

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION  
2501 Lake Tahoe Blvd., South Lake Tahoe, CA 96150

**NOTICE OF PUBLIC HEARING TO CONSIDER  
Issuance of Tahoe Keys Lagoons Aquatic Weed Control Methods Test  
National Pollution Discharge Elimination System Permit**

**AND**

**NOTICE OF MEETING TO CONSIDER  
Certification of Final Environmental Impact Report and Adoption of Resolution  
Granting an Exemption to the Aquatic Pesticide Discharge Prohibition, and  
Adoption of Mitigation Monitoring and Reporting Program  
FOR  
THE TAHOE KEYS PROPERTY OWNERS ASSOCIATION  
El Dorado County**

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Lahontan Region (Lahontan Water Board or Board) will hold a public hearing to receive public comments, and consider issuance of, the proposed Tahoe Keys Lagoons Aquatic Weed Control Methods Test National Pollution Discharge Elimination System Permit (NPDES) for the Tahoe Keys Property Owners Association.

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Lahontan Region (Lahontan Water Board or Board) will hold a public meeting to consider issuance of the following items:

1. Resolution for Certification of the California Environmental Quality Act Final Environmental Impact Report for the Tahoe Keys Lagoons Aquatic Weed Control Methods
2. Resolution for Granting an Exemption to the Aquatic Pesticide Discharge Prohibition in the Water Quality Control Plan for the Lahontan Region for the Tahoe Keys Lagoons Aquatic Weed Control Methods Test
3. Mitigation Monitoring and Reporting Program for the Tahoe Keys Lagoons Aquatic Weed Control Methods

This notice also sets forth the procedures and processes the Lahontan Water Board will use at this proceeding and contains important deadlines.

Tahoe Keys Property Owners Association (hereinafter Discharger or TKPOA) is a residential association of property owners in South Lake Tahoe, California. The Tahoe Keys Lagoons (hereinafter Facility) are artificial waterways that were created as part of a multi-use residential development. TKPOA is responsible for maintaining the Tahoe Keys Lagoons. TKPOA has requested to implement the Tahoe Keys Lagoons Aquatic

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Weed Control Methods Test (Project), which proposes to discharge aquatic herbicide residues, Rhodamine WT (dye tracer), and lanthanum-modified clay (phosphorus control) in the Tahoe Keys Lagoons and Lake Tallac in South Lake Tahoe, CA.

The Lahontan Water Board will hold a public hearing and consider adoption of the items described above as follows:

DATE: January 12, 2022, and if necessary, January 13, 2022.

TIME: 10:00 a.m.

PLACE: Video and Teleconference Only with No Physical Meeting Location  
(Authorized by Government Code Section 11133)

The Board meeting will begin on Wednesday, January 12, 2022, at 10:00 a.m. The Board meeting may conclude on Wednesday, January 12, 2022, or may continue to Thursday, January 13, 2022, at 10:00 a.m. Members of the public are expected to make their oral comments on January 12, 2022. If the proceeding is continued to the second day, some oral comments may be heard on January 13, 2022.

Advanced Zoom registration is required to participate telephonically or by computer. The deadline to submit a Virtual Speaker Card is January 10, 2022. Procedures for viewing and/or participating in the hearing, including for submitting Virtual Speaker Cards for individuals who want to provide oral comments are available on the Lahontan Water Board's website ([https://www.waterboards.ca.gov/lahontan/board\\_info/remote\\_meeting/](https://www.waterboards.ca.gov/lahontan/board_info/remote_meeting/)) and, are also available in the agenda for the meeting or by contacting the Lahontan Water Board's office. Questions regarding such procedures should be directed to the Lahontan Water Board at (530) 542-5400.

Participants in this proceeding are identified as either "Parties" or "Interested Persons." Designation as a Party is not necessary to participate in this proceeding. Both Interested Persons and Parties will have the opportunity to present oral comments. Both Interested Persons and Parties may be asked to respond to clarifying questions from the Lahontan Water Board members, counsel, or staff, or others, at the discretion of the Board.

The designated party for this hearing is the Tahoe Keys Property Owner Association. Parties to the hearing may present evidence or, cross-examine other parties' witnesses (if any are called). Parties are subject to cross-examination about any evidence they present.

Interested persons include any person or organization that is interested in the outcome of the hearing, but who has not been designated as a party. Interested persons may present oral comments at the hearing, but they may not present evidence. Oral

comments include policy statements and/or arguments about the appropriateness, wisdom, or utility of the proposal before the Lahontan Water Board. Interested persons are not subject to cross-examination and may not cross-examine witnesses.

All designated parties and interested persons may speak at the Lahontan Water Board meeting. Oral comments should avoid repeating previous comments to allow all persons time to be heard. Interested persons with similar concerns or opinions are encouraged to choose one representative to speak and are encouraged to coordinate their presentations with each other. **Oral comments will be limited to three (3) minutes each.** Any person may ask for additional time for their oral comment by sending a request with a justification supporting the request and the requested amount of time to the Board Clerk, Katrina Fleshman at [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov) or by contacting her directly at (530) 542-5414 **by 5:00 p.m. on January 3, 2022.** Please indicate in the subject line "Tahoe Keys Weeds Control Test." Interested persons requesting additional time will be advised prior to the date of the hearing of the amount of time they will be allocated. The decision to grant or deny additional time will be based upon the complexity and the number of issues under consideration, the extent to which entities and persons have coordinated, the number of interested persons anticipated, the extent to which entities and persons have identified unique interests, and the time available for the hearing. It is the Lahontan Water Board's intent that reasonable requests be accommodated.

Participants requesting to use a PowerPoint presentation during the public hearing must email the file, in .ppt format, to [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov) with a copy to [katrina.fleshman@waterboards.ca.gov](mailto:katrina.fleshman@waterboards.ca.gov), and be received **by 5:00 p.m. on January 3, 2022.** Please indicate in the subject line "Tahoe Keys Weeds Control Test."

The comment period for the Draft EIR/EIS closed on September 3, 2020. The comment period for the tentative NPDES Order, resolution granting an exemption to the aquatic pesticide discharge prohibition, and mitigation monitoring and reporting program closed on November 1, 2021. Late written comments will not be accepted or responded to and will not be included in the administrative record. Responses to timely written comments are expected to be posted by 5:00pm on December 29, 2021.

The proceeding before the Lahontan Water Board generally will be conducted in the following order:

- (1) Opening statement by the Chair summarizing the subject matter and purpose of the hearing
- (2) Administration of oath to persons who intend to testify
- (3) Water Board staff presentation (may include presentation from ESA consultant)
- (4) Questions from the Water Board members to staff or counsel
- (5) Designated parties' presentations
- (6) Questions from the Water Board members, counsel, or staff to designated parties

- (7) Interested persons' comments
- (8) Questions from the Water Board members, counsel, or staff to designated parties or interested persons
- (9) Questions from the Water Board members to staff or counsel
- (10) Deliberations
- (11) Water Board decision
  - a. Resolution for Certification of California Environmental Quality Act Final Environmental Impact Report for the Tahoe Keys Lagoons Aquatic Weed Control Methods Test
  - b. Resolution Granting an Exemption to the Aquatic Pesticide Discharge Prohibition in the Water Quality Control Plan for the Lahontan Region for the Tahoe Keys Lagoons Aquatic Weed Control Methods Test
  - c. Waste Discharge Requirements and National Pollutant Discharge elimination system (NPDES) permit for Tahoe Keys Property Owner Association, Tahoe Keys Lagoons Aquatic Weed Control Methods Test
  - d. Mitigation Monitoring and Reporting Program for the Tahoe Keys Lagoons Aquatic Weed Control Methods Test

Anyone having questions about the hearing should contact the Board Clerk, Katrina Fleshman at [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov) or by contacting her directly at (530) 542-5414.

The resolutions and orders, including any revisions to the tentatives under consideration, are expected to be posted on the Board's website by December 29, 2021. Copies of these documents can also be obtained by contacting the Lahontan Water Board's office at (530) 542-5400 or visiting the office at 2501 Lake Tahoe Blvd., South Lake Tahoe weekdays between 8:00 a.m. and 5:00 p.m.

The [Final Meeting Agenda](#) ([https://www.waterboards.ca.gov/lahontan/board\\_info/agenda/2022\\_schedule.html](https://www.waterboards.ca.gov/lahontan/board_info/agenda/2022_schedule.html)) will be available at least 10 days before the meeting.

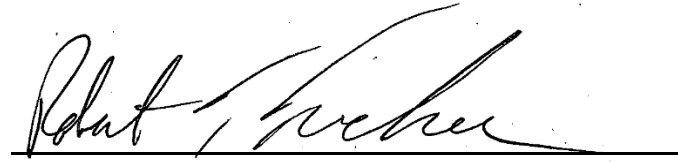
The [Procedures Governing Lahontan Water Board Meetings](#) ([https://www.waterboards.ca.gov/laws\\_regulations/](https://www.waterboards.ca.gov/laws_regulations/)) may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Lahontan Water Board are not conducted pursuant to Government Code section 11500 et seq.

Individuals requiring special accommodations are requested to send an email to [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov) with the subject line "Special accommodation for Board Meeting" or call (530) 542-5400 at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or by voice line at 1-800-735-2922.

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Please bring the above information to the attention of anyone you know who would be interested in this matter.

A handwritten signature in black ink, appearing to read "Robert Tucker", is written over a solid horizontal line.

ROBERT TUCKER, P.E.  
Senior Water Resource Control Engineer  
Regulatory and Enforcement Unit

**December 8, 2021**