



EXECUTIVE OFFICER'S REPORT

August 2003

NORTH BASIN

1. *History and Status of TRPA's Shorezone Environmental Impact Statement – Mary Fiore-Wagner*

Deciding how to proceed with shorezone development in the Lake Tahoe Basin has been under investigation for over three decades beginning with county ordinances in 1966 and the adoption of the first region-wide shorezone ordinance in 1972. In 1987 the Tahoe Regional Planning Agency (TRPA) adopted its Code of Ordinances (Code) which implemented land use policies and regulations aimed toward protection of natural resources in the Lake Tahoe Basin. Included in the Code were ordinances to protect the shorezone by prohibiting the construction of new shorezone structures (i.e., piers, boat ramps, buoys, etc.) in areas considered prime fish habitat. To be consistent with TRPA the Regional Board's Water Quality Control Plan for the Lahontan Region (Basin Plan) incorporated the following prohibition,

“The discharge or threatened discharge, attributable to new pier construction, of solid or liquid waste, including soil, silt, sand, clay, rock, metal, plastic or other organic mineral or earthen materials, to significant spawning habitats or to areas immediately offshore of important stream inlets in Lake Tahoe is prohibited.”

The Code also required TRPA to evaluate the impacts associated with the construction and use of structures on fish habitat and spawning areas in Lake Tahoe and the mouths of its tributaries. After the study was completed, the TRPA would reconsider the standards set forth that prohibited new shorezone structures in prime fish habitat in the shorezone. The fish habitat studies were completed by 1991 and by

1993 TRPA was securing funds to prepare an Environmental Impact Statement (EIS) and to facilitate a shorezone structure inventory. The Shorezone EIS would provide an analysis of the existing shorezone conditions and evaluate future development alternatives and their potential environmental impacts.

In September of 1995, the Draft Shorezone EIS was released and the comment period was extended until 1997. Review of the 1995 Draft EIS revealed several unresolved issues. As a result, the 1995 Draft was never certified and TRPA formed a Shorezone Policy and a Shorezone Partnership Committee to prioritize outstanding issues. The shorezone committees recommended the TRPA redraft the shorezone EIS and consider a different process for developing a proposed project; this resulted in the 1999 Lake Tahoe Shorezone Ordinance Amendments Draft EIS (Shorezone EIS). The 1999 Draft Shorezone EIS was released for public comments, but because of other work priorities TRPA staff did not complete responses to comments. In addition, there were new concerns about toxicity associated with motorized watercraft exhaust and issues regarding scenic regulations remained unsettled. As such, the 1999 Shorezone EIS was never certified, thus requiring the TRPA staff to prepare a third Shorezone EIS.

The TRPA has contracted with an outside consultant who is currently preparing the third Draft Shorezone EIS, which is expected to be circulated for a 60-day public comment period by the end of September 2003 and certified by the TRPA Governing Board by January 2004. The Shorezone EIS will consider the results of an environmental assessment of the water quality impacts associated with pollutants generated from watercraft exhaust and also

incorporate the new shoreland scenic ordinances that were adopted by the TRPA in December 2002.

Once TRPA certifies the Shorezone EIS, the Regional Board will need to prepare a Functional Equivalent Document (FED) to amend its Basin Plan and lift the prohibition, which currently restricts construction of new piers in significant spawning areas. Regional Board staff anticipate bringing the FED before the Regional Board for certification at the February or March 2004 meeting. After the Regional Board certifies the FED and adopts the amendment, the State Board, the Office of Administrative Law, and the EPA must approve the amendment before it takes effect. Approval by the State Board will also involve a peer review of the studies used to provide the scientific justification to support the Regional Board's recommendation to lift the Basin Plan Prohibition. Regional Board staff expect that state and federal approvals will be attained by August 2004.

2. *Acceptance of plans for rotenone use by Department of Fish & Game, Silver King Creek, Alpine County - Jason Churchill*

The California Department of Fish & Game (CDFG) is proceeding with plans to use rotenone (a fish poison) in late summer 2003 and 2004 as part of recovery efforts for the endangered Paiute Cutthroat Trout (PCT) at Silver King Creek. Rotenone is used to eradicate introduced fish species that can out-compete and interbreed with PCT, prior to introduction of the native trout. The PCT was successfully reintroduced to upper portions of Silver King Creek following rotenone treatments in 1990, 1991, and 1992. The current project would help safeguard the restoration of PCT to its historic habitat, by introducing the endangered fish to five additional miles of the creek downstream.

The CDFG has filed for coverage for this project under the State Board's statewide Aquatic Pesticides General NPDES Permit (General Permit). Rotenone use by CDFG in the Lahontan Region is regulated under Basin Plan provisions that allow for a variance to water

quality objectives provided specific conditions are met. (For additional information, see the Basin Plan at Section 4.9, pp. 23.) A Memorandum of Understanding (MOU) was executed between the CDFG and the Regional Board in 1990 to implement the Basin Plan provisions. Staff has worked closely with CDFG personnel to address concerns regarding potential effects of rotenone on benthic invertebrates, and to develop an appropriate invertebrate and water quality monitoring plan.

Pursuant to MOU requirements, I reviewed project plans submitted by the CDFG and find that the project is consistent with Basin Plan provisions and meets criteria specified in the MOU. On July 3, 2003 I issued a memorandum to the CDFG accepting their submittal and authorizing them to proceed according to project plans. They plan to begin the project in September.

3. *Upper Carson River Prop. 13 Watershed Assessment by Alpine Watershed Group, Alpine County - Jason Churchill*

The Alpine Watershed Group is a collaborative stakeholder group formed in 2001 to preserve and enhance Alpine County watershed resources. The Watershed Group is interested in addressing the effects of years of mining, logging, grazing, recreational use, development, and road construction/maintenance in the watershed. These stressors have led to stream channel damage and entrenchment, diminished riparian vegetation, impaired water quality, and high rates of sedimentation and erosion. The Watershed Group is currently conducting an assessment of the Upper Carson River watershed, including portions of the East and West Fork Carson River and tributaries, with a \$200,000 grant awarded under Proposition 13. The project is being administered by the Sierra Nevada Alliance on behalf of the Watershed Group. The assessment will include a fluvial geomorphological evaluation and riparian corridor survey of selected stream reaches, and development of a GIS framework and database that can be used in the future to store, update, present, and analyze data for planning and designing watershed improvement projects. A restoration priority list will be developed identifying sites where restoration projects may

be most beneficial, and the final assessment report will include recommended management measures that could be applied at those sites. Substantial progress has been made on the assessment over the last year. Subcontractors were selected to conduct the fieldwork and develop the GIS framework and database, respectively. Base data layers for the GIS framework have been compiled and installed. Preliminary field

survey work was conducted in May to define and characterize stream reaches. The Watershed Group will consider the results of the preliminary survey at its next monthly meeting on August 12, to select reaches for more intensive stream survey work. It is anticipated that all field survey work will be completed by late fall, 2003, and the final assessment report should be available some time in 2004.

SOUTH BASIN

4. IMC Chemicals Inc., (IMCC) - Kai Dunn

Compliance Status

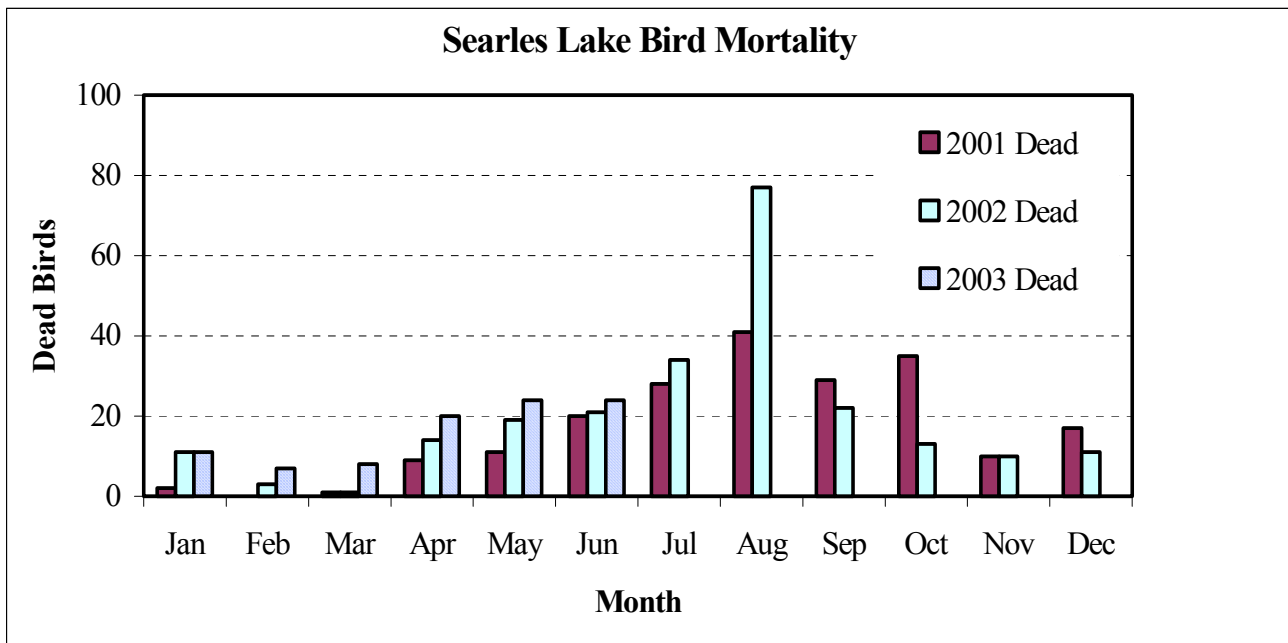
The Argus plant injection brine exceeded the interim effluent limit for total recoverable petroleum hydrocarbons (TRPH) three times during the month of June 2003. The cause was due to a minor equipment maintenance problem. Thirty-four birds were reported during the same period; twenty-four of them were found dead and most of them were waterfowl and grebe. The total birds found up to this year through the month of June were 141 with 94 dead and 47 alive. The dead birds reported in the year 2001, 2002, and 2003 are shown in the figure below.

Cleanup

As part of site cleanup under the Cleanup and Abatement Order, IMCC and its consultant collected groundwater samples beneath the former oil/water separator at an area called the serpentine channel. Results indicate contaminants are relatively localized with only one of the five sample locations detecting TRPH. Staff will continue to work with IMCC to complete the investigation and cleanup.

New Argus Skimmer Status

The new Argus skimmer started operation in July 2003. IMCC will be collecting performance data and prepare a status report for this project.



**CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD
LAHONTAN REGION**

**REPORT ON STATUS OF STANDING ITEMS
August 2003**

The Regional Board has requested that it be kept informed of the status of a number of issues. The following table lists the items, the reporting frequency and where the report can be found.

ISSUE	REPORT FREQUENCY	STATUS/COMMENT
IMC Chemicals - Compliance Status	Monthly	Item No. 4 of August 2003 EO's Report
Caltrans-General Permit	Annually	Due September 2003 Board Meeting
Eagle Lake Spalding	Semi-Annual	Due September 2003 Board Meeting
Vulnerability of Wells in Squaw Valley to Contamination from USTs	Semi-Annual	Due September 2003 Board Meeting
Meyers Beacon UST Site	Quarterly	Due October 2003 Board Meeting
Mojave River/El Mirage Dairy Issues	Quarterly	Due October 2003 Board Meeting
Progress of Cleanup at Molycorp	Quarterly	Due October 2003 Board Meeting
Town of Mammoth Lakes	Quarterly	Due October 2003 Board Meeting
Caltrans-Tahoe Basin	Annually	Due November 2003 Board Meeting
Tahoe Municipal Permit	Annually	Due November 2003 Board Meeting
Wetland Restoration Progress in Mono County	Annually	Due November 2003 Board Meeting

<u>Frequency</u>	<u>Board Meeting Month</u>
<i>Quarterly</i>	July, October, January & April.
<i>Semi-Annual</i>	September & March
<i>Annually</i>	Varied

UNDERGROUND STORAGE TANK/SLIC CLOSURE REPORT

State of California
Lahontan Regional Water Quality Control Board

Date "No Further Action Required" Letter Issued	Site Name	Site Address	Case Number	Case Type	Remaining Groundwater Concentrations above Water Quality Objectives (in micrograms per liter)	Remaining Soil Concentrations (in milligrams per kilogram)	Distance from Site to Nearest Receptor	Remedial Methods Used
June 26, 2003	Bridgeport CHP Fueling Facility	125 Main Street Bridgeport	6T0354A	UST (gasoline)	none	none	First groundwater at 10 feet bgs Municipal well 1/4 mile from site	Natural attenuation of < 1 ppb MTBE
June 26, 2003	Bridgeport Fire Department	3 Main Street Bridgeport	6T0161A	UST (gasoline)	TPHg: 280 MTBE: 4.7	TPHg: 570 Xylene: 620	First groundwater at 3 fet bgs Municipal well 1/4 mile from site	Natural attenuation static plume
July 11, 2003	Boca Accident Site (multi-vehicle accident spill)	Interstate 80 Seven miles east of Truckee	T6S032	SLIC (gasoline)	none	TPHg: 40 TPHo: 590	First groundwater at 25 feet bgs	Excavate and dispose 24 tons of soil adjacent to highway

Notes:

UST = Underground storage tank program
 TPHo = total petroleum hydrocarbons as motor oil
 TPHg = total petroleum hydrocarbons as gasoline
 MTBE = Methyl Tertiary-Butyl Ether (a gasoline oxygenate)

SLIC = Spills, Leaks, Investigation and Complaints program
 ppb = part per billion (micro grams per liter)
 bgs = below ground surface

**EO'S MONTHLY REPORT FOR
AUGUST 2003
UNAUTHORIZED WASTE DISCHARGES**

DISCHARGER	FACILITY	LOCATION	BASIN	REG. FACILITY	SUBSTANCE DISCHARGED	HAZARDOUS	DATE REPORTED	DISCHARGE VOLUME	DESCRIPTION OF FAILURE	DISCHARGE TO	PROP 65	STATUS
**COUNTY - Mono												
Southern California Edison	Power pole transformer	Near hospital at Mammoth Lakes	<input type="checkbox"/> S	<input type="checkbox"/> N	Mineral Oil (No PCBs)	<input type="checkbox"/> Y	6/19/2003	70 gals	Vehicle accident caused transformer to fall to ground and release contents.	Ground	<input type="checkbox"/> N	Soil cleanup is complete. No Further Action Recommended.
**COUNTY - Placer												
Private lateral	Private lateral	1389 Sandy Way, Olympic Valley	<input type="checkbox"/> N	<input type="checkbox"/> N	Raw sewage	<input type="checkbox"/> N	6/25/2003	Unknown	Lateral became blocked between the lower cleanout of house & sewer main. Spill occurred along the easement. ~45-feet of paper flowed through the weeds.	Land	<input type="checkbox"/> N	Sewer lateral cleaned out. Site cleaned up. No Further Action Recommended.
**COUNTY - San Bernardino												
World Services Aviation	AGST & Fueling facility	SO CAL Logistics Airport, VVL	<input type="checkbox"/> S	<input type="checkbox"/> N	Jet fuel, Type A	<input type="checkbox"/> Y	6/26/2003	5,600 gals	Overflow from secondary containment. Sampling valve left open due to operator error. System connected to CAL/NEV pipeline.	Ground	<input type="checkbox"/> N	Valve replaced with spring loaded valve. Soil cleanup is complete. No Further Action Recommended.
Lake Arrowhead CSD	Sewer	27529 W Shore Road, Lake Arrowhead	<input type="checkbox"/> S	<input type="checkbox"/> Y	Raw sewage	<input type="checkbox"/> N	7/5/2003	7,500 gals	Felled tree broke sewer. Tree felled as part of eradication of bark beetle infested trees.	Lake Arrowhead	<input type="checkbox"/> N	Board staff inspected. Cleanup of spill complete. Pipe repaired. Recommendation for Further Action pending receipt of written report and sample results.