presentations on storm water best management practice effectiveness, snowmobile emissions, stream monitoring, atmospheric nutrient deposition, and variations in near shore turbidity. Regional Board staff discussed the process for developing a Total Maximum Daily Load (TMDL) for Lake Tahoe and the associated research effort. A field trip at the end of the first day led by Michael Hogan of Integrated Environmental Solutions highlighted the challenges of stabilizing and revegetating steep, eroding road cuts.

To close the symposium, a panel discussion addressed the question "Where will the Tahoe Basin be in 2030?" The panel included representatives from UC Davis, UNR, the Tahoe Regional Planning Agency, the U.S. Forest Service, and the Regional Board. Despite the long-term trend of declining clarity, panel participants were optimistic. All agreed collaboration between scientists and policy makers is better than it has ever been.

Because of the complex interaction between environmental regulations, restoration activities, and lake response, such cooperation is essential. The gathering was an excellent forum to bring together a diverse group of scientists working in the Basin. The annual symposium offers the opportunity for cross-fertilization of ideas and project discussions to support existing collaboration and develop new partnerships to work toward the common goal of protecting Lake Tahoe for future generations.

SOUTH BASIN

8. ***Irrigated Agriculture and Environmental Protection Information Exchange - Los Angeles World Airport's Leaseholders*** - *Ted Saari*

At the request of several Los Angeles World Airways (LAWA) tenant farmers, Regional Water Quality Control Board staff (Board staff) and an interagency team prepared and participated in an information exchange meeting concerning reasonable measures the farmers could take to protect the environment. A total of 31 people attended the two-hour program held at Palmdale City Hall on April 24, 2002. Representatives from the golf course, City of Lancaster, local Farm Bureau, City of Palmdale, and Los Angeles Community Services District (LACSD) also attended.

Represented tenants included alfalfa, sod, onion, carrot, pistachio and gourd farmers. Most of the crops on LAWA lease properties are irrigated with ground water. Animal fodder crops are also grown with recycled water from the Palmdale Water Reclamation Facility.

Several other groups and agencies also participated at this meeting: Bret Banks, of the Mojave Desert Air Quality Management District (MDAQMD); Professor Jay Gan, Water Quality Specialist, University of California - Riverside, Department of Environmental Sciences; Eugene Rondash, of the Regional Board; and Nat Dellavalle, Agricultural Management Consultant for LACSD, made presentations concerning farm management practices protective of air, soil and water quality, farming efficiency and management practices.

Kathleen Bouri, of the Lancaster Farm Bureau, expressed interest in working with the tenants on obtaining Section 319 non-point-source mitigation grants.

LACSD announced that it is interested in finding additional uses and users for recycled water. Representatives from the sod farm and golf course stated they were interested in using secondary-level treated wastewater at their facilities. Board staff provided additional information to the District concerning the allowable uses of recycled water and to LAWA and other interested parties. This meeting was well received by everyone who attended the meeting.

9. ***Caltrans-Route 203 Rehabilitation Project*** – *Doug Feay*

Caltrans is proposing to start construction of the Route 203 Rehabilitation Project at Mammoth Lakes on May 31, 2002. The project will involve new paving, curb and gutters, and an improved stormwater drainage system. Board staff has reviewed and commented on plans for the project.

Board staff recommended that the importance of following the drop inlets be increased to allow for more settling time for volcanic pumice removal from stormwater. Volcanic pumice is currently used on roads for enhanced traction during the winter season in Mammoth Lakes. We also provided Caltrans with suggestions for an outlet modification that provides additional separation of floating material. Caltrans has modified the design based on our recommendations.

At a pre-job meeting on April 30, 2002 in Bishop, Caltrans discussed field implementation of its Water Pollution Control Plan for the job site with Board staff and its contractors. Daily inspection of the stormwater Best Management Practices will be logged and the information provided to Board staff for review.

Eastern Sierra Land Trust Formed *- Cindi Mitton*

A new organization, based in southern Mono County, has been formed that can aid persons interested in long term management of land. The recently formed Eastern Sierra Land Trust (ESLT) is a nonprofit, public benefit land trust, founded and managed by local residents. The ESLT consists of a volunteer board of directors, volunteer working committees, and members. It is the first land trust based in the central and southern Eastern Sierra region, and is one of more than 1200 land trusts across the country. The ESLT held one of its first public meetings on May 7, 2002. The goal of the ESLT is to help preserve rural landscapes by providing the benefits of a local land trust to residents, private property owners, public land agencies, businesses, visitors, and other stakeholders.

A land trust can assist those who wish to ensure continued use and protection of their lands by mechanisms such as a conservation easement. The ESLT can respond to the conservation needs of private and public landholders by, purchasing or accepting donations of conservation easements, facilitating land trades between private land owners and public agencies, acquiring land by purchase or gift receipt from owners, and by providing education about the ways a land trust can benefit local communities. The ESLT may act as an agent to manage lands voluntarily placed into trust. Such protection can act to preserve the area's primary economic base of tourism and preserve the environment.

10. ***Kern County Waste Management Department – Ridgecrest Class III Sanitary Landfill, Release to Ground Water -*** *Greg Cash*

Kern County Waste Management Department (KCWMD) recently detected low concentrations of volatile organic compounds (VOCs) in the ground water adjacent to the Ridgecrest Class III Sanitary Landfill (Landfill). KCWMD conducted a retest and the results confirmed that a release to ground water has occurred. The Landfill is currently in a Detection Monitoring Program, and based upon the ground water sample analysis

submitted to the Regional Board on April 8, 2002, the Landfill will be in an Evaluation Monitoring Program (EMP).

The Discharger is currently working with their consultant to develop an EMP. The Discharger will be submitting an EMP Work Plan and Time Schedule to the Regional Board within 90 days, to assess the horizontal and vertical extent of VOCs associated with the detected release.

As an interim correction action, KCWMD has installed and is currently operating an active landfill gas (LFG) extraction and treatment system at the Landfill. The system was designed and constructed to minimize potential LFG impacts to underlying ground water, and has been in operation since October 2001. Landfill gas data collected from a multi-depth probe indicate greater than 50% reduction in concentrations of methane in the samples collected in October 2001 when compared to samples collected in February 2002. Based on other landfill investigations within the arid environment, landfill gas is considered the source and transport mechanism for most of the VOCs detected in ground water in the arid-environment landfills. Ground water at the Ridgecrest Landfill is approximately 330 to 350 feet below the ground surface.

11. ***IMC Chemicals Inc. (IMCC), Trona –*** *Kai Dunn*

Compliance Status

Results from daily sampling of effluent shows that the interim effluent limit for Total Recoverable Petroleum Hydrocarbons set forth in the Waste Discharge Requirements was exceeded twice from Argus Plant during the month of April 2002. Fifteen bird deaths were reported during the same period. In response to staff comments, IMCC has submitted an addendum revising its Site Cleanup Work Plan for Searles Lake. Staff is continuing to work with IMCC regarding its cleanup approach and appropriate cleanup goals for each site.

Basin Plan Beneficial Uses

In order to resolve some differences between the Department of Fish and Game (DFG) and IMCC consultant Dr. Fry regarding the causes of bird mortality at Searles Lake, discussed during the workshop held at the April Board meeting, staff has contacted both DFG staff and Dr. Fry to continue to discuss these issues. Staff provided the DFG with a summary of questions raised by information provided at the workshop and plan to schedule a follow-up workshop at which additional information will be presented by DFG staff and Dr. Fry. A meeting between DFG staff and Dr. Fry is also being encouraged to better understand the bird mortality issues.

In evaluating beneficial uses and potential impairment of surface waters at Searles Lake, the question of whether Searles Lake is a water of the United States is unresolved. The Supreme Court decision in the case of Solid Waste Association of Northern Cook County

(SWANCC) versus the United States bears upon this case. Staff, is researching relevant information to support and evaluate this issue and may request a determination from the Board regarding this matter in the future.

Improving Technology

As part of the Administrative Civil Liability settlement, IMCC has installed low shear loading agitators and will heat the liquors feeding the WEMCOs in an effort to reduce hydrocarbons in the Trona Plant effluent. The pilot test results indicate improvements in hydrocarbon reduction from the process and that the modification could be successful for achieving interim effluent limits.

12. ***Pacific Gas and Electric Company (PG&E) Update*** - *Joe Koutsky*

PG&E submitted its March 13, 2002 proposal identifying alternative approaches for remediation of chromium in ground water in Hinkley in response to Cleanup and Abatement Order No. 6-01-50. The Order, which I signed on June 29, 2001, requires PG&E to evaluate chromium remediation methods that do not have the potential for releasing airborne hexavalent chromium while treating the polluted water.

PG&E's proposal contained three components: 1) a short-term remediation system to contain the chromium-contaminated ground water and prevent its migration; 2) an investigation to determine naturally-occurring chromium concentrations in ground water for the purposes of plume delineation and establishing clean up levels; and 3) a long-term ground water remediation approach to replace the former land treatment method.

In its short-term remediation system proposal, PG&E plans to pump ground water for ex-situ treatment and reuse the treated water. Staff directed PG&E to submit a report on the design of the short-term treatment system and treated water reuse by July 1, 2002.

PG&E propose to delineate the chromium plume to the current levels of detection or background, whichever is higher. This task and the task to determine the background chromium levels are integrally related, so PG&E will coordinate this effort with its approach to determine background chromium concentrations. I suggested that if PG&E can reasonably justify a background level of chromium, PG&E should propose interim delineation values for both total chromium and hexavalent chromium in each upper and lower aquifer. Staff directed PG&E to submit a report on the necessary actions to complete the plume delineation by July 1, 2002.

The proposed conceptual approach to determine background concentrations of chromium in ground water will examine both shallow and deep aquifers, because background concentrations in each may be different. PG&E must clearly demonstrate that the locations selected for the study will be outside the influence of the existing or historic chromium plume. Staff directed PG&E to submit a background study technical memorandum by July 1, 2002.

In a May 2, 2002 letter, I concurred with the three basic components and encouraged PG&E to move forward with the proposal.

13. ***Kinder Morgan Barstow Terminal (Formerly Calnev Pipeline Company)*** *– Steve Fischenich*

I issued a Cleanup and Abatement Order to Calnev Pipeline Company (Facility) in July of 1999 to clean up and abate the effects of discharges of hydrocarbons to ground water from leaking underground piping. After subsequent investigation, and continued source removal using soil vapor extraction, Board staff requested further definition of a methyl tertiary butyl ether (MTBE) plume that had migrated offsite to the Marine Corps Logistic Base (MCLB) property, located downgradient of the Facility. A Site Investigation Work Plan was submitted to Board staff in May of 2001. In October of 2001, six soil borings were advanced both onsite and offsite. Five of these borings were converted to ground water monitoring wells, four of which were installed to further define the MTBE plume and one of which was installed to confirm upgradient conditions. The results of the investigation were provided in a Site Investigation Report, which concluded that the MTBE plume has been adequately defined.

During this time MTBE was also detected in MCLB monitoring wells, further downgradient than the apparent extent of the CalNev MTBE plume. That issue was discussed in Item 13 of the January 2002 Executive Officer's report. At this point, due to the complex regional hydrogeologic influences in the area, the origin of this MTBE plume has not been determined. It is possible that the plume from the Facility may have separated in the past or it may be a release associated with MCLB facilities.

In April of 2002, Board staff met with representatives of the Kinder Morgan Barstow Terminal to discuss their Site Investigation Report and a Feasibility Study Work Plan. Current leak detection methods employed at the Facility were also discussed. Board staff responded to the Site Investigation Report in a letter (May 2002), requesting further clarification on a number of items including ground water modeling, a sensitive receptor survey, and the hydrogeological effects of the Mojave River. This additional information may assist in determining whether or not the MTBE detected in MCLB monitoring wells was related to the Facility plume. Board staff also conditionally concurred with the Feasibility Study Work Plan. A Feasibility Study Report and a revised Site Investigation Report are expected by October 15, 2002.

14. ***Lake Arrowhead Community Services District –*** *Hisam Baqai*

Because of a number of years of drought, water levels in Lake Arrowhead have dropped by several feet. Many residents and the Lake Arrowhead Community Services District (LACSD) Board are concerned about this situation which has rendered many boat docks unusable for recreational use of the lake.

The LACSD Board and staff are looking at a number of options to increase the lake water level. Recently, LACSD staff and a few Board members met with the Victorville staff to discuss these various options for replenishing water to the lake. One of the options discussed was the discharge of treated sewage effluent to the lake. Staff pointed out that any proposal for the discharge of treated effluent to the lake will require: a) comprehensive analysis including, but not limited, to a California Environmental Quality Act document; b) Basin Plan amendment. The Basin Plan prohibits any discharge of waste above 3100 feet elevation; c) Anti-degradation analysis; and d) National Pollutant Discharge Elimination System permit.

LACSD staff and Board members indicated that they are looking at various options conceptually and if they decide to pursue this project, they intend to have a more detailed written report to the Regional Board for a follow-up discussion and evaluation.

Board staff also advised LACSD that they should contact State Department of Health Services for their regulatory requirements concerning discharge of waste to a water body which is currently used as a drinking water source.