



EXECUTIVE OFFICER’S REPORT • October 2020
 Covers August 16, 2020 – September 15, 2020

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State and Regional

1. Personnel Report – Eric Shay

New Hires – None

Transfers

- Timothy Middlemis-Clark, Water Resource Control Engineer, transferring from Cannabis Regulatory Unit, South Lake Tahoe, to Wastewater & Agricultural Operations Unit, Victorville. This position provides regulatory oversight of projects involving discharges to ground or surface waters and projects intended to restore and/or enhance water quality.
- Emily Cushman, Engineering Geologist, transferring from Cannabis Regulatory Unity, South Lake Tahoe, to Department of Defense / Site Cleanup Program Unit, Victorville. This position analyzes threat of pollutants to groundwater and surface waters, reviews technical reports for cleanup strategies, reviews site investigation results, reviews proposed cleanup alternatives to ensure compliance with water quality objectives, prepares enforcement orders, investigates spills, and conducts inspections of cleanup sites and facilities.
- Carly Nilson, Environmental Scientist, transferring from Cannabis Regulatory Unit, South Lake Tahoe, to Non-Point Source Unit, South Lake Tahoe. This position provides scientific and regulatory agency review and comment focusing on compliance with California Environmental Quality Act (CEQA) requirements of projects for potential impacts to water resources from non-point sources of pollution, especially those associated with grazing and agricultural activities. Position drafts waste discharge requirements or waivers; conducts project reviews; and performs inspections of project areas to ensure activities do not result in increased sediment, nutrient, and/or pathogen loading to surface waters.

Vacancies

- Executive Officer for the Lahontan Region.
- Senior Environmental Scientist (Specialist), Compliance & Planning Division, South Lake Tahoe. This position serves as the Regional Monitoring Coordinator; lead for coordinating implementation of the Region's Climate Change Adaptation and Mitigation Strategy; and regional specialist for monitoring related special studies, investigations, and projects. The position will provide the lead responsibility for making policy recommendations, providing technical expertise orally and in written documents, evaluating and drafting environmental documents, and performing analysis on technically complex and politically sensitive assignments related to water quality monitoring and Water Board response to climate change in the Lahontan Region.
- Scientific Aid, Cleanup/Site Investigation & Enforcement Unit, South Lake Tahoe. This position assists staff with administering the site cleanup, underground storage tank, land disposal, and enforcement programs; reviewing reports, and maintaining databases; reviews self-monitoring reports for cases, permits and enforcement actions; reviews project files and water quality data to prepare for field inspections and permit updates; assists with field inspections; and reviews California Environmental Quality Act documents.
- Scientific Aid, Planning & Assessment Unit, South Lake Tahoe. This position helps the SWAMP program collect and process water quality samples and ensure data quality. The position supports the TMDL and Basin Planning programs through mapping and data analysis, outreach, and reporting.
- Scientific Aid, Wastewater & Agricultural Operations Unit, Victorville. This position supports the unit in evaluating submitted self-monitoring reports for compliance with waste discharge requirements. Other duties include supporting staff in conducting project-specific data analysis.

Departures

- Patty Kouyoumdjian, Executive Officer

North Lahontan Region

2. The Surface Water Ambient Monitoring Program Website Update – Alanna Misico

Staff recently worked with State Board to redesign the Region 6 Surface Water Ambient Monitoring Program (SWAMP) website. The new website has been reformatted with a user-friendly interface to reduce long scrolling pages and to help provide information to the public. The previous SWAMP website had not been updated in over a decade.

The information has been organized into 6 categories:

- Water Quality Data
- Available Reports
- Resources and Data Management
- Harmful Algal Blooms
- Bioassessment Data
- Fish Tissue Information

The categories are designed to quickly access relevant information.

The updated website includes the Lahontan Region Water Quality Dashboard and the most current Lahontan Region Bioassessment Scores Map, both of which are consistent

with the SWAMP Program Review recommendation 3: Maximize data access and uses of analytical tools through the use of new technology. Current Quality Assurance Project Plans and Standard Operating Procedures are easy for Water Board employees and members of the public to locate. The new format also provides quick links to the State Board Harmful Algal Bloom reporting page and The California Environmental Data Exchange Network.

This redesign effort will make accessing available data easier and provide a better understanding of the SWAMP mission. The website is designed to display well on mobile devices and can be found at:

https://www.waterboards.ca.gov/lahtontan/water_issues/programs/swamp/.

3. Over 50 Years of Collaboration Continues to Promote Lake Tahoe’s Resiliency – *Laura Korman*

Senator Catherine Cortez Masto of Nevada held the first-ever virtual The Lake Tahoe Summit on August 25, 2020. The Summit provides the opportunity for the region’s congressional representatives to show their support and commitment toward collaborative efforts to restore Lake Tahoe’s environment. The Summit was recorded where it can be watched at: <https://vimeo.com/451626475>. Senator Cortez Masto was joined by members of California and Nevada congressional delegations, governors, local scientists, and agency partners.

The theme of the 2020 Summit was “Resilient Tahoe.” In the face of a global pandemic, many have relied on recreating in the outdoors as a source of refuge; as such, there has been an influx of visitation into the Lake Tahoe Basin. The Basin experiences around 15



Figure 3.1 Poster for the Virtual Lake Tahoe Summit

million visitors a year and efforts are focused on how to sustain such high levels of visitation and preserve Lake Tahoe’s pristine environment. As Senator Masto stated, “This year, Tahoe had more visitors in April than it usually has in the high season in July... The COVID-19 crisis has helped remind us how valuable the outdoors is to our health — emotional, physical and spiritual, and that is exactly why we need to work even more diligently to protect open spaces and those who work to maintain them.”

A common thread of the Summit was discussing how Lake Tahoe remains resilient in the face of climate change and the associated challenges it presents. Emerging areas of focus include investigating new threats—such as microplastics in Lake Tahoe’s water, eradicating aquatic invasive species, managing forests for wildfire

resilience, and preserving the Lake’s clarity. In response to the Lake’s 8-foot decline in clarity, Senator Feinstein commented, “For every step we take forward, climate change threatens to make us take two steps back. This is a call to action. We’ve got to respond with urgency and science-based solutions.”

The Water Board is one of many key partners that remains committed to the collaborative efforts aimed toward improving Lake Tahoe’s water quality and long-term resilience. The Water Board continues to support science-based management thorough the implementation of the Lake Tahoe TMDL. Within the last year, the Water Board’s

collaborative efforts have prevented over 477,000 pounds of sediment from entering Lake Tahoe's waters. The Water Board also supports science-based solutions; our agency has invested over \$793,000 in research contracts to investigate the implications of climate change on Lake Tahoe's nearshore. These investments will help guide best management practices in the face of a changing climate. Additionally, working with the Tahoe Science Advisory Council the Water Board has aided in the development of a work order to further investigate what impacts climate change has on Lake Tahoe's famed clarity. Water Board staff sit on the Lake Tahoe Aquatic Invasive Species Coordinating Committee, working to support and implement invasive species control projects. Beyond the waters of the Lake, the Water Board has also invested resources in protecting the Tahoe Basin. Our agency is working to reduce forest fuels, increase defensible space, and develop communication protection plans to improve the resiliency of the Basin from the increasing threat of wildlife. With collaboration from our partners, nearly 85,000 acres of forest have been treated to reduce hazardous fuels. These investments demonstrate the Water Board's ongoing efforts being taken to mitigate the challenges associated with climate change and bolster the Basin's resiliency.

In summary, the words of Governor Gavin Newsom expressed the value of the collaborative efforts that have and will continue to take place in the Lake Tahoe Basin, "We can protect this basin and this lake for generations to come. It's decisions not conditions that will determine that fate and our collective future." Since its inception in 1997, the Lake Tahoe Summit has exemplified an unprecedented public and private partnership to preserve Lake Tahoe's environment, including the Lake's famed clarity. Our agency continues to work with our partners in the Basin to restore the Lake's clarity, preserve the Basin's environment, and adaptatively manage for our changing climate.

4. Quarterly Violation Report – 2nd Quarter 2020 – Rob Tucker

The Quarterly Violation Report for April 1, 2020 to June 30, 2020 includes (1) a brief summary of violations that occurred during the reporting period, and (2) an update on pending enforcement actions (see Pending Enforcement Cases Table).

Synopsis of 2nd Quarter 2020 Violations

Twenty-eight (28) violations have been recorded for the 2nd quarter 2020 reporting period (see 2nd Quarter 2020 Violations Table), much less than the 153 violations recorded for the same quarter a year ago. There are several key differences between the two quarters. First, there were nearly 30 violations during the 2nd quarter 2019 for failing to respond to 13267 Investigative Orders requiring recipients to provide information regarding use/storage of PCE or PCE-containing products in the South Y area of South Lake Tahoe. These violations are associated with a focused effort to obtain information associated with the Water Board's South Y Regional PCE Groundwater Contamination Investigation. There were also 46 violations associated with wastewater facilities in 2019 compared to 13 violations in 2020, and 31 violations associated with the Land Disposal Program (landfills, mines, surface impoundments) in 2019 compared to four (4) in 2020. Another key difference between the two quarters was the 18 violations associated with the Cannabis Program in 2019 compared to no such violations in 2020. It is also interesting to compare violations by facility type/program as a percentage of the total violations. Wastewater facilities accounted for 30 percent of the violations in 2019 compared to 46 percent in 2020. Violations associated with the Land Disposal Program dropped from 20 percent in 2019 to 14 percent in 2020. It is currently unclear why these changes are occurring, but evaluating such information will help staff identify where staff efforts are being effective and where to direct resources.

The violations during the 2nd quarter 2020 were also down from the 40 violations recorded during the previous quarter. The 2nd quarter violations were distributed over several counties with wastewater treatment facilities continuing to be the dominant facility type experiencing violations. There were seven (7) wastewater treatment facilities with a total of 13 violations evenly split between effluent quality violations (6 violations) and monitoring and reporting violations (6 violations).

Attachments:

A - 2nd Quarter 2020 Violations Table

B - Pending Enforcement Cases

South Lahontan Region

5. Post July 2019 Earthquake Evaluation Update for a Portion of Naval Air Weapons Station China Lake – Omar Pacheco

The Department of Navy (Navy) conducted field work in August 2020 to evaluate damage caused by the July 4 and 5, 2019 Ridgecrest earthquakes to a select number of groundwater monitoring wells on base and the landfill cover at Installation Restoration Program (IRP) Site 6, Area 4. The scope of work involved the following:

- Inspecting the condition of existing groundwater monitoring wells near the actual ground rupture, including 40 active installation restoration sites, to determine if monitoring wells were physically damaged by the earthquakes. In addition, the inspections were used to confirm well construction information (a downhole camera survey was conducted if no information was previously available).
- Physically inspecting the landfill cover condition at IRP Site 6, Area 4, followed by a subsurface investigation of the landfill using a geophysical survey to confirm any damage caused by the earthquakes.
- Preparing a Technical Memorandum summarizing the results of the evaluation.

The Navy evaluated the condition of 164 groundwater monitoring wells and conducted video surveys at 43 groundwater monitoring wells. The geophysical survey conducted at the landfill, IRP Site 6, Area 4, consisted of a combination of surface geophysical methods, including ground penetrating radar, dipole-dipole electrical resistivity, and electromagnetics, to assess the potential damage to the alternative final cover. The preliminary results of this geophysical survey noted changes in the surface elevations on the landfill cover and four distinct fractures with noticeable offset and three hairline fractures.

The preliminary results of the monitoring well evaluation recommended 44 groundwater monitoring wells for redevelopment. During this investigation, it was observed that several monitoring wells contained obstructions (e.g. roots), biofouling (dark slime) and biofilm, and bowed well casings. The Navy recommends repairing 24 groundwater monitoring wells and decommissioning at least three monitoring wells and recommends resurveying the entire groundwater monitoring well network (ground surface elevations and top of casing and/or measuring point elevations).

The Navy is developing a scope of work in collaboration with the regulatory agencies for re-surveying monitoring wells and repairing the landfill cover. The results of the inspections and recommendations are anticipated to be in the forthcoming Technical Memorandum, which is expected to be submitted by the end of the calendar year.

2nd Quarter 2020 Violations Table

ATTACHMENT A

Violation Category	Priority	County	Responsible Party	Facility	Violation Description	Corrective Action	Enforcement Action
Wastewater Treatment Facilities	B	Multiple	Multiple (6) representing small private to large municipal wastewater treatment facility owners/operators.	Multiple (7) facilities located throughout the region.	Effluent Limits (6 violations) Monitoring and Reporting (6 violations) Pretreatment (1 violation)	Two (2) Dischargers proposed/took corrective actions addressing 4 of the 13 violations.	WB staff resolved 4 of the 13 violations with informal enforcement actions (Staff Verbal Communications, Staff Enforcement Letter, and/or Notice of Violation).
Sanitary Sewer Overflow	B	Inyo	Rolling Green Utilities, Inc.	Rolling Green Terrace Wastewater Treatment Facility	Unauthorized discharge of raw sewage from collection system to a surface water.	Discharger cleared blockage and cleaned up spill site.	Staff Verbal Communication Staff Enforcement Letter
Land Disposal	B	Lassen	U.S.Army	Sierra Army Depot	Deficient Report (1 violation)	None	Staff Enforcement Letter
		San Bernardino	MP Mine Operations, LLC	MP Mine - Onsite Evaporation Ponds	Unauthorized discharge of reclaimed water to storm water pond. (1 violation)	Recovered most of water and placed in evaporation pond.	
		Inyo	Inyo County IWM	Bishop (Sunland) Class III Landfill	Groundwater Receiving Water Limits (1 Violation/Multiple Constituents)	Discharger and WB staff evaluating effectiveness of current corrective actions.	
NPDES Permitted Facility/ Non-wastewater	B	Mono	California Dept. of Fish and Wildlife	Hot Creek Fish Hatchery	Effluent Limits (4 violations) Deficient Report (1 violation)	None	Permit Renewal in Progress
NPDES Stormwater	B	Nevada	Multiple (3)	Construction Projects (3)	Defficient BMP Implementation (3 violations)	Corrected BMP deficiencies.	Staff Enforcement Letters (3)
	B	San Bernardino	City of Adelanto	City of Adelanto	Failure to apply for Industrial NPDES Stormwater Permit		Notice of Non-Compliance
	B	Nevada	Basile Management Practice	The Elements at Cold Stream	Failure to obtain coverage under Construction NPDES Stormwater Permit prior to initiating construction activities.	Obtained permit coverage on June 10, 2020.	Notice to Comply

Pending Enforcement Cases
September 23, 2020

Facility	County	Enforcement Action	Current Status	Next Step
Executive Officer				
Ramiro Villa Avila/ APN 3060-020-043 Pearblossom	Los Angeles	CAO	Public comment period for the Proposed CAO closed.	Advisory Team to review Prosecution Team's response to Advisory Team questions, and make final recommendation. [3rd/4th Quarter 2020]
Prosecution Team				
Ramiro Villa Avila APN 3060-020-043 Pearblossom	Los Angeles	ACL Complaint	Preparing to issue ACL Complaint in response to waste discharges associated with unpermitted cannabis cultivation site.	Issue ACL Complaint. [4th Quarter 2020]
VVWRA	San Bernardino	ACL - Settlement (Mandatory Minimum Penalties)	Staff currently engaged in settlement negotiations.	Complete settlement negotiations and release Proposed Settlement for public comment. [4th Quarter 2020]
Susanville CSD	Lassen	ACL - Settlement (Mandatory Minimum Penalties)	Proposed Settlement available for public comment through October 5, 2020.	Advisory Team to review public comments and make final recommendation. [4th Quarter 2020]

Pending Enforcement Cases
September 23, 2020

Facility	County	Enforcement Action	Current Status	Next Step
Prosecution Team				
Tahoe Keys Marina	El Dorado	Expedited Payment Letter - Mandatory Minimum Penalty re-issued on October 27,2016.	Preparing Notice of Violation/Record of Violation with updated violations through 2020.	Issue Notice of Violation/Record of Violation. [4th Quarter 2020/1st Quarter 2021]
Bijou Marketplace	El Dorado	ACL-Settlement	Preparing to re-establish settlement negotiations.	Complete settlement negotiations and release Proposed Settlement for public comment. [4th Quarter 2020/1st Quarter 2021]
West Walker River near Coleville	Mono	ACL Complaint	Preparing to issue ACL Complaint in response to unauthorized discharge of fill to West Walker River.	Issue ACL Complaint. [4th Quarter 2020/1st Quarter 2021]