Lahontan Regional Water Quality
Control Board

EXECUTIVE OFFICER'S REPORT

October 2001

NORTH BASIN

1. ***Fall Inspections and October 15 Grading Deadline Variances*** – *Robert Larsen*

   As the winter season approaches and the construction season comes to a close, Regional Board staff are inspecting construction projects in the Lake Tahoe basin and Truckee River watershed to ensure site stability before the onset of wet weather. To limit erosion and protect water quality, the Water Quality Control Plan for the Lahontan Region prohibits grading, filling, clearing of vegetation, or any other soil disturbance activity between October 15 and May 1 in these watersheds. Staff has visited various construction projects to assess progress, discuss winterization requirements, and determine whether the project will require a variance to the October 15 deadline.

   Several large construction and restoration projects in the Lake Tahoe Basin have finished work for the season and have been winterized. Excavation for the Lower West Side wetland restoration near the Tahoe Keys is complete and the site has been seeded and mulched. Grading activity has ceased at the Park Avenue redevelopment project and the site is stable. Work on the Trout Creek restoration project is finished and water is flowing in the newly constructed, stable stream channel.

   I issued approximately 30 variances to the grading deadline to allow contractors to complete additional small-scale portions of projects after October 15. Variances are only granted following written request from the discharger detailing the work that needs to be done and a time schedule for completion. I granted a variance to the Pioneer Trail III Erosion Control Project to allow the contractor to finish grading a storm water treatment basin and complete site revegetation. I have also granted other variances for a variety of small construction projects and utility maintenance activities.

   Dischargers operating under a variance must comply with several restrictions. The variance only allows the contractor to perform work detailed in the variance request and the work must be completed by the stated deadline. During the variance period when the National Weather Service predicts adverse weather conditions and prior to the onset of adverse conditions, dischargers are required to cease all soil disturbance activities and the project site must be winterized.

2. ***Meyers Beacon Gas Station, El Dorado County*** - *Lisa Dernbach*

   The Regional Board's consultant, Secor, will be excavating in late October a newly discovered area of soil contamination at the Meyers Beacon Station. High levels of gasoline, up to 11,000 ppm as Total Petroleum Hydrocarbons (TPH), were found

in soil adjacent to the underground storage tank basin. Approximately 1,400 cubic yards of soil will be excavated, including 450 cubic yards of contaminated soil to be taken off site for disposal at a licensed facility. The excavation will be backfilled with clean overburden soil and imported fill material. The consultant will install a soil vapor extraction system next spring to remediate remaining soil contamination in the UST basin.

Staff is also working to acquire funding from the State Board to investigate a detached MTBE plume that has migrated off site. The plume has been identified at greater than100 parts per billion MTBE in a monitoring well, and could be as close as 500 ft to the Upper Truckee River. The plume may pose a threat to the South Tahoe Public Utility District's Bakersfield municipal well, about 800 ft in the downgradient direction. Staff hopes to have the consultant conduct the groundwater investigation before the end of this year.

3. ***Unauthorized Discharge of Acid Mine Drainage at Colorado Hill, Alpine County*** *– John Steude*

On September 6, 2001, staff discovered, by chance, a discharge of water flowing from an area of abandoned mines on Humboldt-Toiyabe National Forest (USFS) lands at the Colorado Hill (near Monitor Pass). A field test of the water indicated a pH of 2.3 (highly acidic). Further investigation revealed that the water was coming from the entrance of the Lower Colorado mine, and that the entrance had been excavated with a backhoe. The water was flowing down an unpaved access road and into a State Route 89 storm drainage tributary to Monitor Creek. Substantial quantities of orange-colored sludge also flowed out of the mine and settled on adjacent land areas. Water test results indicate that the water was contaminated with high levels of certain metals (e.g., aluminum, copper, zinc).

On the following day a backhoe operator hired by the USFS was observed releasing more water from the mine. USFS personnel involved in Comprehensive Environmental Response and Liability Act (CERCLA) activities at the Colorado Hill did not respond to telephone messages left by staff. On September 12, 2001, staff observed that acidic water had seeped beneath the roadway and into Monitor Creek immediately below the point of release (Monitor Creek was dry upstream and downstream of that location).

On September 27, 2001, USFS personnel and consultants inspected the mine. Based on the inspection information, staff estimated the USFS released approximately 45,000 gallons of water from the mine. The inspection also disclosed a "cave-in" approximately 475 feet in-hill from the mine entrance, acting as a blockage and holding back an undetermined but significant volume of contaminated ground water.

These activities pose serious regulatory and environmental concerns, especially if the remaining water is discharged in an uncontrolled or unplanned manner (i.e., due to a "plug" failure). On October 16, 2001, I requested a report and corrective action (cleanup) plan from the USFS for the release.

The USFS has notified staff that additional de-watering activities are planned for the immediate future and that the remaining water would be removed from the mine by some method yet to be determined. Therefore, I also requested a report of waste discharge (RWD) for future discharges and activities. Due to the urgency of the

situation and the approach of winter, I also provided for a less-formal written report and circumstances under which the activities may proceed, provided the USFS demonstrates full compliance with CERCLA, including State involvement and compliance with applicable State standards and regulations.

Staff is working with the USFS to ensure appropriate corrective actions are undertaken for the past release, and to facilitate USFS plans for future de-watering activities while ensuring that appropriate regulatory requirements are followed.

4. ***Understanding Fluvial Geomorphology to Enhance the Design and Success of Stream Restoration and Alteration Projects***- Mary Fiore-Wagner

A good understanding of fluvial geomorphology is essential for all Regional Board staff working on the development, permitting, and monitoring of stream restoration, flood protection, gravel mining, and urban development projects. For a greater awareness of stream processes staff attended an intensive one-week course presented at the University of California White Mountain Research Station in Bishop. The principal instructor, G. Mathias Kondolf of UC Berkeley, presented principles and applications through a series of classroom lectures, case studies, and field trips within the Mono/Owens Basin.

The information learned in this class will be valuable in evaluating the increasingly numerous stream restoration projects proposed as part of the Lake Tahoe Environmental Improvement Program. To ensure the refinement of stream restoration projects, Kondolf stresses the importance of incorporating long-term (at least a decade) postproject evaluation into project planning. Effective evaluation of stream restoration projects should hinge on five elements: clear objectives, baseline data, good study design, commitment to the long-term, and willingness to acknowledge and learn from failure (Kondolf, 1995).

5. ***Lake Tahoe Research and Monitoring Program, Tahoe Basin***- *Bruce Warden*

Background: The Lake Tahoe Science Advisory Group (SAG), sponsored by the Tahoe Regional Planning Agency (TRPA), developed key management questions related to information needed to improve water quality in Lake Tahoe. Three of these questions are:

1) What are the sources, relative contributions and fate of fine-grained sediments, biologically available phosphorus and nitrogen inputs to Lake Tahoe?
2) What methods are available for reducing nutrient and sediment inputs to the lake and how much reduction can be achieved?
3) How much pollutant reduction is needed to achieve threshold attainment for lake clarity?

As a result of staff proposals, Governor Davis included $4.6 million in the current year budget to fund research and monitoring in the Lake Tahoe watershed, designed to answer the above key management questions. The Regional Board received approximately $3 million to fund the water quality efforts of the Lake Tahoe Environmental Improvement Research and Monitoring Program, California Air Resources Board (CARB) received almost $1 million for air-water interface studies at Lake Tahoe, and TRPA received at least $650,000 for water and air quality related

projects. Regular interagency meetings have resulted in a cooperative research project that will assess loading of nutrients and fine particulate matter from both water- and air-borne sources.

The Regional Board is in the process of contracting with Dr. John Reuter, a prominent researcher of the Tahoe Research Group (TRG), to provide overall project assistance and scientific oversight. Lake Tahoe Watershed staff and Total Maximum Daily Load (TMDL) staff are collaborating in this effort to develop and manage the dozen research contracts required to answer the above questions. Data from these studies are critical in estimating nutrient and fine particulate loading from different sources into Lake Tahoe. This pollutant loading information will ultimately be used towards developing the Lake Tahoe TMDL.

Progress through October 10, 2001: Staff has been working with CARB to design a research and monitoring program to estimate nutrient and fine-particulate atmospheric loading directly to Lake Tahoe, while at the same time identifying sources. CARB is now close to finalizing its scope of work. This is critical information for the Lake Tahoe TMDL.

TMDL and Tahoe Watershed Staff and Dr. Reuter are developing scopes of work for the water quality studies. The original list of study needs was updated to include projects critical for the TMDL program (lake particle flocculation [needed for water clarity model] and ground water, fertilizer and streambank erosion loading). Scopes of work have been prepared for (1) estimating stormwater loading from intervening zones (direct discharge to Lake), and urban runoff into tributaries; and (2) estimating fine particulate size distribution in stream flow from the tributary monitoring sites. Requests for qualifications were prepared for stormwater load estimation modeling and for groundwater and fertilizer source loading estimation. Scopes of work expected to be completed within the next few months include: Intervening Zone Hydrology Modeling, In-Stream Phosphorus and Sediment Modeling, Bioavailable Phosphorus characterization, Biocycling of Phosphorus and flocculation of fine sediment processes in Lake Tahoe, Overall Project Data Management, EIP design criteria and EIP Project Load Estimation.

Dr. Reuter has completed a TMDL Science Plan summarizing the necessary work to complete the Lake Tahoe TMDL. Technical discussions and review of new data were carried out for a number of areas including: chemical stormwater treatment, wetlands nutrient and sediment removal, results for the UC Davis Ward Creek intervening zone hydrology and sediment load study, and atmospheric deposition of phosphorus and fine-sediment. Basin-wide discussions on Environmental Improvement Plan (EIP) project priorities are also occurring.

6. ***Status Report for Tahoe Basin Activities under the Caltrans Statewide Permit –*** *Lauri Kemper*

Dick Melim, Lake Tahoe Coordinator from Caltrans District 3 is planning to present a status report to the Regional Board at the January 2002 Board Meeting. Regional Board staff continues to work closely with Caltrans staff on monitoring, maintenance and new projects. This year Caltrans committed to a new specification for road abrasive material containing lower phosphorus and fewer fine particles. Caltrans is also increasing water quality monitoring stations and investigating several

technologies for storm water treatment. Progress is being made on Environmental Improvement Project designs. More information will be provided at the January 2002 meeting.

7. ***Lake Tahoe Municipal Storm Water NPDES Permit City of South Lake Tahoe, El Dorado County & Placer County*** - *Kara Russell*

On October 12, 2000 the Regional Board adopted the Lake Tahoe Municipal Storm Water NPDES Permit, Board Order No. 6-00-82, and a Monitoring and Reporting (M&R) Program for the City of South Lake Tahoe (City), El Dorado County and Placer County for storm water and urban runoff discharge from their respective jurisdictions. The Municipal Permit (Permit) requires that each municipality implement Best Management Practices (BMPs) to control erosion and treat urban runoff and to attain water quality objectives by 2008. In addition, the Permit and M&R Program contain submittal requirements and compliance time schedules for proposed storm water and erosion control projects, monitoring plans and monitoring results, and problem assessment and maintenance needs.

The City and El Dorado and Placer Counties submitted an updated list of planned storm water/erosion control projects targeted for completion in the next five years. The Water Quality Working Group is developing a priority criteria process for prioritizing EIP projects based on water quality benefit, and a first cut prioritization list should be produced by the end of 2001. We have asked the City and El Dorado and Placer Counties to incorporate the prioritization criteria when updating their list of potential storm water/erosion control projects targeted for completion by 2008. This list is to be submitted to the Board by December 1, 2001.

The City and Counties also submitted a proposed Storm water/Urban Runoff Monitoring Program Plan, which includes monitoring storm water runoff for California Toxics Rule (CTR) constituents and an implementation schedule and special monitoring projects. The M&R Program requires the City and Counties to each monitor their individual maintenance yards and an additional site within their jurisdiction for the CTR pollutants. For the additional sites, the City has elected to monitor runoff from an industrial site, El Dorado County will monitor runoff from a residential area, and Placer County will monitor a commercial site. The CTR monitoring shall capture a first-flush event and be conducted annually for five years.

The City and Counties also proposed a "special" monitoring project within their respective jurisdiction. (This is in addition to the projects that the City and Counties are monitoring pursuant to the previous NPDES Permit, Board Order No. 6-92-02.) As explained in the M&R Program, the special monitoring projects may evaluate a specific storm water/erosion control project, BMP effectiveness, or existing snow and ice control practices. The monitoring activities shall include photographs, visual observations, collection and analysis of quantitative pollutant data, and flow data. The City has proposed to monitor the Glorene and 8th Street Erosion Control Project (ECP) which is scheduled for construction in 2002. El Dorado County has proposed to monitor the Cattlemans Basin, which was constructed this year as a component of the Pioneer Trail III ECP, and Placer County will monitor a detention basin previously constructed in Kings Beach. The

results of these monitoring projects are due to this office by December 1, 2003.

Each municipality submitted an annual report describing inspection results and maintenance needs for its jurisdiction and snow removal practices for City and County roads. The municipalities are tracking the amount of abrasives and deicers applied to roadways each year and the amount recovered by vactors and sweepers.

8. ***Status of Wetland Restoration Efforts in Mono County*** *– Cindy Wise*

The Board has requested from staff an annual status report on wetland restoration efforts in Mono County. At the first of these annual reports in November 1999, staff stated that the estimated amount of wetland impact resulting from the construction of single-family homes appears to have been compensated by wetland restoration, but that a formal tracking method was needed for verification. In the second status report of November 2000, staff explained that the Mono County Collaborative Planning Team Wetlands Technical Advisory Committee (Wetlands TAC) had recently re-instated its regular meetings to: 1) prepare and submit a watershed plan proposal for grant funding; and 2) explore the feasibility of developing a land trust or conservancy for Mono County. Both of these activities would assist in the development and implementation of a formal tracking method.

Since then, two proposals prepared by the Wetlands TAC were selected for funding under Proposition 13 (Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Act). The $400,000 grant award to Mono County will be used to develop watershed management plans for major Mono County watersheds (West Walker River, Mono Basin, and Upper Owens River). The plans will address wetland conditions and potential impacts, establish goals for restoration, and develop a formal means to track amounts of both impacts and restoration. The Wetlands TAC is in the process of drafting the contract documents needed in order to start work on the watershed plans early in 2002.

The Wetlands TAC held a series of meetings to hear from experts in the areas of land trusts and land conservancies. In part due to the meetings and from parallel efforts of others, a new land conservancy (Eastern Sierra Conservancy) has been established for Mono and Inyo Counties. A portion of the Proposition 13 grant award to Mono County will be used to further the stewardship efforts of this new land conservancy.

SOUTH BASIN

9. ***Aquatic Pesticide National Pollutant Discharge Elimination System (NPDES) Permit*** *- Jehiel Cass*

The Association of California Water Agencies sponsored a public workshop on October 5, 2001 in Riverside regarding compliance with the new Statewide General NPDES Permit for discharges of Aquatic Pesticides to Surface Waters (includes herbicides). State Board staff provided helpful guidance on the permit and Regional Board staff were present. Also, there were presentations by an attorney with the Metropolitan Water District regarding legal issues and a representative of the U.S. Department of Agriculture regarding monitoring practices.

A Discharger must self-determine if its operation must be covered under the general permit. The permit addresses point-source

applications only and does not address non-point source runoff conditions. Coverage begins as soon as a Discharger files a Notice of Intent (NOI) with the State Board. After determining that the application is complete, the State Board will send a copy of the NOI to the Regional Board. The permit allows Regional Boards to either: 1) request additional clarification on the NOI, 2) send a Notice of Exclusion indicating that coverage under the general permit is inappropriate, or 3) request an individual permit application.

The permit requires the use of Best Management Practices (BMPs) during application and post-application monitoring to verify that beneficial uses are not impacted. A Monitoring Plan must be submitted for Regional Board approval by March 1, 2002, and following approval, implemented by July 1, 2002. Regional Board staff must then conduct normal compliance oversight activities such as inspections, annual report review, and take enforcement as necessary.

The Los Angeles Department of Water and Power (LADWP) has applied for coverage for its Owens Valley operations. A lawsuit has been filed in Superior Court by the Waterkeepers of Northern California regarding this permit naming as defendants the State Board and those parties that have filed an NOI.

10. ***Owens Lake Dust Mitigation Program, Southern Zones Dust Control Project –*** *Joe Kenny*

The LADWP is continuing its projects on Owens Lake to implement dust control mitigation measures. LADWP proposes implementing dust-control measures that include shallow flooding, managed vegetation and gravel cover. The project will ultimately address 26 square miles of Owens Lake in Inyo County.

Board staff reviewed and commented on the Initial Study and Mitigated Negative Declaration for the project. An overall Environmental Impact Report was adopted for the project.

Board staff also requested that LADWP file a Report of Waste Discharge (RWD) relating specifically to the long-term operation of the irrigated areas and associated water collection ponds. LADWP is currently proposing to add small amounts of fertilizers, herbicides and chlorine. Issues to be addressed include long-term monitoring requirements and the BMPs to be adhered to during the construction and operation phases.

Staff is also reviewing an application for a 401 Water Quality Certification for the road crossing construction planned for Cartago Creek near the town of Olancha, in the southwest area of Owens Lake. Based on preliminary review, it appears that impacts can be adequately mitigated and a 401 Water Quality Certification is appropriate for this phase of the work.

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

Compliance with Board Orders

Daily reporting data from IMCC shows that the interim effluent limitations set forth in the Waste Discharge Requirements (WDRs) have not been exceeded during the period covered by this item (September and 1st half of October 2001). Twenty-four bird deaths were reported during the same time period. Bird fatalities decreased during the month of September. As part of Cleanup and Abatement Order (CAO No. 6-00-64A1),

IMCC has submitted the required BMP Plans and evaluation to Regional Board staff. The BMP Plan includes facility work area inspections, preventive maintenance and inspection of equipment; attention to housekeeping and litter control; and spill prevention and control. Based on implementation of the BMPs, IMCC has been able to reduce its purchase of oil by approximately 4,000 gallons for the first half of 2001. Additionally, the amount of oil in the Argus effluent has been reduced.

Gem-O-Rama

On October 13 and 14, IMCC co-sponsored, along with the Searles Lake Gem & Mineral Society, the annual Gem-O-Rama. The Gem-O-Rama provides the public an opportunity to go onto IMCC-controlled portions of Searles Lake for the purposes of mineral collection. The event includes exposing subsurface muds mechanically and collection of crystals by the public. There has been concern raised by the public that the evaluation of beneficial uses of Searles Lake by the Board would lead to elimination of the Gem-O-Rama. Regional Board staff believes that mineral collection such as demonstrated by the Gem-O-Rama is a beneficial use of the waters of Searles Lake that should be retained.

Basin Plan Beneficial Uses

The Regional Board amended theWDRs for the discharge at its October 2001 meeting deferring the establishment of final effluents limits until modifications of beneficial use designation for Searles Lake are considered. Interim effluent limits are established for the discharge. A Notice of Preparation for the Functionally Equivalent Document per California Environmental Quality Act (CEQA) has been prepared and will be circulated in the near future.

12. ***Molycorp, Alternate Sources Investigation –*** *Steve Fischenich*

    The Alternate Sources Investigation at Molycorp was developed to further investigate offsite releases of mine related material that were previously identified using remote sensing techniques. A technical working group composed of representatives from various agencies, identified five areas of concern: windblown material from the P-16 tailings pond, the area downwind of both the new and old Ivanpah evaporation ponds, the borrow pits, and the confluence of Farmer's and Wheaton washes. The field work, consisting of soil sampling at shallow depths and field radiation measurements, concluded in the final week of August. Soil samples were tested for selected lanthanide's, actinides, metals, and radioisotopes. Based on the available laboratory data, additional sampling is not proposed. A draft report summarizing the results of the investigation will be submitted by mid-December.

13. ***Kern County Waste Management Department – Ridgecrest Class III Sanitary Landfill, Landfill Gas*** *- Greg Cash*

    Kern County Waste Management Department (KCWMD) recently detected low concentrations of volatile organic compounds (VOCs) in the unsaturated zone (above the ground water) adjacent to the Ridgecrest Class III Sanitary Landfill. The landfill has a landfill gas monitoring system, which detected the VOCs. VOCs have not been detected in the ground water.

    Landfill gas is considered the source and transport mechanism for most of the VOCs detected in ground water in arid-environment landfills. KCWMD is in the process of installing a landfill gas collection system, which should be operational by the end of

October 2001. This gas collection system is being constructed to prevent future ground water problems. This landfill gas collection system will extract landfill gas from the waste, to prevent the landfill gas from migrating away from the landfill and contributing to ground water contamination. Ground water at the Ridgecrest Landfill is approximately 330 to 350 feet below the ground surface.

The gas collection system will consist of a number of wells drilled into the refuse to extract the gas, a network of collection pipes, and a flare station for burning the extracted gases. KCWMD is working with the City of Ridgecrest and China Lake Naval Air Weapons Station to increase their household hazardous waste disposal options.

14. ***Workshop on the Proposed Time Schedule Order for Los Angeles County Sanitation District No. 14*** - *Tim E. Post*

On the evening of October 16, 2001, the Regional Board Executive Officer, held a Workshop at the City of Lancaster City Hall to solicit comments concerning the issuance of a proposed Time Schedule Order (TSO) for Los Angeles Community Services District No. 14 (LACSD No.14). LACSD No.14 is in violation of its WDRs prescribed in Board Order No. 6-93-75, by discharging or threatening to discharge wastewater to Paiute Ponds that could create a nuisance condition.

Board staff made a short presentation summarizing the regulatory history, compliance schedule in the existing WDRs, requirements and schedule contained in the proposed TSO, and a potential Basin Plan Amendment that may affect Amargosa Creek, Paiute Ponds, and Rosamond Dry Lake.

Fifteen members of the public, including two representatives of LACSD No.14, attended the workshop. Two members of the public provided written comments at the workshop. Concern was expressed that eliminating some of the overflow from Paiute Ponds to Rosemond Dry Lake could adversely affect the habitat of certain threatened or endangered bird species. Additionally, the facts supporting the nuisance condition that has been alleged were questioned.

15. ***Town of Mammoth Lakes (Town)*** – *Cindi Mitton*

Since the October Regional Board meeting, Board staff has continued follow-up inspections at sites in the Mammoth Lakes area. Many inspections have been conducted jointly with Town staff. We are finding that sites are implementing BMPs, however, at some of the larger sites, BMPs are still inefficient to be protective during storm events. In these cases, staff has taken enforcement action, such as issuing a Notice of Violation (NOV) at one site and a Cleanup and Abatement Order (CAO) for another. The CAO was issued for the Eagle Run Condominium Project being built by Intrawest. The CAO requires Intrawest to implement BMPs and other appropriate sediment control measures to prevent the discharge of sediment laden runoff waters off the site and complete winterization actions. The CAO also requires Intrawest implement an employee training program and submit status reports regarding compliance. The Town has also issued enforcement notices for these and other sites. Regional Board and Town staff coordinated on tasks and due dates so that required actions were not in conflict. I believe that progress is being

made at sites in the Town, but we need to keep a close watch on facilities because of the increased threat sites pose as winter approaches. We will continue to perform compliance inspections is the Mammoth Lake area to check on compliance with the Eagle Run CAO due dates and to ensure that sediment controls are being placed and maintained to protect water quality.